

# **MEETING OF THE PARLIAMENT**

Thursday 9 December 2004

Session 2

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## Scottish Parliament

Thursday 9 December 2004

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

### Iraq

**The Presiding Officer (Mr George Reid):** Good morning. The first item of business is a debate on motion S2M-2132, in the name of Carolyn Leckie, on Iraq, and five amendments to the motion.

**Scott Barrie (Dunfermline West) (Lab):** On a point of order, Presiding Officer. I am sorry to interrupt, but before we start, I draw your attention to the fact that the *Business Bulletin* that was published this morning contains the questions that were debated at question time last week, not the questions that should be debated this week. I wonder whether you could look into the matter.

**The Presiding Officer:** I am advised that a revised version has been printed and is going out this very minute.

09:30

**Frances Curran (West of Scotland) (SSP):** This debate is long overdue, as we are facing a humanitarian disaster in Iraq. We have witnessed the destruction of the infrastructure of an entire country. Its food supply and water supply have been affected and we are now seeing an increase in the incidence of malnutrition, especially among children. Parts of Iraq have been bombed out and reduced to rubble. *The Lancet* reports that in excess of 100,000 civilians—mainly women and children—have been killed in violent deaths.

On March 13 2003, we, as MSPs—or, rather, you, as MSPs—had the opportunity to register the Parliament's opposition to that action. You had a chance to put down your opposition and say "Not in my name."

**Mr John Swinney (North Tayside) (SNP):** Some of us did that.

**Frances Curran:** Okay; some MSPs did, and I am coming to that.

MSPs had the chance to register their opposition by supporting a motion in the name of John Swinney. However, 62 members decided not to take that view and backed the action that we have seen over the past 19 months. Ignorance is no defence. Many voices across the world—including that of the Scottish Socialist Party—warned about the situation that we would find ourselves in. For us, where we are today in Iraq is no surprise. Millions took to the streets across the world and across Europe, yet there are MSPs in this building who took no heed. They slavishly put up their

hands in support of the warmongers, Bush and Blair.

Now we know that those who supported the war did so on the basis of lies and deceit—that is the basis of the occupation of Iraq. There are no weapons of mass destruction and there are no links with al-Qa'ida—or, at least, there were not before the invasion. The only line that people can cling to is the fig leaf of regime change. I presume that the regime-change argument expects us to believe that the invasion by United States and United Kingdom troops was doing the Iraqi people a favour. Well, I wonder how the children of Baghdad—the ones who were playing in the parks and playgrounds—see it. We saw those children days before the bombs dropped, in Michael Moore's film "Fahrenheit 9/11". Did we do them a favour? Did we do civilians a favour? Did we do the people of Fallujah a favour? Is what we did a favour in the name of regime change?

Let us make no bones about it: those who supported the war—those who put up their hands in Parliament—voted to drop bombs on the playgrounds, schools and homes of those children. Ignorance is not an excuse. How could they use napalm? Given all that we know about Vietnam, how could members support the use of napalm? Now that the US has admitted that it used napalm last year and now that the information is coming out about Fallujah, what are people trying to do? They are trying to cover it up and pretend that it did not happen. That is exactly what the amendments from Labour, the Liberals and the Tories do—they take out every reference in the motion to the use of napalm. That is an absolute disgrace, and members should be ashamed of yourselves. In this debate, I would like to hear some defence of that. If members do not think that napalm should have been used, they should condemn it openly. They should support our motion and not the amendments that attempt to take those references out.

Let me make it clear: US and UK troops are not liberators; they are an occupying army in a sovereign country. They broke international law by invading Iraq, so we should not be surprised that, throughout the 19-month occupation, they have continued to breach international law on human rights in prisons and in relation to utilities. They now stand condemned by the International Committee of the Red Cross of further breaches of human rights.

The incidence of malnutrition among children in Iraq has increased dramatically. One of the main reasons for that is the lack of clean water in which to cook food, yet in Fallujah, Samarra and Tell Afar—those are only the places that we know about; journalists are not allowed into large parts of Iraq—750,000 people have had their water

supply cut by occupying forces as a means of war. The civilian population has to pay for what is a complete breach of the Geneva convention, which specifically forbids the denial of water to civilians during conflict. That will really win hearts and minds. It will have a dramatic effect on the people of Iraq.

This week, we have heard that the battle for hearts and minds has been lost and is being lost for good. We have read in the papers this week quotes from the report of the Defense Science Board—one of the top security advisory bodies in the US—which states:

*"in the eyes of Muslims, American occupation of Afghanistan and Iraq has not led to democracy there, but only more chaos and suffering."*

Has the occupation made the world a safer place? Is that what direct intervention in the Muslim world has achieved? The report makes the point:

"American direct intervention in the Muslim World has paradoxically elevated the stature of and support for radical Islamists, while diminishing support for the United States".

That is no surprise to those of us who were on the anti-war campaign and spoke at meetings up and down the country. It was always clear—even Douglas Hurd made the point—that an American and British invasion force would never be seen as liberators and would always be seen as an occupying army. The Defense Science Board's report continues:

"American efforts have not only failed ... they may also have achieved the opposite of what they intended."

The conclusion that we must draw is that the world is a less safe place. After so much money has been spent on the war, after the civilian tragedy and the humanitarian disaster, nobody has benefited and the world is not a safer place. Those are not my words; they are the words of the advisers to Donald Rumsfeld. The report concludes that the actions of the US in Iraq have played right into the hands of al-Qa'ida.

Given the amendments from the Liberals, the Tories and Labour, I want to pose a question. They are all cheering on the sidelines for elections, and they probably hope that the elections will come along in January and save us from the quagmire.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** We have heard many minutes of Frances Curran's speech. When is she going to come to the main point of the motion, on withdrawing troops by Christmas? How on earth will that help the situation and the suffering in Iraq?

**Frances Curran:** First of all, there are three main parts to the motion, and we are about to address all of them.

**Mr Raffan:** Will she address that point?

**Frances Curran:** I am about to do that, if Mr Raffan will have a little bit of patience.

The key issue now is the elections, which Mr Raffan's party hopes will bolster support for the war, but how on earth are we going to see free and fair elections in Iraq next month? Such is the lack of stability that the US is having to pour in more troops to try to hold the position in order to attempt elections. There will be the largest number of troops in Iraq since the invasion. Fifteen Sunni political parties and two Kurdish parties have banded together and said that the elections should be postponed. How can voter registration in Fallujah be carried out when 200,000 people have been displaced and are living in camps on the edge of civilisation, with temperatures going below zero and without proper food, water or sanitation? Where do we set up the ballot boxes?

The Association of Muslim Scholars, Iraq's highest Sunni religious authority, has demanded that all Sunnis boycott the electoral process. If that happens, the elections can in no way be seen as viable, fair or representative, no matter how much public relations effort is thrown at them—and the Americans and Blair will try to do that. There is no way that that can happen. If the Sunni population does not take part, nobody—unless they think that they are in the Ukraine—will be able to claim that the elections are democratic and representative.

The truth of the matter is that it is a mess, a disaster and a quagmire, and it is of Bush and Blair's making. All the time that the situation continues, civilian and military casualties are increasing. More than 25,000 troops have now been injured. The death rate in November was 140. That is the highest increase in the death rate among US or British troops since the invasion began 19 months ago, and it is set to escalate. As we go in deeper and deeper and throw more and more troops into Iraq, higher and higher casualties are what is in prospect for the invasion.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Continuing on the point that Keith Raffan made, I ask Frances Curran to tell us how her proposal that all troops be withdrawn in two weeks' time would help the people of Iraq.

**Frances Curran:** I am coming to that. The only option now is to withdraw British and US troops. The reason is that the existence of those troops is causing more and more damage. They are contributing more and more to the break-up of the country. They are causing greater problems, creating a bigger opposition movement and taking the country further towards civil war. They will not be able to deliver peace. We will be in there for a long time and nobody on Mr Rumbles's side of the argument has a clue about how to get out.

The only solution—for which there are historical parallels—is to withdraw the troops as soon as possible. There are many sections of the troops who are demoralised, but it is not our arguments that are demoralising the troops in Iraq. What is demoralising them is the fact that they are there to fight a war based on lies and deceit. They are bombing and killing innocent civilians. They are involved in abuse of human rights and cutting off water. They were promised that they would be liberators, welcomed with flags in the streets, but they have been treated as an army of occupation and as a hostile force. The longer we keep them there, the bigger the mess is going to get, and it will be much more difficult to withdraw in the long term.

This was never about democracy. It was never about the people of Iraq. It was always about oil. Some people have benefited, but the world is not a safer place. We were right in our analysis of the invasion and, 19 months later, we will be right in our analysis that there will be a quagmire of civil war and the break-up of Iraq if we do not withdraw the troops now. We will also give massive support to al-Qa'ida and to the Islamic revolution. That is where Mr Rumbles and his colleagues have got us. At least they support us getting out of there now, but they should put up their hands and admit that they are ashamed of themselves for voting for the invasion in the first place.

I move,

That the Parliament notes with grave concern that Iraqi civilians have reported the use of napalm and/or phosphorous cluster bombs by US forces in their attack on the city of Fallujah, that the use of such weapons is banned by the United Nations international treaty to which the United Kingdom is a signatory and therefore utterly condemns any failure of the United States to abide by international treaties and the use of such weapons of mass destruction; notes the International Committee of the Red Cross's recent call to both parties to the conflict in Iraq which stated that it is prohibited to torture participants or to subject them to any form of inhuman, humiliating or degrading treatment and that both sides must do everything possible to help civilians caught up in the fighting obtain the basics of survival such as food, water and health care, notes that there were reliable reports of US forces cutting off water supplies to Fallujah prior to the assault and therefore, along with the Red Cross, believes that "for the parties to this conflict, complying with international humanitarian law is an obligation, not an option"; believes that the war in Iraq was based on deceit and lies and that far from ending terrorism "American actions have instead elevated the authority of the jihadi insurgents and tended to ratify their legitimacy among Muslims" and that most Muslims think that "the occupation of Afghanistan and Iraq has not led to democracy there, but only more chaos and suffering", as stated by the Defence Science Board, notes that the war has resulted in a humanitarian disaster with as many as 100,000 Iraqis having lost their lives and malnutrition amongst Iraqi children having almost doubled and that British and US troops are seen by most Iraqis as occupiers rather than liberators and therefore believes that it is in the best interests of all for all troops to be brought home for Christmas.

09:46

**Mr Duncan McNeil (Greenock and Inverclyde) (Lab):** Who knows why the Scottish Socialist Party called this debate today? Some would say that Iraq is the only issue on which members of the SSP group still agree. Some would say that they are guilty of using the current situation in Iraq to further their own political ends. Most would say that the motion before us presents a simplistic view of the reality of the situation in Iraq today.

The SSP members are fully aware of the realities of the devolution settlement, as voted for by the Scottish people. That settlement recognises and respects the fact that defence and foreign affairs are policy areas reserved to the Westminster Parliament. In fact, I think that the Scottish Parliament has now debated Iraq more than the Westminster Parliament has done. In Westminster, Scotland's voice is rightly represented by our 72 MPs, none of whom, of course, is a member of the SSP.

The idea that we could simply bring all troops home for Christmas is not only simplistic but dangerous. To pull our troops out now would be to abandon the Iraqis to their fate at the hands of extremists and terrorists groups who are working to undermine democracy and freedom in Iraq.

**Frances Curran:** Will Mr McNeil accept an intervention?

**Mr McNeil:** No, thank you. We have heard enough from Frances Curran, and we are likely to hear more.

Whether we agree with the reasons for our actions in Iraq or not, we must recognise the realities of the current situation. Iraq is being run by the Iraqi people, preparations are being made for elections in just over a month and the British Army, as part of a multinational force, is working to build the stability that is needed to allow those elections to run smoothly.

I do not intend to rehash the old arguments about the pros and cons of the Iraqi war. I am here today to move the Labour Party's amendment.

**Carolyn Leckie (Central Scotland) (SSP):** Will Mr McNeil accept an intervention?

**Mr McNeil:** No, thank you.

I am here to move an amendment that is based on our objectives of peace in the middle east, a settlement in Palestine and security for Israel. Our key obligation in this Parliament is to support the political process in Iraq, as the Egyptians, the Arab League, the Organisation of the Islamic Conference, the European Union and the United Nations are now doing.

First, let us be clear about the realities of the situation in Iraq. On 28 June this year,

responsibility for governing Iraq was handed to the Iraqi interim Government. That interim Government will continue until the formation of the transitional Government after the January elections. Prior to 28 June, the UN Security Council unanimously passed resolution 1546. We are part of the multinational force in Iraq that is authorised by that resolution, which specifies that the UN is to assist the people of Iraq to form their institutions, in particular to convene the national conference; to help with elections; and to promote national dialogue and consensus building on the constitution.

As the presence on the ground increases, our troops take on traditional UN roles, including humanitarian co-ordination and the protection of human rights. We are there with the agreement of the UN to support the Iraqi people in their efforts to establish a democratic Government, to enhance security, to provide humanitarian assistance and to facilitate economic reconstruction. If the SSP had the Iraqi people's interests at heart, it would support us in our efforts. Indeed, the Parliament should be clear in its support for all those efforts.

Iraqis clearly want elections and that is borne out in all Iraqi opinion polls.

**Carolyn Leckie:** Will the member take an intervention?

**Mr McNeil:** No.

Recent polls indicate that a large majority of Iraqis intend to vote. Elections will provide the opportunity for Iraqis to determine their own political future and we will extend to them all the help that we can.

**Frances Curran:** Will the member give way?

**The Presiding Officer:** Order. The member is not giving way.

**Phil Gallie (South of Scotland) (Con):** Will the member give way?

**Mr McNeil:** No. I am trying to get through this.

There is much more work to be done, but the interim Iraqi Government is committed to holding elections in January. The UN in Baghdad is confident that progress is on schedule and that elections are still on course for January.

Security for the elections is vital. We should make no mistake: forces are at work in Iraq that seek to undermine the freedoms that the Iraqi people have waited so long to enjoy. I acknowledge that there are insurgents in Iraq, but they are not fighting a foreign army; they are fighting democracy. The Iraqi Prime Minister, Dr Iyad Allawi, has tried to persuade terrorists to lay down their weapons and to agree to participate in elections, but they have refused to do so. Why? They know that, given a chance, Iraqis will reject

their form of leadership in favour of real freedom and democracy.

**Phil Gallie:** Will the member take an intervention?

**Mr McNeil:** Go on.

**Phil Gallie:** Does Mr McNeil agree that the situation in Afghanistan is similar to that in Iraq? Does he welcome the massive turnout of people in Afghanistan for their elections?

**Mr McNeil:** Absolutely. We want to give such an opportunity to the Iraqi people, to give Iraq back to them.

The SSP should take note of the facts. The interim Iraqi Government is co-ordinating humanitarian and reconstruction work in Fallujah and it reports that there is no humanitarian crisis so far in Fallujah or the surrounding area. The International Red Cross, the Red Crescent Movement and UN agencies agree with that assessment. The UK Department for International Development's strategy in Iraq is set out in its interim country assistance plan. Its key priorities are to promote rapid, sustainable economic growth, to encourage effective and accountable governance, and to promote social and political cohesion and stability. Who could disagree with that strategy?

To that end, the Department for International Development has committed more than £333 million for humanitarian aid and reconstruction assistance, of which it has distributed £245 million so far. Two hundred and forty hospitals and 1,200 primary health centres are functioning in Iraq. Routine immunisation restarted in 2003 and national polio and measles vaccination programmes are now complete. There are more than 6 million pupils and 300,000 teachers in more than 20,000 schools, and 350,000 students and 50,000 employees in higher education. There has been major school refurbishment and there are 70 million new textbooks. Power regeneration is taking place and major repairs are under way to build a substantial power grid. The list goes on and on.

Of course, we recognise that people—our people and our service personnel—have paid the ultimate price for that progress. We all welcome and look forward to the homecoming of our boys—our troops—and we are proud of the role that they have played in returning Iraq to its people.

I move amendment S2M-2132.6, to leave out from first "notes" to end and insert:

"believes that there should be a peaceful and democratic Iraq and supports all those who are working for world peace and the extension of democracy; recognises the importance of international support for the people of Iraq in their efforts to achieve stability and democracy; reaffirms its



support for a route map to peace in the Middle East which delivers a free and viable Palestinian state and security for Israel; affirms the importance of the principles of the rule of law, including respect for human rights and fundamental freedoms, and of democracy, including free and fair elections; believes that the planned withdrawal of British forces should only occur at the first practicable opportunity after the establishment of a democratic government in Iraq; acknowledges that the United Nations should play the leading role in assisting the Iraqi people, in particular in the formation of institutions for representative government; continues to express its gratitude to UK service personnel and their families including those from Scotland, and offers its sincere sympathy to the families of those members of the armed forces who have made the ultimate sacrifice in the service of their country."

09:53

**Alex Neil (Central Scotland) (SNP):** I apologise to members for arriving slightly late for the debate.

I want to concentrate on where we are at the present time, rather than go through the history. However, I put on record my party's belief that the invasion of Iraq was unjustified and illegal. It is sheer hypocrisy for the Labour Party amendment to state that it

"affirms the importance of the principles of the rule of law",

when Labour's own leadership has flouted international law in Iraq at every opportunity.

The fact of life is that the US-British invasion of Iraq was all about oil and the need for the US to find an alternative location to Saudi Arabia for its bases in the oil-producing part of the middle east, where its position has become increasingly untenable. Therefore, it was no accident that US and British forces stood by and allowed every ministry building in Baghdad to be trashed except for the Ministry of Oil, which had the full protection of the US and British forces.

The invasion of Iraq had nothing to do with weapons of mass destruction. It is clear that Bush and Blair knew that there were no longer any weapons of mass destruction in Iraq. That view on WMDs was subsequently supported by Robin Cook, Kofi Annan and Hans Blix. We are now dealing with the consequences of the disastrous decision to go to war with Iraq and we see those consequences day in and day out.

I find it ironic that Duncan McNeil boasts that the Department for International Development in London has made available £350 million for the reconstruction of Iraqi schools and hospitals. How does that compare with the £6 billion that the Ministry of Defence is using to destroy the schools and hospitals that the Department for International Development is trying to rebuild? The sum of £6 billion is spent to destroy, but there is only £350 million to rebuild.

More than 100,000 civilian Iraqis have been killed, according to *The Lancet*, and more than

1,000 servicemen and women from the US, UK and other countries have been killed, including, most recently and tragically, five casualties from the Black Watch. Far from winning the hearts and minds of ordinary Iraqis, the continuing illegal occupation of Iraq by western forces is driving more and more Iraqis, particularly young Iraqis, into the hands of the terrorists, because they no longer have any faith in western so-called democracies.

Our position is clear: we had no truck with the invasion and we believe that the on-going, illegal occupation is morally wrong and totally unjustifiable in military and humanitarian terms. However, I say to Frances Curran and the SSP that, having made such a mess of Iraq, the west cannot now make matters 10 times worse with a precipitate, unilateral withdrawal of troops by Christmas. To do so would be sheer lunacy on an unprecedented scale. I believe that such a policy would create a cauldron of internal strife and civil war, and an even greater catastrophe than the current one.

With all due respect, I believe that advocating such a policy shows a total misunderstanding of the situation, because the greatest fear of ordinary Iraqis, and the Arab and Muslim community, is of Iraq becoming another Lebanon. The Sunni minority, which controlled the army and security forces under Saddam, has had its army disbanded, but not disarmed. The danger now is that a well-armed Sunni minority, fighting a well-armed Shia majority, possibly supported by Iran—not to mention the possible threat to and from the Kurds in the north—could plunge Iraq into a civil war similar to the one in the Lebanon in the 1980s. Iraq has desert borders with five other countries and it is not difficult to envisage the potential for insurgency on a grand scale from those five neighbouring states. If Iraq descends into a state of civil war, that would be disastrous not just for Iraq, but for the middle east and world peace.

**Carolyn Leckie:** Will the member take an intervention?

**Alex Neil:** I cannot, because I have little time left.

The only sensible solution is for all western forces to withdraw, on a graded programme, and be replaced by a wholly Muslim international force. That is the only chance of bringing peace and stability to Iraq. Without peace in Iraq, there will be no peace in the middle east and without peace in the middle east, there will be no peace in the world. That policy, allied to a settlement in the middle east to create a Palestinian state, is the only way of making the world stable again.

Our position is clear. The war was illegal, immoral and unjustified, but we should not make

the mess in which we find ourselves worse. Let us do the decent thing—let us withdraw our forces on a graded basis and replace them with a force that will have the moral authority to bring peace to the people of Iraq.

I move amendment S2M-2132.1, to leave out from “all for all” to end and insert:

“both Iraq and the international community that the United States of America, United Kingdom and other western forces be replaced as a matter of urgency by a force assembled under the auspices of the League of Arab States, with other appropriate international support.”

10:00

**Phil Gallie (South of Scotland) (Con):** Although I can agree with Carolyn Leckie’s motion on some points, overall I find that it offers a totally distorted account of the situation. In today’s world, our armed forces and those of the countries that we call our allies are open to unprecedented levels of scrutiny. I and most of my generation, together with subsequent generations, have been fortunate enough to avoid the necessity of going to war. Those who have gone to war have volunteered to do so. Our military leaders have opposed conscription since the early 1960s.

Few, if any, members have stood in the battle line and faced uncertainty, injury and death. How would we react on the spur of the moment in such circumstances? We cannot say, but I suspect that many instant decisions that are taken on the battlefield could be questioned by armchair judges and juries as they sit in front of their television screens in the comfort of their homes.

TV cameras from around the world have been with the allied troops in Iraq. The cameras were in Fallujah at the critical moments of the battle to clear out the assassins, terrorists and criminals who were sheltering there. To believe Ms Leckie’s source would be to believe the people who have killed without mercy their own people and those from other lands who came to help the Iraqi citizens about whom Ms Leckie claims to care so much.

**Carolyn Leckie:** Phil Gallie said that although he could agree with some of the points in the motion, he disagrees with the majority of them. Does he accept that—apart from its final sentence, which calls for the withdrawal of troops—the body of the motion consists of statements of fact that have been made not by us, but by the Red Cross, the Defense Science Board and other agencies?

**Phil Gallie:** No, I do not. I will explain my position on the motion as I proceed.

Given the exposure that the western media gave to the unforgivable atrocities that were committed by a minute number of American service personnel in Abu Ghraib and by a few of our

troops in Basra, I feel sure that, if weapons of mass destruction had been used in the way in which the motion suggests, it would not have been possible to hide such news.

It is fair that the motion points to the “chaos and suffering” that there has been and which remains, but it does not acknowledge the suffering, torture, injustice and sheer terror that existed under the regime that, thankfully, has been removed. The motion contains legitimate reference to “deceit and lies”. I am particularly aware of that when I consider the speech that I made in the debate that was held in the Parliament in January 2003. I said:

“My platform is based on an acceptance that no democratically elected leader of our nation would act in any way that was detrimental to the principles and objectives of the democracy that we enjoy ... Although Tony Blair is not my choice as leader of our nation, he is still our Prime Minister. On this prime issue, we are all obliged to put faith in his judgment”—

**Mike Rumbles:** That is pathetic.

**Phil Gallie:** I am quoting from the past. I went on to say that we

“should acknowledge that he has access to an array of information ... If the reports ... suggest danger building up for this generation or the next, the Prime Minister would be failing in his duty if he were simply to wring his hands and do nothing.”—[*Official Report*, 16 January 2003; c 17026-7.]

Sadly, I misjudged Tony Blair. I believe that he did our democracy great harm. In my view, he deliberately misled the nation in a desperate attempt to get backing from his party members at Westminster. I suspect that I am not alone when I say that he will never enjoy my trust again.

Irrespective of the misinformation that was fed to us, my argument in March 2003 was that the war was inevitable, given the protracted presence of allied troops on the Iraqi border. The only resolution would have been for Saddam Hussein to step down. He and those who backed him had the opportunity to save his people from great misery, but they did not take it. If Saddam Hussein had been left in position at that point, Iraq would have become the fortress from which terrorism on an unprecedented scale would have been launched; it would have been a safe haven from which to operate. As a man who had challenged world order and won, Saddam would have become an icon.

Looking back at that debate, I note my criticism of Clare Short, who had resigned her position at the most crucial of times. Perhaps her decision was understandable, given her disquiet about the behaviour of Mr Blair and his close colleagues, but at that time her efforts were needed to ensure support for the Iraqi people after the war was over. Therein lies my greatest criticism of the allied action. It is unforgivable that the allies had not

prepared for the peace that should have followed their victory; that has led to the “chaos and suffering” to which the motion refers. Given their obvious concerns in 1991, the involvement of George Bush senior, John Major and Mrs Thatcher might well have been beneficial.

**Mike Rumbles:** Oh—my word!

**Phil Gallie:** I am delighted that the Liberals are so full of humour.

**Mike Rumbles:** Will the member give way?

**Phil Gallie:** No, I will not. Mr Rumbles has disgraced himself by his behaviour.

I offer no apologies for having supported the removal of Saddam Hussein. My experience has showed me that the people who criticised the war were the very people who had urged United Kingdom involvement in Rwanda and who now feel that the people of Darfur are worthy of action, rather than just words of condemnation from the United Nations.

I look forward to a positive future for the citizens of Iraq in which they have a democratically elected Government that can speak for them with a respected voice on the world stage. That may take a little time to achieve, but in the meantime we should not abandon them to sink or swim. An idiotic aspect of the motion is its suggestion that we should withdraw our troops by Christmas. My vision of a positive future for Iraq in the longer term is dependent on our support in the short term.

I welcome the return home of the scarred but undeterred Black Watch, which is steeped in pride for a job that has been better than well done. Over the festive season, my thoughts will lie with members of our armed services who are on duty across the world, and especially with the Scots Guards, who are now in Iraq.

**The Deputy Presiding Officer (Trish Godman):** You must finish now, Mr Gallie.

**Phil Gallie:** I find it unbelievable that the Labour Government intends to reduce our military strength when, in seven years, it has deployed our troops more times than has any other Government since the second world war. To cut back on our troops—the “boots on the ground”, as Mr Hoon calls them—would be criminal, given the lessons of Iraq.

I move amendment S2M-2132.3, to leave out from first “Iraqi” to end and insert:

“after the cessation of the Iraq war, deaths as a consequence of conflict continue albeit at a much reduced rate from that of proceeding years; deplores the continuing violence; trusts the Iraqi people to take a giant step towards democracy and peace in the forthcoming elections; pays tribute to the courageous, professional and effective manner in which British forces are responding to the

serious security situation in Iraq; welcomes the return of soldiers from the Black Watch regiment and, in doing so, thanks them for their service to this country and the people of Iraq; wishes the Scots Guards well on their current tour of duty, and believes that at a time of international turbulence our regiments should be strengthened not disbanded.”

10:09

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

It is a comment on the sorry state of the Conservative party that it was so gullible and so easily misled by the Prime Minister. Another comment on its sorry state is the fact that its only solution to the situation in Iraq is to bring back George Bush senior, John Major and Mrs Thatcher. I thought that we were trying to improve the situation. The Conservative party is politically bankrupt and policy bankrupt. At the next general election, it will be consigned to becoming the third party in the House of Commons.

The motion is completely lacking in logic and utterly irresponsible, but it legitimately quotes the International Committee of the Red Cross, in saying:

“both sides must do everything possible to help civilians caught up in the fighting obtain the basics of survival such as food, water and health care”.

It also rightly states that

“the war has resulted in a humanitarian disaster with as many as 100,000”

Iraqi civilians killed and draws attention to

“malnutrition amongst Iraqi children having almost doubled”.

What is the Scottish Socialist Party’s solution for that appalling suffering, however? They believe that it would be in

“the best interests of all”

for us to bring all our troops home for Christmas. Would it be in the “best interests of all”? I doubt that the Iraqi people view our abandoning of them to ever-greater agony as being in their best interests. I doubt that the Iraqi people believe that troop withdrawal will make them less liable to violent death. I doubt that they believe that that solution would somehow, by some miracle, restore their supplies of clean water, food and adequate health care.

Of course the war was wrong; no party opposed it more consistently than did mine. Of course the war was completely unjustified; there was no serious or current threat and no real or present danger. It has inflicted death and destruction on the people of Iraq on a scale far beyond that which was inflicted by Saddam Hussein. According to the courageous doctors who carried out the survey that was published in *The Lancet*, the level of

deaths is 58 times higher. However, to withdraw our troops by Christmas, as the Scottish socialists propose, would turn a humanitarian disaster into a catastrophe—

**Carolyn Leckie:** It is a catastrophe now.

**Mr Raffan:** It would consign the people of Iraq to a precipitous slide into total anarchy and bloody civil war. [*Interruption.*]

**The Deputy Presiding Officer:** Ms Leckie, you must allow the member to make his case.

**Mr Raffan:** It would lead to the companies that are working to rebuild Iraq's infrastructure—its hospitals, schools and roads—removing their employees from the country immediately.

I thought that the SSP was a party of international socialists. I thought that they believed in the brotherhood of man. I thought that their mantra was that no man is an island and that we are all part of the main. No political party with a modicum of common sense, a shred of compassion or any sense of moral responsibility would abandon the people of Iraq to the hellish fate that would await them if all the troops were to be brought home by Christmas.

We were wrong to invade, but now that we are there, we would be equally wrong to leave precipitately. Sudden withdrawal of our troops at this time would serve merely to undermine the country's fragile security still further and to make fair conduct of the elections in January utterly impossible.

Our troops must remain for now, and for the foreseeable future. They must do whatever they can to improve the security situation, to safeguard the current humanitarian effort and to make possible more help by the aid agencies. They must remain in the country so that the Iraqi security forces can be trained and made ready to take over. That is a far more sensible way to proceed than it would be to follow Mr Neil's ill-thought-out policy suggestion that we bring in troops from the League of Arab States. To be frank, some of those troops would be unacceptable to sections of the Iraqi people, particularly if Turkish or Saudi Arabian troops were brought in. It is far more important that we get the situation under control than that we seem to pander to the Muslim world in such an ill-considered way.

Our troops must remain in Iraq to ensure that the transitional national assembly elections on 30 January and the parliamentary elections next December are conducted in an orderly and democratic manner.

**Alex Neil:** Does the member accept that the western forces do not command the confidence of the Iraqi people? As long as they are in the

country, is not there a real danger that we will create another Vietnam and that we could be there for years and years? Surely the ultimate outcome is further civil war in Iraq?

**Mr Raffan:** I disagree totally with Mr Neil. The forces that could be introduced into Iraq under the League of Arab States would not command any greater support among the Iraqi people than do the western troops. It is crucial that the Iraqi security forces are trained so that they can take over as quickly as possible. Only when both sets of elections have been conducted and Iraq has a democratically elected Government can we undertake, in conjunction with that Government, phased withdrawal of our forces.

The war was misconceived, but so is the motion. The British and American invasion has created enormous suffering and the British Government must do whatever it can to end it. If we were to pull out our troops by Christmas, it would not relieve suffering; it would aggravate it enormously. I oppose the motion.

I move amendment S2M-2132.5, to leave out from first "notes" to end and insert:

"deeply regrets that Her Majesty's Government took the United Kingdom into an unjustified war in Iraq; believes that it would be irresponsible to withdraw British troops until a fully democratically elected Parliament has been established in Iraq and that then a phased withdrawal of troops should begin; believes that the continued presence of multinational forces is essential in order to maintain stability and security prior to the January elections and to avoid even greater loss of life among the civilian population; believes that concerted action must be taken to improve the security situation and to ensure that Iraqi security forces are fully trained and equipped; recognises the bravery and professionalism of our armed forces serving in Iraq, not least those from the Black Watch, who operate in difficult and dangerous circumstances, but believes that no further troops should be committed to Iraq unless requested by United Kingdom commanders for force protection purposes or to fulfil our international obligations towards the people of Iraq; believes that all British forces should serve under British command, and believes that greater United Nations involvement is essential, particularly in the urgently-required humanitarian effort to provide clean water, food and adequate health care and also in economic reconstruction and stabilisation."

10:15

**Chris Ballance (South of Scotland) (Green):** If we were to bring all our troops home today, we would cause continuing bloodshed, which would—again—serve only the powerful. We must now gather a United Nations peacekeeping force to restore this Arabic country to justice and peace. It must be a force that is made up from countries that did not support the invasion and which is acceptable to the Arabic world.

At the present time, the United Nations is keeping the peace in 14 countries, including in

Cyprus, where it has been since 1964, in Lebanon, on the Golan heights, in Haiti—another puppet economy that has been ravaged by the US—in Western Sahara and on the Indian-Pakistan border, where United Nations observers have helped to maintain peace since 1948.

The illegal invasion of Iraq has not demonstrated the weakness of the United Nations; it has demonstrated that the United Nations is crucial. Only the United Nations can secure the peace with justice that the Green party wishes for Iraq and her people. What is the role of the United Nations? What can it do? I quote from its website:

"These efforts range from demilitarization to building up national institutions, including police and judicial systems; promoting human rights; monitoring elections; encouraging formal and informal processes of political participation; providing sustainable sources of livelihood to demobilized combatants and returning refugees and displaced persons, through training programmes, the reactivation of the economy and the provision of social services".

What in that catalogue is not appropriate for Iraq?

**Helen Eadie (Dunfermline East) (Lab):** Only in the past month did Kofi Annan agree that a review panel would be established to examine the United Nations charter. In fact, it has now been agreed that a complete review will take place. One point that no member has talked about—

**The Deputy Presiding Officer:** Do you have a question, Ms Eadie?

**Helen Eadie:** What is the member's view on the genocide that takes place in any country where there is tension between the individual and the rights of the state?

**Chris Ballance:** I will try to answer the question by asking Helen Eadie to consider the situation in East Timor. In 1999, a campaign of violence, persecution and looting reigned in East Timor. The authorities agreed to call in the United Nations, just as the British and US Governments must now do in Iraq. In February 2000, the United Nations peacekeeping force took control of military operations in East Timor and, 14 months later, more than 90 per cent of the country went to the polls in a fair election to elect a transitional assembly. In 2002, the country elected its first independent Parliament. The United Nations downsized its troop presence, but remained to oversee stability until its mission was completed. For the first time in its history, East Timor is now a fully functioning democracy. That is a lesson that we should learn. We should compare the situation in East Timor with the prospects that presently face Iraq.

The Labour Party, hooray-Henryed on by the Tories, and with the Liberals silent at the time, sent our troops into an illegal invasion that was based on false information and that has resulted in death, carnage and horror.

**Mr Raffan:** That is utter nonsense.

**Chris Ballance:** What did Mr Raffan say ahead of the invasion?

**Mr Raffan:** I opposed the war right from the beginning. Mr Ballance should know that. Perhaps he should look at the Liberal Democrat website, as he seems to get all his information from websites.

**Chris Ballance:** The Liberals at Westminster refused to condemn the invasion before it happened.

**Mr Raffan:** That is rubbish.

**Chris Ballance:** Let me turn to the rest of my amendment. What happens—

**Mr Raffan:** What a silly man.

**Chris Ballance:** What happens to our troops when they come home? I do not often quote the poet Kipling but he said it all in 1890, and nothing has changed. *[Interruption.]* I ask Mr Raffan to be quiet and to allow me to continue my speech. The title of the poem "Tommy" refers to the ordinary British soldier, of course:

"For it's Tommy this, an' Tommy that, an' 'Chuck him out, the brute!'

But it's 'Saviour of 'is country' when the guns begin to shoot".

They are our "glorious boys" when they get sent off to war, but when they come home and they complain of gulf war syndrome, the people who sent them there call them liars. When they complain about the effects of exposure to depleted uranium weapons, the people who sent them to war call them hysterical. When they come home, shellshocked and unable to function because of the horrors that they have witnessed, the people who sent them ignore them.

When Kate Adie launched the Combat Stress appeal in Edinburgh Castle earlier this year, where were the Labour MSPs? Where were the Liberal MSPs? Where were the Conservatives?

**Phil Gallie:** Here is a Conservative—with a tie on.

**The Deputy Presiding Officer:** Mr Gallie.

**Chris Ballance:** Why were the only representatives of this Parliament two Scottish Green Party MSPs. Shame on members. The Combat Stress centre is the only residential treatment centre in Scotland that is dedicated to working with ex-servicemen and ex-servicewomen. It runs at a loss, but is desperately trying to raise funds to build a new centre to meet Scottish Executive care-home legislation. It allows men who suffer from shellshock, nightmares and behaviour problems access to private bedrooms when they are under care. If the centre fails to raise more funds, it will close.

In July, I wrote to the First Minister to demand that he reconsider grant funding for Combat Stress. Tom McCabe replied that there would be no extra funding and that the £20,000 that the Executive was giving Combat Stress this year would decrease next year and again the year after. I wrote again in October. Again, the First Minister did not have the grace to reply. This time, it was Rhona Brankin's turn to say no.

Where are the Executive ministers today? Why are their seats empty? My amendment calls on the Executive to act in an area in which it has responsibility. Where are the ministers? The Labour Party and the Tory party might be gung-ho for war. Let them—please God—learn something about peace. The Scottish Green Party amendment presents the only way forward for Iraq.

I move amendment S2M-2132.4, to leave out from "it is in the best interests" to end and insert:

"the only way forward for peace and justice in Iraq is for the British and US governments to request the United Nations to bring in a peacekeeping force made up of soldiers from countries which did not support the invasion to replace British and US troops immediately, in order to allow civic society to re-establish itself in Iraq, and calls on the Scottish Executive to launch an inquiry into the physical and mental health of Scottish soldiers returning from Iraq and to prepare for an anticipated increase in combat stress-related conditions by increasing its support for the charity, Combat Stress, and its Hollybush House appeal."

**The Deputy Presiding Officer:** We come to open debate. We will move to five-minute speeches, as I wish to call a considerable number of MSPs.

10:23

**Karen Gillon (Clydesdale) (Lab):** I support the amendment in the name of my colleague, Duncan McNeil. I do so because his amendment best encapsulates the position in which we find ourselves. It reaffirms our support for a "peaceful and democratic Iraq".

A number of key issues are contained in the amendment. First, there is the issue of Palestine. Many members, particularly Labour members, have campaigned for many years to secure the establishment of a free and viable Palestinian state. That is an absolute must, which we reaffirm today. My colleague Pauline McNeill who is chair of the cross-party group in the Scottish Parliament on Palestine, will deal with that subject in more detail.

The second issue in Duncan McNeil's amendment is human rights. Every single member of the Labour group condemns abuses of human rights—we condemn them regardless of who carries them out. Unlike the SSP, we also condemn those who set roadside bombs or send in suicide bombers to blow up those Iraqis who—

**Patrick Harvie (Glasgow) (Green):** If the Labour Party opposes abuses of human rights, why is it going to court to defend itself for abusing the human rights of prisoners in Scottish prisons?

**Karen Gillon:** Patrick Harvie should wake up and smell the coffee. We are talking about a very serious issue here. To draw a parallel between slopping out and the war in Iraq is absolutely ridiculous.

The third issue that is covered in our amendment is elections. We believe that elections are vital to the future of Iraq. I concur with many of the comments of my colleague Keith Raffan who was on top form this morning. The elections must be free and fair, although they will be difficult.

**Frances Curran:** Will the member take an intervention?

**Karen Gillon:** No, Frances—we have heard enough from you lot.

**Frances Curran:** What is the problem?

**Karen Gillon:** Sit down, Frances.

**The Deputy Presiding Officer:** Sit down.

**Karen Gillon:** The elections will be difficult not because the Iraqi people will not be able to participate. On the whole, they are a very well-educated people, who want to participate in democracy and who want to elect their own Government. The elections will be difficult not because the infrastructure cannot be set up—it can and must be set up safely and securely to ensure confidence in the elections and to ensure that every individual has the right to cast their vote and elect a democratic Government. The elections will be difficult because elements of the old regime are still bent on trying to disrupt them. They will be content to disrupt the elections because they do not want democracy. Their history is of maintaining a dictatorship. I want to hear SSP members condemn those who blow up the Iraqis who are trying to form a police force, to become their country's army and to develop their country's infrastructure. I want to hear condemnation of those people as we heard condemnation of British and American troops.

The next issue in our amendment is the withdrawal of troops. In 1992, we withdrew the troops too early, condemning thousands to slaughter by Saddam and his regime. We cannot do the same again. I waited 12 and three quarter minutes to hear from Frances Curran her explanation of how withdrawal of the troops would help, how it would enable free and fair elections, how it would protect minority communities and how it would help to build Iraqi forces, but she signally failed to do that. Stability is vital in the run-up to the elections, and the troops provide part of that stability. They also form part of the team that is training—

**Frances Curran:** Will the member take an intervention?

**Karen Gillon:** No. Frances Curran should sit down.

The troops also form part of the team that is training Iraqi forces; if they are withdrawn now, that will destabilise the move to democracy.

I take issue with the suggestion that a Muslim force should be formed. It is an interesting idea but, for me, it is somewhat confusing. Are we really saying that only Muslim troops may operate in Iraq? Are we saying that a nation's army should be constructed on the basis of religion? I condemn anyone who suggests that our army should operate in such a way. Such action would pander to prejudice, so I believe that we must reject the suggestion.

The final issue is that of our troops and their families. I have consistently supported the troops since they were engaged in the war. I cannot imagine what it is like to be a parent with a son in combat, not knowing whether he will come back. Those troops have served this country with distinction and honour in a very difficult situation. They have been ably supported by their families. And some of them have paid the ultimate price, sacrificing their lives in the service of this country. Parliament must pay tribute to them and must continue to give troops, wherever in the world they are stationed, our full support when they are sent in our name.

10:28

**Stewart Stevenson (Banff and Buchan) (SNP):** It is a truism to say that those who know nothing of history are condemned to repeat it. In his book, "A Mad World, My Masters", John Simpson tells of going to downtown Belgrade on 12 April 1999 to interview locals about the NATO-led action against the dictator, Milosevic. An angry crowd gathers, shouting their views at the BBC man. Spit lands on Simpson's face. The crowd said:

"We used to like everything from West. Now we hate you ... We are all for Milošević now, even if we didn't like him before ... You British are"—

excuse me, Presiding Officer—

"the 'eff-ing' slaves of 'eff-ing' America."

Simpson talks to the crowd and finds that they do not really hate us at all, but that they are frightened and resentful of the bombing. When people are bombed by those who they think are their friends, it is hard for them to love them. Democracy does not come from the barrel of a gun.

In Iraq, the actions of the US-UK coalition are teaching us that lesson again. We have increased

the number of friends of Saddam Hussein, and we have increased the ferocity of the animus that is felt for us by the friends of Saddam Hussein. We have drawn into an already unstable middle east the dangerous and deranged zealots of extremist religious beliefs from around the world, and we have made extremists and enemies of those who could have been our friends.

When ordinary people are imprisoned in the grip of a ferocious dictator, there is a practical necessity and moral imperative for us to do all we can to help them. My father worked for a period in the late 1930s out of a bookshop in Brussels. He was there as part of a Christian mission to help the Jews, who we knew even then were being oppressed by the Nazi leader, Adolf Hitler. The Gestapo came to arrest my father and his companion on the steps of Cologne cathedral. He escaped and I am here; his companion did not and the sons he might have had are not here. Throughout Iraq, Saddam Hussein removed the future generation of mothers' sons who might have opposed him, but it hardly helps those who are left that we now, in substantially smaller but still significant measure, cull the remainder through carelessness or indifference. The course of action that is being pursued in Iraq mirrors that in Afghanistan.

**Helen Eadie:** What is the SNP's view on genocide and on Kofi Annan's report, which states:

"in cases of major breaches of humanitarian law, such as genocide in Rwanda or ethnic cleansing in Kosovo"—

nation states

"have the responsibility"—

**The Deputy Presiding Officer:** Mr Stevenson has got the point, Ms Eadie.

**Stewart Stevenson:** I have got the point. I would be astonished if there were a single person in the chamber who supports genocide. I do not; I am implacably opposed to it and members should not rise to suggest that things are otherwise on the SNP benches.

What is happening in Iraq shows again that elections alone do not a democracy make. In Afghanistan, the Taliban's mascaraed, nail-polished and golden-sandaled soldiers have gone from Afghani power but not from Afghani life. Post the election we have a dangerous and increasingly unstable centre for the production of opium, the battle on which is being fought on our streets.

I want to say something good about George Bush and I wish I could say the same about the Prime Minister. The student politics of attacking George Bush for being

"not one of the world's great linguists"

must not hide the fact that he has at least been big enough to admit some of his personal errors in making his case for war.

In September 2003 that radical left-wing magazine, *The Economist*, carried a photo of the PM on its cover with the words "In the dock" as its banner. Today the Prime Minister remains in the dock, because he cannot do what Bush has done in part and admit his errors. Errors denied means remedy denied.

Where are we now? If we simply withdraw our troops, as the motion demands, we will succumb to a selfish desire to protect our own. From a party that trudges dank left-wing extremist meetings around the world, supposedly in the cause of international working-class solidarity, that is an act of breathtaking hypocrisy. That party would cast off ordinary Iraqis, but we dare not do so.

I support the amendment in Alex Neil's name.

10:33

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** The Liberal Democrats support our troops in their unenviable task of pacifying Iraq in readiness for the democratic elections that are due to take place next month.

There is no doubt that we have been proved right in our opposition to this illegal war. I remind Helen Eadie and others that the only ground for going to war without the explicit authority of the United Nations is to protect our country or our forces from the threat of an immediate attack.

**Helen Eadie:** Will the member take an intervention?

**Mike Rumbles:** No, I will not. My time has been cut to five minutes.

**Helen Eadie:** In the report—

**The Deputy Presiding Officer:** Ms Eadie, the member is not taking an intervention.

**Mike Rumbles:** That is quite clear in the terms of the United Nations charter and, given that the UK is a founder member of the United Nations, it saddens me that it joined in the attack on Iraq when we were under no such threat from it. Any attempt by the Prime Minister to portray the war on Iraq in terms other than simply regime change has been completely discredited.

We must uphold the rule of law in international affairs; otherwise we will return to the law of the jungle. Might is not right and we cannot simply return to the 19<sup>th</sup> century Clausewitzian model of war as an instrument of foreign policy.

However, the Prime Minister gave the House of Commons the opportunity to vote on whether we should go to war. We can argue about whether he

told the whole truth in persuading it to authorise war, but in my opinion, although his motives might not have been dishonourable, he clearly misled the Commons and the nation in entering the war. Nevertheless, the House of Commons voted to authorise the war and, in a democracy, we must respect that vote. Our soldiers were dispatched on our behalf and are acquitting themselves extremely well in the theatre of operations.

Despite our opposition to the war, Charles Kennedy, on behalf of the Liberal Democrats, made it clear that although we were unsuccessful in persuading the Government to change its mind—we did not just follow it blindly like the Tories did—we would nevertheless support our troops in the field, who are risking their lives on our behalf. That is an honourable position to take and we have supported our troops fully in their endeavours. I believe that we should pay tribute to their bravery and their continuing service on behalf of our country.

I am afraid to say that I could not disagree more with the position outlined in the SSP's motion that "it is in the best interests of all for all troops to be brought home for Christmas."

I believe that, as Keith Raffan said, that would be a betrayal of the soldiers who have died in the service of their country trying to bring peace to Iraq in order for democratic elections to take place next month.

Talking of betrayal, I will focus on what I consider to be another betrayal. Just as the Black Watch is returning home from doing a magnificent and highly professional job, it faces disbandment. We find ourselves in a crazy situation in which the proposal to amalgamate the six infantry regiments of the Scottish division into one so-called super-sized regiment is imminent. I believe I may be the only member in the chamber who has had the privilege of serving with the Scottish division and I am proud to have done so for my first two years in the Army.

It does not make sense for Scotland to be treated simply as a region of the United Kingdom and to have our infantry regiments grouped on a so-called regional basis. There is no doubt in my mind that lumping together all our regiments would be disastrous for both recruitment and retention. We have only to consider the previous amalgamation, after which it took 10 years for recruitment and retention to recover.

Such decisions, made without any real understanding of Scottish interest, drive people into the nationalist fold. It is another in a long line of mistakes made by both the Labour Government and the last Tory Government—I hope that it will indeed be the last Tory Government—when it disbanded the Gordon Highlanders and the Queen's Own Highlanders.



If we want to keep recruitment of Scottish soldiers at a reasonable level, we need to keep our distinctive Scottish regiments. I believe that the decision has already been made. The Labour Government is determined to treat Scotland as though it were just another region of the United Kingdom. That fails to recognise the distinctive role of the Scottish infantry over the years and is a particularly despicable way to treat regiments such as the Black Watch, which has acquitted itself so well in the field of operations in Iraq.

I would like two things to happen. I would like all our troops brought home early next year, as soon as they have completed their work in paving the way for free and fair elections in Iraq; and I would like our unique Scottish regiments to be saved from General Jackson's perverse plans. Although I do not hold out much hope for the latter, as far as the former is concerned, our troops need to know that there is an effective exit strategy in place to get us out of Iraq once the job is done. I am not convinced that our Prime Minister has such a strategy. I urge members to support the Liberal Democrat amendment.

10:38

**Pauline McNeill (Glasgow Kelvin) (Lab):** Little will persuade me of the case for war in Iraq. I stated my position when it was appropriate to do so and I say to Chris Ballance that that was before the invasion. Many Labour Party members opposed the action. It is an issue that divides the country so it is wrong for any party to say that it leads an anti-war movement. The continuing presence of troops and the daily diet of violence and death concern the whole country without exception. We want a peaceful solution; there is no going back.

There is apparent unity among the main parties here that the immediate withdrawal of forces would be an unmitigated disaster. What does the SSP think will happen after Christmas? The motion does not say. However, we should still argue for a peacekeeping force led by the UN. I make my position clear on that.

I do not accept the notion that jihad insurgents tend to ratify their legitimacy among Muslims. I acknowledge that most Muslims are against the war and have a particular view, but there is a mixed view. They are not so impressionable that they do not also want peace and democracy. I have many Iraqi friends who constantly lobby me for the UK not to leave Iraq. I disagree with their view, but they remind me of what happened in 1992, and there is a lot of distrust among Iraqis that, if we were to leave now, they would be left to clear up the mess.

I add my strong support to the statement in the Labour amendment on achieving a real settlement for the Palestinians.

**Phil Gallie:** Will Pauline McNeill give way?

**Pauline McNeill:** Phil Gallie can have five seconds; I mean it.

**Phil Gallie:** Pauline McNeill makes her point about 1992, but will she take on board the point that I made about the decisions at that time not to go further into Iraq because of the likely outcome, which is the outcome that we are seeing now? The point that I was making was that there had to be great thought before we went in.

**Pauline McNeill:** My point stands as I made it. I am simply telling the Parliament that there is an issue about what happened in 1992 and that that must be taken into account.

Alex Neil, Karen Gillon and others have said that it is important to recognise that peace in the middle east can only come about not only through establishing peace and democracy in Iraq, but by achieving a Palestinian state, which will be extremely hard to bring about. We demand it not only for Palestinians, but for Israeli citizens. Israel has steadily built and expanded settlements on land that it has occupied since 1967 in violation of international law, and an announcement that was made in August this year means that another 1,000 homes are to be built in the west bank and the occupied territories. If those settlements continue, the prospect of a viable state, which we talk about and call for, will be threatened.

It is important to record the reality of life in the occupied territories, where there is serious poverty. I will use some statistics from an excellent report that Christian Aid has put together. Poverty in the Gaza strip is believed to be above 80 per cent. Highways and roads continue to be built to connect the Israeli settlements, but Palestinians are not allowed to drive on them. Palestinian life is crippled by a checkpoint culture, a system that means that a simple doctor's appointment is extremely difficult for Palestinians to get to because of the various checkpoints that they have to pass. If a Palestinian happens to come to a checkpoint that requires documentation and they do not have it, they will be sent back. It can take three days to get to an appointment, and the doctors themselves sometimes do not get to appointments because they too are held up by checkpoints. The checkpoints are meant to be about security, but there are now few who believe that they are about that rather than the continued control of Palestinians in the occupied territories.

The separation barrier that is referred to as the wall of shame—a 30ft wall that is built around the green line and designed to ensure that settlements fall within a future Israeli border—is of serious concern to us. Chris Patten condemned the Israeli Government for demolishing buildings that the UK and the European Union had funded through their aid agreements.

I have only a minute left; I do not know where time has gone.

If we are serious about calling for a viable Palestinian state, we must realise that time is running out and that Palestinians live in a separated state in which there are serious humanitarian issues. If we want a viable Palestinian state, we have to support a call for a freeze on settlements. There must be no new settlements in the occupied territories. We must also call for the pulling down of the wall of shame that separates Palestinian communities from their water supplies, for which they already have to have quotas because they are not allowed the same water supply as Israelis.

We believe in fair and free elections, and for such elections to take place, the checkpoints must be removed. There is a similar issue in the situation that we face in Iraq, because it is not possible to have fair and free elections unless people are free to move. If that principle is true for Iraq, it is true in the occupied territories. The road blocks must be lifted, and we must say to Israel that it is not acceptable for roads to be used only by Israelis.

For the sake of peace in the region for Palestinians and Israelis, we must start acting now. Otherwise, there will be no prospect of peace, because there will be no land left for the Palestinians to have a state.

10:44

**Rosie Kane (Glasgow) (SSP):** It is, to say the least, unfortunate that our Scottish Parliament does not have the power to respect the wishes of the majority of people in Scotland on the invasion and occupation of Iraq. If the Parliament had those powers, we would surely have listened to the people long ago and voted to have no part in the Blair-Bush project. We do not have that power, and therefore we have been dragged into a bloody, evil and illegal massacre.

The war and occupation are a massacre. The picture in Iraq today is extremely bleak. Some members have painted Iraq as some kind of wonderland, with books, schools and many other things. I do not know in which parallel universe that vision exists, but it is not my understanding—or that of many millions of people—of what is really happening in Iraq.

Frances Curran and other members mentioned the report in *The Lancet* that estimated that there have been 100,000 excess deaths due to the war and occupation. That figure is bad enough, but it would have been greater if Fallujah had been included in the sample. However, it was not, so there are many more than that. About 17,000 of those deaths are Iraqi civilians who were killed as

a direct result of bombing and shooting. Of course, those include children, who are the most innocent—so much for smart bombs. The remaining numbers of dead are attributed to disruption caused by war, including disease, starvation and an inability to access care, all of which we are a part of. The United Nations Children's Fund reports that malnutrition among Iraqi children has doubled since the invasion. It is not the SSP that reports that, but UNICEF. Do we want to be part of that?

Do we want to be part of the breaches of the Geneva convention, such as wounded Iraqis being executed rather than taken prisoner, or the routine shelling and bombing of civilians? I say to Karen Gillon that civilians on both sides are being bombed. We do not condone suicide bombing, but it must be said that Bush and Blair have been the biggest recruiters imaginable for al-Qa'ida, which was not in Iraq previous to the invasion. *[Interruption.]*

**The Deputy Presiding Officer:** Excuse me; it is not appropriate for those in the public gallery to applaud.

**Rosie Kane:** I thank them anyway.

I ask Karen Gillon to bear in mind what I said. I have said it many times; I have said it on television and I have now said it in the Parliament.

Little or no distinction is made between civilians and insurgents. Frances Curran mentioned napalm, and we must concern ourselves with that. The Pentagon says that it has destroyed its stocks of napalm. Perhaps that is another lie, but it will admit to using MK-77 bombs, which are firebombs that include kerosene. The Pentagon says that the MK-77 is environment friendly, but it is napalm by another name. It is a body-melting bomb, and there are melted bodies on the streets of Iraq. They have been seen and pictured; it is a fact. Do we really want to be a part of that?

Human rights abuses are there for all to see. In fact, the International Committee of the Red Cross, which does not normally publish reports on human rights abuses but chooses instead to deal directly with Governments in order to remain neutral, has felt compelled to release the fact that it has concerns about breaches of the Geneva convention in Iraq. Water and medical attention have been denied, and ambulances have been shot at in Fallujah. Who said that there is nothing wrong in Fallujah? Doctors have been killed and arrested there. Civilian areas are being bombed, and 50 of those bombings were approved by Donald Rumsfeld himself. Do we really want to be part of that?

The SSP is worried about Iraq and about our troops. Troops out! Too right, troops out. Those troops have been forced into an illegal and brutal

war. We have heard about the losses of coalition troops. I believe that there were 140 losses during November and 1,100 wounded in that same period.

**The Deputy Presiding Officer:** You have one minute.

**Rosie Kane:** To date, 73 soldiers from Britain have died; Gordon Gentle was one of them. Some folk might say that soldiers step into a uniform and know what they are getting into, but they do not. Our young people are scooped up in training centres, schools and job centres and promised training, driving licences, a future and a wage, but they end up on the streets of Basra and end up dead. Those who joined the Army with the intention of fighting are now in an illegal and brutal war into which they have been dragged by so-called leaders. The Scottish Socialist Party is calling for the troops to come home. We want them to come home in planes, helicopters and ships; we want them home in anything other than body bags.

The war is about greed and resources, and the main winners are Halliburton, which will get contracts worth \$6 billion to rebuild Iraq after its ex-chief executive ordered the country's destruction; the Bechtel corporation, which has been awarded contracts worth \$680 million; DynCorp International, which has been awarded contracts worth \$50 million; and Lockheed Martin, which has been awarded contracts worth uncountable millions. The same goes for Boeing and Raytheon, which supply the weapons of mass destruction. The list goes on. To any member who says that the socialists are not using their time to attack poverty, I say: oh yes, we are. We are attacking poverty of humanity, of justice and of decency. If we were not involved in a mega-expensive illegal war, we could use that money to address poverty in Scotland.

**The Deputy Presiding Officer:** You must finish now.

**Rosie Kane:** I say to Duncan McNeil: what are you on about, mate? I finish on that. [*Interruption.*]

**The Deputy Presiding Officer:** I will not tell the public gallery again: it is inappropriate to applaud. If people applaud again, I will have to ask for them to be removed.

10:50

**Mr Frank McAveety (Glasgow Shettleston) (Lab):** Rosie Kane had the longest last minute of a speech in history and ignored some of the fundamental debate that we need to have in favour of a litany of accusations about the role of the United States force and other forces in Iraq. The claims that have been made are not necessarily validated or verified by a process.

Like the previous debate about the international situation, today's debate concerns how the international community should best deal with a rogue state that clearly violated a series of United Nations resolutions, many of which the SSP would have opposed, irrespective of debate in this Parliament or the House of Commons. That rogue state rejected the international law that the socialists claim that they would uphold. It used and would have continued to use weapons of mass destruction and chemical weapons against its own people and was developing the capacity to make interventions against other nations.

By any definition, that rogue state's leader was fascist, so I am surprised that members who claim to be socialists say that they would not oppose Saddam Hussein or take action with the international community to intervene to tackle him. That one-party state had a cult of the leader and a regime of terror, the elimination of opposition and the invasion of near neighbours.

**Frances Curran:** Will the member give way?

**Mr McAveety:** I am happy to take an intervention from Carolyn Leckie.

**The Deputy Presiding Officer:** Frances Curran wants to intervene.

**Frances Curran:** Where were Frank McAveety and other Labour members campaigning when the Kurds were gassed in Fallujah? I know where I was—in the Halkevi centre with Kurdish protesters. I also campaigned to prevent the British Government from sending arms to Saddam Hussein. Where were all those who have come late to the issue?

**Mr McAveety:** Frances Curran repeats that claim regularly, but the evidence is that the vast majority of members—including me—opposed Saddam Hussein's regime at that time.

**Tommy Sheridan (Glasgow) (SSP):** But excluding us?

**Mr McAveety:** May I continue, Presiding Officer? We are deliberating democracy.

UN Security Council resolutions 687, 707, 715, 1051, 1281 and 1441 were breached. Not just the United Kingdom Government or the United States Government arrived at the conclusions that I described; on the evidence that was available, the whole international community arrived at them.

As for critical resolution 1441, which was about weapons of mass destruction, the whole international community and all international intelligence services in the world recognised the threat from weapons of mass destruction. Even with the concession about the capacity to use weapons of mass destruction immediately, the Iraq survey group found that Saddam Hussein still

had in his regime the production capability to ensure that weapons of mass destruction and chemical weapons programmes could be resumed when the UN investigators were asked to leave.

I acknowledge the massive division over Iraq in my party, the Parliament and the country. However, that is not helped by moralising to everyone about positions that they held in the past or at which they—like me—arrived after much deliberation in the past few years about the need to intervene in Iraq because of the specific and unique nature of Saddam Hussein's regime, which I, at least, can argue that I consistently opposed from its development in the late 1970s and early 1980s.

The reality today is that, when asked, most Iraqis say that they want democratic elections. Members should support that. I am not prepared to take lectures from the inheritors of the Leninist tradition. Lenin believed in terror and the execution of enemies and was willing to take part in systematic human rights abuses. Historically, that was never rejected by many individuals in socialist parties. I am not prepared to take lectures from them.

The issue is what we want for Iraq. We want the people of Iraq to have the right to develop a free and open democracy. The people who use weapons—the remnants of the Baathist regime or religious fundamentalists—oppose the establishment of democracy in Iraq. We need to ensure that the multiparty system that I believe that Iraq can develop is allowed to flourish.

In the past day or so, we have had interesting debates in the chamber. I have seen a poster that makes the great claim that we should have the right to free self-expression—the capacity and opportunity to express one's opinion. That right is more than just a slogan on a poster; it applies to the people of Iraq.

I support the amendment in Duncan McNeil's name.

10:56

**Ms Sandra White (Glasgow) (SNP):** As Christmas approaches, when we in Scotland and throughout the world send greetings in cards and messages of good will to all men throughout the world, it is somewhat hypocritical of Bush and Blair still to wage war against Iraq. The war is illegal. I do not care what Frank McAveety or others say; it is illegal. A country that has no weapons of mass destruction and has proven that it does not have them should not be invaded.

I say to Duncan McNeil that I speak not only for myself, but for many constituents and many people in Scotland who have told me and other

MSPs of their view. We are elected to advance those people's views and not just our own. Whether the subject is reserved or devolved does not matter. We are talking about humanitarian issues.

**Helen Eadie:** Will the member give way?

**Ms White:** I am sorry; the time for my speech has been reduced to five minutes and others want to speak.

We have a right to speak about Iraq. I say again to Duncan McNeil that whether the subject is devolved or reserved does not matter. George Bush and Tony Blair do not care whether the war is legal or illegal, so we have a right to speak about whatever we wish.

When I think of people in Fallujah and other areas of Iraq, I think not only of civilians, but of soldiers, aid agency workers and other civilians who went there to help people in Iraq. My sympathies go to people who have suffered and to families who have seen those people paraded on the television, tortured and ultimately killed. I say to Karen Gillon that the SNP's amendment and the first part of the SSP's motion show that we take the part of the Red Cross, which condemns the actions of what may be called terrorist groups. I do not know whether they are groups of terrorists or just people who have come along to blackmail various countries' Governments to obtain money. We have sympathy with everyone who is killed in Iraq and throughout the world in an illegal war.

Numbers have been bandied about. Tony Blair says that about 15,000 people have been killed in Iraq, whereas a report in *The Lancet* says that more than 100,000 people have been killed. I know which figure I believe. Some Tory, Lib Dem and Labour members probably take Tony Blair's word for it, but before they condemn anyone, they should look at the letter that was signed by dignitaries, Helena Kennedy QC and a Lib Dem peer, Lord Garden. That letter asks Tony Blair to instigate an investigation into the many civilian deaths in Iraq and I ask members to support that. Alex Salmond of the SNP has tabled an early-day motion to call for an investigation and Tony Blair has said that we do not need an investigation. How can we trust someone who will not investigate what *The Lancet* says are 100,000 deaths? Members should think on that when they vote tonight.

The deaths in Iraq have occurred. People have said that we should not go over the past, but we must do that so that we know where we will go in future. As I said, we know that no weapons of mass destruction existed. We were told lies and international law was flouted. We must do and say something before Tony Blair and George Bush embark on another war in what Bush calls "the

axis of evil". Which other countries will be involved in that war? He has also named Cuba as being in the so-called axis of evil. Instead of creating a more peaceful world, a much more dangerous world will be created if Bush and Blair get away with what they want to get away with.

There must be an international peacekeeping force in Iraq that is respected by the Iraqi people. Unfortunately, the actions of Bush and Blair have led to disrespect for the west and to Iraq being a dangerous place for our soldiers, as other members have said. Members should support Alex Neil's amendment. Something must be done. We must stop the killing in Iraq in the name of humanity and of God.

11:01

**Murdo Fraser (Mid Scotland and Fife) (Con):** I welcome this opportunity to debate Iraq, not least because we again have the chance to expose the nonsense that is being peddled by the Scottish Socialist Party and its fellow travellers.

I am no supporter of Tony Blair or his Government, but we must be absolutely clear about one point. The people of Iraq are better off now than they were under the dictatorship of Saddam Hussein, who has an appalling record. He is awaiting trial, having been accused of, among other things, the Anfal campaign against the Kurds in the 1980s; gassing Kurds in Halabjah in 1988; the invasion of Kuwait in 1990; crushing Kurdish and Shia rebellions after the 1991 gulf war; killing political activists over a period of 30 years; massacring members of the Kurdish Barzani tribe in the 1980s; and killing religious leaders in 1974. He has a long history of murder, torture and oppression and is awaiting trial with the possibility of the hangman's noose in front of him. I can think of no better-deserving candidate for that in the modern history of mankind. Perhaps the Scottish Socialist Party would prefer Saddam Hussein to be still in power in Iraq.

**Tommy Sheridan** *rose—*

**Carolyn Leckie** *rose—*

**Murdo Fraser:** I will let in Tommy Sheridan.

**Tommy Sheridan:** Will Murdo Fraser join me and the Scottish Socialist Party in condemning Douglas Hurd for visiting Baghdad one month after the gassing of Halabjah? He went there to try to encourage Saddam Hussein to buy more British weapons.

**Murdo Fraser:** We will not take any lessons about supporting dictatorships from a party that parades its support for the dictator of Cuba, Fidel Castro, whose record on human rights abuses is as long as my arm. Mr Sheridan will be well aware that the great majority—95 per cent—of the arms

that were sold to Saddam Hussein were sold by Russia and France. A small element of British armaments went to Saddam Hussein, but that was in our interests at the time, in the same way that our running the north Atlantic convoys to Stalin during the second world war and supporting that evil regime was in our interests at the time. We make no apologies for that.

I do not for one minute underestimate the difficulties in Iraq today and the seriousness of the security situation, but there is the prospect of democratic elections in January and an on-going drive to create a stable peace for the benefit of all Iraq's citizens. The Iraqis now have one thing that they never had under Saddam Hussein: hope. They have been given hope for the future and we should not apologise for that.

That is not to say that we should be uncritical of the Prime Minister's actions in the run-up to the declaration of war. I have no doubt that the Prime Minister misled the House of Commons and the British people about weapons of mass destruction. It is now clear that the situation was nothing like as clear-cut as it was presented by Tony Blair. The Government has a terrible reputation for spin and distortion of the truth, and the Prime Minister's conduct must be judged against that background. The Government can also rightly be criticised for its failure to set out a post-conflict strategy for Iraq with a humanitarian, economic and political impact.

People in Britain will have the opportunity to make up their minds on all those issues in the near future, as we have the advantage of living in a democracy. That means that, in the coming general election, people will decide whether they want Tony Blair to remain as Prime Minister or whether they want to replace him. We have been trying to give the people in Iraq the same freedoms and opportunities that we have and we should not apologise for doing so, even though we might be uneasy about how we ended up in the current situation.

Our amendment rightly refers to the involvement of British troops in Iraq. In particular, I pay tribute to my local regiment, the Black Watch, which has now served twice with distinction in Iraq. The Black Watch made up the main part of the British contingent that was redeployed to the American military sector in Camp Dogwood, and the Americans there have paid tribute to the professionalism of the Black Watch. Of course, other British regiments, and not only the Black Watch, have served with distinction.

Against that background and the background of increased military commitments by the Government, it makes no sense at all for the Government to consider cutting the size of our armed forces. I have argued that many times in

the past and do so again today. For the Government to promote—as we believe that it is doing—the merger of the Scottish regiments into one super-regiment with the loss of one battalion is not only military madness, but a huge betrayal of those who have fought hard in Iraq and elsewhere on orders by the self-same politicians. We know that the Black Watch has suffered casualties and we have seen the funerals in Perth and Fife of those who died in Iraq. What a legacy for the families of those servicemen to know that the Labour Government's reward for the sacrifice of their sons is to merge the regiment out of existence. We should have no hesitation in saying that that is totally unacceptable.

Notwithstanding what the SSP says, the people of Iraq are better off now than they were under Saddam Hussein. The professionalism of our British soldiers and our Scottish regiments deserves to be celebrated by the Parliament.

11:06

**Elaine Smith (Coatbridge and Chryston) (Lab):** On 14 September 2001, George W Bush made one of the most ominous declarations of his presidency. He said:

"Just three days removed from these events, Americans do not yet have the distance of history, but our responsibility to history is already clear: to answer these attacks and rid the world of evil."

Of course, history has shown us that some of the worst manifestations of evil since then have resulted directly from the United States Administration's efforts to rid the world of evil. The SSP's motion outlines some of those efforts. George Bush's allegedly selfless undertaking to bring freedom and democracy to Iraq and Tony Blair's quest to rid the world of other people's weapons of mass destruction have resulted in widespread bloodshed, chaos, suffering and terror. With estimates suggesting that as many as 100,000 civilians have died and calls this week for an independent public inquiry into those deaths, can we really be expected to view the carnage as a necessary sacrifice for the greater good? We have already been expected to tolerate and accept far too much in the name of ridding the world of evil, but what evils have we unleashed?

First, there is the lying. Two years on, we have not seen any evidence of the supposed threat that was given to us as the premise for the war. Then there is the hypocrisy. I note that a Dutch national this week faces charges of supplying chemical materials to Saddam Hussein. That is certainly a heinous crime and, if the allegations are true, the matter should be dealt with accordingly. However, according to a Campaign Against the Arms Trade report on the supply of British military equipment to Iraq between 1979 and 1990, 13 UK

companies—including, I say to Murdo Fraser, British Aerospace—attended Iraq's first major arms fair in Baghdad in April 1989. That was one year after Saddam Hussein's forces dropped chemical weapons on Halabjah. Should we expect the British establishment to show repentance about that at any point soon?

There has been torture. The calculated abuse of prisoners by the US military at Abu Ghraib caused outrage everywhere and in the Arab world in particular. Last week, the International Committee of the Red Cross was reported to have berated the US Administration for overseeing the intentional physical and psychological torture of prisoners who are being held at Guantanamo bay.

There has been profiteering from misery. Before the war even began, I spoke about my disgust that the US had already handed out contracts to US companies for the rebuilding of Iraq. At the time, Tam Dalyell MP described that as "vomit making".

According to the American Centre for Public Integrity, contracts worth almost \$11.5 billion have been awarded since 2000 to Kellogg Brown and Root, which is a subsidiary of Halliburton, for services to the US military and the rebuilding of the oil industry in Iraq. Of course, Halliburton is the multinational company of which Vice-President Dick Cheney was chief executive officer until 2000.

On the killing of children, UNICEF stated in a 1996 report:

"It is the singular characteristic of warfare in our time that children suffer most."

At the start of the war, children under the age of 15 comprised 42 per cent of the population of Iraq. Will we ever know how many have died? The US military refuses to track civilian casualties. That is the reality of the 21<sup>st</sup> century war against terror and evil, as championed by George Bush.

What has been achieved for the people of Iraq? Since the occupation, the US has failed to address properly the basics such as power shortages, sewerage floods, the 70 per cent unemployment rate, and the rampant crime and lawlessness that have resulted in the complete breakdown of society. Children are suffering from poverty and malnutrition.

Saddam has been toppled by his former friends, but with every passing day of the occupation, every civilian death, and every display of arrogant American imperialism, more and more Iraqi citizens are seeing the coalition forces as occupiers and not liberators. A realistic date to end the occupation must be set so that there is a target to work towards. A UN peacekeeping force must be considered as a solution to ending occupation and insuring against civil war.

Of course, we are where we are, and the withdrawal must now take place after the January elections. However, if those elections do not take place, a planned withdrawal must proceed anyway.

There is not much wrong with any of the positions that members have taken today, but none provides an answer. Whether in the Parliament or outwith it, if we do not keep expressing our opposition to pre-emptive wars, where will it be next? Iran? Syria? Cuba? What of Palestine? Where is the commitment to ending the evil and atrocities that are happening there?

It is quite clear that the war was waged to further the aims of a neo-liberal US Administration that is hell-bent on furthering its imperialist, capitalist and exploitative agenda. This pre-emptive, illegal war has been a disaster for the UN, a tragedy for the families of the coalition troops who have died, and a catastrophe for the Iraqi people. The policy of combating evil by unleashing more evil has clearly failed. It is now the task of us all to bring the conflict in Iraq to a swift and peaceful solution. That must mean a planned end to the occupation at the first practicable opportunity.

11:11

**Campbell Martin (West of Scotland) (Ind):** To understand what is happening in Iraq today, we have to understand the real reason for the war. To get to the real reason for the war in Iraq, we have to go back to September 2000—four months before George Bush was elected as the American president and a full year before the aircraft were flown into the World Trade Centre.

In September 2000, an American organisation called the Project for the New American Century published a document called “Rebuilding America’s Defenses: Strategy, Forces and Resources for a New Century”. That document contains a blueprint for an American invasion of Iraq; America was always going to invade Iraq. Bush and Blair knew about the document. There is no way that they could not have known about it, because the document’s authors included Donald Rumsfeld, Dick Cheney, Paul Wolfowitz and Jeb Bush. One of those is the president’s brother and the other three took prominent roles in the Bush Administration. They knew full well that America always intended to invade Iraq, because the invasion was planned before Bush became President.

Tony Blair knew full well that that was the reason for America going into a war in Iraq, but he was still prepared to send young British troops to kill and die in an illegal, immoral and imperialist American war. British troops were sent to Iraq, and are still there, to establish an American presence

in the middle east so that America can organise and govern that area of the world in American interests. That is why Iraq was invaded.

Now that we know why the war happened, what are its consequences? Far from being a safer place, the world is much more dangerous. Thanks to the actions of the British Government, Britain has become a target for terrorists. Thousands of Iraqi men, women and children have been killed in their homes. The infrastructure has been all but destroyed. Those are the consequences of the American and British invasion of that country. As Alex Neil said, hundreds, if not thousands, of young Iraqis have been driven into the arms of fanatical organisations that they would not have gone near before their country was invaded. While all that is happening, ordinary Iraqis are witnessing the American occupiers selling off their country and Iraq’s assets to western, mainly American, corporations.

Now that we know that the war did not take place because of Iraq’s weapons of mass destruction—even Tony Blair accepts that that was never true—we are being asked to believe that the war was still legitimate because it brought about regime change. We removed Saddam Hussein because he was a dictator and he had to go. It is true, of course, that Saddam Hussein was a dictator, but he was a dictator back in the 1980s when he was supported, financed and armed by western countries including Britain and America. He was a dictator back then, but no action was taken back then, so there is a wee problem with the Government’s current line that the war was legitimate because it brought about regime change.

That wee problem was probably best summed up by Tony Blair in October 2002, in an interview with the BBC Radio 4 “Today” programme, when he was asked what Saddam had to do to avoid being attacked by Britain and America. Blair said that Saddam had to disarm himself of his weapons of mass destruction. However, Blair went on to say that attack was not inevitable:

“he can have his conventional weapons, he can have his army, he can have his air force, he can have his navy, he can have conventional weaponry of all sorts including tanks and artillery and so on.”

Tony Blair was prepared for Saddam Hussein to remain in power with all his conventional weapons. It was not about regime change, or weapons of mass destruction, or Iraq being a threat to the United Kingdom, which it never was. The document that was published in September 2000 told us what it was all about when it referred to America having full-spectrum control. In case anyone is under any illusion about what that phrase means, it means American world domination.

Let us bring our troops home. We know why they were sent into an illegal war. Bring our troops home. Stop killing Iraqis. Let us support the United Nations. Let us build a better Iraq and let us build a lasting peace in the middle east.

**The Deputy Presiding Officer (Murray Tosh):** My regrets go to the remaining members who wanted to speak, but because of the number of amendments, we have to go to closing speeches earlier than would normally be the case.

11:17

**Patrick Harvie (Glasgow) (Green):** I welcome the debate. I know that some members feel that we have debated the subject before and perhaps too often. However, these are the most important global issues that we face and it is important for any Parliament, even a mere devolved Parliament, to debate them.

The one thing that has brought the debate down for me, as it has on previous such occasions, is that again we have had an Executive boycott. There might have been a brief sighting of a minister somewhere near the front of the chamber for a few minutes, but that is all. There has been not a word from the Executive.

As soon as the Scottish Coalition for Justice not War was formed, which was not long after the appalling attack on America, the Scottish Green Party became an active member. We have opposed this war from the beginning. We opposed the war that preceded it, and we continue to oppose the way in which the US and UK Administrations are conducting current operations.

**Mr Raffan:** Will the member take an intervention?

**Patrick Harvie:** I will not give way to the member yet; I want to have a go first.

I welcome much of what Frances Curran said in her speech. She drew our attention to the complete lack of credibility of the pro-war case, even for those who supported it at the time. Those supporters would grasshopper from weapons of mass destruction to humanitarian intervention to international terrorism to regional stability to regime change. As soon as one argument was attacked, they would jump to another. There is not a shred of credibility left for any of them.

The Greens differ from the SSP position only in the final words of the motion. Complete withdrawal of all troops in two weeks' time would be a disaster, even if it were achievable.

Duncan McNeil takes an astonishingly optimistic view of peace, democracy, and the prospect of free and fair elections in the next two months. The United States cannot even hold free and fair elections in its own country. His idea that Iraq is

running its own affairs already is a bizarre assertion given the puppet nature of the Government, the limited nature of its operations, the rapid privatisation and the huge profits that are being gained and set up for the future. Of course work is being done on the infrastructure—on schools, hospitals, roads and telecommunications. None of that is to be regretted, but none of it relates to the subjects that the SSP has brought for debate: the bankrupt arguments for the invasion, the occupation tactics, the choice of weapons and the treatment of prisoners. I say to Karen Gillon that there is a serious, deep connection between the treatment of prisoners here and abroad by our Government and the way in which we judge other Governments' human rights records.

Alex Neil began his speech with great clarity. He spoke about the illegal and immoral nature of the war and about oil as the motivation for it. I am grateful to him for his comments.

Although I disagree with much of Phil Gallie's amendment, he began his speech with reference to the troops, the impact of the war on their lives and the dedication with which they undertake their duties. I hope that he will consider seriously the amendment from Chris Ballance, which describes the tragic way in which we are failing the troops on their return.

Keith Raffan acknowledged the legitimacy of the International Committee of the Red Cross, which, unfortunately, Phil Gallie chose to question. Keith Raffan recognised the factual content of much of the motion. However, his claim that no party has opposed the war as consistently as the Liberal Democrats have must be challenged. At all the meetings of the Scottish Coalition for Justice not War that I attended over many months—I was the Greens' representative on the coalition for about 18 months—I remember seeing not one Liberal Democrat representative. At all the public meetings, rallies and demonstrations that were called by the coalition, I remember hearing only one Liberal Democrat speaker, who spent his time explaining why he wanted another UN resolution to justify the war, to salve his conscience and to gain his support for the invasion of Iraq.

**Mr Raffan:** That is complete nonsense, as Mr Harvie knows. My colleague Robert Brown was very prominent in speaking at rallies in Glasgow.

**Patrick Harvie:** One rally.

**Mr Raffan:** Our federal leader Charles Kennedy was very prominent in leading and speaking at the demonstrations in London. My colleague Menzies Campbell has a seat on "Newsnight" that Jeremy Paxman describes as the Menzies Campbell chair, because he is on the programme so often opposing the war.



**Patrick Harvie:** I thank the member for reminding us of Charles Kennedy's contribution. I remind the chamber of what Charles Kennedy said at the time—what he now calls strenuous opposition to the war. A month before the war began, he said:

"We are not the all-out anti-war party."

He used phrases such as "not at the present time" and "difficult to justify". Those are the words that are now called strenuous opposition. Is that what strenuous means to the Liberal Democrats? The party may have opposed the war at times in the House of Commons and in the media, but it was not prepared to work with other parties—the Greens, the Scottish socialists, the Scottish nationalists and anti-war Labour members—or with the unions, campaign groups, religious organisations and others to build a coalition in the country to oppose the war.

Pauline McNeill made a measured, thoughtful speech that reminded us that there are many anti-war activists in the Labour movement. The speech also reminded us of the central importance of the Palestinian issue to the middle east and the wider world. If Pauline McNeill's leader has the credibility in America to challenge it to change its policies on Palestine and the other global issues, I wish her well in strengthening his case. However, if he does not, I can only wish her well in campaigning to replace him, both as leader of the Labour Party and as Prime Minister.

11:24

**Mr Raffan:** In winding up for the Liberal Democrats, I do not need to waste much time responding to the Greens. Just now I was outside the chamber speaking to a senior journalist—no particular friend of the Liberal Democrats—who said, "You can say many things about the Liberal Democrats, but you can't say that they have not consistently and strongly opposed the war." It is rather sad for the Greens that they have come to this. I always wondered what planet they were on, but now I wonder what solar system they are in. Clearly, they do not watch "Newsnight" and see my colleague Sir Menzies Campbell, who is highly respected by all parties in the House of Commons.

**Patrick Harvie:** Will the member give way?

**Mr Raffan:** Patrick Harvie should sit down, as he is a waste of time.

Sir Menzies Campbell has shown consistent, strong opposition to the war and has presented a very reasoned policy on how we should go forward from here. Obviously, Green members are buried in their internet websites, but they should start to watch "Newsnight", where they would see the very constructive contribution that my highly respected colleague Sir Menzies Campbell has made on this

issue. The contributions from both Mr Ballance and Mr Harvie were remarkably silly.

Mr Gallie has a solution to the Iraq war—which is more than the Greens have—but it is to bring back Mrs Thatcher, George Bush senior and John Major. That wonderful troika would go into Iraq—I suppose that that would amount to another invasion of the country—to help the situation. I wish that Mr Gallie had quoted instead the eminently responsible and intelligent contributions that have been made in the House of Lords by two distinguished former Conservative Foreign Secretaries, Douglas Hurd and Geoffrey Howe, both of whom oppose the war.

Murdo Fraser said that things are infinitely better now than they were under Saddam Hussein. In my view, those who called this week for an inquiry into civilian deaths in Iraq were right to do so. That inquiry should be held, especially after the survey that was carried out courageously by doctors in Iraq and published in *The Lancet*. The survey estimated the number of civilian deaths as 98,000, half of which were of women and children. I do not think that things are any better in Iraq. I was surprised that Conservative members did not spend more time discussing the humanitarian effort and how it could be improved.

**Murdo Fraser:** There is a touch of hyperbole in Mr Raffan's comments. I did not say that things are infinitely better than they were under Saddam Hussein. However, let us be clear about the Liberal Democrat position. Do the Liberal Democrats believe that it is better in Iraq today than it was under Saddam Hussein or do they believe that it is worse?

**Mr Raffan:** It was appalling under Saddam Hussein and it is now completely chaotic and anarchic. The worst thing that we could do would be to withdraw troops, as the Scottish socialists absurdly suggest, which would lead to a trebling or quadrupling—if not more—of civilian deaths. That was a rather silly intervention from Mr Fraser. I expect more of him, but obviously my expectations will not be realised.

The craven loyalty of the Tories to Tony Blair's line was exemplified by their former leader Iain Duncan Smith—I cannot remember which leader the Tories are on now. We will not take any lessons from the Tories. Mr Fraser referred to the Black Watch as "my local regiment", as if he were the commanding officer. In fact, the Tories' record on merging and abolishing regiments is second to none. They have no record on this issue and are complete opportunists on the matter, as in all their policies. In any case, the Tories' current position on the Black Watch is completely confused. Nicholas Soames, the shadow Secretary of State for Defence, says one thing, but Michael Howard says another.

I am sorry that I have got SNP members in a good mood, because I am about to respond to their points. Mr Neil called for the western forces to be replaced as a matter of urgency by a force assembled under the auspices of the League of Arab States. Clearly, the SNP has not consulted the League of Arab States, which resolved in September this year not to intervene in Iraq. The SNP must sort itself out. I do not know when Mr Neil last spoke to Tunisia, Bahrain, Dubai and the League of Arab States and asked them to establish a presence in Iraq to fulfil SNP policy. The answer is that the league is not prepared to do that. However, it is prepared to train Iraq's armed forces and police and to supply equipment, which is exactly what we are saying it should do. That is a role that it can perform eminently well.

I am saddened by the fact that the Labour Government has taken the UK into this war. The Labour Party has a proud record of opposing the Suez adventure and avoiding entanglement in Vietnam.

**Helen Eadie:** Will the member give way?

**Mr Raffan:** No.

The invasion of Iraq has led to huge loss of life and has alienated moderate Muslims. The Labour Government has caused havoc not only in Iraq, but worldwide. It has seriously undermined the United Nations and seriously damaged relations with European Union partners. Last night Labour members showed a talent for rebellion—one that we did not know they had. I hope that they will continue to show that talent today and support the excellent Lib Dem amendment.

11:30

**Lord James Douglas-Hamilton (Lothians) (Con):** The Iraq war has proved to be highly emotive, and rightly so. The decision to go to war is never, and should never be, taken lightly. It should always be taken as a last resort after other routes, such as those of diplomacy and UN intervention, have been exhausted.

On the basis of the information before us, we believe that, with a great deal of supporting evidence, Saddam Hussein was a substantial threat to peace. As Frank McAveety highlighted in his remarks, we know for certain that Saddam Hussein had used weapons of mass destruction, that he gave the world every reason to believe that he would do so again and that, if given the opportunity, he had no scruples about committing crimes against humanity.

The Butler report highlighted serious flaws in the Government's use of intelligence material, which we deplore. In the light of such revelations, it is right that the validity of the motions that MPs and MSPs voted on should be closely examined.

**Mike Rumbles** rose—

**Mr Raffan:** Will the member take an intervention?

**Lord James Douglas-Hamilton:** I want to get on.

Nonetheless, we believe that action had to be taken as Saddam Hussein had launched wars of aggression against Iran and Kuwait and had used weapons of mass destruction against the Kurds in Halabjah. In anyone's view, he was an extremely dangerous dictator on whose orders many thousands, and possibly hundreds of thousands, of people lost their lives. All the evidence points to the fact that he remained a considerable threat.

**Mr Raffan:** The report of the Iraq survey group said:

"The former regime had no formal written strategy or plan for the revival of W.M.D. after sanctions. Neither was there an identifiable group of W.M.D. policy makers or planners separate from Saddam."

How does Lord James respond to that statement?

**Lord James Douglas-Hamilton:** The simple answer is that, on the basis of the information that was put before the nation, we believe that Saddam Hussein was a considerable threat. As Phil Gallie said, with reference to the Prime Minister not giving the correct facts to the House of Commons, we will never give the Prime Minister our trust again. That remains the position. He should have been much more frank and deliberate in putting the reservations expressed to him by the intelligence service before the nation.

We agree with the thought expressed in the SSP motion that everything should be done in accordance with international law to ensure that civilians are not targeted and that casualties are kept to a minimum. Unfortunately, it is a reality that civilians can be and often are adversely affected by conflict. In any case, we are aware of the barbarism recorded on video of civilians being cruelly beheaded by bloodthirsty terrorists. The British Army's policy is not to reply in kind, but to restore law and order and to win over the hearts and minds of local people.

Like Murdo Fraser, I am full of unqualified admiration for the superb professionalism, courage and valour of the soldiers of the Black Watch and their colleagues in the armed services. As it happens, British forces have much experience of internal security operations. After all, they sought to confront terrorist actions while trying to protect local communities during their tours of duty in Northern Ireland. Mike Rumbles served there and, although I have not served operationally, I was an infantry officer in the Cameronians (Scottish Rifles) Territorial Army for nearly 10 years.

We are eager that Britain should play a leading role in helping to create a stable, democratic and prosperous Iraq that will become a positive influence in the region. However, we have criticised the Government for its failure to set out clearly the post-conflict strategy for Iraq in terms of humanitarian, economic and political progress. We support requests from British commanders on the ground for further equipment and manpower to enable them properly to carry out difficult tasks. We agree strongly with Murdo Fraser's comments that the Government should not try to reduce our military strength at a time when it is asking our young men and women to put their lives on the line for this country.

I agree with Duncan McNeil, Pauline McNeill and Karen Gillon that we cannot and will not scuttle and run. Ultimately, we recognise the concerns that many people continue to have, but we are in a situation in which it is essential that the people of Iraq can and will make decisions freely and not under duress. Iraq's future must belong to the Iraqis and not to would-be dictators.

We are against dictators. I quote the words of a distinguished politician:

"Something may be said for Dictatorships, in periods of change and storm; but in these cases the Dictator rises in true relation to the whole moving throng of events. He rides the whirlwind because he is part of it. He is the monstrous child of emergency. He may well possess the force and quality to dominate the minds of millions and sway the course of history. He should pass with the crisis. To make a permanent system of Dictatorship, hereditary or not, is to prepare a new cataclysm."

Needless to say, those were the words of Winston Churchill. President Woodrow Wilson put it even more succinctly:

"The ultimate failures of Dictatorship cost humanity far more than any failures of democracy."

We will oppose the motion. We support our own amendment and have considerable sympathy with Duncan McNeil's amendment.

11:35

**Mr Kenny MacAskill (Lothians) (SNP):** In any debate, and certainly in a debate as important for humanity and Scotland as this one, we have to discuss how we got here, where we are at the moment and where we go from here.

As my colleague Stewart Stevenson said, those who do not learn from history are condemned to repeat it. It is clear that we need to learn lessons—we need to take on board how the situation in Iraq happened, why it happened and, perhaps most important of all, how to ensure that it never happens again.

However, we are where we are. We do not wish to be here, but this is where we are at the present moment: with military and civilian casualties; with

a country devastated; with a world endangered; and with the major institution of peace for the globe—the United Nations—damaged and tarnished. That is the situation that we face.

We cannot simply condemn Bush and Blair, although their crimes and culpability are clear for all to see. We need to have a route map, if that is what we wish to call it, or an agenda for withdrawing our troops, sustaining and rebuilding Iraq, restoring faith in international institutions and ensuring peace for all humanity.

Our objection to the SSP motion is that it has no future and its simple suggestion that we remove troops by Christmas is a counsel of despair. However, we cannot accept the amendment from the Labour Party, which many of its leading members spoke to, although not Pauline McNeill and others. In a debate such as this, the Labour Party must remember that we cannot forget the past and that we must learn from it, as well as look forward to the future, as Stewart Stevenson said.

Frank McAveety made reference to rogue states. Like me, Mr McAveety is a known bibliophile. I suggest that if he wishes to learn about such states, he should read Chomsky's "Rogue States" to find out where the real problem lies.

We have to remember, and we will never let the people of this country forget, that we were brought into the war not just on a false premise, but on falsehoods. There were no weapons of mass destruction and Tony Blair lied to the British and Scottish people.

**Mr Raffan:** Does the member agree that the invasion of Iraq has made it much more difficult to deal with countries such as Iran and North Korea that have weapons of mass destruction?

**Mr MacAskill:** Absolutely. As I said earlier, we have made a more dangerous world, and far from dealing with only one dictator in Saddam Hussein, as Mr McAveety seemed to suggest, Kim Il-sung and others go on regardless.

The war in Iraq was not a war to create a more stable world—as I said, the likes of Kim Il-sung have been ignored—and it did not try to ensure that justice and truth prevailed. As my colleague Alex Neil said, it was a war for oil, for George Bush to cement America's access to that finite resource and for those who wish to cement an Anglo-American coalition. We welcome a close relationship with the United States, but the Atlanticist trend of the current new Labour Government damages us all.

The same points were not only made in previous speeches. In his book, American academic Chalmers Johnson makes the point that Saudi Arabia will be lost to the American hegemony and,

accordingly, America will require to access oil in other places—particularly Iraq. So that is where we are at.

We accept the points made by Pauline McNeill and others that we require to address the problem of the Palestinian state—there can be no peace unless we do.

However, we must also remember where we are—some members have disappointed today in that regard. This is the Parliament for the Scottish people; it is not simply an extension of the pavement in front of the Scottish Exhibition and Conference Centre, where people can chant their mantras and slogans and shout “Troops out!”, whether or not the slogan is legitimate. Nor is the Scottish Parliament a Strathclyde Regional Council writ large, where we can say, “This is not part of our game; it is no responsibility of ours and it is for our elders, betters and wisers in a different place.” The Scottish Parliament is a magnificent institution and it is the responsibility of those who are privileged to be elected to it to speak up on issues that affect the people of Scotland.

Some front-bench members of the Labour Party privately talk about how the Baghdad bounce has benefited them, which is absurd. They should have had the dignity to come to the chamber for this debate. Although the Scottish Parliament does not have the right to order the withdrawal of our troops or to deploy them in the first place, it must address the consequences of such actions. Members of the Scottish Parliament, whether they are on regional lists or represent constituencies, must meet the grieving families who have lost loved ones; they must address the communities who will have to bolster the troops who return; and they must deal with the economic problems that an endangered world brings, whether they relate to a decline in tourism from the USA or to other matters.

We have a duty to raise our game and to address not just the wrongs of the past but the way out. I disagree with Mr Raffan about that, although I agree with many of his points and I regret the Greens’ spat with him. We should be creating a coalition against the war that is as broad based as possible and to snipe—as Green members did, sadly—at members who oppose the war is to do them a disservice. We must go forward. The way out is not to leave it to British and American troops, augmented by Estonians, Lithuanians, Poles, Ukrainians and so on. We should deploy troops who are sensitive to the situation and who are far more acceptable to the Iraqi people. If the Arab League is not minded to contribute, we must encourage it to accept its responsibility, because we will not get out of Iraq simply by pouring in more British and American troops and more firepower. We must find a way

out and broaden the coalition by bringing in Muslims and those who were not involved in the first place.

11:42

**Mr John Home Robertson (East Lothian) (Lab):** The subject of the debate could not be more serious, but Frances Curran did not do justice to the people of Iraq, let alone to Scottish servicemen and their families, when she raised the issue in the way that she did, at this time and in this Parliament. How can we take seriously a motion that describes soldiers of the Black Watch battle group as “occupiers rather than liberators”? The soldiers have done a magnificent job in bringing peace and stability to southern Iraq and they have made the ultimate sacrifice to protect Iraqi people and the Iraqi civilian police from suicide bombers in central Iraq.

**Carolyn Leckie:** Does the member acknowledge that, in a report, the Pentagon itself suggested that the occupiers are regarded as occupiers rather than liberators and that the text in the motion reflects the view not just of the SSP but of the Pentagon?

**Mr Home Robertson:** There is a compendium of quotes in the motion, which is one of the things that is wrong with it. The issue should be taken far more seriously. People outside the Parliament are listening: the Iraqi people and, more particularly, the families of Scottish services personnel are listening, and we should rise to the occasion. In fairness, most members have done so.

The SSP motion concludes by calling for the withdrawal of the vital British component of the international security force on the eve of the elections that should herald a decent, democratic future for the long-suffering people of Iraq. The motion is at best insensitive to the memory of the countless victims of Saddam Hussein and it is offensive to Scottish soldiers, who deserve our support on the difficult, dangerous and honourable mission that they are undertaking in Iraq.

There has been and remains a perfectly legitimate debate about whether we should have intervened in Iraq in the first place. The point has been addressed by members from a number of parties, and in particular was addressed eloquently by my colleagues Pauline McNeill and Elaine Smith. That is right and proper. My view, which is based on my experience in the Balkans, is that military intervention against evil and oppressive regimes can be more than justified. I saw dreadful things in Bosnia during the years before the international community decided to deploy effective military power to deal with the rogue regime there. We were right to intervene and if we had done so a year earlier tens of thousands of lives could have been saved. That is

worth considering. In the House of Commons, over a period of years, my former colleague Ann Clwyd made a powerful and consistent case for intervention in Iraq, after she saw the results of the chemical attack on Halabjah. I found her argument compelling.

**Helen Eadie:** Will the member give way?

**Mr Home Robertson:** I am sorry, but I am pushed for time.

I am well aware that there are a number of murderous and oppressive regimes around the world. Like Pauline McNeill I have witnessed the situation in Palestine—I was there earlier this year. I long for the day when a stronger, more effective UN can deal with all those evils, instead of just passing well-intentioned resolutions. Meanwhile, it is better to deal with some of those evils instead of just wringing our hands because everything is terribly difficult. I agree with Frank McAveety, Karen Gillon and others that it is a good thing that Saddam Hussein is behind bars, just as it is a good thing that Slobodan Milosevic is currently standing trial in The Hague. British armed forces and thousands of Scots who served with great distinction in those British forces helped to achieve peace, security and democracy in Bosnia, Kosovo and Sierra Leone, and the achievement of our forces in southern Iraq is a credit to each and every one of them. It is an unmitigated tragedy when an innocent civilian or peacekeeping soldier is killed or wounded on such military missions. However, it would surely be the ultimate insult to those people and their families to abandon the mission at this stage, to abort the elections and the democracy that people in Iraq crave and deserve and to surrender Iraq to a future of chaos, anarchy and crime. That would be the wrong thing to do.

I understand and respect the position of colleagues who opposed the intervention in Iraq because they had serious misgivings about the motives of the US President and the lack of specific UN authority for the action. Liberal Democrat colleagues and others have expressed those misgivings and their position is legitimate. However, I have rather less respect for people who take every opportunity to score political points about regiments but then dissociate themselves from every deployment of those regiments—in fairness, Alex Neil has moved on a little from that position; he is facing both ways now so there is progress. I have still less respect for people who take full advantage of the privileges of democracy in this country but seem to be content to leave dictatorships to do their worst elsewhere. How long would Tommy Sheridan have survived under the Baathist regime in Iraq? Frank McAveety made that point eloquently.

We all want to get our Scottish troops safely home to their families. The right thing to do is to

support British forces to the hilt in their mission to achieve security for the Iraqi people up to and beyond the elections in January. Most members and most parties agree that we should stay the course and support Scottish troops and the rest of the peacekeeping operation in Iraq in seeing their essential mission through to completion. We should not cut and run or suggest that our troops should do so. I urge colleagues to support the amendment in Duncan McNeil's name.

11:49

**Carolyn Leckie (Central Scotland) (SSP):** I am glad to see that two Executive ministers have turned up, albeit belatedly.

I start with the attempts by the Tories, Labour and the Liberal Democrats to remove reality from our motion. They deny the use of napalm and phosphorous weapons of mass destruction, which were the only weapons of mass destruction that were used in Iraq. They deny the sight of melted bodies on the streets of Fallujah, but they forget that the United States of America admitted in August 2003 that it used napalm and phosphorous bombs in the blitz of Baghdad, so the idea that it used them in Fallujah is not too far to travel. ITN briefly reported that napalm had been used in Fallujah, but the story was quickly removed. I wonder whether a defence advisory notice was issued to avoid that uncomfortable fact. Do the Executive parties have absolutely nothing to say? Will they not condemn the use of napalm and phosphorous bombs?

Normally, the International Committee of the Red Cross does not state its concerns publicly. When it does so, that means that it has evidence that the Geneva convention and other international humanitarian treaties have been breached. We should remind ourselves of those treaties, which three parties in the chamber wish to delete from history.

*The Lancet* estimates that there have been more than 100,000 civilian deaths, most of which are attributed to bombing. No wonder General Tommy Franks says, "We don't do civilian body counts." Actually, he is lying. The Pentagon collects and collates that information, but it keeps it secret. However, it cannot hide everything. The truth has a habit of getting out. Children burned, bombed and torn apart limb from limb—that is the reality that the Executive parties want to delete from the public record. Children have been bombed and butchered in our name, and members of the Executive parties voted for that—that is the reality.

**Mr Raffan:** Never.

**Carolyn Leckie:** The member is supporting the continuation of that. The photos that I have here are from last week, not last year.

There have been further breaches, with water supplies to civilian populations being cut off, wounded insurgents being executed, hospitals being occupied and bombed and aid agencies being denied access to Fallujah. I would have more respect for the Executive parties' arguments if they were prepared to base them on an acknowledgment of the truth and the facts, but instead they seek to remove the truth from the motion. Their amendments even remove the quotes from the Pentagon report, which acknowledges that the occupation has lost the battle for hearts and minds and has acted as a recruitment campaign for terrorists and extreme fundamentalist organisations.

The Executive parties do exactly what the report concludes needs to be done: they cover the truth with more effective propaganda. According to the Pentagon, the invasion and occupation have made Iraq and the world more dangerous, but the answer is to increase the amount of propaganda. The Tories, Labour and the Lib Dems accepted the Pentagon's orders and are acting as its propagandists by seeking to remove the truth from the motion.

I will deal with the ruse of the Labour amendment. Labour members delude themselves that the invasion and occupation of Iraq has aided, or will aid, the cause of the Palestinians, but the Palestinian road map to peace is a fiction. It is a fig leaf that President Bush cast to Tony Blair so that Labour representatives can cover themselves and support the illegal invasion and occupation of Iraq. The truth is that the Iraq war has been a disaster for the Palestinians. The Israelis used the cover of the Iraq war to build an apartheid wall and annex yet more land that rightfully belongs to the Palestinians. Perhaps we can excuse Labour members for having been duped 18 months ago but now there is absolutely no excuse.

The arguments that were made today against the withdrawal of troops have been made before to justify imperialist adventures in retrospect. They were made in relation to Vietnam and to the Soviet invasion of Afghanistan but history shows that they are wrong. Some Labour members argued that although the Soviet invasion of Afghanistan was wrong, troops should remain in Iraq to avoid descent into barbarism, but that is exactly what happened in Afghanistan: the Soviet invasion led to the Taliban and to barbarism. That might be Iraq's fate because of the actions of the USA and Britain—but of no other country.

The United States is sustaining more and more casualties. November alone cost the US 10 per cent of its total losses in a war that was supposed to have been won on 1 May 2003. In November, the coalition lost double the average monthly number of casualties. Since the invasion, terrorism

has increased in Iraq and around the world. The number of deaths due to war has increased, not decreased, and so have starvation, homelessness and insecurity. Some 200,000 refugees were created by the bombardment of Fallujah and there are melted bodies on the streets. The occupation is the cause of the chaos and the increased risk of civil war. Troops are part of the problem—they are not part of the solution. The idea that invaders can be the salvation of the invaded is ignorance and delusion beyond comprehension. *[Interruption.]* Presiding Officer, I got into trouble earlier and I would like a bit of consistency.

The idea that invaders can be the salvation of the invaded is ignorance and delusion beyond comprehension—I repeat that in case members did not hear it the first time. The invaders are having to pile more and more forces into a war that they are not winning. Bush promised that they would be home by last Christmas. Would the Tories, Labour and the Lib Dems advise a failing business to borrow more and more money to prop up a venture that is clearly failing? Would they advise a gambler who has lost a month's wages in a casino to pile more and more chips on the roulette table? No, they would not, yet they support the piling in of more troops and the piling up of more bodies.

The war was wrong, illegal and unjust. It should not have started, and it should stop. The waste of lives and the hanging on to the coat tails of the neo-cons in the White House must stop. The waging of a war that is based on lies must stop. Not another drop of blood should be spilled for George W Bush. Saddam Hussein has been removed, but are members clear that they have argued that the capture of one guilty man is worth 100,000 civilian lives? If all the dictators in the world who have been propped up and supplied and supported with arms by the US and Britain were removed at the same cost, there would be millions of corpses throughout the world. Members talk about Saddam Hussein, but what about Pinochet, Suharto or Ariel Sharon? Not a bloody word. *[Interruption.]*

**The Presiding Officer (Mr George Reid):** Order.

**Carolyn Leckie:** The occupation was never about the Iraqi people and it is not about them now. It is about Halliburton's profits—Rosie Kane referred to the millions and billions of pounds that it has gained and benefited from because of the war. It is that company that has won, not the Iraqi people.

Keith Raffan mentioned the brotherhood of man—I notice that he left out women and children, but that is no surprise. Are bombing, starving and burning his idea of solidarity? We should make no mistake: the Liberal Democrats are the phoney anti-war party. *[Interruption.]* They are fakes.

Is the SNP serious about the recruitment of troops from Arab nations? Iraqis are being blown up in queues to join security forces. Is the SNP suggesting that recruits from Jordan, Egypt, Libya and Iran would be safe while queueing up to volunteer?

I am sure that the refugees outside Fallujah—all 200,000 of them—will be grateful for a ballot paper. We did not cause this mess. Elections do not create democracy—democracy creates elections. It is time to stop the patronising piffle and time to stop the bombing and the human rights abuses. That is what members should be talking about. It is time to pile in aid and money but bring the troops out now. Iraq belongs to the Iraqis and the future of Iraq is up to them. The troops must come home now for their sake as well as that of the Iraqis.

As Jack McConnell is now in the chamber, I say to him that the blood of Iraqi children is on his hands. I challenge him to look at the document that I am holding because if the children can suffer what they suffer, he should be able to look them in the eye. He is not prepared to do that because he does not have the courage to face up to the photographs, to face up to his complicity or to face up to George W Bush in the White House. Jack McConnell is prepared to murder and cause mayhem on his behalf.

**The Presiding Officer:** I think that that is over the top.

## First Minister's Question Time

12:00

### Prime Minister (Meetings)

**1. Nicola Sturgeon (Glasgow) (SNP):** I welcome the news that Michael Ferguson, the patient who absconded from Carstairs earlier this week, has been reapprehended, and express my hope that that incident will result in a review of the decision-making process.

To ask the First Minister when he will next meet the Prime Minister and what issues will be discussed. (S2F-1269)

**The First Minister (Mr Jack McConnell):** I confirm that a restricted patient—which is the proper way to describe these matters—who failed to return from a period of unescorted leave on Monday 6 December has been apprehended by the police and has been returned to the state hospital. I intend to report to all members of the Scottish Parliament about the circumstances surrounding the case, and any action that might now be required, either during question time today or in due course.

I have no immediate plans to meet the Prime Minister.

**Nicola Sturgeon:** I am sure that every member will look forward to the reporting of the full facts of that incident.

A few weeks ago, the First Minister said in the chamber that council tax rises would be no more than 2.5 per cent. Yesterday, the Minister for Finance and Public Service Reform blew that commitment out of the water when he said that next year, council tax will increase by more than the Executive would like. I ask the First Minister to come clean and to confirm what he now expects the increase in council tax to be next year.

**The First Minister:** That is completely untrue. The council tax targets that ministers have set for next year, the year after and the year after that, have been absolutely clear. The budgets have been set on the basis of those increases. Yet again, right across Scotland, those increases will be less than they are in the rest of the United Kingdom. If councils are operating their budgets efficiently, there is no reason for them to have increases above those levels.

**Nicola Sturgeon:** The Minister for Finance and Public Service Reform said yesterday that council tax will increase next year by more than the Executive would like. The First Minister might refuse to say exactly what that increase will be, but everyone else in Scotland knows that it is likely to be double what he promised just a few weeks

ago. Does he begin to appreciate the burden that the council tax places on those who can least afford it, such as hard-working families and those on fixed incomes, for example pensioners? Since 1997, the average bills have increased by 50 per cent but, yet again, the First Minister is setting his face against doing anything to help, just as he did last week, minutes before the Chancellor of the Exchequer got to his feet and announced more money for English councils in order to keep council tax rises in England substantially lower than last year. Will the First Minister explain to Scottish council tax payers why he is refusing to lift a finger to give similar respite to them?

**The First Minister:** Yet again I point out that the assertion in the first question, which was repeated in the second question, is completely untrue. The figures, as set out consistently by both finance ministers in the past three or four months, have been clear. Local authorities understand those figures, and they now understand clearly the targets that they have to achieve to stay within the figures, because they have to operate the financing of their services efficiently. We will assist them in doing that, but it is ultimately their responsibility to set their council tax increases at a level that is affordable locally. That level will continue to be less in Scotland than it is elsewhere in the United Kingdom, because we are financing local services properly. It is simply untrue to suggest that the council tax has risen by more than 50 per cent since the change of Government in May 1997. The initial increase that Ms Sturgeon adds magically into the figure was set under the Tory Government, which was responsible for council tax rises in 1997. As I said last week, in each of the five years of devolution, the council tax has gone up by less than the increases in the last six or seven years of the Conservative Government prior to 1997. Ministers here remain committed to efficient government and to proper financing of public services.

As I said last week—Ms Sturgeon has failed to address this—it is simply disingenuous of every front-bench member of the Scottish National Party to argue, week after week, for increased spending on every aspect of local services and then to advocate tax cuts and restrictions on local expenditure. That is sheer hypocrisy, and it needs to stop if we are to have serious debate in the chamber.

**Nicola Sturgeon:** The Scottish Executive's position is riddled with contradictions. The reality is that, as the Minister for Finance and Public Service Reform confirmed yesterday, council tax payers in Scotland face an increase of 5 per cent in their bills next year. What angers Scottish council tax payers most is the fact that, between the efficiency savings that he is taking away from councils and Scotland's share of the money that

was announced by Gordon Brown last week, an extra £100 million will go into the Scottish Executive's coffers next year. I know that it is nearly Christmas, but there is no need for the First Minister to play Scrooge. Why will the First Minister not give the money that is available—with no cuts in services—back to councils, so that they can keep council tax rises down and give some relief to council tax payers, who have already been hit far too hard?

**The First Minister:** It is interesting to hear SNP members cheering. Alex Neil, who is sitting behind the deputy leader of the Scottish National Party, was cheering that remark. He clearly does not want us to use any of the additional money that was allocated to the Scottish budget last week for child care—which is vital for securing greater employment in Scotland—or to ensure that the training and skills that are available to people in England are available to people in Scotland. He obviously thinks that we should not use the money in that way but use it to cut council taxes locally. That directly contradicts the calls that we hear regularly from him, from Ms Sturgeon and from other SNP members.

SNP members should be consistent. If they want to advocate increased spending on areas that are in our budget or in the local budgets, they should do that. They should not come here, week after week, advocating additional spending and then, when the opportunity comes for a cheap and easy headline, advocate tax cuts that would not match up to the spending that we desire and which they claim to want too.

**The Presiding Officer (Mr George Reid):** Before question 2, members will wish to join me in welcoming to the VIP gallery Neil Kinnock, the chair of the British Council's board of trustees. [Applause.]

### Cabinet (Meetings)

**2. David McLetchie (Edinburgh Pentlands) (Con):** To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-1275)

**The First Minister (Mr Jack McConnell):** At next week's meeting of the Scottish Cabinet, we will discuss our progress towards building a better Scotland. I hope that that progress will include joint working with the British Council. I suspect that Neil Kinnock, along with some of the rest of us, might, in the past, not have expected to be one day sitting in a Scottish Parliament. However, I am sure that he is delighted to be here today, and he is very welcome.

**David McLetchie:** I hope that the First Minister and the Cabinet will take the opportunity to review the circumstances and procedures for the



authorisation of unescorted leave for patients in the state hospital at Carstairs. Can the First Minister confirm that, so far this year, according to newspaper reports, 13 releases for unescorted leave have been authorised without prior ministerial approval? What examination is being undertaken of the procedures?

**The First Minister:** I confirm that it is my understanding that there have been 13 such cases. Under the current procedures, as I think that Mr McLetchie is aware, permissions for the transfer of restricted patients for conditional and absolute discharge are approved personally by me. Unescorted leave of absence for those who are restricted for life and those who are sex offenders is also approved by me. However, other periods of unescorted leave of absence are currently approved by expert officials on our behalf.

Given the incidents of this week, those procedures should be reviewed. In particular, I believe that the level of information that is available to those who sign off those decisions should be reviewed. I know that I, personally, sometimes question the level of information that I receive when I have to approve discharges or transfers, or those unescorted leave-of-absence periods that I am required to approve. I certainly want to ensure that those who made the decision that led to this week's incident received appropriate information. If they did not, I want to ensure that there is appropriate information in front of all those who are making future decisions.

**David McLetchie:** Can the First Minister confirm that, in future, all such authorisations must obtain prior ministerial approval, rather than prior approval from officials in his office? Can he confirm that that is the way in which such matters will be conducted in future, with due regard to the statutory provisions in the Mental Health (Care and Treatment) Scotland Act 2003 and to the responsibility of ministers for dealing with those serious issues. I understand from what the First Minister has said that there is to be an inquiry into the procedures and that a review will be undertaken. Will he undertake, subject to the requirements of patient confidentiality, to make the findings of that review public, so that it can be a subject for debate and discussion in Parliament?

**The First Minister:** I shall be happy to make the review public and to ensure that the decisions that are made following that review will be subject either to questioning or to debate in the Parliament, subject to the decisions of the Parliamentary Bureau. I do not discount the possibility that the arrangements may be changed to secure prior ministerial approval for unescorted periods of leave of absence, but I also want to have a system that operates effectively. The new

provisions that will come into force next year under the Mental Health (Care and Treatment) Scotland Act 2003 will move the responsibility for discharge from me to the new mental health tribunal, and there may be an opportunity at that time to review the procedures more generally.

I am content to confirm that, when we have that proper review, we shall look at the existing features of the legislation and consider whether they need to be strengthened or improved. I am particularly keen to ensure that the right level of information is available when those decisions are taken. For example, I would find it surprising if the person who made the decision to grant unescorted leave of absence would have done so if they had been aware of the police's description of the patient concerned as potentially dangerous if cornered or intoxicated. That is one of the matters that I have asked specifically to be reviewed.

**Karen Gillon (Clydesdale) (Lab):** These are delicate and difficult issues and I fully appreciate and understand that public safety is paramount. I welcome the First Minister's comments about appropriate information being available to expert panels, but can he give some reassurance that we will not have a knee-jerk reaction and move back on the progress that has been made in the support of those with mental illness? Will he ensure that those who are inappropriately placed in the Carstairs hospital for a longer period of time than they should be will not be adversely affected by the reaction to this situation?

**The First Minister:** This is a difficult subject and public safety must be paramount at all times, particularly when patients in the state hospital and elsewhere have been involved in violent incidents in the past. That is something that I emphasise constantly to officials and to those who have those responsibilities. At the same time, we have a responsibility as a society to ensure that those who have a mental illness are treated properly, given a proper care plan and assisted with progress back into society, but clearly only if we can be certain that they have managed to find a way of controlling their illness or improving their mental health. That is a serious challenge, even in today's enlightened society, and it is a challenge with which I believe we are making a lot of progress.

That process will be helped considerably if we have across Scotland the sort of facilities that might ensure that there is some provision between the state hospital in Carstairs and leave of absence in the community. The transition periods that people need to go through in those circumstances are particularly important, and I hope that we can create the kind of facilities that will give people a stage-by-stage approach to resuming a normal life.

### Scottish Executive (Priorities)

**3. Colin Fox (Lothians) (SSP):** To ask the First Minister what the Scottish Executive's current top priorities are. (S2F-1289)

**The First Minister (Mr Jack McConnell):** Our top priority remains, of course, the promotion of higher levels of economic growth in Scotland. That is important for securing not only prosperity for the citizens of Scotland but adequate funding for our public services.

**Colin Fox:** The top priority for the people of Scotland is the state of our national health service, which they remain concerned about. They are particularly disappointed that the service cannot keep its promise to provide comprehensive free health care to everyone. Given that 75,000 patients in Scotland last year were denied medicines that their general practitioners prescribed for them because they could not afford the £6.40 prescription charge, does the First Minister accept that charging people for NHS services that are paid for from general taxes undermines the NHS and its core values? Does the Executive accept that the vast majority of Scots regard prescription charges as a barrier to universal free health care? Will he agree to scrap prescription charges, which would be in line with a decision by the National Assembly for Wales?

**The First Minister:** No. The Government must make choices and I believe that the £45 million that it would cost to abolish prescription charges is better used to improve health care in Scotland to ensure that we have faster and more local treatment and that people across Scotland have the best access to staff, equipment and facilities. I remind the Parliament that 50 per cent of those who have prescriptions do not pay for them and that 90 per cent of all prescriptions are free to those who have them. Therefore, a significant percentage of people are already exempt from prescription charges and there is a significant number of prescriptions for which there is no payment.

We keep the levels under review and that is why we are reviewing prescription charges. Anomalies, of course, have built up in the system over the years. For young people and people with certain kinds of diseases, it is right and proper that we review the current system. However, it would cost £45 million to abolish prescription charges and that money is better spent elsewhere.

**Colin Fox:** There were more red herrings in that answer than would be found in a fishmonger's window. Did the First Minister listen to his Minister for Health and Community Care, when he told me last month that 27,000 people on benefits such as disability living allowance do not qualify for free prescriptions? On top of that, tens of thousands of

low-paid workers, who often have chronic conditions, must pay £6.40, or £12.80, £19.20 or more for multiple treatments. If the First Minister has checked the figures, he will know that prescription charges recover less than half of 1 per cent of the NHS's annual income in Scotland. Why will he not follow the example of his colleagues in the National Assembly for Wales and scrap this hated tax on the sick? Why does he continue to deny Scottish citizens health justice and free medicines, which are available to the people of Wales?

**The First Minister:** It is telling that the Scottish Socialist Party thinks that the information that 50 per cent of people who get prescriptions get them free and 90 per cent of all prescriptions are free is a red herring and not important. It is important for every one of those citizens who get a free prescription and who do not have to pay. It is precisely because of anomalies such as those that Colin Fox identifies that we are having a review. However, the impact of his proposed policy and bill would be to reduce the health budget by £45 million, which would mean fewer and slower treatments, fewer facilities, less equipment and fewer doctors and nurses to treat the very people whom Colin Fox identifies. Making decisions in government is about priorities and delivering fair systems that deliver for the people of Scotland. The current balance on decisions on prescription charges is right and I believe that we are going forward in the right way.

### National Parks

**4. Jackie Baillie (Dumbarton) (Lab):** To ask the First Minister whether the Scottish Executive's strategy in respect of national parks is achieving its aims. (S2F-1287)

**The First Minister (Mr Jack McConnell):** We established Scotland's first national parks—Loch Lomond and the Trossachs national park in 2002 and Cairngorms national park in 2003—to ensure that those nationally important areas would be properly protected, maintained and enhanced for all to enjoy. Both national park authorities have made good progress and they will publish their draft park plans, setting out their aims and vision for their park areas, in the course of next year.

**Jackie Baillie:** The First Minister will be aware of the concerns that have been highlighted in *The Herald* about the noise and pollution that jet-skis cause on Loch Lomond. My colleague Sylvia Jackson and I have raised the matter with the national park authority and in the Parliament before. There is a genuine fear that when Lake Windermere bans jet-skis in March 2005, the problem will simply be transferred to Loch Lomond, which has even been advertised as an alternative location. The national park authority will

not even start its consultation on possible byelaws until some six months later. Will the First Minister ensure that appropriate byelaws that seek to protect the natural beauty of Loch Lomond for the enjoyment of generations to come are introduced quickly?

**The First Minister:** I condemn any attempt to encourage people who use jet-skis and similar equipment on Lake Windermere to come to Loch Lomond or to depict the situation at Loch Lomond as being anything other than properly regulated.

Although the responsibility for those byelaws and for initiating the consultation on them lies with the park authority, I urge it to hold its consultation and bring forward its decisions as quickly as possible. If there is anything that the appropriate Government department in Scotland can do, we will certainly assist the park authority in achieving that aim.

**Dr Sylvia Jackson (Stirling) (Lab):** As the constituency member for the east side of Loch Lomond and the Trossachs part of the national park, I support the views of my colleague Jackie Baillie and share her concerns. However, does the First Minister agree that the east Loch Lomond visitor management group, which is a community-based group that works on dealing with antisocial behaviour and which includes representatives of all the stakeholders—the national park authority, Stirling Council, Central Scotland police and Forest Enterprise—is to be commended for its attempt to put in place a strategy for the 2005 season?

**The First Minister:** Working with stakeholders at local level is a vital part of the work of the park authority. It is vital for the future success not only of the park authority, but—more important—of the park itself that the local authorities and the many other agencies and private companies that operate around the shores of the loch are worked with.

We are talking about areas of national distinction in Scotland, but they are also areas of international importance. That is why the work of the national park authorities with their stakeholders must continue to progress.

**Rob Gibson (Highlands and Islands) (SNP):** On the widespread vandalism on the shores of Loch Lomond, does the First Minister agree that the national park authority and wider Scotland could learn from New York, where when graffiti and litter were tackled, there were significant improvements in other indicators of the quality of life?

**The First Minister:** Absolutely. I recall all the SNP candidates in last year's election who wandered all over Scotland saying that our plans to tackle antisocial behaviour were trivial and

ridiculous and did not deserve support. How wrong could they be? It is precisely because of those problems with graffiti and vandalism in different parts of Scotland, including the national parks, that we advocated tackling antisocial behaviour. That is why we introduced a bill in the Parliament and it is probably why Nicola Sturgeon, when she was the justice spokesperson, backed down from opposing the bill at the last minute and got the SNP to abstain. When the Antisocial Behaviour etc (Scotland) Act 2004 makes a difference in Scotland, people will remember who introduced it and who opposed it.

**Nora Radcliffe (Gordon) (LD):** It is argued that the current boundaries of the Cairngorms national park inhibit the making of an application for world heritage status for the Cairngorms. Does the Executive intend in the foreseeable future to reconsider the decision not to use the boundary that Scottish Natural Heritage proposed, which was arrived at after extensive consultation, to define the Cairngorms national park?

**The First Minister:** I think that it is too soon after the Parliament agreed to adopt the current arrangements for the national park in the Cairngorms to review the boundaries. However, a five-year review was built into the establishment of the Cairngorms park authority and I hope that that issue will be considered when the review takes place.

### Fresh Talent Initiative

**5. Stewart Stevenson (Banff and Buchan) (SNP):** To ask the First Minister what contribution the fresh talent initiative is making to Scotland. (S2F-1272)

**The First Minister (Mr Jack McConnell):** Fresh talent is a long-term initiative that aims to retain more Scots in Scotland and to attract skilled people from the rest of the United Kingdom and from around the world to come and live and work in Scotland in order to address our population decline. However, I assure Stewart Stevenson that if anyone from London wishes to come and take the job of anybody in Scotland, the fresh talent initiative will not encourage them to do so.

**Stewart Stevenson:** I am sure that my nephews and nieces who work in England will be extremely grateful to hear that.

Is the First Minister confident that his scheme, which requires fresh talent coming from abroad to stay in Scotland, will deliver that result? When will it start delivering and with what net effect on the Scottish economy?

**The First Minister:** The fresh talent initiative, which we launched earlier this year, is already delivering. It has delivered a profile for Scotland and for this issue at home and abroad—indeed, it

is attracting interest across the world. Our relocation advisory service, which went operational in October but which we have not yet formally marketed, has already—by virtue of being available and accessible through the fresh talent website—received more than 600 inquiries from many countries all over the world.

In fact, the Minister for Tourism, Culture and Sport, who is just back from supporting Scotland's team at the Commonwealth youth games, managed to pick up a fresh talent leaflet in Bendigo, Victoria, during her travels in Australia. The promotion of Scotland is happening throughout the world. People are interested in coming to Scotland because we have some of the best universities and companies in the world. We also have a growing economy with the second-highest employment rate in the European Union. We have fantastic countryside in our national parks and elsewhere and fantastically vibrant cities. That is why Scotland is doing so well and why people want to come and live here.

**Irene Oldfather (Cunninghame South) (Lab):**

Does the First Minister believe that the initiative offers the unique opportunity to harness the language skills of native speakers so that Scotland can become a more competitive and dynamic economy? Will he take the opportunity during his meeting this afternoon with the chairman of the British Council, Neil Kinnock, to look at how the Executive could work in partnership with the British Council to progress the agenda to maximise language use and language learning in Scotland?

**The First Minister:** I hope that we can do that in partnership with the British Council, companies and education authorities. There are many good examples in Scotland, not least of which is the IBM call centre in Greenock, where languages are used for the good of our economy and to create jobs for individuals from Scotland and abroad.

We will continue to work in partnership with the British Council not only to attract great international conferences like the one that is taking place in Scotland this week, with delegates from 53 countries, but in our work abroad to promote Scotland and to help people elsewhere in the world who need to develop their education systems and skills.

## Reoffending

**6. Mike Pringle (Edinburgh South) (LD):** To ask the First Minister what steps the Scottish Executive is taking to reduce reoffending. (S2F-1278)

**The First Minister (Mr Jack McConnell):** We set out our proposals earlier this week in the "Supporting Safer, Stronger Communities:

Scotland's Criminal Justice Plan", work on which will be taken forward, as appropriate, by ministers in the coming months.

**Mike Pringle:** I am particularly pleased that the focus of the proposals is on action to cut reoffending and not on a new, single organisation that would have sucked local expertise to the centre. Will the First Minister affirm that community sentences will not be a so-called soft option but will deliver results in the reduction of reoffending rates? Specifically, will he say when drug treatment and testing orders will be rolled out across the whole of Scotland?

**The First Minister:** Drug treatment and testing orders will be rolled out across Scotland as resources allow and also as we learn from the initial schemes. The provisions for tackling reoffending that were outlined earlier this week are important for Scotland. We know that we have one of the highest reoffending rates in the whole of Europe and that the rate is particularly bad for those who have been in prison.

We know that we need to have not only a better prison regime but tougher community sentences. That will ensure that while someone is serving their sentence, they can rebuild not only their life but their character and their commitment to their local community. That is precisely our intention. At the heart of our proposals is a combination of tougher community sentences and better prison sentences and prison regimes. It is about time that we in Scotland saw some action.

**Christine Grahame (South of Scotland)**

**(SNP):** I refer the First Minister to the consultation on reducing reoffending in Scotland, which was commissioned by the Government. The analysis of responses was published in October. Many agencies dealing with reoffenders and groups representing victims made the case that there is a strong link between reoffending and poverty. Does he share that view? If so, what specific measures is the Government taking to tackle the poverty that fuels so many repeat crimes?

**The First Minister:** There is a link, but it is not an excusable link. There is a link between crime and poverty, but there are many people in Scotland today who are in poverty but who do not commit crimes. Many people, despite their poverty, are good members of their communities and worthy citizens, who bring up their families well and ensure that their kids follow in their footsteps. We should not badge people in that way.

On tackling poverty, it is important that we continue our many initiatives to improve jobs and job availability, skills, educational opportunities, health and employment opportunities, particularly, for example, for those who are on disability living

allowance, so that we can get them back into the system, as the Chancellor of the Exchequer, Gordon Brown, announced last Thursday that we should do. We have many other measures, including those to tackle child poverty and pensioner poverty. Those people might not be in the job market, but their poverty is just as important for us, and we will ensure that they, too, have those opportunities.

12:31

*Meeting suspended until 14:00.*

14:00

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Environment and Rural Development

##### Global Warming

**1. Marilyn Livingstone (Kirkcaldy) (Lab):** To ask the Scottish Executive what action it is taking to address global warming. (S2O-4503)

**The Minister for Environment and Rural Development (Ross Finnie):** Action that the Executive is taking to address global warming is detailed in our “Scottish Climate Change Programme”, which is currently the subject of a formal review and public consultation.

**Marilyn Livingstone:** Will the minister join me in acknowledging the contribution of Fife companies, such as Burntisland Fabrications Ltd, which is based in my constituency and is heavily involved in renewable energy, and paper maker Tullis Russell Group Ltd, which is based in Markinch in the constituency of my colleague Christine May but employs many of my constituents? Will he congratulate Tullis Russell on its initiative to combat global warming by the construction of a £73 million wood-burning combined heat and power station on the Markinch site? What support will the minister give such companies in future?

**Ross Finnie:** I have no hesitation in congratulating both companies on their excellent initiatives, which are in line with the Executive's strategy of increasing the amount of electricity that is generated from renewable sources. The recent consultation paper on our green jobs strategy placed particular emphasis on the need to encourage biomass energy, so it is encouraging to see the large number of jobs that the Tullis Russell project will create. I have no hesitation in congratulating both those companies and both constituency members, who no doubt played their part in ensuring that investment.

On the issue of support, the revisions to the green jobs strategy and the climate change strategy will assist all such companies. The increased emphasis on the use of renewable energy, such as biomass energy, will give rise to an improved flow of biomass material, which should in turn be of great benefit to Tullis Russell in particular.

**Alasdair Morgan (South of Scotland) (SNP):** How would the minister respond to Professor David Bellamy's article on wind farms in the

"Glencairn Gazette", which covers Moniaive and district? Professor Bellamy states:

"The link between the burning of fossil fuels and global warming is a myth."

Does the minister agree that, if even the scientific community is not entirely at one on the issue, we are well advised to err on the side of caution?

**Ross Finnie:** I certainly do not want to get into a debate with David Bellamy, so I am glad that the quotation from the article has been read out by Alasdair Morgan, with whom I am much happier to debate.

There can be no doubt about the issue. David Bellamy's comments may make interesting reading, but anybody who watched Wednesday night's BBC news programme will know that there is clear evidence of continuing increases in the melting of the icecaps, which poses a potential threat right across the globe. Given that we are already seeing serious changes to species and habitats throughout the world, we would be foolish not to take seriously the threat of climate warming. Even if the scientists cannot agree about the exact increases, the facts about the potential danger on a global scale are staring us in the face.

To that extent, the Scottish Executive is as committed as the United Kingdom Government is to supporting the Kyoto targets. We will implement the Scottish climate change programme in accordance with those targets and we will set out the programme for the Parliament to seek its agreement on how to ensure that Scotland contributes to the Kyoto agreement.

**Alex Johnstone (North East Scotland) (Con):** Given the revelation that the UK Government is falling dramatically short of its self-imposed targets for reducing CO<sub>2</sub> emissions, to what extent is the Scottish Executive responsible for—or, as the case may be—innocent of missing that target?

**Ross Finnie:** I think that we have done more than our equitable share towards reaching the UK target, but we are as concerned as the UK Government is that the target is not being met. That is part of the reason why we are undertaking the review of the Scottish climate change programme, although we undertook to review it this year when we set out the initial programme in 2000. It is important that we refine the programme to ensure that we make our due contribution to the UK's target of meeting the Kyoto targets.

**Mr Mark Ruskell (Mid Scotland and Fife) (Green):** The minister will be aware that yesterday Liberal Democrat leader Charles Kennedy poured scorn on Tony Blair's ambition to lead the world on climate change. Does he agree with Charles Kennedy's comments that Tony Blair talks a "good game" but fails to deliver? If so, what does that

say about the Labour-Lib Dem record in Scotland, where the reduction in greenhouse gas emissions has been only a third of that achieved by the UK as a whole?

**Ross Finnie:** I really do not know how often I have to ask Mark Ruskell not to use that very misleading statistic. He knows perfectly well that the baseline was 1990 and that, at that time, England had a whole host of coal-fired stations whereas Scotland did not. It is therefore not a surprise that England has achieved a greater reduction in greenhouse gas emissions than Scotland has. I find it disappointing that a party that seeks to make a serious contribution to the environmental debate—which I acknowledge—should continue to peddle a statistic that is not well founded. With regard to my leader's views on Mr Blair, those are obviously the opinions of my leader.

## Water Meters

**2. Margaret Mitchell (Central Scotland) (Con):** To ask the Scottish Executive how many households have had a water meter installed. (S2O-4472)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** That is an operational matter for Scottish Water, but it advises me that the current figure for the number of households with a water meter is 610.

**Margaret Mitchell:** That figure is disappointingly low. Does the minister agree that meters provide an excellent incentive for measuring and managing water usage and thereby conserving that resource? Will he challenge Scottish Water's unreasonable charging policy, which, because of high standing charges, effectively means that only people in council tax band H can make financial and environmental savings by having a meter?

**Lewis Macdonald:** I do not agree with Margaret Mitchell that the number of households with a water meter, which I indicated in my reply, is disappointing. It is entirely appropriate that we should link the water charges that individuals pay with their council tax liability, because that reflects the value of the property that they occupy. In that sense, the charges are appropriate, manageable and predictable. However, I agree that a case for metering can be made for non-domestic users, because their water usage, unlike that of private households, can be very varied. Indeed, meters have already been installed in many thousands of business premises and allow them to pay for their water as they use it. The critical issue is that household charges should be affordable.

### **Scottish Water (Development Constraints)**

#### **3. Mr John Swinney (North Tayside) (SNP):**

To ask the Scottish Executive what steps are being taken by Scottish Water to address development constraints created by lack of water and sewerage capacity. (S2O-4442)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** Around £200 million in Scottish Water's current investment programme will provide benefits in addressing current development constraints. An additional £41 million has been allocated specifically to relieve such constraints in rural areas and for first-time connections and water quality improvements.

**Mr Swinney:** In a letter to me dated 22 November, the minister criticises local authorities for not raising the issue of development constraints as part of the quality and standards II programme. Does he accept that that position is disingenuous? After all, local authorities bought into Scottish Water's priorities, which the organisation then changed. Does he accept that more needs to be done before the implementation of Q and S III to relieve the pressure on many local authority areas and—certainly across my constituency—many individual settlements to allow the Government to achieve its principal objectives of economic growth and the development of affordable housing?

**Lewis Macdonald:** I certainly agree with the principle of seeking to promote economic growth and affordable housing. I should put the comments in my letter of 22 November to John Swinney into context, because I was acknowledging that no one—by which I mean Scottish Water as well as local authorities—had predicted the degree to which development constraints would become an active consideration in that programming period. Because of that recognition, we will address concerns about development constraints in preparing the investment programme for Q and S III. We are encouraging Scottish Water to work with local authorities and other local partners to address some short-term constraints that they will want to be tackled before Q and S III is implemented in two years' time.

#### **Mr David Davidson (North East Scotland)**

**(Con):** Some of my constituents in the north-east, particularly in the southern part of Aberdeenshire, face major problems because, although they have had outline planning permission for a housing development, another development is taking place in their community and Scottish Water now says that the previous outline permission cannot go any further because of water constraints. That is an issue right up Deeside. We also have problems with water extraction from the River Dee for domestic and industrial use. Are there any means by which the minister can encourage Scottish

Water to facilitate the development of water supplies and sewerage throughout Aberdeenshire? Does he have any comments about the Executive's role in providing a water catchment facility at the top of the Dee valley?

**Lewis Macdonald:** The problems to which David Davidson refers are not dissimilar to those that John Swinney mentioned. We recognise that such problems exist throughout Scotland and we recognise that action needs to be taken to tackle those problems. That is why we will seek to address issues of development constraint, which occur not only in one particular locality but throughout Scotland, when we make an announcement early in the new year on the priorities for the investment programme going forward.

### **Beef Cattle (Over-30-months Scheme)**

**4. Brian Adam (Aberdeen North) (SNP):** To ask the Scottish Executive when the over-30-months scheme for beef cattle will be ended. (S2O-4423)

**The Minister for Environment and Rural Development (Ross Finnie):** The Executive has agreed to begin a managed transition from the over-30-months rule to a testing regime. However, the rule will not be changed until a robust testing regime, which satisfies the Food Standards Agency, has been put in place and we have considered the outcome of a further public information and consultation exercise. The cessation of the over-30-months scheme and the format of any successor scheme will be discussed with key stakeholders during the next few months.

**Brian Adam:** I welcome the minister's answer, but I suspect that many in the industry are looking for a more specific date. Can he tell us when export markets, which have been closed for a long time, will open as a consequence of ending the over-30-months scheme?

**Ross Finnie:** I hope to address the matter perhaps even before we get to the final stages of the approval of the testing scheme, but certainly when the scheme has been put in place and we know what we are talking about. At that point, I will not hesitate to take up with the relevant commissioner in Brussels the need to discuss how we unwind the date-based export scheme with a view to ensuring that, as soon as possible after we have lifted the over-30-months ban, we can proceed quickly to lift the export ban.

### **Waste Reduction (Packaging)**

**5. Paul Martin (Glasgow Springburn) (Lab):** To ask the Scottish Executive what action it is taking to reduce packaging waste. (S2O-4502)

**The Minister for Environment and Rural Development (Ross Finnie):** Under the packaging regulations, businesses with a turnover of £2 million that make or use more than 50 tonnes of packaging a year must recycle or recover a proportion of the packaging. In addition, we have just launched the innovation fund, which is run by the Waste and Resources Action Programme and is designed to help retailers to minimise waste from packaging and products.

**Paul Martin:** Will the minister consider the serious challenges that face the elderly and infirm when they have to deal with the unnecessary packaging that we see in many retail outlets, especially at Christmas time?

**Ross Finnie:** I have great sympathy with the point that Paul Martin raises. Many of us are frustrated by what appears to be unnecessary packaging not only at Christmas time, but throughout the year. We discover that the retailers justify it on the ground that that is what the consumer wants. That seems to be a rather serious disjunction.

I refer back to the first answer that I gave. The recovery targets are severe. Between 2004 and 2008, substantial requirements will be placed on all retailers as described in respect of glass, aluminium, steel, paper, fibreboard, plastic, wood and all similar materials. We have a handle on how to reduce the waste. I have regular meetings with retailers and I continually make to them the point that they must reduce the amount of packaging. They now leave themselves open to the terms of those regulations, which will impose burdens on them.

#### **Nephrops (Total Allowable Catch)**

**6. Iain Smith (North East Fife) (LD):** To ask the Scottish Executive what progress is being made on achieving an improved nephrops total allowable catch for next year. (S2O-4459)

**The Minister for Environment and Rural Development (Ross Finnie):** Initial proposals from the Commission are positive and suggest a potential increase of 12 per cent to 21,350 tonnes in the North sea—to reflect full availability of the 28 per cent increase that was conditionally agreed but only partially released in 2004—and an increase of 12 per cent to 12,700 tonnes in the west of Scotland. A final proposal on nephrops, which is linked to the wider management arrangements for cod, will be agreed at the December council.

**Iain Smith:** I thank the minister for that encouraging answer. He will be aware of the importance of the nephrops fishery to my constituency and to the fishermen of Pittenweem. In last year's negotiations, 2,300 tonnes of

nephrops quota were withheld pending the development of the management plan to minimise incidental cod mortality. The plan was submitted by the Scottish Executive Environment and Rural Affairs Department in the summer. Has the Commission accepted that plan? Will the minister give an assurance that none of the 2005 quota will be withheld?

**Ross Finnie:** The member is right to say that we put the proposal to the Commission but, unfortunately, its consideration overran the appointment of Commissioner Borg. That was very unhelpful. We continue to make it clear that the management arrangements that we have proposed are sound and that they justify an increased take-up of the quota. We hope to emerge from the December council with agreement on the United Kingdom getting its full quota allocations and on whatever management measures on effort or bycatch might be required. If that is settled in December, it will be of great benefit to fishermen, especially those in Pittenweem.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** Does the minister agree that, although a 12 per cent increase in the nephrops quota for the west coast is welcome, prawns are in even more plentiful supply? In the negotiations that he is shortly to undertake, there are two crucial aspects of a technical nature, on which I have written to him. First, there is camera evidence, which has been disregarded for west coast prawns, but which has been accepted for Fladden previously. Will he argue for the acceptance of that evidence? Secondly, does he agree that the so-called cod association formula is a misinterpretation, is misleading and should not play any part in informing the important negotiations?

**Ross Finnie:** On the latter point, the answer is no. When I met west of Scotland fishermen, which I think was two weeks ago, we discussed the report that had been prepared on the cod-associated bycatch. Although it is completely true to say that, at certain times, the cod bycatch is as low as 2.1 per cent—a level that would indicate that measures were not necessary—I regret to say that the report also refers to much more substantial cod bycatches. That cannot be ignored. One cannot simply pick and choose which parts of the scientific evidence to base one's arguments on. The cod bycatch remains a problem.

As regards our advocacy of an increase in the quota on the basis of the latest advice that has come from the helpful co-operation of the fishermen and the use of the technical data, that forms part of the submission that we have already made to the Commission and it is part of the case



that we will be prosecuting in the next three weeks before we get to the December council and during the council itself.

### Core Path Network

**7. Scott Barrie (Dunfermline West) (Lab):** To ask the Scottish Executive what progress it has made in planning the core path network in order to promote and provide access to the countryside and mountain areas throughout Scotland. (S2O-4495)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** Good progress has been made and we expect the access provisions of the Land Reform (Scotland) Act 2003 to come into force early next year. It will then be for local councils and national park authorities to draw up core path plans for their respective areas within the following three years.

**Scott Barrie:** The establishment of a core path network is a vital component in allowing access rights under the 2003 act, although such rights are not confined to that network. If we are serious about increasing and maintaining access to our countryside and mountain areas, it is important that we work in conjunction with our local authorities to ensure that the core path network delivers what is hoped for in the legislation. In the two years from next year, how much negotiation with local authorities will the minister have and when does he think that we will know what the core path network will look like?

**Lewis Macdonald:** Thus far, local authorities have been fully engaged in the work on the guidance on the preparation of the core path network and the implementation of the outdoor access code. We expect that work to continue. A total of £22 million over three years has been allocated to local authorities to support their work on access. We will continue to consult authorities on guidance and other matters that relate to the implementation of the core path network throughout Scotland.

## Health and Community Care

### Agenda for Change

**1. Christine May (Central Fife) (Lab):** To ask the Scottish Executive how agenda for change will assist front-line NHS services. (S2O-4525)

**The Minister for Health and Community Care (Mr Andy Kerr):** Agenda for change will provide better and fairer pay for staff, together with better personal and career development and wider access to training and progression opportunities. If national health service staff are better paid, trained and motivated, patients will benefit from better care that is delivered faster and to a higher quality.

**Christine May:** Can the minister say anything about the outcome of the discussions that I believe were held yesterday between NHS officials and the trade unions? Some of the issues to be discussed, including concerns about changes to terms and conditions, were raised by Jim Devine of Unison in yesterday's edition of *The Herald*.

**Mr Kerr:** To provide context for members, I point out that agenda for change was negotiated over a five-year period, with the direct involvement of the health trade unions. The trade unions were aware of all aspects of the deal and accepted them before the deal was signed—indeed, their members voted in favour of agenda for change. I expect those who are involved in the process to honour the deal. However, I have become aware that what I describe as bedding-in issues have arisen. I have asked the Scottish pay reference and implementation group—or SPRIG, which is one of those terms that I am learning more about—to consider those bedding-in issues and report to me to offer views on how best to overcome them. At the heart of the programme is a good deal for the workforce and for patients and I intend it to be implemented in full.

**Shona Robison (Dundee East) (SNP):** Is it the case that, as with other health service pay deals, agenda for change will not be fully funded through the Scottish Executive's allocation to health board budgets?

**Mr Kerr:** Of course that is not the case. The Executive's funding for health boards has increased by 7.25 per cent in 2004-05, with an additional allocation of £70 million to assist with the changes, as well as additional resources for implementation costs. The agenda has been and will be funded by the Executive. We should look on the positive side: the programme will provide fairer pay for staff and better career development as well as being an agent for change and modernisation in the health service that will bring patients into the service, reduce waiting times and deliver a higher quality of care. I am certain that, along with the changes to contracts in the health service that we are negotiating, the programme will make a substantial change to the delivery of care in Scotland. Of course, it is being funded by the Executive.

**Mr David Davidson (North East Scotland) (Con):** The minister will agree that agenda for change will result in a direct increase in costs to health boards in Scotland of 5.5 per cent in the first year. He claims that the costs are fully covered, but the statistics and figures on the new burdens that the changes will produce in the next three years, along with the figures on the reduction in capacity through changes to junior doctors' and consultants' hours and those on the additional costs of the out-of-hours services, suggest

otherwise. Is he sure about his projection that agenda for change is affordable? Will he give a commitment that, if the programme is not affordable, no health board will be forced to cut services because of a shortfall in funding?

**Mr Kerr:** The programme is the biggest change in human resources management in the health service since 1948—work on it has taken five years. To predict the cost to the Executive, we applied the West Lothian model for implementation to the Glasgow personnel profile model. That gave us the figures for the resources that we will put into the health boards—the £10.2 billion that we will spend on funding the health service by 2007-08. I am confident that the programme will be well delivered, not just managerially and by the workforce, but financially. I am clear that adequate resources are available to implement agenda for change and to deliver the change that we and the workforce seek. Of course, at the heart of the issue are the patients, who will get a better and more professional service and a highly motivated workforce. The health service will recruit and retain more people because of the big positive change in the working lives of the NHS staff involved in service delivery, whom we value greatly.

### Care Assessments (Parental Input)

**2. Margaret Mitchell (Central Scotland) (Con):** To ask the Scottish Executive whether it supports the principle that parents should have an input into the assessment of the health care of their children. (S2O-4521)

**The Deputy Minister for Health and Community Care (Rhona Brankin):** We support the general principle that parents should be involved in the assessment of their child's health care needs and in decisions about their health care. However, there are circumstances where that might not be appropriate.

**Margaret Mitchell:** Is the minister aware that some elderly carers are taking out legal guardianship or power of attorney because they do not think that their views on the health care of their children are being adequately taken into account in the implementation of the recommendations in the "The same as you?" report? What steps will she take to rectify the situation and ensure that their views are taken into account without their having to go through a legal process?

**Rhona Brankin:** I would be interested to find out more about those cases. Obviously, I would be extremely concerned if that were the case. If the member could furnish me with further information about the problems, I would be happy to consider them in the context of the carers strategy.

**Patrick Harvie (Glasgow) (Green):** Does the minister agree that some of the circumstances in which parental involvement might not be appropriate relate to the sexual health strategy and the issues on which, as she will know, we keenly await news from the Executive?

**Rhona Brankin:** I am aware that, in relation to the forthcoming sexual health strategy, we will be examining such issues. It is hugely important to involve parents wherever possible. That is not always possible, but there will always be a presumption of information sharing whenever the welfare or well-being of a child is considered to be at risk.

### Children's Services (Perth Royal Infirmary)

**3. Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Executive what plans it has to develop children's services at Perth royal infirmary. (S2O-4440)

**The Deputy Minister for Health and Community Care (Rhona Brankin):** NHS Tayside is responsible for planning and developing local health services. Ninewells hospital, Perth royal infirmary and Scotland's first ambulatory care and treatment centre at Stracathro together deliver a full range of specialist services for children. Recent developments in Perth and Kinross include the establishment of community paediatric nursing services and paediatric respiratory research facilities. NHS Tayside's acute balance of care project will integrate the full range of hospital services for adults and children across hospital sites. That is consistent with our aim of making sure that services are as local as possible and as specialised as necessary.

**Murdo Fraser:** When listing the available services, the minister did not mention the fact that the 24-hour children's ward in Perth was cut this summer. That has caused some concern among my constituents in Perth and the surrounding area. For example, one parent contacted me with an horrendous tale about his teenage daughter who was taken to Perth in an emergency situation and had to wait for a paediatric nurse to be sent in a taxi from Ninewells hospital to provide treatment. Does the minister recognise that such arrangements pose dangers to youngsters in Perth? Will she take action to prevent the steady erosion of Perth royal infirmary's services?

**Rhona Brankin:** If the member will furnish us with information regarding the case that he mentioned, we will investigate it. NHS Tayside estimates that the acute balance of care project will mean that at least 20,000 people a year will no longer have to travel from Perth and Kinross to Ninewells, which hardly represents centralisation. Pressure on Ninewells will be reduced and resources will be used in a better and more

efficient way as a level of activity is generated that will secure Perth royal infirmary's future as an acute general hospital. That is excellent news for the people of Perth and Kinross and for the people of Tayside. I believe that NHS Tayside is to be congratulated on its vision and on the way in which it has worked with its partners and the people of Tayside in developing the acute balance of care project.

**Mr John Swinney (North Tayside) (SNP):** I welcome what the minister has said about the transfer of functions from Ninewells hospital to Perth royal infirmary, which will minimise travelling distances for my Perthshire constituents. However, does she accept that there is a general frustration in the community arising from the fact that, although the NHS can quickly remove services, it takes an awful lot longer to get services put back into areas, which is why there is a long wait for the implementation of the acute balance of care proposals? Is she prepared to consider ways of speeding up the process of transferring functions to Perth royal infirmary to realise the vision that she has set out and to minimise the travelling of my constituents? Will she also take particular interest in the concerns that I am hearing from my constituents about the implications of the out-of-hours service in extending travelling distances and in making accessing health care a great deal more inconvenient for members of the public?

**Rhona Brankin:** That range of issues needs to be considered carefully in relation to implementation, which I am quite happy to discuss with the member.

### Prescription Charges

**4. Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** To ask the Scottish Executive when it will complete its review of national health service prescription charges and publish its conclusions. (S2O-4499)

**The Minister for Health and Community Care (Mr Andy Kerr):** The review is expected to be completed by the end of 2005. The review is in two phases, the first of which began in early October with a literature research project. The purpose of the research is to provide an evidence base for the second phase of the review, which will comprise a full public consultation. We will consider the outcome of the consultation process and thereafter decide whether any changes should be made to the current prescription charge exemption arrangements.

**Mike Rumbles:** The minister will be aware that the criteria for exempting people from prescription charges were agreed way back in 1968. Does he agree in principle that many more chronic conditions, such as asthma and multiple sclerosis,

should be added to the approved list and that we should be taking action on the issue, in line with the partnership agreement?

**Mr Kerr:** As the previous Minister for Health and Community Care said, the partnership agreement states that we need to review prescription charges for people with chronic health conditions and young people in full-time education or training, which is what we are doing. The process for that is long and detailed. We want the conclusions to be correct, hence the timetable that I have outlined. I understand that there is a degree of frustration about the timetable, but we need to ensure that we make significant changes to prescription charging on an evidence base that provides the solution that the Executive seeks to its partnership agreement commitment.

### Health Care (North of Scotland)

**5. Maureen Macmillan (Highlands and Islands) (Lab):** To ask the Scottish Executive what action it is taking to improve health care in the north of Scotland. (S2O-4526)

**The Minister for Health and Community Care (Mr Andy Kerr):** We fully support NHS boards in the north of Scotland to deliver health care locally that meets the needs and improves the health of their people. Improvements in the north of Scotland include plans for a renal dialysis unit in Fort William; chemotherapy being delivered locally in Orkney and the Western Isles and being developed in Shetland; cataract surgery being delivered in Orkney; development of a cardiac rehabilitation centre; and a vastly improved accident and emergency service at Raigmore.

**Maureen Macmillan:** The minister has missed out the commitment on dental services, which has been particularly welcomed in Caithness.

This week, NHS Highland agreed to consult the community on what is being called the Caithness model of maternity care, which we hope will prove to be an innovative solution that will meet local aspirations. Will the minister ensure that Professor David Kerr, in his review of NHS delivery, holds a meeting in Wick to hear the views of the people of Caithness, that he travels there by road or rail and that similar meetings are held in the west Highlands and the islands?

**Mr Kerr:** The review is independent and I can only put the member's view to Professor Kerr, which I am happy to do. Having driven in the area when I drove to Wick to visit the hospital, I understand some of the community's concerns about transport.

I, too, welcome the work that is being done on developing the Caithness model. It is interesting that we are solving problems in our health service by working with communities to seek community-

based solutions that provide clinical governance arrangements that are suitable in today's modern health service. As long as we can ensure that those needs are addressed, I am happy to support the work of the health board. I welcome the work on the Caithness model and I will certainly pass on to Professor Kerr the member's wishes regarding a meeting in Wick.

**George Lyon (Argyll and Bute) (LD):** The minister will probably be aware of the outrage that exists in Campbeltown at the actions of NHS Argyll and Clyde in shutting the assessment ward there without any consultation with the community or community involvement of any sort and before alternative provisions had been put in place to deal with patients who would normally use the assessment ward. Will the minister intervene and ask the health board to reverse that decision until proper consultation has been carried out, there is community involvement and proper community-based provision has been put in place to replace the facilities at the assessment ward?

**Mr Kerr:** On many occasions, I have extolled to health board chiefs and chairs the virtues of ensuring genuine consultation on such sensitive issues. To be blunt, tough decisions have to be made on the viability of services on clinical grounds, but I expect the issues to be discussed in the affected communities.

On George Lyon's particular point, I am aware of some of the concerns that the community has expressed and I have said frequently to all health boards, including Argyll and Clyde NHS Board, that, before decisions are made about closures, they must be clear about the alternatives that they will provide to communities for services that might be reduced through the reconfiguration of local services. I am happy to correspond with Argyll and Clyde NHS Board on its decision, in George Lyon's view, to close a service without local facilities being made available to those who will suffer from the loss of the service.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** The minister will be aware of the west Highland health solutions group's excellent, cross-party, non-partisan work with regard to Oban hospital and Belford hospital in Fort William, which has provided a pilot interim solution. Does he agree that it would be extremely useful to meet the consultants who have given of their expertise and experience so that he can discuss the aim—which all parties support—of ensuring that rural general hospitals provide acute care 24/7 in places such as Oban and Fort William in my constituency and hear the consultants' ideas on training, recruitment, the importation of elective surgery and the not-always-beneficial influence of the royal colleges? Will he meet David Sedgewick and others for a fruitful, productive and positive discussion on those issues?

**Mr Kerr:** I am more than happy to meet those who provide solutions to some of the difficult issues that we have in the health service. The solutions group to which Fergus Ewing refers has done a sterling job and has brought to the surface issues around how rural general hospitals can work within the clinical governance arrangements that are necessary because of Scotland's demographics and the technological demands of our new health service. I praise the solutions group's work. It has done its communities a sterling service with the idea of developing a rural general hospital strategy. Professor David Kerr's work also plays into that. He has a work stream on rural provision of health care, into which some of the solutions group's work will feed.

I am always happy to meet the folk who have been directly involved in such work. I will seek the opportunity to do so in due course and I hope that the meeting will be productive, not only for me but for those involved, and will ensure that their work is not lost to the rest of the health service. We can learn from the techniques that they have adopted, their consultation processes and clinical governance arrangements, for which they have developed a highly successful model.

#### Medical Training (Highlands and Islands)

**6. Rob Gibson (Highlands and Islands) (SNP):** To ask the Scottish Executive what input it has to the scheme for training medical personnel in rural areas that is being developed by the UHI Millennium Institute and NHS Western Isles. (S2O-4522)

**The Minister for Health and Community Care (Mr Andy Kerr):** We believe in local initiatives and welcome the joint scheme by NHS Western Isles and the UHI Millennium Institute to develop academic courses that are relevant to the particular needs of patients and staff in the Highlands and Islands. When approached, we will be happy to work with them to facilitate the work of the proposed institute of remote and rural medicine.

**Rob Gibson:** I, too, welcome the development. Does the minister envisage that it will lead to the creation of a faculty of remote and rural medicine, examples of which can be found in the midwestern states of the United States of America? If the Scottish Executive is serious about safeguarding medical services in rural areas, which have particular needs, it is vital that such a body has not only a training role, but an advocacy role.

**Mr Kerr:** Absolutely. A great innovation is being developed in the Western Isles: we are going to develop academic courses that are specific to the needs of remote and rural communities and remote and rural medicine, which is a specialism in its own right. I welcome that. It also allows us to

consider how we can exchange information on that specialism with other parts of the world, such as America, which Rob Gibson mentioned, and exchange across continents good ideas about how to develop services in our remote and rural communities.

I am happy to get more involved in the issue. To date, we have not been directly involved, but I am more than happy to discuss the matters with the organisations that are involved. I welcome an innovative idea about how best Scotland can address some of its more difficult health provision issues and can learn about examples of best practice worldwide.

## General Questions

### Rail Electrification

#### 1. Alasdair Morgan (South of Scotland)

**(SNP):** To ask the Scottish Executive what recent discussions it has had with Network Rail regarding rail electrification. (S2O-4489)

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** Improvements in rail journey times can be delivered by a combination of infrastructure improvements and modern diesel trains with considerably less expense and disruption than electrification involves.

**Alasdair Morgan:** The minister will be aware—as I told him just after 1 o'clock—that ScotRail intends to introduce diesel trains on the Edinburgh to North Berwick service. That means that no electric trains will run on the electrified North Berwick branch. Will he assure me that no subsequent moves will be made to de-electrify the branch? I am sure that the Executive does not want to preside over de-electrification as a way of progressing rail travel.

**Allan Wilson:** I was aware of the question that the member would ask and I thank him for the heads-up before he asked it. The deployment of diesel trains on the line is an operational matter for ScotRail, but the operation of diesel trains on the route does not imply no future use of the electric overheads.

### European and External Relations

**2. Mrs Margaret Ewing (Moray) (SNP):** To ask the Scottish Executive whether it will appoint a single minister to deal with European and external relations. (S2O-4433)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** I am responsible for external relations, including co-ordination of European Union policy and contact with institutions, member states and regions of the EU. I confirm to the member that I am single.

**Mrs Ewing:** I thank the minister for his reply and point out that I am not single, as can be witnessed.

Distributing the subject between six portfolios for which the minister has a co-ordinating role is really a bureaucratic mechanism to suppress the Scottish Parliament's aspirations. Given the importance to the Parliament of the European Union and the many countries outwith the union that are interested in our procedures, does it not make more sense to have a single, dedicated minister as the first contact point for all our inward visitors, who can call in experts from various departments when required?

**Mr McCabe:** It is a matter of some regret to me that the member is not single.

Ministers and Scottish Executive officials are progressing our European strategy with vigour. The European Union has an impact on a considerable amount of our work and it is critical that we engage with that institution comprehensively and that we use the experience that is available to us on individual portfolios and from ministers.

#### Irene Oldfather (Cunninghame South) (Lab):

Does the minister agree that the biggest European and external relations challenge that faces us is ratification of the new constitution? Will he work with ministerial colleagues across portfolios to ensure that the constitution's clear benefits to the people of Scotland are known?

**Mr McCabe:** I assure the member that that is exactly what we in the Scottish Executive will do. Apart from all its other benefits, the new treaty recognises more than ever before the European regions with legislative power and proposes ways in which they will be more comprehensively involved in the business of the European Union. That is good for Scotland and for the Parliament's standing. We will pursue those benefits with vigour in the interests of the people of Scotland.

**Phil Gallie (South of Scotland) (Con):** First, I will fill the minister with concern by saying that I agree almost totally with his response to Margaret Ewing.

I suggest that Irene Oldfather's question underlines the total misunderstanding that lies behind the European constitution. Ministers' individual responses to issues that relate to the constitution provide a rather confused appreciation of what it contains. As the co-ordinating minister, will the minister undertake to ensure that all ministers—and not least the First Minister—fully understand the implications of the constitution?

**Mr McCabe:** I admire the Conservatives' consistency. They have never been much competition in the past and I do not see them as being much competition on this occasion.

The misunderstanding and confusion are on the part of Conservative members, who have consistently misrepresented the good work that is done in the European Union and its positive impact on Scotland. They do themselves a disservice by continuing to misrepresent that work and its impact. The Executive coalition is certainly determined to continue to represent the many positive benefits of European Union membership.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** Does the minister agree that important sections of the constitutional treaty would give increased power to sub-state national Parliaments in their say on European legislation? Will he kill the myth from the Tories and will he endorse the work of that noted member of the Scottish National Party, Sir Neil MacCormick, by appealing to the SNP to come off the fence, stop being entangled in fisheries nets, come with us and fight for the constitution and its ratification?

**Mr McCabe:** Mr Raffan has succinctly summed up everything that is good about the treaty and has again shown his expert knowledge of the European Union. His is exactly the kind of voice that we need in Scotland to explain to people how great the benefits of European Union membership are.

**Mr John Swinney (North Tayside) (SNP):** Among Mr McCabe's many responsibilities, he has responsibility for efficient government. Will he say whether it is efficient for the Government to have failed to reply to a parliamentary question that I lodged on 12 October, which simply asked for the Government to set out which ministers are responsible for which parts of external affairs? Currently, six or seven ministers are responsible, depending on how the matter is considered.

**Mr McCabe:** The simple answer is that it is right and proper for ministers across the Executive to play a part in our external engagement with the wider world. That is what the people of Scotland would expect and that is exactly how we intend to serve them. I hesitate to suggest that it is possible that we have had difficulty in interpreting Mr Swinney's question, but I will check the position and get back to him as soon as I possibly can.

### **Criminal Justice Social Work (Glasgow)**

**3. Patrick Harvie (Glasgow) (Green):** To ask the Scottish Executive how it will respond to the performance inspection report on criminal justice social work services in Glasgow. (S2O-4541)

**The Minister for Justice (Cathy Jamieson):** The report identifies serious weaknesses in criminal justice social work services in Glasgow. Glasgow City Council has made a commitment to address those weaknesses and to engage with the Executive to improve the system of offender management.

**Patrick Harvie:** I am pleased that the minister recognises the serious concerns that the report raises. Does the minister agree with the assessment that I recently heard from a professional in the field that, with local government receiving a decreasing share of public spending resources over the coming years, the problem will get worse before it gets better?

**Cathy Jamieson:** I remind Mr Harvie that the Scottish Executive provides 100 per cent funding for criminal justice social work and that we have substantially increased the amount of money that is available to carry out community service orders, for example. The report and people in Glasgow, from the discussions that I have had with them, do not see the matter as simply a money problem—it is about having effective services. In fact, the report highlights a number of areas in which a number of other tools could be used to work with offenders in the community and to aid their transition back into it. The issue is not as simple as Mr Harvie suggests. He might wish to read the report again and consider some of the other issues that are raised.

### **Police (Use of Weapons)**

**4. Dennis Canavan (Falkirk West) (Ind):** To ask the Scottish Executive what discussions it has had with chief constables regarding the use of weapons by the police. (S2O-4422)

**The Minister for Justice (Cathy Jamieson):** The Justice Department is in regular contact with chief constables on a wide range of issues, including the police use of firearms and less lethal alternatives such as Taser and baton rounds.

**Dennis Canavan:** I agree that the use of firearms might occasionally be necessary to deal with armed criminals, but is the minister concerned about the frequent, visible presence of police armed with submachine-guns, wandering around public places such as airport terminals?

Given that the police possess or are demanding other potentially lethal weaponry, such as plastic bullets, CS gas and Taser stun guns, will the minister at least seek some form of parliamentary approval for such measures, instead of leaving it all to the discretion of chief constables? After all, Scotland is a parliamentary democracy and not a police state.

**Cathy Jamieson:** I seem to recall answering a previous question from Dennis Canavan, when he accused—"accused" is perhaps the wrong word. He suggested that we were trying to turn Scotland into a police state. I gave him an absolute assurance at that time that, of course, that was not the case. However, it is true that there are matters that should be decided by chief constables for operational policing purposes. I do not think that it

is fair to describe situations in which that discretion has been used to have armed police officers to help to improve public safety in certain circumstances as wandering around with submachine-guns.

### **Edinburgh-Shotts-Glasgow Rail Line**

**5. Bristow Muldoon (Livingston) (Lab):** To ask the Scottish Executive what progress has been made on enhancing rail services on the Edinburgh to Glasgow via Shotts line. (S2O-4481)

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** Members of the working group that is exploring improvements to services on that line are still considering issues arising from the feasibility study. I understand that the group also plans to meet First ScotRail to discuss the proposal.

**Bristow Muldoon:** I welcome the minister's response that the working group and First ScotRail are due to meet shortly. I encourage the minister to ensure that the Executive gives full encouragement to the project. Does the minister agree with my assessment that the project is a potential early win for the new franchise holder that will ensure that congestion in the east of Scotland is tackled through the enhanced use of one of the lesser-used railway lines in the east of Scotland?

**Allan Wilson:** I agree with the member's latter point. The modal shift in investment to rail transportation will bring benefit to business and the environment across the board in all areas where we are investing in new rolling stock and rail infrastructure. I am sure that the Minister for Transport will encourage the interested parties to get on with bringing those benefits to the people of Livingston and Shotts as soon as possible.

### **Proposed Christmas and New Year's Day Trading Bill (Consultation)**

**6. Karen Whitefield (Airdrie and Shotts) (Lab):** To ask the Scottish Executive what consideration it has given to the consultation on the proposed Christmas and new year's day trading in Scotland bill. (S2O-4488)

**The Deputy Minister for Justice (Hugh Henry):** The Executive is reserving its position on the proposed bill until we have had the opportunity to consider the consultative response.

**Karen Whitefield:** Is the minister aware that I have already received 186 positive responses to the consultation on my proposed bill and that only eight individuals have responded negatively? Does the minister agree that in the run-up to the festive season, when many shop workers work long and stressful hours, the best Christmas present they could have is a guaranteed holiday

on Christmas day and new year's day in the future?

**Hugh Henry:** I am well aware of the pressures on retail staff throughout the year, particularly in the run-up to Christmas. I am quite sure that many would appreciate some time off after a hectic period that leads into another hectic period of sales.

We are keen to reflect on the balance of the replies received. We know that those working in the industry have the strong opinion that they should have some well-deserved time off. Equally, retailers are concerned that they should be able to respond to the demands of tourism and open on new year's day, for example. We are not aware that Scotland's traditional welcome to people who are celebrating the new year is hampered hugely by stores being closed, but we have to take into consideration the acute concerns of retailers. We will reflect on the balance and we will listen, but we are aware of the pressures on both sides of the argument.

**Mrs Mary Mulligan (Linlithgow) (Lab):** I am not sure whether I should declare an interest as the only member of the Union of Shop, Distributive and Allied Workers in the chamber this afternoon.

There has been a suggestion that closing stores on Christmas and new year's day would interfere with their competitiveness. Does the minister agree that the proposed legislation would create a level playing field for all stores and would prevent them from putting unfair pressure on their staff to work on those special days?

**Hugh Henry:** As I indicated, we are reserving our position. At this stage, I will not express a view one way or the other on whether we intend to support the legislation. However, I accept Mary Mulligan's proposition that, if the proposed bill were passed and stores were prevented from opening on Christmas day and new year's day, it would create a level playing field and prevent one store of a certain size from having an advantage over another. That is just a fact.

### **Schools (Budget Management)**

**7. Scott Barrie (Dunfermline West) (Lab):** To ask the Scottish Executive what assistance is being given to head teachers to help them to manage school budgets more effectively. (S2O-4496)

**The Minister for Education and Young People (Peter Peacock):** We are extending devolved school management to assist head teachers in managing their schools. All teachers, including head teachers, are required to undertake continuing professional development activities each year to develop appropriate new skills.

Those could include support for devolved schools management.

**Scott Barrie:** The minister might be interested in a development at Queen Anne High School in my constituency, where a business manager and a pupil support manager have been appointed. Among other things, the appointments relieve the rector of responsibility for day-to-day management of the school budget, allowing him—or her, in other establishments—to concentrate on key educational matters. Does the minister agree that the model would be worth considering in other education authorities?

**Peter Peacock:** I would be happy to receive any details that Scott Barrie wants to provide, as the approach that he has described sounds interesting. It is precisely the sort of approach that is being made possible by the extra resources that the Executive is investing in Scottish education, especially by way of extra support staff to allow the release of management and teaching time. The development to which the member refers sounds like a good example of the flexibility that we want to offer schools by extending devolved school management, not just of cash but of the staffing structures that head teachers want to construct. I would be happy to hear more about the experience at Queen Anne High School and to share it with other schools in Scotland.

**Lord James Douglas-Hamilton (Lothians) (Con):** Does the minister agree that the principle of devolved school management is sound and that head teachers should be given the authority to exclude persistently violent and disruptive pupils, not only immediately from classes, where appropriate, but over a prolonged period, if necessary?

**Peter Peacock:** I know that Lord James Douglas-Hamilton tries to paint a picture of Scottish schools as being in total chaos, with kids slugging teachers every few seconds of the day, but I say with respect that that is not the case. I have made it clear that, wherever violent incidents take place, I will not sit in Edinburgh second-guessing what a head teacher must do. If they need to put a pupil out of the school, that is their decision and they should do so. Head teachers have my support in excluding pupils in the very difficult circumstances that occasionally arise.

Before excluding a young person from a school on a long-term or permanent basis, we must consider that young person's interests, as well as the interests of the whole school community. That is why such decisions are taken in conjunction with education managers who are involved with a range of schools and who seek first and foremost to find other schools for young people to attend, rather than to exclude them from the education system as a whole. Head teachers have the right

to exclude pupils the moment that they think it is necessary. Over time, we must balance those actions with what is in the best interests of the pupils concerned, as well as the school.

**The Presiding Officer:** Question 8 has been withdrawn.

### **Antisocial Behaviour (Private Housing)**

**9. Brian Adam (Aberdeen North) (SNP):** To ask the Scottish Executive whether it has any plans to tackle antisocial behaviour in private housing. (S2O-4424)

**The Deputy Minister for Justice (Hugh Henry):** We are committed to tackling antisocial behaviour wherever it occurs. Agencies were given new powers to deal with antisocial behaviour in the Antisocial Behaviour etc (Scotland) Act 2004. Local authorities and police are required to prepare strategies to deal with problems throughout the local authority area, including antisocial behaviour in private housing. We have given funding to local authorities to improve services across all tenures. New measures in the 2004 act to tackle irresponsible private landlords will come into force in November 2005.

**Brian Adam:** Does the minister share my concern that access to professional witnesses, which is often required to gain access to legal remedies, is often difficult and that, so far, councils do not seem to be willing—at least in my area—to allow community wardens to fulfil that role to give the independent corroboration of the difficulty that is often needed? Will the minister please encourage councils to use community wardens in that positive way?

**Hugh Henry:** We have provided the legal framework for tackling antisocial behaviour and the financial resources to allow local authorities to implement the legislation and to respond to antisocial behaviour. It then becomes a matter for local decision makers to determine exactly how they should best respond in their areas.

I hope that local authorities will be imaginative in their use of the extra resources that we have provided. I cannot speak specifically for Brian Adam's area, but I tell him that in imaginative local authorities in Scotland, members of staff already act as witnesses. I encourage Brian Adam's local authority to contact my local authority, Renfrewshire Council, which has had a scheme for some time that enables staff to assist as witnesses where required. I believe that the scheme is by no means unique.



## Fisheries

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

The next item of business is a debate on motion S2M-2129, in the name of Ross Finnie, on fisheries, and three amendments to the motion.

15:02

**The Minister for Environment and Rural Development (Ross Finnie):** In two weeks' time, I will be in Brussels for the annual December fisheries council. There are still some uncertainties. Yesterday, the Commission proposed some radical measures, such as closed areas and fewer days at sea off the west of Scotland. However, the council is a negotiation and, with the support of the new North sea regional advisory council, we can deal with those uncertainties and secure better outcomes for the year ahead. Those outcomes will be better for the marine environment, better for our fishing businesses and better for our fishing communities.

The delayed appointment of Commissioner Borg has caused some problems, but on most issues the Commission has engaged much better and much earlier with all our stakeholders this year. We held workshops with all stakeholders around the country over the summer and into early autumn, and I have consulted a wide variety of Scottish interests. I have intensified effort in the past few weeks by consulting all areas of the industry, by holding a conference in Glasgow, by visiting Fraserburgh, Peterhead and Aberdeen for a meeting of the north-east Scotland fisheries development partnership, and by meeting west of Scotland fishing interests. I shall also be in Shetland on Monday. The North sea regional advisory council already plays a full and active part in the development of the Commission's proposals and I am delighted that it has been able to engage with the process so quickly and effectively.

I turn to the three Scottish issues for the December council, which are the debate about closed areas, amendments to the effort control regime and—at the top of the agenda—next year's total allowable catches and quotas. My key message is this: despite talk of large closed areas, the general prognosis is much better than was the case in the past two years. We have already secured our objectives in the European Union-Norway talks. Closed areas are unlikely to find support and we expect positive TAC outcomes at the council.

I begin with the proposed closed areas in the North sea and west of Scotland. I make it clear today that my starting point is not the same as the Commission's—I do not accept the scientific

rationale on which it has based its proposal. When the Commission first suggested that we would have to choose between fewer days at sea and closed areas, the proposal was based on raw data on cod mortality for 2003 from the International Council for the Exploration of the Seas. However, the Commission's scientific advisers have since exposed flaws in those data. We know that the position in 2004 will prove to be much better, not least because of significant Scottish decommissioning in 2003. Therefore, the rationale that underpinned the Commission's proposal when it was made some weeks ago no longer holds good. We do not expect the proposal on closed areas to survive.

**Robin Harper (Lothians) (Green):** Will the minister say how much better he expects the position to be, particularly in relation to cod, given that cod stocks are assessed as being two thirds below the sustainable limit?

**Ross Finnie:** I will make two points in response to Robin Harper. I oppose the proposal on closed areas specifically because of the location of the areas and the scientific evidence in relation to those areas. As I said to Mr Harper's colleague yesterday at the meeting of the Environment and Rural Development Committee, I am not opposed in principle to restricted or closed areas—nor is the North sea regional advisory council—because we must protect cod. However, I am not prepared to accept a measure whose basis is wrong. I want that to be absolutely clear to members.

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

**Richard Lochhead (North East Scotland) (SNP):** Will the minister give way?

**Ross Finnie:** I will be happy to give way when I have made a little more progress.

We remain fully committed to cod recovery. Through two rounds of decommissioning, support for effort management and the adoption of technical measures to conserve cod, the Scottish Executive and the Scottish fleet have led the way in reducing pressure on threatened stocks. We should be clear about the fact that more measures might be required. If that is the case, we will act in consultation with the industry and wider stakeholders. The significantly reduced fishing mortality in relation to haddock suggests that the Scottish fishery has come close to the target that was set for it and that large-scale closures are not the answer to bridging the gap that remains.

The Royal Commission on Environmental Pollution also advocates closures. Although I welcome the commission's advocacy of more broadly based marine management, I cannot support a proposal to close an area that represents 30 per cent of the North sea, is

unspecific and appears to ignore the international dimension of the fisheries.

**Mrs Ewing:** The minister thinks that the proposals on closures no longer hold good. Does he know what other EU member states will do about the matter?

**Ross Finnie:** My view is based primarily on the scientific evidence, but I have had meetings with the Minister of Agriculture, Nature and Food Quality in the Netherlands Government, Cees Veerman, and the relevant Danish minister, who do not—for reasons that are identical to mine—support the proposal as it was presented.

**Richard Lochhead:** I thank the minister for taking both interventions. Is he aware that the Royal Commission on Environmental Pollution will lobby the European Commission in Brussels this week on its flawed report? Will the minister take action to ensure that European officials are aware of the flaws in the report?

**The Deputy Presiding Officer:** I anticipate that I will be able to compensate you entirely for any time that you give up in interventions, minister.

**Ross Finnie:** I am obliged to you.

I have made my position clear. We will engage with the European Commission throughout the next two weeks, well before the December fisheries council meeting. We do not object to the principle behind what the Royal Commission on Environmental Pollution says, but I repeat that we are concerned about its recommendation on closure of an unspecific area of 30 per cent of the North sea, which ignores the international dimension of the fisheries. We will make our position very clear.

On effort management, the science suggests that incremental change is more appropriate than radical changes such as have been proposed. Further improvements on control and enforcement and perhaps some form of management arrangement can deliver further reductions in cod mortality and keep our white-fish fleet afloat.

The Commission wants to do away with various derogations that lack scientific bases and it wants to introduce administrative sanctions, which would have real-time consequences for people who break the rules and would take an approach similar to that of this year's haddock management regime. We are willing to support such approaches, provided that they are proportionate, deliver the additional days at sea that we secured in the past and introduce additional commonsense flexibilities, such as incentives for fishermen to prosecute sustainable non-cod fishing opportunities and more sensible force majeure provisions.

Such measures have a bearing on the future of our haddock permit regime. Largely because of the proposal on closed areas, the Commission has not proposed continuation of that regime or the associated two extra days at sea. I do not accept that there is a case for cutting the extra days, so we are talking to the industry about whether it wants a successor regime of some sort to help to secure the extra days. Although the details of this year's regime were unpopular, they have been improved and could be improved further.

I turn to TACs and quotas. Our key aspiration is to secure good outcomes on haddock, monkfish and nephrops. On white fish, there are tentative signs of improvement in the North sea cod stock, but it is still well below its safe biological limit and cod stocks to the west of Scotland show no signs of improvement. However, the large reduction in fishing mortality among haddock—an essentially Scottish fishery—demonstrates beyond doubt that we are seeing the benefits of our decommissioning and effort-management initiatives.

On some stocks, we have already delivered. The EU-Norway fisheries agreement, which was concluded last month, envisages no change in the TAC for cod, a 75 per cent increase on whiting, but a 15 per cent reduction on haddock, given that we are now past the high point of the class of 1999. The haddock stock is large but has passed its peak. Norway and other coastal states suggested a cut of some 26 per cent, but the smaller reduction that we agreed balances the short-term financial needs of the industry with prudent harvesting of the stock in the medium term.

On nephrops, the stocks are in good shape and the Commission proposes a welcome increase but, as Fergus Ewing pointed out in his earlier question, we continue to prosecute the case that we have produced evidence that reflects the strong scientific argument by our Fisheries Research Services scientists during the past two years.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I think that the point that I sought to make during questions on the environment and rural development might have been misunderstood. There is some cod bycatch in most types of nephrops fishery, although I argue that it is negligible. However, the concept of the so-called cod association has been introduced into the negotiations and it bases the bycatch on cod that are caught rather on measurement of the total stocks. The association therefore seems to me to be misleading, worthless and inimical to the successful outcome of the negotiations that the minister is entrusted to pursue.

**Ross Finnie:** I do not think that we are talking about different problems, although we may be using different words. A year ago, we successfully persuaded the Commission on one-to-one relationships, particularly between cod and haddock, and we have also managed to persuade it that there is not necessarily a direct association. On that issue, we are agreed. What I referred to in my answer during question time—I am sorry if I confused the issue—is the report that is specifically on the west of Scotland, which tried to prove that there is no association. There is no doubt that in much of that area that association is as low as 2.1 per cent, but in certain areas the cod bycatch is as high as 7 per cent. I was simply suggesting that although I am happy to prosecute the case that there is no direct relationship, I cannot entirely ignore science that shows that there is an association of as much as 7 per cent.

On angler fish, we are confident that an increase will be achievable in the North sea and the west of Scotland, but to achieve the optimum increase we must be able to link the TAC increase to better scientific monitoring and management measures in order to prevent an increase in fishing effort on that slow-maturing fish. We are working closely with the industry to develop such measures and we hope to table them at the council.

For the pelagic sector, a 23 per cent reduction in the mackerel TAC for next year was agreed in the EU-Norway talks, but we have successfully negotiated a compensatory increase in the North sea herring TAC and we have successfully resisted Norwegian demands for a higher share of the mackerel fishery. No one welcomes a reduction, but our pelagic fishermen understand that the scientific evidence points in that direction. Problems remain with agreement on long-term management of the blue whiting fishery with all relevant coastal states, but we can also expect an increase in that TAC.

On deep-sea species, scientific advice tells us that many stocks are below their safe limits. The proposal that is on the table is for a number of cuts to TACs. In the long term, we favour effort management in those fisheries, but at council we will need to consider the merits of the short-term management arrangements that are on the table and negotiate accordingly.

**Richard Lochhead:** Will the minister explain how on earth the Baltic states that joined the EU recently managed to secure quotas for deep-sea species in waters that have traditionally been fished by Scottish vessels, despite the fact that our industry was assured that that would never happen?

**Ross Finnie:** As the member will know, the United Kingdom did not support those allocations. The issue was the amount of allocation that was

being brought by the new members, which traditionally would have come from within EU waters. The principle objection by most member states was that the reference period would have given a singular advantage to the new Baltic states; that was then removed. Although all member states have achieved improvements in those Baltic waters, there have been recommendations for substantial reductions in the TACs in those areas; therefore, the impact on the Scottish industry will be minimal.

The emerging council advice tells us that TAC benefits are possible, but I make no apology for repeating that as long as we have a problem with cod stocks, the discussions will always be complex and complicated. They will involve us in interrelated approaches, and we must take account of the interrelated negotiations that have already taken place in Norway and that also take place with states outside the EU. The range of options on the table may be complex and, in the case of closed areas, ill founded, but it offers scope for developing a regime that best suits our twin objectives of stock recovery and sustainable profit in fishing. We have secured a fair deal with Norway, well ahead of schedule. That offers a degree of certainty for our fishermen about the forthcoming council negotiations, which was not present last year.

When we consider the complexity of the issue, and the number of options that do not involve a single member state and that have to be discussed in respect of an international fishery, we see that it is an illusion that repatriating fishing to Britain will be the solution to all the ills. We require to solve the problem of conservation of the marine biological resource on an international basis in order to take account of the way those fisheries are prosecuted and the way the stocks spawn in different parts of the North sea and the Atlantic.

There are difficult issues still to be resolved, but the initiatives of the past few years are beginning to bear fruit. I hope that we are therefore moving into less troubled waters. I assure Parliament that I will do my best to secure the best possible deal for our fishing communities, which will protect our environment while giving our fishermen the opportunity to prosecute stocks in a way that can provide viability to them and their communities.

I urge Parliament to support the motion.

I move,

That the Parliament supports the Scottish Executive in its efforts to negotiate the best possible outcome from the EU Fisheries Council in December 2004, an outcome that delivers sustainable fisheries, sustainable fishing businesses and sustainable fishing communities based on Total Allowable Catches and management controls that are both fair and effective.

15:18

**Richard Lochhead (North East Scotland)**

**(SNP):** Those of us who represent fishing communities have watched painfully the misery that has been heaped upon Scotland's fishing communities over the past few years. Perhaps one of the most illustrative explanations of the impact that that has had came in answer to the recent parliamentary question that my colleague Rob Gibson asked Mr Finnie. Mr Finnie said that the reduction in the catching sector in Scotland since 1999, when the Government took over fishing, has been 22 per cent, and that the reduction in fish-processing related employment since 1999 has been a massive 54 per cent. That is a stark illustration of the impact that the policies have had on our fishing communities.

Over the past two years, half of our white-fish fleet has been sent by the minister to scrapyards in Denmark. The fleet's time at sea has been cut in half over that period, while successive madcap policies emanating from Brussels have made life impossible for many of our fishermen and have been anti-conservation. Thousands of livelihoods throughout Scotland still depend on fishing, including livelihoods in the catching sector, the processing sector and the onshore sectors. Those people are anxiously awaiting the outcome of the 72 hours of horse-trading that they are in line for in the run-up to Christmas this year. For the first time ever, 25 states will get around the table at the fishing talks. Many of those states are landlocked, and have no fishermen and no real interest in the future of EU fishing policy. However, those countries have more say over the future of our western waters or the North sea than our fishing communities in Scotland have. Neither MSPs nor anyone else in Scotland believes that that is a sensible way to run the fishing industry. It is certainly not the right way to treat those who put their lives at risk at sea to bring food to our tables.

**Mr Mark Ruskell (Mid Scotland and Fife)**

**(Green):** Might not the tax bases of those landlocked states be useful in providing financial support for Scotland's fishing communities?

**Richard Lochhead:** I would be amazed if the member could point to tax money that comes from those countries to help Scottish fishermen, given that our tax money helps to build new boats for other fleets while we scrap ours. The member should do some research into fishing policy.

We certainly hope that the minister's optimism, which appears to be genuine, bears fruit and is justified, but we remember what happened last year. After last year's talks, the minister triumphantly waved a piece of paper that he said had secured a good deal for Scotland, but he had then to return twice to Brussels with his tail between his legs to renegotiate the deal that he

had secured because it had so many strings attached to it that the industry was tied in knots and was unable to take advantage of it. The deal did not give the industry the time or the space at sea to catch the increased quota that the minister claimed to have secured. This year, there must be no unintended consequences of the talks in Brussels. Indeed, it is payback time. Our industry deserves a reward for all the sacrifices that it has made in recent years but which have not been demanded of other fleets that fish for the same stocks in the same waters.

Two conflicting pictures of the state of stocks in the North sea have been painted, so we should put on record the true picture. A picture of doom and gloom has emanated from several reports from so-called authorities. For example, the Downing Street strategy unit, which is Tony Blair's own private unit, not only filled its report with flaws—such as its count of the number of white-fish boats in Scotland—but proposed that the white-fish fleet be cut by another 13 per cent and that 30 per cent of the fleet be tied up for several years without compensation. That would kill the fleet stone dead, so the minister must reject that report.

Another report that has dominated the headlines over the past couple of days is the Royal Commission on Environmental Pollution's report, which is full of sweeping generalisations and out-of-date science. The minister must ensure that Europe is aware that the royal commission's report is full of flaws. It is disgraceful that the report's authors are in Brussels this week to persuade the European Commission to close 30 per cent of Scotland's seas. To play politics in that way with the livelihoods of so many Scots should be condemned by every party in Parliament.

The real picture is actually quite rosy. We must rectify the public perception about fish stocks and give hope to the industry.

**Robin Harper** *rose—*

**Richard Lochhead:** Robin Harper will no doubt contradict that.

**Robin Harper:** Of course I will. The figures are quite clear. Of the 13 common stocks in the North sea, only four are fully fishable. For two, the situation is evens. The others are overfished. In the area that ICES surveyed, the proportion of stocks that remain within safe biological limits fell from 26 per cent to only 16 per cent. In other words, only 16 per cent of stocks are within safe biological limits. Does the member reject the ICES findings? Does he say that ICES has no expertise whatever?

**Richard Lochhead:** Of course we must take the ICES evidence into account, but the ICES advice is rejected not only by the SNP but by the minister,

who said that he questions the figures and that they might be flawed. Even the European Commission has rejected the ICES advice after carrying out its own audit of it. The member should give accurate information so that the people of Scotland have the right perception of the situation in the North sea.

The situation is that haddock stocks are at record levels. The staple white-fish stock for the Scots fleet is at a 30-year high, but only 120 Scottish boats are left in the North sea. All the other boats come from other countries. Prawn stocks are also robust. We need an increase in the prawn quota, given that the minister's scientists and others have proven that the fishery involves a low cod bycatch. The monkfish quota must also be increased dramatically. As we speak, Europe's ludicrous policy makes our fishermen off the west coast and in the North sea throw dead monkfish overboard, despite the fact that it is one of the most valuable species at this time of year—the run-up to Christmas. That is perhaps one of the biggest indictments of the common fisheries policy.

The state of pelagic stocks is also good. We regret the cut in the mackerel catch; indeed, we cannot quite understand why that has happened. Many people in the pelagic sector think that it is a bit of a blow. Generally speaking, those extremely valuable stocks are healthy.

**Ross Finnie:** I understand the member's wish to paint a glowing picture, but no one—not even the Scientific, Technical and Economic Committee for Fisheries—is saying that we should not take into account the raw data that have been produced by ICES. The Commission asks the committee to review data over a number of years. I accept the STECF report and I also think that Robin Harper is entirely correct. If Richard Lochhead is surprised by the cut in the mackerel catch, it is because he is not reading any of the scientific research that makes it clear that the stock might be under threat. To be frank, his position is untenable. He must acknowledge, particularly with regard to the mixed and white-fish fisheries, that it is very dangerous simply to pick certain fish because there is no connection. That is not what the scientists are saying.

**Richard Lochhead:** I simply point out to the minister that pelagic stocks are generally healthy, which is why there was a small cut in one quota and an increase in this year's herring quota. I appeal to the minister to ensure that any increase in quota that is secured at the forthcoming talks must go to active sea-going fishermen who make their livelihoods out of fishing the North sea and the waters off the west of Scotland, not to people on-shore who will not go to sea and will simply hold their quota.

As far as fishing management is concerned, all other fish in the North sea appear to be subservient to cod. In that respect, we welcome the rollover in the cod quota, because that is vital for a mixed fishery and to progress in decoupling cod management from other stocks. However, I must point out that some fishermen in the southern North sea who are using 80mm mesh and catching tons and tons of juvenile cod as a bycatch have not been hit by the same draconian measures that our fleet, which uses the biggest—120mm—mesh in the North sea, has been subject to. I hope that, when he winds up, the minister will explain why he has not tackled that issue. Indeed, when I spoke to his senior scientist this morning, he acknowledged that juvenile cod is caught as a bycatch in the southern North sea but could not explain why nothing had been done about it. Given that our fleet has been expected to take all the pain in the northern North sea, that situation is disgraceful.

Although climate change and industrial fishing must be addressed, we have to put the issue of closed areas on the back burner. We cannot have the situation that we had last year. Because ministers wanted to go home early for Christmas, the names of some closed areas in the North sea were written on the back of an envelope and presented to them. The minister fell into that trap last year when he failed to speak to the fishermen who were nervously pacing the corridors outside Parliament and wondering what was going to happen to their livelihoods. He signed on the dotted line and presented those fishermen with an unjustifiable set of closed areas that had to be renegotiated. *[Interruption.]*

**The Deputy Presiding Officer:** Order.

**Richard Lochhead:** Closed areas lead to displacement at other points. We have to sit down with the industry, discuss various measures such as real-time closures and reach agreement.

Finally, the minister, who is responsible for 70 per cent of the UK fishing industry, should lead the talks on behalf of the UK in two weeks' time. Too much is at risk for Scotland. He should officially lead that delegation—at the moment he is not even mentioned in the minutes that are produced after each council meeting. Three Belgian ministers and two Danish ministers are acknowledged and only the UK minister appears in the minutes in the list of attendees at the Council of Ministers. This country is western Europe's biggest fishing nation. The situation is a scandal and has to change. Scotland needs to have its own voice at the top table in order to secure a good deal for its fishing communities.

I move amendment S2M-2129.2, to insert at end,

“; recognises the healthy abundance of many stocks vitally important to Scotland, including nephrops, monkfish and the record haddock stocks, and calls for a management regime that provides adequate fishing opportunities for the fleet in light of this encouraging situation; notes that the general state of stocks in Scottish waters demands proper examination in light of up-to-date science and the views of the fishing industry before any further drastic and unworkable management measures are foisted on the fleet; believes that recent events further illustrate the flaws in a Common Fisheries Policy in which many Scots who support sustainable fishing policies have lost faith, and therefore calls for control over our fishing grounds to be returned to Scotland.”

**The Deputy Presiding Officer:** Before I proceed, I want to pass on advice from the sound engineer that even though mobile phones and pagers may be switched to mute they will still cause feedback if they are too near the microphone at which someone is speaking. We believe that that is probably why there was a degree of interference with the sound during Mr Lochhead's speech. Mobile phones should be switched off.

**Members:** It was the minister.

**The Deputy Presiding Officer:** No, I think that it had to be someone who was reasonably close to Mr Lochhead.

**Members:** Ooh!

15:29

**Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** I will come on to the motion before Parliament today, but first we must address the context in which the year-end summit is being held. Few less efficient ways of managing a successful and sustainable fishing industry can ever have been conceived than the common fisheries policy. Once again, ministers find themselves facing marathon negotiations into the wee small hours in the dog days of December to try to win for Scotland's fishermen the basic right to earn their living for another year.

There can be few industry analysts anywhere in Europe who do not accept that the CFP is irredeemably flawed. The management system that has presided over the decline and imminent collapse of the UK and Scottish fishing industries has manifestly failed: it has failed scientifically and it has failed in its primary duty to conserve the stock. The CFP has nothing to do with conservation but everything to do with politics. Surely not even Ross Finnie, after all the humiliating climbdowns that he has endured over the years, still believes that the CFP has anything to do with conserving stocks. Any fishing policy that allows the votes of ministers from non-involved and land-locked countries to be cast against the interests of the relevant maritime nations is about politics. Those are the politics of

Tammany Hall. What goes on at the December summit in the halls of the Justus Lipsius edifice in Brussels borders on the corrupt.

**Ross Finnie:** I know that Ted Brocklebank has been a close attender at those meetings in Brussels over many years. Can he tell me how many land-locked nations have made serious contributions to discussion of any fisheries policy over the past five years? More important, in relation to conservation, given that the cod problem has been with us since 1992, can he outline in detail the active steps that the Conservatives took from 1992 onwards to deal with the problem? The answer is that they did nothing.

**Mr Brocklebank:** I will answer both those questions. First, the situation is that the votes of the land-locked countries automatically go back to the Commission so, whatever is voted on, their votes are with the Commission. Ultimately, their votes work against the countries that have a direct interest.

Secondly, on what the Conservatives managed to achieve after 1992, in all our attempts to take action we were hamstrung by the CFP, which Ross Finnie tries to defend.

The Conservatives cannot repeat too often that the only hope of restoring British fishing grounds to commercial viability, in the interests of all fishermen, including those in the foreign fleets, lies in returning control to the United Kingdom Government and to the Scottish Executive and in the introduction of new management regimes.

Potentially the richest fishing grounds in the northern hemisphere lie around the coast of Scotland. The Scottish sector, even in its sadly reduced state, represents two thirds of the UK fishing industry, but year after year our fishery minister has to trail along on the coat tails of his Westminster counterpart. His undignified role is to beg an unelected dictatorship in Brussels to grant Scottish fishermen the right to earn a living from their own coastal waters. Could anything be more degrading?

As our fishing fleet continues to be broken up, the fleets of our competitors continue to grow. In the period from 2000 to 2006 the Spaniards will have received €367 million to build up their fleet, which is already bigger than those of all the other member states put together. That is happening at the same time as the Scottish white-fish fleet is being cut in half. Could anything be more unfair?

**Ross Finnie:** Is Ted Brocklebank seriously suggesting that when the Scottish entitlement to white-fish catching in the North sea—which is also associated with the endangered cod stock—is 70 per cent, the Conservatives would continue to allow the Scottish fleet to fish and fish and build

more boats, although cod stocks are under so much threat?

**Mr Brocklebank:** The minister's question is a fair one. I accept some of the logic of what he says but the hard fact is that for fairly spurious reasons, based on fairly spurious scientific advice—let us not call that advice spurious; let us call it narrow—we have gone down a road that has led to communities throughout the north-east of Scotland being brought to the edge of bankruptcy.

The Conservatives wish the minister all success in achieving the best possible outcome for Scotland's fishermen at this year's talks—I hope that the outcome includes an increase in days at sea. We note his public statements that the proposed swingeing cuts in cod fisheries and total closure of key North sea grounds will be opposed “unreservedly”, and I am delighted to hear the further assurances that he has given today. However, does such bluster not give us a sense of déjà vu? Have we not been down the same road many times before? Are we not seeing the same ritual dance that we see year after year, as agency upon agency bombards us with negative statistics in the weeks running up to the summit? Year after year, suitably softened up, our negotiators emerge from the ruins of another December summit clutching a few minor concessions that they then parade as victory in our time.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** Will the member give way?

**Mr Brocklebank:** No, I do not think so.

A couple of weeks ago, the leader of our biggest fishery association told me that he thought that this year's talks would be non-confrontational—a bit of a damp squib—that the new commissioner, Joe Borg, would want to play himself in and that we could look forward to the best settlement in years.

As we have heard, there is every reason to expect a good settlement this year, especially in light of the fact that the fleet is now only half its original size. The three main species that the Scottish fleet pursues are in robust health. Nephrops are now the most valuable catch. The numbers of haddock, the mainstay of the white-fish fleet, are at record highs. Monks, too, are in abundance. Only cod—according to science that the minister accepts is dated—still causes some concern. As it is difficult to target other species without also taking cod, yet again argument at this year's summit will rage round the question whether some of the North sea's most productive areas for those other species should be restricted to safeguard cod.

The hard fact is that any decisions that relate to cod in the North sea are of direct interest to only two member countries—the United Kingdom and

Denmark—but the final decisions will be voted on by ministers whose countries have no direct interest in those stocks. What is worse, the ministers of countries such as the Czech Republic, Hungary, Luxembourg and Slovakia will be involved in that process.

Last year, the industry was forced to accept a ludicrous permit system, which meant that our fishermen were forced to waste precious days at sea steaming back and forth to obtain permits whenever they proposed to enter the restricted cod zones. Now we hear that a similar system is proposed for nephrops. It is little wonder that the fishermen of Pittenweem and other ports that must now rely entirely on the prawn fishery feel beleaguered and bewildered. The minister has indicated that some areas might get a 12.5 per cent increase in quota, but the stocks could probably sustain a 25 per cent increase. The real problem is that, with restrictive and pointless permits, prawners may well be prevented from catching the new quota.

One of what the minister described as the unintended consequences of last year's settlement was that the haddock quota simply could not be caught, because there were not enough days at sea to allow it to be caught.

**The Deputy Presiding Officer:** You are in your last minute, Mr Brocklebank.

**Mr Brocklebank:** I am glad that the minister accepts that haddock permits must go. He must resist any attempts to introduce prawn permits.

Although the minister says that he will fight this year's proposed cuts “unreservedly”, the truth is that he and Ben Bradshaw can talk themselves hoarse at the December summit, but the final deal will be cut in time-honoured EU fashion, by ministerial horse-trading—probably over matters that have nothing to do with fisheries—as the clock ticks away towards Christmas eve.

That is not the way that things have to be. The three most successful fishery nations in the northern hemisphere have one thing in common: Norway, Iceland and the Faroes do not belong to the CFP. I have met their representatives and they tell me that they would never consider joining it. Before 1972, the UK had no problems at all in managing a sustainable fishery. Things could be that way again.

**George Lyon (Argyll and Bute) (LD):** Will the member give way?

**The Deputy Presiding Officer:** No, I have already called his last minute.

**Mr Brocklebank:** The Labour and Liberal parties refuse to take us out of a discredited management system; the SNP cannot. The only party that can achieve withdrawal from the CFP is

the Conservative party. Let there be no doubt that, sooner rather than later, that is precisely what we will do.

I move amendment S2M-2129.1, to leave out from “an outcome” to end and insert:

“urges the Minister for Environment and Rural Development to secure higher quotas and more days at sea to secure a future for our fishermen and their coastal communities, accompanied by an end to the discredited haddock permit scheme with no new restrictions for the nephrops sector, and calls on the Executive to support the view of the vast majority of Scottish fishermen that it is time to end the discredited Common Fisheries Policy and to regain national control of UK waters”.

15:39

**Mr Mark Ruskell (Mid Scotland and Fife) (Green):** I start with a quotation:

“Fish stocks must be maintained within safe biological limits ... we must protect and, if possible, enhance fish stocks in order to secure the long-term future of the industry.”

That statement was made by the Executive. On this occasion we will be supporting ministers, although we have lodged an amendment in which we ask them to go further.

Fishing represents one of the clearest sustainability tests of this century. If fish stocks collapse, fishing communities collapse and our economy collapses. That delicate house of cards is continually undermined by politicians fishing for votes.

If we cannot sort out fishing, God help us when we come to tackle climate change. For more than 20 years, politicians throughout Europe have consistently ignored scientific recommendations and annually approved more fishing than can be sustained. Politics is failing the environment and the people who depend on it. The obvious solution is to rebuild the natural resource, take the pressure off the fish and provide adequate support for communities during the recovery period. Those are the issues that we should be debating.

Scottish fishermen have made great strides in pioneering conservation measures. The North sea regional advisory council is showing how the new CFP is changing and how power is being devolved. I am heartened by the statement to MSPs last week that, in principle, the RAC is open to the idea of closed areas, which is a good step forward.

**Richard Lochhead:** The member said that power has been devolved under the CFP. Will he say how that has happened, because there is no evidence for it?

**Mr Ruskell:** Is Richard Lochhead honestly saying that he does not welcome the RAC? The creation of that body is an extremely important

move. For the coming year, the RAC has adopted the priority of considering closed areas, which we should welcome. Fishermen make up 66 per cent of the composition of the RAC—it is an example of power being given back to the fishermen through reform of the CFP. We will not reform the CFP by leaving it.

**Stewart Stevenson (Banff and Buchan) (SNP):** Will the member take an intervention?

**Mr Ruskell:** Sorry, but I need to make progress.

Closed areas have worked elsewhere. Some were initially opposed by fishing communities but then won their support because of the increased catches near the boundaries. However, closed areas would have to be part of an integrated package of measures, especially ones that aim to manage displaced fishing effort. Closed areas are not a panacea, but they are an important tool in the box and one that we need to learn how to use fast. We do not have to look to the other side of the world; closer to home, the UK's first statutory no-take zone, which is off Lundy, has been a huge success. However, the Minister for Environment and Rural Development has stated that he will oppose the European Commission's proposed closed area “unreservedly”. He is clearly not saying that there is no evidence that stocks are in trouble, but is he saying that there is no evidence that closed areas benefit the fishing industry? The closure of the North sea cod fishery in 2001 led ICES to conclude that the area needed to be larger and in place for longer. Surely that is clear evidence that we need to revisit the idea, not throw it overboard.

**Ross Finnie:** I ask the member not to misrepresent what I said; I said that the European Commission's specific proposal on a particular closed area—the scale and location of which is not supported by the scientific evidence—is inappropriate and will not be supported. I have never said that I would close my mind to the sort of policies that Mark Ruskell mentioned.

**Mr Ruskell:** I thank the minister for that clarification of the word “unreservedly”. I hope that he will work constructively with the North sea RAC in the coming year on its priority of re-examining specific areas that could be closed, which is the way forward.

The monitoring and policing of fisheries is critical if we are to support conservation efforts. We would like on-board observers on the spectrum of boats that fish in European waters, not only on Scottish boats. The white-fish fleet has said that it is willing to carry independent observers. We should support the minister in, and hold him to, his statement from last year, when he said:

“I do not want in any way to underestimate the importance of effective and consistent enforcement across



the European Union.”—[*Official Report*, 10 December 2003; c 4066.]

As well as satellite monitoring, we need real-time observers. With a bycatch quota, we could take a step away from discard madness and start to reduce illegal landings, while enabling fishermen to improve their catch and the price that they receive for it. Once again, monitoring and policing would be a crucial part of such a measure.

Fishing communities need money to shelter them from the storm while the stocks recover fully. They must have a bigger support package, which means that the Scottish ministers must argue hard with HM Treasury to draw down more of the cash that is available for socioeconomic support for communities. Whether that affects the UK rebate is a side issue. Political will and commitment are needed. For example, it may just be possible to use moneys from the financial instrument for fisheries guidance or future European fisheries fund moneys on a Europe-wide basis. We should explore and argue for that option.

The Executive has so far resisted the despicable short-termist approach to fishing of the SNP and the Tories. I urge the minister to hold a firm course and move rapidly towards adopting all the measures that will give the people and the seas a future.

I move amendment S2M-2129.3, to leave out from “based” to end and insert:

“; notes the North Sea Regional Advisory Council’s opinion that ‘the concept of a partially closed or restricted access area in the North Sea is not ruled out in principle’, and calls on the Executive to make proportionate use of closed areas, on-board observers and bycatch quotas in addition to existing management controls in furtherance of its aim to maintain the sustainability of fish stocks at the heart of the strategic agenda for fisheries, as stated in the Strategic Framework for the Scottish Sea Fishing Industry and, with UK and European counterparts, to seek the necessary resources and investment required to support these measures and fishery-dependent communities while fish stocks recover.”

15:45

**Richard Baker (North East Scotland) (Lab):**

Every year at this time, we gather in the chamber to wish the Minister well in his negotiations in Brussels on next year’s fishing quota—at least, that is what most of us do, if with differing levels of enthusiasm—and every year it seems that that year’s negotiations are particularly crucial. However, in the context of the controversial debate about the sustainability of stocks and of the particularly radical measures being proposed by the European Commission, it is clear this year’s negotiations are especially key.

For the north-east of Scotland, it is vital that the industry’s future is secured, not just from the point of view of the economic viability of the industry,

but because of the social impact that it has. Nine of the 10 areas with the most deprivation in Aberdeenshire are places that are dependent on fisheries. Fish processors in the city of Aberdeen, who face particularly challenging market conditions, will also be looking keenly for ministers to achieve the right outcomes from these negotiations. That is why it is essential for the positive signs of stock recovery in some key fisheries to be accounted for in the new quotas. That is also why I was heartened to see the statement yesterday by the minister in which he restated the Executive’s opposition to closing to fishing activity areas of the North sea in which there is no evidence of conservation benefit.

The minister is right to state that proposals on closed areas have already been overtaken by the advice from the Commission’s technical advisers and that they fly in the face of representations by the newly formed North sea regional advisory council.

I am pleased that it is from this position that the minister goes into the negotiations because, as always, the Commission’s proposals are only a starting point. Of course, some of the proposals are not unhelpful, particularly the proposal on increases in the whiting and herring quota. I am pleased to see that the minister will be pressing the case for increased quotas on monkfish and prawns. Other sensible measures include the controls in mixed fishing grounds to avoid the taking of cod as a bycatch. Indeed, progress on minimising bycatch is another reason why closing off grounds is not necessary.

Sensible measures to ensure that stocks are kept at sustainable levels are, of course, not only justified but necessary. Those measures have been painful but have been aimed at securing a long-term future for the fishing industry.

I want to stress that such measures have to be taken while preserving the viability of the industry, which is why I welcome Ben Bradshaw’s response to the report of the Royal Commission on Environmental Pollution. He made it clear that he does not agree with all of its proposals for closures and argued that more time should be given to allow the measures that have already been imposed to have an impact. There should be a shared view that we need to balance the conservation and recovery of stocks with the maintenance of a viable industry following the reduction in effort that the industry has already had to undergo.

Once again, it is members on the Executive benches who have taken that approach while others, for a variety of political motivations, have taken views at the extreme ends of the spectrum in the debate. Yet again, the SNP has managed to contradict itself in the space of one amendment. It

says that it supports sustainable fishing policies but opposes the CFP, when achieving that is exactly what the CFP seeks to do, and constantly goes out of its way to ignore scientific advice.

**Richard Lochhead:** Can the member explain how the CFP policy that was implemented in 2001, when the cod area was closed and the Scottish fleet was forced to capture the immature haddock stocks, was a pro-conservation policy? If the fleet had not voluntarily tied up in 2001, we would not have the bumper haddock stock that we have today.

**Richard Baker:** Mr Lochhead is distorting the reality of the situation. The SNP has no proposals that will provide a framework for the sustainable management of fisheries. The CFP is the best solution—in fact, it is the only workable solution—to the problem of creating sustainability in the market.

**Mr Brocklebank:** I am interested that Richard Baker portrays the CFP as being the only game in town. Is that realistic? The three most successful fishing countries in the northern hemisphere are all outwith the CFP. The complaint that we have about the CFP is that it has failed in the very thing that it was set up to do. Over 30 years, it has failed to conserve the stocks.

**Richard Baker:** I do not agree with Mr Brocklebank. We are saying that reform of the CFP is the only show in town because it is the only way in which we can create a viable industry in the future. Having a free-for-all in the North sea will kill off the industry, which will do nothing to help the people that Mr Brocklebank pretends to represent in the chamber.

The Tories, who, if anything, have an even more reckless approach to sustainability and the future of the industry, now advocate withdrawal from the CFP, but on this occasion their original position was the correct one. Their new-found opposition to the CFP is based on opportunism and anti-Europeanism rather than on creating a sustainable fishing industry; it is an utterly unrealistic policy that would require our withdrawal from the European Union, which no doubt would please some of their members. However, it is disappointing and staggering to see them now aided and abetted by the SNP in that agenda, under which the parties would oppose the new constitution on the basis that it simply confirms Europe's existing powers on fishing policy.

Towards the other end of the spectrum, there were a lot of positive things in Mark Ruskell's speech. However, I sound a note of caution: when we consider further proposals we must always balance measures for faster stock recovery with ensuring that we can sustain a viable fleet, so that when stocks have recovered, there is a fleet to fish

them. It is important to strike the right balance, which I think the Executive has done. I welcome the support that Mark Ruskell said that the Greens would give the Executive motion.

The Executive is taking the rational position in this debate by working for the best deal for fishermen, which will come through the CFP. The framework enables us to take the measures needed to ensure that we have a thriving fishing industry in generations to come. Of course, the framework can be improved; that is what we are working towards and what the Executive is doing by successfully arguing for greater local management of fisheries. We have now had the first, successful meetings of the regional advisory councils. I hope they have an influence on decision making. What they said recently will influence the decisions in Brussels in December, which would undoubtedly bolster the minister's arguments in the negotiations.

From what we have heard this afternoon it is clear that the minister has exactly the right aims and approach to the negotiations as he sets out to get the best deal for the Scottish fishing industry. Of course success in the talks in Brussels is crucial. I offer best wishes to the minister as he embarks upon them and I commend his motion to Parliament.

15:52

**Tavish Scott (Shetland) (LD):** I want to make three brief points about the importance of the fishing industry to my constituency, the realities of the 2004 management regime and the need for change and improvement in the regime following the fisheries council that will take place a week on Monday.

Despite the massive economic change in Shetland in recent years, it is still highly dependent on fishing. The islands retain an economic and, importantly, social belief in the industry, and in a diversified economy they need a financially viable inshore, white-fish and pelagic fleet. On the pelagic side, in the past three to four years, £100 million of private capital has been invested locally in the renewal of the pelagic fleet and processing industry, principally at the Shetland Catch factory. That is a sign of confidence and sends the simple message that fishing can be sustainable and financially viable. However, it must be built on a solid and positive relationship between industry and Government—an industry that has the confidence to invest in its renewal and a Government that provides the environment in which it can prosper. That is the approach that I want for all sectors, not just in the Shetland industry but in the industry throughout Scotland.

I need look no further than Norway. The minister mentioned in his opening remarks the EU-Norway negotiations that have just concluded. Scotland's industry-Government relationship must always recognise that the Norwegians' approach is focused totally on the commercial interests of their catching and processing sectors. It is a hard commercial approach that supports the industry. The recent Norwegian prosecution, which the minister mentioned, of the blue whiting species in international waters has not been based on conservation but on the construction of an international track record based on the needs of the Norwegian catching and processing sectors.

The proposed 23 per cent cut in the mackerel quota could be extremely serious for the Shetland pelagic industry. I can only speculate as to why the Norwegians proposed even further cuts in the quota for 2005. For pelagic quotas, just as with white-fish quotas, there is an overwhelming case for a longer-term approach to quota management, say over a three-year period. That would be better for boats, processors and fishery managers, and there is surely a role in that for the North sea regional advisory council, which a number of members have mentioned. Therefore I strongly suggest to our ministers that, particularly on the pelagic front, we understand the hard-nosed commercial reality of the Norwegian negotiating position and of everything that the Norwegians do in their approach to the industry.

**Mr Brocklebank:** Does that not underline the argument that the Conservatives make? Norway has the luxury of being able to manage its own stocks; it can look ahead.

**Stewart Stevenson:** It is independent.

**Tavish Scott:** Norway has to negotiate with all member states and with the European Union on fishing matters. The idea that, as Mr Lochhead and Mr Brocklebank seem to believe, after complete constitutional change, all would be well and everything would naturally fall into our hearts and, more to the point, our fishing nets is a fallacy.

**Richard Lochhead:** Will Tavish Scott give way?

**Tavish Scott:** No, I will not give way on that point. The reality is that, in international waters, EU waters or even in the inshore sector, such matters still need to be negotiated. To suggest that those negotiations would just finish is an absolute nonsense, but that is the fallacy that Mr Brocklebank and Mr Lochhead continually try to represent to the fishing industry in Scotland.

**Richard Lochhead:** Will Tavish Scott give way?

**Tavish Scott:** No, I will not give way. Mr Lochhead has had his say, and he did not have much to contribute to the debate if his most damning criticism of Ross Finnie today was that

the minister's name was not in the minutes of the Council of Ministers' meetings.

Shetland is at the heart of the northern North sea's fishing grounds and must have—indeed, needs—the right to prosecute those fisheries. The 2004 regime, which is based on days at sea and the haddock permit scheme, has been all but impossible for the local fleet in the northern isles. Shetland boats are in the bizarre circumstances of achieving higher gross earnings during 2004 but even worse net financial positions than before. Because of the permit scheme, local boats have had to lease in entitlement to fish and entitlement to go to sea. It is therefore important that the permit scheme has no future and will not exist in 2005.

Ross Finnie's important role a week on Monday is to secure the best possible outcome in the EU fisheries council, and he has my whole-hearted support in achieving that objective. I know that he understands the Shetland fleet's needs—indeed, he will be in Shetland on Monday—but the important point is that Shetland must not be picked out, however unintentionally, by a botched management regime that hits the local boats' financial viability. Therefore, before Christmas, we need quota levels—particularly on monkfish—that can assist in ensuring financial viability in 2005, a regime that allows Shetland boats to fish without unreasonable and disproportionate regulations and a package that gives the men and those who depend on them a reason to look forward to 2005 with confidence.

15:58

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I make no apology for addressing solely the nephrops fishery on the west coast of Scotland. Yesterday, the Commission's opening position was revealed and, under that position, the nephrops quota for the west coast would rise by 12.4 per cent. I hope that the minister will tell us why it would rise by that percentage, because the fishermen do not know and they need to know. However, that increase would simply take us back to the TAC of 2000, before the 10 per cent reduction, which should be reinstated—we have argued every year—on the basis of the facts, because the science shows that prawns are in plentiful supply.

The Mallaig and North West Fishermen's Association has asked me to ask Ross Finnie to build on the opening position and seek a further increase, which it believes to be fully justified by the science. Mallaig is a community in which almost nine out of 10 people depend on fishing, and prawns are now the most valuable fishing stock in Scotland, but they do not receive the attention that white fish receives. Of course, we

are concerned about fishing interests everywhere, but there has been a misunderstanding and the Commission has taken a flawed approach. That must be addressed in the negotiations. I am confident that the minister will seek to address that and I make my remarks in the hope that they will be taken as an entirely positive contribution to that effort.

In November, I attended with John Hermse and a representative from the Clyde Fishermen's Association a meeting with Ken Patterson of the Commission—I gather that John Farnell was ill that day. It emerged that the Commission has been too quick to accept the advice of ICES on the west of Scotland stock. I suppose that the Commission has been effective in reducing fishing effort on stocks that it considers to be in danger, but healthier stocks have been subject to unjust restrictions that are not required by the science or the facts.

Where have the flaws occurred? The most recent evidence on the level of stocks on the west coast, which was taken by camera, showed that nephrops stocks have increased by 30 per cent—not the 12.4 per cent increase that has been granted in the quota. That camera evidence was rejected for the west coast, but I am told that for Fladden in the North sea last year, the same method of taking evidence was accepted. If it was valid last year, why is it said to be unsafe this year? I hope that we can get to the bottom of that, as we need to. If prawn stocks have increased by about one third, the Commission's approach has no justification.

My main point is that a serious misunderstanding of the bycatch issue has occurred. As the minister knows, there are two types of nephrops fishery: the inshore directed creel fishery, which has no cod bycatch whatever, and trawlers, which account for 75 per cent of the nephrops stock and have a cod bycatch of 2 per cent, as the minister said. However, boats that seek white fish also have a nephrops bycatch. Therefore, the fundamental flaw for me and Robert Stevenson of the West of Scotland Fish Producers Organisation is that the Commission assumes that the nephrops fishery is mixed, which it is not. That flaw has led to the difficulty—to which the minister referred—of the bycatch rate being regarded in some areas as much higher than is the true bycatch of the nephrops sector.

I hope that I have explained that properly. The issue may seem technical and I know that not everybody here necessarily spends all day studying such matters. As members can imagine, it took me some time to understand it. If, as Robert Stevenson of the West of Scotland Fish Producers Organisation argued, a simple misunderstanding of the nephrops fishery has occurred and if, as

ICES should accept, the size of the nephrops fishery has increased by 24 per cent, surely it is time for the minister to argue in his negotiations from the standpoint of the fishermen's representatives. I hope and imagine that he will. I am afraid to say that I have more confidence if he, rather than Mr Bradshaw, leads the negotiations.

I invite the minister to consider seriously those points, which Robert Stevenson and I have made in writing. I hope that we will receive an answer before the negotiations take place, if that is possible. Most important of all, fishermen do not want subsidies. That is the non-solution that Mr Ruskell proposed. Fishermen want to fish. When it is right to fish and the science says that no threats to fish stock exist, they should fish.

I urge the minister to listen carefully—as I know he will—to the good counsel, solid advice and actual knowledge and experience of Robert Stevenson and of John Hermse and his ilk, who represent Scotland's fishermen. If he does so, I am confident that we will have a better deal for the west coast of Scotland, because the case is based on science, fact and argument. The Greens' comments about the approach of politicians do only themselves a disservice.

16:04

**Mr Jamie McGrigor (Highlands and Islands) (Con):** During yesterday's Environment and Rural Development Committee meeting, I asked Mr Finnie why Iceland and the Faroes have such healthy fishing industries while our fishing industry is in such an unhappy state. He told me that my synopsis was untrue, as the Scottish pelagic industry was doing well. If I may say so, that answer was a red herring. We all know that the pelagic fleet fishes shoals of herring and mackerel all over the oceans—they have a vast scope of fishing territory. Moreover, the CFP management system of TACs and quotas works okay for pelagic fish, which swim in shoals, but it is a disastrous way of managing a mixed white-fish fishery in which different species swim together. I was referring to our white-fish, bottom-trawled industry, which is vital to the people in the north-east and the people of Scotland as a whole.

We and Scottish fishermen do not believe that overfishing has been the main reason for the decline in cod stocks. A list of predators of fish stocks shows that other fish are the most prolific predators, and whales, cetaceans and seals come second. Seabirds such as gannets and cormorants take by far the greatest quantity of biomass. Fishermen take a small percentage in comparison. Why were those figures not included in the astonishing report by the Royal Commission on Environmental Pollution, which painted Scottish fishermen in a poor light? Why did not that

commission concentrate its efforts on the genuine problems from pollution from the Rhine and the Ruhr, which is pouring into the south of the North sea? That pollution may well be a factor in driving cod further north. Why did it not make more of the high quota for industrial fishing? For days, the media have concentrated on that damning report, which is not so much about conservation, but seems to follow a political agenda to ban fishing altogether. At this particular time, the report will severely reduce Ross Finnie's case if he is to support our fishing industry in Brussels.

The report actually suggests that people should stop eating fish. The UK consumes upwards of 150,000 tonnes of cod every year, but less than 5 per cent of that is taken in British waters—the rest comes from Iceland, Norway and the Faroes. I point out to anybody who is worried about a world shortage of cod that Faroes cod catches are up nearly 40 per cent. Of course, the Faroes have never been affected by a common fisheries policy. Are not they lucky?

**Ross Finnie:** Will the member take an intervention?

**Mr McGrigor:** Not just yet.

Mr Finnie attempts to ridicule the idea that a Conservative Government could withdraw from the CFP and Richard Baker says that we would have to leave the European Union if we did so. That is another red herring. European countries with specific core interests that are being damaged sometimes have to flex their muscles. For example, France and Germany have consistently breached the growth and stability pact, which is a core European treaty requirement. They have not been expelled from the EU and neither would we be if we stood up for our fishing industry and pointed out to the rest of Europe that our fishing industry is a core industry that is being devastated by the wrong system of management.

**Stewart Stevenson:** Will the member take an intervention?

**Mr McGrigor:** No, not now.

How does Mr Finnie think that Iceland managed to achieve its territorial waters? It stood up for itself against mighty opponents, just as David stood against Goliath. I do not need to remind members who won those contests. The fact is that Labour and the Liberals want to take us out of the CFP.

**Members:** No.

**Mr McGrigor:** I am sorry. The fact is that Labour and the Liberals won't take us out of the CFP. The SNP cannot take us out of the CFP, but the Conservatives can and will take us out of it. We should not be timid and scared about standing up for our fishing industry. We should tell the truth

about the real reasons for the industry's problems and set about tackling the root cause without further delay.

Mr Finnie's motion mentions

"management controls that are ... fair".

Will he please do something about the unfair situation that is faced by fishermen who fish the west of four area, whose quotas—especially for monkfish—have been unfairly slashed although the stocks appear to be perfectly healthy? Does he know that the Apollo Creed, which is Scotland's newest fishing vessel, was recently forced to fish 240 miles to the west of Ireland because she had used up her pathetic quota and had nowhere else to fish? In those far-offshore and highly dangerous waters, she was hit by a gigantic wave and sustained more than £500,000 worth of damage. Members of the crew were lucky not to lose their lives. That they had nowhere else to fish and that they should be forced into danger is not fair, especially when one considers that the monkfish quota in area 7—which, incidentally, the Spanish fish—had been greatly increased.

When Mr Finnie is in Brussels, will he or Mr Bradshaw kindly point out that the 11.5 per cent increase—or 12,700 tonnes—in the prawn quota that is suggested by the fisheries research service is the minimum increase and that there is ample science to show that we could allow for an increase of at least 15,000 tonnes? Will Mr Finnie demand that increase? While he is about it, will he point out that the derogation that applies to the west coast and North sea prawn vessels that caught less than 5 per cent of cod, sole and plaice has astonishingly disappeared from the regulation? It was there in 2004 and now it has gone without any explanation. That is a scandal.

It will be interesting to see whether Mr Joe Borg takes any notice of the opposition of the North sea regional advisory council to the Commission's proposals for a number of closed areas. That will be a test of the effectiveness of regional advisory councils. At least Mr Borg comes from Malta, an island community, and it is to be hoped that he will understand the fishing industry better than did his predecessor Mr Fischler, whose fanatical obsession with the cod recovery plan damaged our fishermen so much.

I wish Mr Finnie the greatest possible good fortune in his pilgrimage to Brussels. I remind him that Mr Borg will probably know more about lampuki than he will about haddock, but anything will be better than more red herrings.

16:11

**Sarah Boyack (Edinburgh Central) (Lab):** If today's debate shows anything, it shows the extent to which we should be examining some of

the science and engaging with the difficult issues in front of us.

Scientific analysis is difficult, because we must ensure that we are not just looking at a snapshot from two or three years ago. We need to look for a long-term, sustained approach. If we are to take the precautionary approach—it is difficult to deny that that is the right way—we must get the science right. That will lead to difficult discussions among people who are much more expert than some of us on exactly what is happening to our fish stocks.

I accept that it is hard to get the balance right and to know which parts of the scientific advice are the most important in a given year so that we can decide how to take a long-term approach. Richard Baker made some thoughtful comments about the need to juggle our economic interests, the interests of the fishing sector and the interests of the different geographical areas that some members round the chamber have talked about. Fergus Ewing made comments about the north-west and Richard Baker talked about the north-east. The ministers have different issues to juggle.

The other perspective is biodiversity and the marine interests in the North sea.

**Stewart Stevenson:** Will the member take an intervention?

**Sarah Boyack:** No; I am just getting started.

Our challenge is that it is quite complex to work out what is happening. It is clear that progress is being made in the stocks of haddocks, saith and prawns. Cod is beginning to recover, but it has not yet recovered. At the same time, there is some very bad news out there, on which members have not focused so much.

One of the issues that the Environment and Rural Development Committee considered this week was the impact of industrial fisheries on sand eels. Although those industries have quotas, they are nowhere near being able to fish those quotas because the sand eels are not there. I am almost trying to lower the temperature of the debate, but when we examine the real problem, we see that it is not just overfishing and heavy industrial fishing. The scientists are beginning to identify that rising sea temperatures are hampering the recovery of stocks.

**Stewart Stevenson:** Does the member share my grave concern at the huge over-catching of other species, particularly cod, by the Danish industrial fishery, which is far in excess of that which we are permitted to catch legally?

**Sarah Boyack:** That is an interesting point. We are focusing on the responsibility of our fishing industry to abide by the measures to which Ross Finnie signs up, when we should be considering what other fishing nations are doing. We should be

critical if they are going beyond the targets that have been set, whether they are Norwegians or Danes. There is a need for transparency and fairness in the process.

That takes me to my next point, which is about negotiations in Europe. I have sat through the debate in the same way as other members have done. The process is not perfect and the outcomes are often not perfect either, particularly from our perspective. However, I do not see that there is a serious alternative to that kind of negotiation. It does not matter to me whether the discussions are held in December or June; at a certain point in the meetings, someone has to draw a halt. A decision has to be made and the challenge that faces Ross Finnie and Ben Bradshaw is to argue our case as effectively as possible. To call the process unfair and to say that it is a ridiculous diversion is totally unrealistic. The alternative proposition that has been put to us today by the SNP is to remove us from the CFP and have a Scottish management regime. The Tories would remove us from the CFP and have a British regime.

**Mr Brocklebank rose—**

**Sarah Boyack:** I will not give way. Ted Brocklebank has had an opportunity to speak.

Neither the SNP nor the Tories have gone into the issue in detail and told us exactly how different the regime that they propose would be. There is no way that we could take a responsible international approach without talking to other countries. At least the CFP allows us to sit down to discuss and hammer out the issues. The challenge for the chamber is to be clear that changing the nature of, and the players in, the negotiations would not absolve us from having to work with our fishing industries and communities to ensure that, when measures are imposed, they have the ability to implement them, and that, crucially, other nation states are doing the same and acting fairly.

As Mark Ruskell and the minister indicated, part of the solution is the long-term development of the regional advisory councils. The councils allow us to have input from communities that are involved in fishing and to have detailed debates with those who carry out monitoring.

**Richard Lochhead:** Will the member give way?

**Sarah Boyack:** No. I am in my last minute and must conclude.

Today's debate has shown us that in some ways we are poles apart. If we let the constitutional issue get in the way of discussing what is happening in our oceans, we will get headlines and great soundbites. However, that will help neither the fishing industries nor the communities

that depend on them. Nor will it address the fact that we know that difficult things are happening to stocks in the North sea. Some stocks are getting better because of past effort, but some are still getting worse. One of the problems with the evidence is that it does not give us easy answers or solutions.

I wish Ross Finnie and Ben Bradshaw all the best in the negotiations. I hope that when they return we will receive a report from the minister, either in the chamber or in the Environment and Rural Development Committee, and that we will be able to examine the solutions that have been identified this year. This is a difficult question. Focusing solely on the constitutional issue is an abdication of responsibility for dealing with the real difficulties that the debate throws up.

16:17

**Christine Grahame (South of Scotland) (SNP):** This is the third fishing debate in which I have taken part. Each time there are the same worries and the same threats to our fishing communities, reaching their annual peak just before Christmas. I do not agree with Sarah Boyack that the constitutional issue is a distraction. It is at the heart of why Scotland is impotent in protecting its fishing industry.

The CFP is a cyclical disaster. It has been operational since 1983 and is an anachronism. I am sorry that Ted Brocklebank is not here, because jurisdiction and sole competency over fishing was signed away in 1971 by the Tories. A recent civil service minute released under the 30-year rule made it plain that Scotland's fishing industry was "expendable". That has been proved true, and shame on the Tories. Still, a sinner who repenteth is to be welcomed.

It remains an anomaly that this one resource should be managed in such a fashion. If it is appropriate for us to opt out of the common monetary policy, it must follow that we can opt out of the common fisheries policy, if cause is shown. As other members have said, there is slim chance that Norway, Iceland or the Faroes will join the EU if it tries to sustain exclusive competence over fisheries. I was interested to hear Tavish Scott's speech. He lauded Norway's negotiating capabilities, but refused to admit that Norway's independent status gives it its political punch. It is disingenuous of him to do that. Indeed, it is dancing on the head of the proverbial pin.

**Mr Ruskell:** How many tough decisions have the independent countries to which the member refers had to take to bring their fishing to a more sustainable level?

**Christine Grahame:** I am taking up the point that Tavish Scott made about how Norway, the Faroes and Iceland—very big fishing countries—are able to negotiate for their benefit and the conservation of stocks. However, countries need the power to do that. Seventy per cent of the UK fishing industry is located in Scotland, but the minister with responsibility for fishing, whom we all know is a good minister—informed, able, determined, committed and passionate about fishing communities—cannot go to the top table and open his mouth on behalf of this country.

The exclusive competence that the Tories signed away is making life tenuous for fishing communities such as Eyemouth, which has a population of 5,000, 500 of whom rely principally on nephrops and other fish catch. The effect on those 500 people ripples out to the entire community because as fishing jobs go, so do the local shops, the pub and the working people. Those are the real-life consequences of the CFP.

It has been said in the debate that nephrops are in a healthy state. I press the minister to argue for a substantial quota to be awarded. Fergus Ewing argued—it was a miracle that I understood him, because the argument was quite technical—that because no management regime will be in place for the bycatch of cod, those nephrops quotas are not secure. Will the minister say when he sums up whether there is any prospect of increasing the nephrops catch without those management measures?

Today I spoke to the secretary of the Anglo-Scottish Fishermen's Association, which is located in Eyemouth. In his view, the ridiculously low quota for prawns is not justified, as has been said throughout the chamber. The quota must be increased and there is no reason why it cannot be increased now.

The minister knows that the operation of the CFP is flawed and I rely on him to keep his word. He said in a press release:

"Early indications suggest that the Commission's Scientific Technical and Economic Committee (STECF) agree with us that the evidence on some stocks is inconclusive."

That is ministerial speak for "not persuaded by the scientific evidence". The quality of the scientific evidence is at the core of the matter.

It is ironic that the CFP is counterproductive to marine conservation, which we all want and which the fishermen of Scotland want most of all. They are the last people who want the seas to be fished dry. However, for every measure that is taken in one area of the sea—the proposed closed areas—there are knock-on effects on other fish stocks that we all know about. Even the protection of one species can be at the expense, or to the benefit of,

another. More nephrops mean fewer juvenile cod to eat them. The sea is not simple; it is a complicated eco-system that needs complex and subtle solutions.

The CFP is a rough and ready tool, which is often politicised and which damages that which it should protect. Its operation is autocratic and without each fishing nation having democratic ownership of decisions about the stewardship of the common seas, its decisions and directions will be skewed and not obtempered. Fishermen will buy into decisions only when they have had a hand in making them. It is time that the CFP, rather than more of our fishing communities, was made redundant.

16:22

**Robin Harper (Lothians) (Green):** It has been an interesting debate and even more so sometimes for the lack of convincing figures. Richard Lochhead said at the beginning of the debate that the condition of our stocks is generally rosy. I will give him a brief resumé of what ICES says: cod should have zero quota; sole is overfished; Norway pout should not be fished; a 60 per cent cut in effort is needed for sand eel; there should be no fishing of horse mackerel and mackerel in certain parts of the North sea; and plaice is overfished by 55 per cent.

Even if the science is 100 per cent out in those estimates, we cannot carry on fishing in some areas.

**Richard Lochhead:** There is no great disagreement between me and the member. Members have mentioned the stocks that are fished by Norway, Sweden, France, Germany and England. We are, of course, talking about the Scottish stocks in this debate. The two most crucial Scottish stocks for the white-fish and shellfish fleets are prawns and haddock, which are robust according to the scientists.

**Robin Harper:** And I am talking about all the other stocks in the North sea that the member said were generally rosy.

**Richard Lochhead:** I accept that, but this is a Scottish debate.

**Robin Harper:** In that case, if the member accepts the figures I quoted, he should have made it clear in the first place. [*Interruption.*] I ask Mr Lochhead to let me answer.

No increase in quota is recommended for whiting and haddock. The minister rightly underlined that although haddock has a higher biomass, it is still dependent on the 1999 class and that class is going. The minimum recommended stock size for cod in the North sea—our area—is 150,000 tonnes, but the

estimated stock size in 2004 is 46,000 tonnes. However much doubt members want to cast on the science, it is highly unlikely that those figures are 100 per cent out and even if they were 100 per cent out, stocks in the North sea would still be 40 per cent below the safe biological limit. There is no point in casting doubt on the science. It is incontrovertible that cod is severely threatened throughout the North sea.

Ted Brocklebank said that fishermen have a “basic right to earn their living”.

Everybody has a basic right to earn their living, but fishermen do not have a basic right to fish out North sea stocks to a point from which they will never recover, which is what we are talking about.

Ted Brocklebank and Christine Grahame talked about the politicisation of the CFP. Every year during the past 20 years, the Commission has come up with sound proposals on TACs, quotas and changes in fishing gear, but every year politicians from countries throughout the EU—and I am not talking about the land-locked countries—descend on Brussels and undermine the Commission's proposals. Every year, the Commission's proposals are watered down and made completely ineffective and other proposals are made, such as the Spanish proposal to expand the Spanish fleet beyond the bounds of imagination, which undermine all the restrictions that are being proposed.

**Mrs Ewing:** Will the member give way?

**Robin Harper:** I must get on. I will come back to the member if I have time.

Richard Baker, like other good constituency and list MSPs, spoke up for the fishermen in the area that he represents. However, he clearly supports the general line that the Executive is taking and I am glad of that.

There is a very strong argument for designating closed areas, but let us be clear about what a closed area is: it is a fisheries management tool that closes a sea area to certain fishing gear or vessel sizes or to fishing for certain species. We must not confuse a closed area with a no-take zone, although there would be considerable advantages to considering the designation of no-take zones in addition to closed areas in the North sea in due course.

**The Deputy Presiding Officer (Trish Godman):** You have one minute left.

**Robin Harper:** There is clear evidence that the closure of sea areas such as spawning and nursery areas is an effective means of assisting the recovery of fish stocks, including stocks of mobile fish such as white fish. I urge the minister seriously to consider the measure and I say to



Tavish Scott that seasonal area closure should be closely explored for the purposes of the recovery of North sea stocks in relation to the area to the west of Orkney and Shetland that was closed briefly in 2001. That closure might not have worked well, probably because the closed area was too small. Scientists have concluded that if the box is extended in space and time, the closure will be more effective and fisherman in the area will eventually benefit enormously. Examples from New Zealand prove that.

Members might know what happened in the Gulf of Castellammare in the Mediterranean in 1990, when the Sicilian regional assembly implemented a year-round trawl ban over an area of 2,000 km<sup>2</sup>. As a result, within four years there was a 700 per cent increase in the fishable stocks in the area. Closed areas work.

Do I have time to make a final point?

**The Deputy Presiding Officer:** No. I call Alasdair Morrison.

16:29

**Mr Alasdair Morrison (Western Isles) (Lab):** I wish Ross Finnie and Ben Bradshaw the very best for the talks that will take place in two weeks' time, which will be crucial for the Scottish fishing fleets.

I make a plea on behalf of Western Isles prawn fishermen. We all appreciate that prawn stocks are in a good state and I welcome the Commission's statement yesterday, which reflected that reality. We need an increase in the prawn quota. That plea is based not on emotion or on a parochial constituency interest but on the healthy state of prawn stocks, which has been established by sound scientific evidence.

I find myself agreeing with Fergus Ewing for the second week in a row. He almost—I stress, almost—sounded statesmanlike in his generous remarks on Ross Finnie, although I did not subscribe to his comments about our good friend Ben Bradshaw. As Fergus Ewing should know, Ben Bradshaw and Ross Finnie are a good team and they do their very best on behalf of Scotland and the United Kingdom. Everyone in this part of the chamber recognises that Ross Finnie will, of course, be able to lead for the UK when he is required to do so. I am sure that he will raise the flag—I believe that that is the technical term—for the UK to the best of his ability.

I urge the minister to ensure that we use the new technology that is being developed, particularly the video evidence system to assess stocks—I have raised that matter with him before, and Fergus Ewing mentioned it today. That system must be fast tracked and used. Everyone appreciates that it will have to be subject to proper

scrutiny and its reliability will have to be proved, but if that new method of analysing stocks is adopted, I am sure that the minister will be able to go to Brussels and campaign for a further increase in the prawn quota. I look forward to hearing from him in that regard.

I also urge the minister to examine with some urgency the west coast quota and the impact of the deep-sea prawn fishing that happens hundreds of miles west of the Hebrides. As he knows, the boats in my constituency are inshore vessels, but prawn that are caught in the waters many miles west of their fishing grounds are included in the west coast quota, which is unfair. If the two very different fisheries were divorced, that would fairly reflect the fact that small boats in the Western Isles can access only certain fisheries. I am sure that the minister and all members will agree that it is far from equitable for their quota to be reduced by large boats from other parts of the UK that fish in waters that the small boats cannot access for obvious reasons.

Tavish Scott reflected his constituency interest; his contribution was firmly rooted in reality and in a world where, if we balance conservation, we can realise economic renewal. That certainly seems to be the case in his constituency. Sarah Boyack focused on the importance of science and exposed the nonsense that is the nationalists' and Tories' position on withdrawal from the CFP.

**Mr Brocklebank:** My point is purely on the science; I tried to make the same point to Sarah Boyack. Does the member accept that if there was independent scrutiny of our scientific data, as happens in New England and Canada, that would help to make us more confident in our science?

**Mr Morrison:** We have independent scrutiny. In recent years, we have seen how good, sound science helps to benefit fishing grounds and various stocks. Of course it should be subject to renewal and evaluation. That is why I and other members press for the adoption of new methods of assessing, for example, prawn stocks.

Richard Baker gave us a good critique of the challenges that face fishing communities in the north-east of Scotland.

I turn briefly to Ted Brocklebank and the Tories' amendment, which urges the minister

"to secure higher quotas and more days at sea to secure a future for our fishermen and their coastal communities".

I will not bother reading out the rest of the amendment. The position that the Tories have adopted is wholly irresponsible and it merits no further comment. They would simply have more boats chasing fewer fish.

As members know, in recent years I have had my differences with the Green party on matters

that relate to fishing. However, in a bout of ecological solidarity, I will not mention scallops, because in the context it would be gratuitous to do so. I recognise Mark Ruskell and Robin Harper's sincerity, which was reflected in their speeches, and they were both right to emphasise that one cannot reform the CFP by leaving it. We know that those who make that claim generally do not believe it.

The nationalists' amendment is a rambling nonsense and the product of an addled brain. In one line, Richard Lochhead's amendment refers to "the healthy abundance of many stocks",

but in another clause the amendment

"demands proper examination in light of up-to-date science ... before any further drastic and unworkable management measures are foisted on the fleet".

The amendment is inconsistent, rambling nonsense. However, Richard Lochhead is right to refer in the amendment to the healthy stocks of prawns, monkfish and haddock. The abundance of those types of fish, and of shellfish, is determined by the best science available. All rational MSPs recognise and base their work on such developments.

We also recognise that some stocks are, unfortunately, not in such a healthy state. If the nationalists want to delude themselves, they can go away and exist happily in their parallel universe. However, they should not come to the chamber and traverse the country to try to delude the honest men and women in our fishing communities with their vacuous and dishonest rhetoric. Measures must be taken to conserve some stocks. Discussions on that are based on the latest scientific research.

While I am on the subject of the nationalists, I plead with Richard Lochhead to stay at home and not to go anywhere near Brussels. There is no room there for toytown nationalists, but there is plenty of room for pragmatic, realistic, honest politicians and I wish Ross Finnie and Ben Bradshaw the very best.

16:36

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

This has been a sound debate, but it has also been one in which old views have been expressed and members have resorted to the same old rhetoric that we have had to put up with in the past.

I suppose that it is my responsibility to deal with one or two of the accusations that have been made against me. I was surprised to discover that I was personally responsible for signing away the rights to Scotland's fishing industry. I can defend myself against that accusation by informing

members that I was only 10 years old when I was supposed to have signed away the rights, so I could not personally have been responsible.

However, we must deal with the accusations that have been made. I was too young at the time of the cod war to be aware of it, so I have had to read the history. My understanding is that, at the time of the cod war, Britain claimed responsibility for fisheries only up to the 12-mile limit. We could not claim up to the 200-mile limit, of course, because we were disputing that limit with the Icelanders. When we joined the common market, we negotiated a derogation that gave us back the rights to our own fisheries. Our fishermen would not have stood for anything less. Consequently, the Conservatives' hands are clean on that issue. In fact, it was under the prime ministership of Jim Callaghan that progress was made towards the situation that we suffer today.

We may be seeing again that kind of reinterpretation of history in the accusation that the Conservatives and, to a significant extent, the SNP are taking an irresponsible position in our suggestion that we could be better off if we were outside the CFP. In defence of that position, I must point out to several members who have spoken in the debate—Mark Ruskell, Richard Baker and Tavish Scott—that they do not understand what we are talking about. Their simplistic interpretation of our position is more likely to arise from political opportunism than from an honest misunderstanding. We believe that we must act in the long-term interests of our fishermen, under the advice of our scientists and the control of our politicians.

Time and again, successive Governments have represented us in Europe, having in hand all our valuable information and the opportunity that it presented, only to find themselves undermined by the political manoeuvrings of the Europeans and the European Commission. We do not suggest that our strategy should be different, although we might have a different policy. We suggest that we trust our scientists, our fishing industry and our minister to make the decisions. That would mean that we would have a range of options ahead of us. We do not suggest that we abandon the management of our fisheries and it is wholly irresponsible or dangerously naive to believe that we do so.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Is it the logic of the member's argument that we should leave the European Community altogether?

**Alex Johnstone:** I have argued consistently for Britain's inclusion and involvement in the European Community because we share common interests with other EC countries on many issues. However, fisheries cannot be one of them.

The European green paper on fisheries was published in spring 2001. The paper held out the opportunity of having regional management committees, which would take devolved control of regional fisheries and make decisions—largely on the basis that I have suggested—outside the direct control of the EC.

Unfortunately, once the paper was implemented, we were left with a watered-down proposal for toothless regional advisory councils, which are of no value in the defence of our industry. The current situation has led me to the view that we can no longer co-operate with the European Union on fisheries matters. As a consequence of the EU's failure to deliver devolved management of fisheries to the regions, we can no longer continue with the common fisheries policy.

On the other issues in the debate, I was pleased to hear the minister set out the position that he did. Although he will probably suffer the same indignities when he goes to Europe that he has endured on previous occasions, I believe that he now knows what provisions are necessary for our industry. I commend the minister for his refusal to accept either the Commission's rationale for many of its proposals or its proposals for closed areas. He also set himself very much against the views of the Royal Commission on Environmental Pollution. However, we must guarantee that Ross Finnie is listened to. The Parliament must stand behind him as he goes once more to negotiate on behalf of our industry. As I have said many times before, the minister has my full support and I wish him the very best of luck.

Sadly, this is one more year in which the industry would have been better served had it had a minister whose hands were not bound by the European Union.

16:41

**Stewart Stevenson (Banff and Buchan) (SNP):** I start, almost as Alex Johnstone ended, by congratulating Ross Finnie. If on nothing else, I congratulate him on his stamina, as he is the longest-serving member of the Executive to have had the same ministerial responsibility. The vicissitudes of his particularly challenging office have dimmed neither his energy nor his engagement. I acknowledge happily and gladly that his knowledge has continued to grow—may that continue for some time. Furthermore, he alone carries the burden of both opening and closing for his point of view in today's debate. Would that the rest of us could share his energy. However, Mr Bradshaw is quite another thing. He is a politician who is passing through. As a politician with ambition, he has no engagement with or knowledge of his subject.

I thank Mr Morrison heartily for his ringing endorsement of the merits, skills and talents of my colleague Mr Lochhead. Realising the significant impact that he always has when he engages in fishing matters, I rather hope that he will be present in Brussels to support the efforts of the man—Ross Finnie—who must do his best to represent Scotland.

Let me pick up what was said in the debate. Mr Baker claimed that it is not possible to operate a conservation policy outwith the CFP. For his Christmas, I promise to send Richard Baker a little map of Europe, on which I will highlight—he will not mind if I ink it in for him—those countries outwith the CFP that are successfully managing their stocks. Today's debate has probably covered the issue reasonably well: the CFP and conservation are strange bedfellows. After 30 years of the CFP, there can be little doubt of that.

On whether we should be within the CFP, the arguments have been well rehearsed. The Tories know our position on how they got us to where we are today, but there is no point in pursuing that at this stage. There are three key strands to Europe: the customs union, the common commercial policy, and the common monetary policy. The UK Government is happy to accept the benefits of the customs union—and I agree with it. It is happy to accept the benefits of a common commercial policy—and I agree with it. However, it rejects a common monetary policy because it believes that that is not in the UK's interests. I and my colleagues resist the CFP on exactly the same basis: we feel that it is not in Scotland's interests.

However, that is a lesser matter than the overriding matter of the common monetary policy. As a result, in rejecting a part of European policy and practice—the CFP—we are taking a substantially lesser step than the UK Government's rejection of the common monetary policy.

**Richard Baker:** What the member says is a very nice fiction. I should point out that the European Commission has stated in a letter to Catherine Stihler MEP that one cannot be a member of the EU and withdraw from the CFP. I have simply stated the current position. Is the member saying that he would sacrifice all the benefits of EU membership just to withdraw from the CFP?

**Stewart Stevenson:** One of the very interesting distinctions between the position of the Tories and the SNP on this matter is that we continue to campaign with vigour and commitment for an independent Scotland that would be an independent member of the EU. Scotland would then be able to negotiate its relationship with the EU at that point. Is it conceivable that we would not be able to secure an appropriate deal for our

fishermen when we are Europe's energy capital? We can lay vital assets and interests on the table and use them in negotiations. It is inconceivable that we could not do that.

If Europe is not much interested in Scotland, Westminster has even less interest in us. The Prime Minister's strategy unit could not even count the Scottish white-fish fleet. Moreover, despite the fact that he has so far asked the Prime Minister some 200 questions, the Tory leader has yet to ask him a question about fishing. The Tories were not interested in 1971 or in 1983.

**Mr Brocklebank:** Will the member give way?

**Stewart Stevenson:** I am sorry; I no longer have the time.

In his speech, Jamie McGrigor got confused about the words "won't" and "want" today, just as he got confused at yesterday's decision time about "yes" and "no" in the vote on Caledonian MacBrayne. I hope that he votes the right way and supports our amendment tonight.

In a debate last week, Ben Bradshaw talked up the RACs and said:

"I see no reason why they should not develop into real bodies for regional management."—[*Official Report, House of Commons*, 2 December 2004; Vol 428, c 834.]

Alas, in his written submission to the European Parliament's hearing on this matter, the then commissioner-designate, Joe Borg, said:

"The Commission could not take this on board as fisheries management has to remain compatible with the legal and institutional framework of the Treaty."

Basically, he says that it is not possible for us to evolve to regional management under the treaty.

I will close with a brief comment on scientific data. We all have to accept such data, but we should understand that, in science, it is possible to interpret them in different ways. That is not to disagree with scientists; after all, they disagree with one another. The Faroese pursue stocks to protect ecological balance; they have come to a different conclusion from the same data and have achieved different success outwith the CFP.

I support my colleague's amendment.

16:49

**Ross Finnie:** At least we can say that the debate has been wide ranging. Some of it has concentrated on the negotiations that will take place in two weeks' time and some of it, largely because of the position that the Conservatives and the SNP have taken, has focused on the removal of, or our exit from, the CFP. Let me try, before I come to the central issues, to deal with some of the matters that have been raised.

I am grateful to Tavish Scott for pointing out, as members would expect him to, the difficulties that impact on Shetland. I will make two points on the issues that he raises. First, it is necessary to underline that if there is—and there is—a problem with cod stocks because we have 70 per cent of the fishing rights to those stocks, their geographical location means that they are crucial not only to Shetland. Measures to conserve cod stocks impact proportionately more on Shetland than on any other place but, by definition, the measures impact on Scottish fishing grounds more than they do on those of any other nation that fishes in the North sea. That in itself is extraordinarily important.

I am also grateful to Richard Baker and Sarah Boyack, who concentrated on some of the serious environmental issues associated with fisheries management. Those issues are of extreme importance and should not be dismissed. I am grateful to Sarah Boyack for mentioning the need for us to support—as I have done in the past few years and will continue to do—any call for a reduction in the allocation of both quota and effort in industrial fisheries.

**Mr Brocklebank:** I fully accept the minister's comments about supporting a reduction in industrial fisheries. Does he agree with the proposed reduction of only 14 per cent in sand-eel catches in the forthcoming year? Should the reduction not be infinitely higher than that in order to preserve that vital bottom-of-the-line stock?

**Ross Finnie:** It is interesting to note that under Conservative policy we would have no control at all over that fishery. The Conservatives might want to reflect on that in their policy statement on Monday, which we are all, of course, anxiously looking forward to. I make it clear that I will pursue the maximum reduction in the sand-eel fishery.

Fergus Ewing made several valuable points about science and I am happy to examine further some of the issues that he raised. I am grateful to members who understood his contribution this afternoon—I know that his letter is even more detailed. One point that I will make to Fergus Ewing is that some of the photographic data refer to total biomass. There is an issue about confusing total biomass with mature stock. There is not a one-to-one relationship—even in photographic data—that means that because there is an increase in fishing there is an equivalent change in stocks. I am sure that Fergus Ewing would accept that, but I will respond in more detail to his letter.

**Fergus Ewing:** Will the minister give way?

**Ross Finnie:** No. I must move on. I will respond to the member in writing.

Like most members, I worry when I receive a compliment from Christine Grahame. That is not in any way intended to give offence, but to reflect my nervous disposition when I respond to a debate. Christine Grahame talked about my not opening my mouth. Let me assure her that the vast majority of the negotiations in respect of the December council do not happen around the council table; rather, they are conducted in bilaterals between the Commission and member states. I assure her that there is no prospect of my remaining silent on matters that affect Scotland.

I wish that Jamie McGrigor would accept an intervention occasionally, because I could have helped him. No removal of the derogation from the days at sea exists in the current proposals. We should remember that they are, after all, still proposals.

I am grateful to Alasdair Morrison for getting down to the serious issues that affect us, particularly in relation to the west coast.

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

**Ross Finnie:** It is a bit much for someone who takes not a single intervention to seek to intervene on another member.

I come to the essential matter of what we will do in December and where we stand in respect of the CFP.

**The Deputy Presiding Officer:** Please pause for a moment. There is far too much talking in the chamber—members should pay attention to summing-up speeches.

**Ross Finnie:** I was extremely interested to note that Ted Brocklebank again referred to the work of ICES as “narrow scientific advice”. The advice is of course fully supported by the FRS in Aberdeen. Ted Brocklebank ought to acknowledge, but never does, that ICES and the FRS probably have the longest track record of investigating the stocks in the North sea and off the west coast. It is too much for him to dismiss the scientific advice of ICES as being narrow and then to make it clear in his proposals that he would totally ignore scientific advice. That will not do. He ought to have listened to some of the remarks that were made by his party’s closing speaker, who said that the Conservatives would listen to advice. The Tory party should sort that out.

The examples that people cite of countries outside the CFP that have better conservation agendas are interesting. Tavish Scott properly pointed out the Norwegians’ commercial agenda. No one could think that the Norwegians were pursuing a conservation agenda by supporting the disgraceful commercial exploitation of the blue whiting stock. If that is the example that Ted Brocklebank wants to use, that tells us a lot about

how the Conservatives would prosecute fisheries in the absence of science.

Mr Brocklebank also mentioned the Faroes as another good example. The Faroese may tell us how good their practice is, but the ICES advice recommends the imposition on the Faroese of a 65 per cent precautionary cut in effort and a 50 per cent reduction for compliance with the management of cod and haddock. That is entirely consistent with the fact that the Faroese have failed to achieve a rate that is consistent with reducing their fish mortality.

**Mr Brocklebank rose—**

**Ross Finnie:** Mr Brocklebank used the Faroese to make his point. I want him to answer a simple question. [*Interruption.*]

**The Presiding Officer (Mr George Reid):** Order, Mr Brocklebank.

**Ross Finnie:** Those are the examples that Mr Brocklebank quoted. It is instructive that that is the kind of irresponsible policy that Mr Brocklebank would pursue if our country were to take control of its own fisheries.

If we are to take seriously conservation of the marine biological resource, it is illusory to believe that we could do so as a single nation or a single member state. In the North sea, for example, we would still have to engage with other countries, given that seven of the North sea fish stocks are jointly managed. In his speech, Alex Johnstone said,

“we can no longer co-operate with the European Union on fisheries matters.”

We would have to go to seven sets of negotiations on the North sea stocks. I do not think that we would have much luck. [*Interruption.*] We would be asking to negotiate after we had gone outside the tent; we would be in serious trouble. We would also have to engage with the EU on the pelagic stocks. It is nonsense to suggest that we could go outside the tent but still have control over many of the spawning stocks that have a critical effect on our white-fish stocks. The Tories’ claim that we would have better control over those stocks is a fallacy. Withdrawal from the CFP would not solve the fundamental problem of low fish stocks. Tough conservation measures are required to restore those stocks to a healthy state.

I am interested in the rhetoric of the SNP and the Conservatives, but they must understand that if we want to take measures that seriously address the scientific evidence, that will require any sensible Government to take hard decisions. It is simply not good enough to say to fishermen that they can have anything they want, whenever and wherever they want it. That is the stance that Mr Brocklebank takes. At least Richard Lochhead and

Stewart Stevenson had the good grace to acknowledge that measures need to be taken. I do not pretend that effective measures could be taken if we came out of the CFP and had to negotiate with people with whom we had said we did not wish to deal.

In the important, complex and difficult talks that will take place on 20, 21 and 22 December and in the coming three weeks, we will seek to resolve the perennial problem of achieving an equitable balance between taking seriously the science that demonstrates the imperative need for us to contribute to recovery of the cod stock, and backing management and other technical measures that will allow our fishermen to prosecute the much healthier stocks. I am confident that we can make progress with our argument and therefore I support the motion in my name.

## Business Motion

17:00

**The Presiding Officer (Mr George Reid):** The next item of business is consideration of business motion S2M-2126, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a timetable for legislation.

*Motion moved,*

That the Parliament agrees that the Justice 2 Committee reports to the Justice 1 Committee by 7 January 2005 on the draft Criminal Procedure (Amendment) (Scotland) Act 2004 (Incidental, Supplemental and Consequential Provisions) Order 2005.—[*Ms Margaret Curran.*]

*Motion agreed to.*

## Decision Time

17:00

### The Presiding Officer (Mr George Reid):

There are 10 questions to be put as a result of today's business. I remind members that if amendment S2M-2132.6, in the name of Duncan McNeil, is agreed to, amendments S2M-2132.1, in the name of Alex Neil, S2M-2132.3, in the name of Phil Gallie, S2M-2132.5, in the name of Keith Raffan, and S2M-2132.4, in the name of Chris Ballance, will all fall. If we proceed to the amendments in the name of Phil Gallie or Keith Raffan and either one is agreed to, the amendment in the name of Chris Ballance will fall.

The first question is, that amendment S2M-2132.6, in the name of Duncan McNeil, which seeks to amend motion S2M-2132, in the name of Carolyn Leckie, on Iraq, be agreed to. Are we agreed?

**Members:** No.

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

### FOR

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 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)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)

McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (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)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

### AGAINST

Adam, Brian (Aberdeen North) (SNP)  
 Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Brown, Robert (Glasgow) (LD)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Crawford, Bruce (Mid Scotland and Fife) (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)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 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)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Neil, Alex (Central Scotland) (SNP)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (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)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)

Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### ABSTENTIONS

Gallie, Phil (South of Scotland) (Con)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)

**The Presiding Officer:** The result of the division is: For 63, Against 54, Abstentions 2.

*Amendment agreed to.*

**The Presiding Officer:** The other amendments therefore fall, which takes us to the substantive question, which is, that motion S2M-2132, in the name of Carolyn Leckie, on Iraq, as amended, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 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)  
 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)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)

McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (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)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Scott, John (Ayr) (Con)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Tosh, Murray (West of Scotland) (Con)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Brown, Robert (Glasgow) (LD)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Curran, Frances (West of Scotland) (SSP)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacDonald, Margo (Lothians) (Ind)  
 Martin, Campbell (West of Scotland) (Ind)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Wallace, Mr Jim (Orkney) (LD)

#### ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)



Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 65, Against 32, Abstentions 22.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament believes that there should be a peaceful and democratic Iraq and supports all those who are working for world peace and the extension of democracy; recognises the importance of international support for the people of Iraq in their efforts to achieve stability and democracy; reaffirms its support for a route map to peace in the Middle East which delivers a free and viable Palestinian state and security for Israel; affirms the importance of the principles of the rule of law, including respect for human rights and fundamental freedoms, and of democracy, including free and fair elections; believes that the planned withdrawal of British forces should only occur at the first practicable opportunity after the establishment of a democratic government in Iraq; acknowledges that the United Nations should play the leading role in assisting the Iraqi people, in particular in the formation of institutions for representative government; continues to express its gratitude to UK service personnel and their families including those from Scotland, and offers its sincere sympathy to the families of those members of the armed forces who have made the ultimate sacrifice in the service of their country.

**The Presiding Officer:** The next question is, that amendment S2M-2129.2, in the name of Richard Lochhead, which seeks to amend motion S2M-2129, in the name of Ross Finnie, on fisheries, be agreed to. Are we agreed?

**Members:** No.

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

**FOR**

Adam, Brian (Aberdeen North) (SNP)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Crawford, Bruce (Mid Scotland and Fife) (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)  
 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)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 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)  
 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)  
 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)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahan, 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)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (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 31, Against 89, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S2M-2129.1, in the name of Ted Brocklebank, which seeks to amend motion S2M-2129, in the name of Ross Finnie, on fisheries, 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)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Crawford, Bruce (Mid Scotland and Fife) (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)  
 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)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Margo (Lothians) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)

Matheson, Michael (Central 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)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Mundell, David (South of Scotland) (Con)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Scott, John (Ayr) (Con)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Tosh, Murray (West of Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 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)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 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)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Campbell (West of Scotland) (Ind)  
 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)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (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

Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)  
 Fox, Colin (Lothians) (SSP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Sheridan, Tommy (Glasgow) (SSP)

**The Presiding Officer:** The result of the division is: For 39, Against 75, Abstentions 6.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S2M-2129.3, in the name of Mark Ruskell, which seeks to amend motion S2M-2129, in the name of Ross Finnie, on fisheries, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Swinburne, John (Central Scotland) (SSCUP)

#### AGAINST

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

Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 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)  
 Finnie, Ross (West of Scotland) (LD)  
 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)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central 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)  
 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)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)

Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (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)  
 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

Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)  
 Fox, Colin (Lothians) (SSP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 MacDonald, Margo (Lothians) (Ind)  
 Martin, Campbell (West of Scotland) (Ind)  
 Sheridan, Tommy (Glasgow) (SSP)

**The Presiding Officer:** The result of the division is: For 9, Against 102, Abstentions 8.

*Amendment disagreed to.*

**The Presiding Officer:** The final question is, that motion S2M-2129, in the name of Ross Finnie, on fisheries, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Adam, Brian (Aberdeen North) (SNP)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 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)  
 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)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 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)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central 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)  
 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)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (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)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (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)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fox, Colin (Lothians) (SSP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 MacDonald, Margo (Lothians) (Ind)  
 Martin, Campbell (West of Scotland) (Ind)  
 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)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Tosh, Murray (West of Scotland) (Con)

**ABSTENTIONS**

Swinburne, John (Central Scotland) (SSCUP)

**The Presiding Officer:** The result of the division is: For 94, Against 24, Abstentions 1.

*Motion agreed to.*

That the Parliament supports the Scottish Executive in its efforts to negotiate the best possible outcome from the EU Fisheries Council in December 2004, an outcome that delivers sustainable fisheries, sustainable fishing businesses and sustainable fishing communities based on Total Allowable Catches and management controls that are both fair and effective.

**Excess Winter Deaths****The Deputy Presiding Officer (Murray Tosh):**

The final item of business today is a members' business debate on motion S2M-2027, in the name of Margaret Ewing, on excess winter deaths. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament notes with growing concern that, despite various efforts to reduce fuel poverty, excess winter deaths still continue to rise; believes that additional measures must be implemented to reverse this trend and eradicate this blight in an energy-rich nation, and therefore believes that the Scottish Executive should review the effectiveness of existing schemes.

17:09

**Mrs Margaret Ewing (Moray) (SNP):** I thank all the members who signed the motion and those members who have stayed behind—I know that many find it difficult to attend debates on Thursday evening.

For several years, I have been the vice-president of Energy Action Scotland. I express members' deep gratitude to Ann Loughrey, who has been director of Energy Action Scotland for 12 years. She is leaving her post on hogmanay and is moving to Scottish Power—I am quite sure that in her pleasant but focused way she will ensure that fuel poverty is very much on that company's mind. I know that the Executive is also grateful for her input into some of the schemes that have been implemented.

I started campaigning on fuel poverty 30 years ago. When I look back, I am pleased at the progress that has been made by both the Scottish Parliament and Westminster, because we have had a great deal of movement on the issue. I have never hesitated to welcome any scheme that has been introduced or any assistance that has been given to eradicate the scourge on our society that is excess winter death. The issue should be on our consciences; I see it as a matter on to which we must try to project the reality of social justice.

My friend and colleague Christine Grahame obtained the most recent figures on excess winter deaths, which show that, despite all our efforts, there has been an increase of 400 excess winter deaths. That compares poorly with the figures for our nordic neighbours. Indeed, some of the nordic communities do not understand what fuel poverty is, because their housing stock and all their schemes have eradicated it from their minds.

I will raise specific points, which I know the minister will do his best to address. I believe that the biggest factor in fuel poverty is household income. The 2002 Scottish housing conditions

survey, which I thoroughly recommend to everyone who is interested in fuel poverty, showed that the 50 per cent reduction in fuel poverty between 1996 and 2002 was due to increased household income. It also showed that pensioners were either at the top or runners-up in every measurement of fuel poverty. I am sure that that point will be developed by John Swinburne, who I sincerely hope will have the opportunity to contribute to the debate.

That is why I believe that there should be a non-means-tested citizens pension, on which my party has spelt out its policy. Pension organisations, which are much more sophisticated in their understanding of pensions than I could ever hope to be, have said that we could have such pensions now, because the money is in the Exchequer. It is incumbent on us to point out to Westminster that we believe that more should be done to help our aging population and others who are vulnerable.

In recognising that household income is a critical element, we should also take into account people on other fixed incomes, such as disability living allowance, pension credit or income support, which are the passports to access help with heating. We have to acknowledge that fuel poverty is not only about pensioners, but about people of all ages, particularly those who are lacking in mobility.

A series of schemes are in place, but the ways in which people meet the criteria and access them are complex. In a written answer to me last month, the Minister for Communities indicated that the Executive is

"committed to eradicate fuel poverty in Scotland as far as reasonably practicable by 2016."—[*Official Report, Written Answers*, 10 November 2004; S2W-11820.]

As I recall, the manifesto gave the date of 2007, so there is an element of slippage. We have to consider how we can best implement all our initiatives. How do people access the schemes? As I said, there is a passport system of receiving benefits.

Single, dedicated helplines are also important. I know that, since Help the Aged set up its helpline earlier this year, it has had on average 500 calls a week. I am aware that schemes are running in many cities and areas of Scotland. The Executive should consider setting up a dedicated helpline, which, quite honestly, would not be terribly difficult to do and would not be particularly expensive.

We must also ensure that information is distributed. The public seem to be confused about how to contact somebody about fuel poverty. Practice varies from council to council: in some councils, the technical services department has the issue in its portfolio, whereas, in others, the housing department has it. There should be a

dedicated fuel officer in every council in Scotland. There are only 32 councils and if there was someone in each council who was dedicated to dealing with fuel poverty and could pull together the information from the housing and technical services departments, that might lead to need being met more effectively.

The minister has been in correspondence with the public utilities and I look forward to hearing what he has learned from them. They give sound advice. Some hand out thermometers such as the one that I am holding, which is important because it enables people to gauge the temperature in their house—I point out to members that, all afternoon, the temperature in the chamber has been 24°C, which means that the chamber is energy inefficient. However, under the Data Protection Act 1998, the utilities cannot access the information about who is fuel poor unless it is drawn to their attention. MSPs, MPs and councillors can access the information, but the Data Protection Act 1998 means that some of the most vulnerable people are unable to make the contact that could help them to reduce their fuel bills. I ask the minister to consider along with his colleagues at Westminster whether there is a mechanism that could enable more to be done.

Another aspect on which I will touch briefly—I asked about it at question time—is the continuing problem of private landlords and landowners who refuse people permission to access the central heating programme despite the fact that all the criteria have been met. Seven such refusals were mentioned in the most recent written answer on the subject, but there is now an additional one in my constituency. The matter must be addressed quickly, because we are in the winter months and I know of at least one family that cannot access the central heating programme and in which there are severely ill people, even though they are young.

Sadly, the Scottish Parliament does not have control over energy prices. It is estimated that, for every 5 per cent increase in energy prices, 30,000 people fall back into the fuel poverty trap, so we must negotiate with the utilities how they can best address the issue and help people on the lowest incomes.

A little warmth goes a long way, especially at Christmas time. The fuel poor are the poor—that is a tautology—but, even if we were to distribute a little more winter warmth this winter, the Parliament should still show solidarity with those who live in fuel poverty. We should not only approach the issue from a moral or social justice point of view, but demonstrate the political will that will end the scourge of excess winter deaths.

17:18

**Mrs Mary Mulligan (Linlithgow) (Lab):** I congratulate Margaret Ewing on securing the debate. It is a debate that we seem to have annually. Although progress has been made, there is a place for the debate, to ensure that the issue is highlighted frequently.

I also send my best wishes to Ann Loughrey. I congratulate her on the work that she has done and that I hope she will continue to do in her new role.

I am sure that all members agree that the Scottish Executive's central heating programme and warm deal have been among the most successful programmes it has introduced. However, I share Margaret Ewing's concern that contact is sometimes confusing. It was only while I was a deputy minister that I realised that not all councils did it in the same way as West Lothian Council. There is a need to ensure that people have adequate information to enable them to access the programmes.

The programmes have undoubtedly improved many people's quality of life and they have probably saved lives. Figures from the Scottish house condition survey in 1996 suggested that 35 per cent of the population lived in fuel poverty. That had reduced to 13 per cent by the time of the 2002 survey. A significant number of those who suffer the problems of fuel poverty are older people.

We must recognise that not just the Scottish Executive's programme has tackled the problem and reduced the numbers. There are three parts to reducing fuel poverty. The first is our central heating programme and the warm deal. As Margaret Ewing said, the second is improved income. People have been assisted by the increases in the heating allowance. Only last week, the chancellor increased that further from £200 to £250 for over-70s and from £300 to £350 for over-80s. That is to be welcomed. In general, pensions have improved and the pensions credit has made a contribution. A benefit check, the aim of which is to maximise incomes, is part of the warm deal programme.

The third element of reducing fuel poverty is low fuel charges. Few people would disagree that the price increases of recent months will continue, so we must consider how we tackle the problem of fuel poverty and continue to reduce the figures.

Last week, I visited the village of Westfield in West Lothian, where I saw an example of a new fuel system that uses fresh air—can members believe it? It is similar to a refrigeration system and is programmed through electricity. The system is wonderful and I ask the minister to visit the project, because it presents another opportunity to provide

heating that will not be caught up in the increasing fuel prices.

The debate is about more than just fuel poverty. Other actions need to be taken to deal with winter deaths. The flu jabs and pneumonia jabs that the minister was involved in promoting in his previous ministerial post are important, but fuel poverty has undoubtedly played a part in winter deaths. I hope that the Executive will take on board any suggestions, such as that of the project in my constituency, to tackle fuel poverty, improve many people's quality of life and—I hope—reduce the number of winter deaths.

17:23

**Christine Grahame (South of Scotland) (SNP):** I congratulate Margaret Ewing on securing the debate. She has an honourable track record. I remember her talking about cold weather payments when nobody else was listening—including me. We have moved so far and she is one of the pioneers.

Pensioners form one of the groups that are most vulnerable to fuel poverty. It is reckoned that 58 per cent of Scottish pensioner households live in fuel poverty. Another rather dreadful statistic is that 18 per cent of single pensioner households do not heat their main living-rooms regularly. How many of us go home to that? Even as I speak, my central heating programmer is switching the heating on. I have—fortunately—forgotten what it is like to enter a cold household, but many of our elderly have not.

The number of cold-related deaths in winter has risen substantially. Last year, the number was 10 times the figure for deaths on the road. Shock statistics about road deaths prompt a huge reaction, but deaths from simply not having the money to heat a home do not receive the same reaction. Poor housing, poverty, low wages and indoor temperatures that are not high enough have a direct causal link to cold-related deaths.

In addition to excess cold-related winter deaths, we should address hypothermia. I have obtained statistics that show that the Executive projects that 239 people will be taken to hospital suffering from hypothermia this year. Not all of them will have come from their homes, but some will. That is another shocking statistic.

The central heating programme has much in it that is to be welcomed, but it could go further. For example, the Eaga Partnership Ltd has put it to me that there are some people who are eligible for the programme because of their age, but they have a faulty central heating system. I know that the programme has been extended to very elderly groups, but the Eaga Partnership has been concerned that its hands have been tied and that it

cannot replace systems that might even be dangerous. I ask the minister to consider adapting the central heating programme to allow a heating system to be replaced when the Eaga Partnership carries out an assessment and thinks that a system is dangerous.

Similarly, I ask the minister to consider extending the central heating programme to disabled people who are not at the appropriate age to receive help. I am talking about disabled people who are confined to wheelchairs or disabled people who are confined to chairs and have zimmers. They need more substantial heating than we do as a result of their immobility.

There are also hard-to-heat homes in Scotland. There is a limit on the money that can be spent on central heating programmes, but there are properties that are so old that there should be flexibility in certain circumstances, particularly for older people who live in such properties.

I share Margaret Ewing's concerns about the fuel poverty helpline not being up and running. I know that Energy Action Scotland has recommended it and I support that recommendation. It would be a simple move.

Last week was warm homes week. What people are entitled to is quite complex and somebody else should sort out those complexities for them. We should try to prevent some of the 2,510 excess winter deaths that should not happen in Scotland.

17:26

**Mrs Nanette Milne (North East Scotland)**  
**(Con):** I, too, congratulate Margaret Ewing on securing the debate at the start of a winter that has been quite mild so far, but that is variably predicted to become severe after the new year. I am sure that we all share her frustration that, despite strenuous efforts by successive Governments to reduce fuel poverty, too many older people and other vulnerable people are still dying in the winter months from the effects of cold and hypothermia.

It is appalling that in 2003—which is the last year for which I have figures—2,900 people died in Scotland from cold-related illnesses. That is more than double the number of people who died as a result of road traffic accidents.

Significant progress has undoubtedly been made in decreasing the number of inadequately heated houses, but around a third of pensioner households still cannot afford to heat their homes properly. We know that those people spend a lot of time at home and that to maintain their body temperature they need a warmer environment than do younger and fitter people. Every winter, they may have to choose between food and adequate heating.

The recently announced boost to the winter fuel payment will be of some help to people who are over 70 or over 80, but it is not only extra cash handouts that are needed, welcome though they may be. As Energy Action Scotland concluded from recent research, advice and education are needed to manage debt and the size of fuel bills. We must ensure that people have the right tariff and the right method of payment to suit their needs.

Many older properties—particularly in the private sector—are still badly insulated. They may have inefficient heating systems. Investment to improve insulation and heating standards will help to alleviate fuel poverty by reducing running costs for householders.

Help is available to do that, but many of the most vulnerable older people are unaware of the help that they can get. I have been extremely interested by schemes such as the “Are You Cold?” helpline, which I have read about. That scheme was set up by the west of Scotland seniors forum to inform people about free central heating, insulation and heating allowances and the advisory services that are available. I agree that there would be great merit in extending such a service throughout Scotland.

I also agree with Energy Action Scotland that better co-ordination of social, housing and health policies is needed. I hope that that will begin to happen under the new national health service system when its community health partnerships are properly functional. I would like health and social work to come together with a single budget, because I am convinced that that would significantly help in achieving appropriate services for vulnerable elderly people, particularly in finding suitable accommodation for those who can no longer look after themselves properly at home. Of course, that particularly applies in winter. That, together with a high uptake of flu vaccinations, dietary advice and the provision of regular hot meals for those who cannot cook for themselves will help to keep the elderly out of hospital during the winter. In turn, that will relieve the pressure on beds that is currently bedevilling the health service.

Older people often have difficulty adapting to change and, having lived in a cold house all their lives, do not really know how to use central heating when they get it. I visited a modern sheltered flat where the heating was shut off in the kitchen, bathroom and bedroom and the doors were all kept closed to keep up the heat in the sitting room. The occupants were quite unaware that they could have warmth throughout the flat at no extra cost if they allowed the thermostats to do their job.



Although significant progress is being made in the battle against fuel poverty, much needs to be done to improve our older housing stock, particularly in the private sector, and education and advice are needed if the most vulnerable people are to achieve maximum benefit from the help that is available to them. I agree with Margaret Ewing that the Scottish Executive should review the effectiveness of existing schemes and look to implement other initiatives to improve energy efficiency in domestic properties to ensure that access to help is easily achieved. We hope that that will help more people to live healthily during the winter months and, in turn, reduce the on-going rise in excess winter deaths about which we are all very concerned.

17:31

**Donald Gorrie (Central Scotland) (LD):** Sometimes there is a whiff of crawling on to bandwagons about members' business debates, but that is clearly not the case this evening. Margaret Ewing is held in high regard by the people who are professionally involved in this subject, as I know from attending conferences with her. She is quite right to secure this members' debate.

There are various aspects to the problem. There is, for example, the issue of income, which is mainly a Westminster issue in that it relates to pensions and benefits. However, I will just put in a commercial for the Liberal Democrat proposals for a citizens pension, which would kick in at the age of 75. The pension would be £105 for single people, £160 for a couple and would be related to residence and not to contributions. That would especially help women, many of whom have not historically made as many contributions because they were not in paid work. It is up to all the different parties to push really hard for adequate pensions.

We also have to push for simplification of the benefits system. I am reliably informed that 23 different benefits impinge on the area that we are debating this evening. Most people do not understand them and many do not apply for them. Many people, even those of us who are reasonably well-educated, are not good at filling in forms. The whole thing must be made much simpler so that the money and benefits get to the people who really need them.

We should support the Executive's efforts to persuade power companies to impose social tariffs—that is an excellent idea. We do not have the power to impose that, but we do have the power of persuasion, which we should make best use of. We should also improve the advice that is given to people on best use of whatever heating they have, and on keeping their houses as warm

as possible. Advice and help with often simple electronic equipment is useful and important.

The Executive deserves credit for its warm deal programme and the central heating programme, which have done a lot of good. They are not a complete solution to the problem, but are examples of something being done that benefits people. I agree with Christine Grahame that the programmes should be extended to partial heating systems, to disabled people and so on. The system is good; we just have to push it as far as we can and get it to as many people as possible.

As others have said, we have to consider the quality of our housing. The quality of housing in Scandinavia, especially in relation to energy conservation, is infinitely better than much of our housing. We must improve existing houses and ensure that new houses are built to a better standard so that we do not waste lots of heat up the chimney or out of the single-glazed window. We can do much to put pressure on various bodies to deliver better heating to people and to give more money to people so that they can live their lives better.

Above all, and as we were saying in last night's members' business debate, we should encourage older people to be as active as possible, whether as volunteers or in other ways. The more active they are physically and mentally, the more likely they are to get through the winter, instead of sitting around shivering. Activity must be one of the main issues on which we focus.

17:35

**Alex Neil (Central Scotland) (SNP):** Like other members, I begin by paying tribute to Margaret Ewing not just for securing this debate but for her 20-year campaign on the subject. I also pay tribute to Ann Loughrey, who has made Energy Action Scotland one of the most efficient non-governmental organisations in Scotland, if not in the United Kingdom.

Margaret Ewing was right to say that there is a direct link between poverty in general and fuel poverty. I have been examining the statistics on the incidence of winter deaths over the past five years by constituency. The latest statistics—those for 2003-04—show that there were no excess winter deaths in only two parliamentary constituencies, Dumfries and Glasgow Kelvin, both of which are relatively prosperous parts of the country. At the other end of the spectrum, some of the figures are very worrying, especially in Glasgow and Lanarkshire. The Hamilton North and Bellshill area accounted for one quarter of all excess winter deaths in North Lanarkshire, which has five parliamentary constituencies. There were 130 such deaths in Hamilton North and Bellshill

and Hamilton South. There is nothing to suggest that excess deaths occur in that area but not in Glasgow Kelvin because the weather is worse in Lanarkshire.

Apart from the weather, there are three fundamental contributors to fuel poverty and excess winter deaths. The first, which many speakers have mentioned, is the relatively low income level of many households, especially pensioner households. One problem relates to pension credit. Only about two thirds of the people who are entitled to pension credit claim it. That is bad enough, but pension credit is also a trigger for assistance with gas bills, for example. Because a third of our pensioners are failing to take up pension credit, about 212,000 pensioners in Scotland do not receive the benefit of the Scottish Gas price cap to which they would be entitled if they claimed the pension credit. I hope that as well as considering specific Scottish Executive policies, such as the central heating programme, the minister will take up with his Westminster colleagues how we can increase uptake of pension credit, pending—I hope—introduction of a citizens pension, which is not only Liberal Democrat policy, but SNP policy.

The other two contributors are housing conditions and energy prices. As was mentioned, gas prices are increasing by 12.4 per cent and electricity prices are increasing by 9.4 per cent. However, there will be nothing like 12 or 9 per cent increases in the basic pension, pension credit or any other benefits. It is clear that we can look forward to fuel poverty getting worse, not better, because the increase in energy prices is four times the increase in income for our poorer households. Again, I ask the minister to take up that matter with his Westminster colleagues. Until we increase income levels, we will not reduce fuel poverty. Unfortunately, that is all that I can say in four minutes.

17:39

**Patrick Harvie (Glasgow) (Green):** I add my congratulations to those that have been offered to Margaret Ewing on securing the debate and on her long and committed work. I apologise to her and to Parliament that I will be unable to stay for the rest of the debate.

Fuel poverty and the excess winter deaths that it causes are among the issues that have benefited from the establishment of the Scottish Parliament. The issue has moved higher up the political agenda, and rightly so.

Members have mentioned the three factors that contribute to fuel poverty: fuel price, energy efficiency and income. I will say something about each. Fuel price, as a component of the reduction

that has been achieved in fuel poverty, has been acknowledged. In the long term, the situation will get worse and our society has to stop thinking of energy as a cheap resource. Environmental constraints will necessitate that.

The short-term price increases to which Alex Neil referred are expected, but the long-term increases will be even worse. The message is clear: even if Parliament had the power to intervene to affect price, it would not offer a long-term solution to the problem of fuel poverty.

Energy efficiency is an area in which the Scottish Executive can do rather more. Much has been done and none of us would argue with the aspiration to provide central heating to those who need it. Tens of thousands of people in Scotland have indeed benefited from that installation. On its own, however, the Executive will not solve the problem. It contributed only 15 per cent of the reduction in price that has been achieved so far. Although that is not a figure to ignore, neither is it an overwhelming one.

I endorse the call from Friends of the Earth—a member organisation of the fuel poverty forum—for a greater push on the development of small-scale domestic renewable schemes that not only generate energy where it is needed for the people who need it, but which return the excess to the national grid, which can reduce people's fuel bills and even bring a repayment from time to time.

However, because of the longer-term picture and the ecological constraints that will force us to consume far less energy as a society, we have to think not only about domestic energy efficiency, but about our societal approach to how we produce, consume and charge for energy. Taxes on consumption of fuel and other resources—or eco-taxes—have a role to play because they can be levied in a socially just manner, with those who consume more than their share of resources paying disproportionately so that basic needs such as home heating remain affordable for all. That would also enable Government to make generous additional provision, such as for additional winter heating costs.

Shifting the burden of taxation from income alone to resources could help and would also have a knock-on effect on income. Income is less easily influenced by the Scottish Executive, but we should not ignore the possible exception of the council tax. Fairer local government finance is important and I am glad that a land-value tax will be one of the considerations of the current review.

Another Green proposal relates to Donald Gorrie's and Alex Neil's words about the citizens pension. I urge them both to look harder at our proposals for a citizens income for all. We all receive income from the state, whether through

tax thresholds, tax credits or benefit payments. The simplest way to ensure a basic quality of life for all people would be to give a basic income to all as a right of citizenship and to tax all other income progressively.

Fuel poverty and winter deaths are taken seriously by all members. Once again, I offer my thanks for the opportunity to discuss them.

17:43

**John Swinburne (Central Scotland) (SSCUP):**

I thank Margaret Ewing for securing the debate. I lodged a motion on the subject, which was debated earlier this year. It is a sad reflection on the lack of consideration and care that is given to elderly people in this country that we are again debating the matter.

Perhaps more significant is the increase in excess winter-related deaths since last winter. The figures have increased from just over 2,500 deaths to 2,900 deaths in the same period in 2003. From 1997 to 2002, Scotland registered 16,600 more deaths among people over 65 in the winter months of December to March than in the rest of the year. Those numbers are on a parallel with deaths from 10 major air disasters, yet there is no comparable response from the Government.

A closer look at the Scottish Executive's praiseworthy free central heating scheme highlights a number of reasons why the implementation of the policy falls short of all our expectations. For example, the strict eligibility criteria mean that senior citizens who have some form of heating, however old or inefficient it is, do not qualify. There are unacceptable waiting times of up to seven months for installation and older houses can have electrical systems that are incompatible with the new heating systems.

I have spoken to many senior citizens who face fuel poverty, so I can say categorically that the current scheme is not working for them. A constituent got in touch with my office about her 73-year-old mother, who has a fairly complex medical history and has had a heart attack and breast cancer. The daughter said, "Please help. My mother is freezing to death in her own home." My immediate thought was that the lady must live somewhere in the Grampian highlands, but I was astonished to find out that she is a resident of East Kilbride.

The lady has had no heating since July. Although her application for central heating was duly processed and granted, the installers discovered that her home was not suitable for installation because the electrical wiring was in a poor state. The lady applied to South Lanarkshire Council for a means-tested grant for rewiring and was eventually promised 81 per cent of the cost of

the work. That left a shortfall of £500, which was a daunting prospect for a widow who lost her husband nine years ago. To be fair, the council pulled out all the stops to overcome the financial problem and managed to increase its offer to 89 per cent of the total cost, which means that the lady must find £300. I hope that a source for the shortfall will be found and that work will begin soon to ensure that that senior citizen does not become yet another Government statistic in the figures on excess winter deaths as a result of the cold. However, I am afraid that even after the completion of the rewiring the lady will have to wait months for the installation of her free central heating system. Sadly, although I have highlighted her case, we might be well into the second quarter of next year before the installation takes place. To be fair, South Lanarkshire Council officials have been co-operative throughout, yet such situations seem to be commonplace, as the statistics bear out.

There is also the problem of whether pensioners can pay for the central heating that has been installed. If they cannot afford to switch it on, they cannot keep their houses warm. Research shows that winter-related deaths are connected to multiple deprivation. Household income is a factor and the pensions system urgently requires a complete overhaul, which should include the withdrawal of means testing and the restoration of the link with earnings. Until that happens, senior citizens who live in fuel poverty will continue to live in one heated room in their houses. If they open the door and leave the room, the heat flows into colder rooms and causes condensation, which makes winter-related deaths as a result of respiratory problems more likely.

**The Deputy Presiding Officer:** You must close there. I call Mr Ewing, who may have a couple of minutes.

17:48

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** It would be ungallant of me not to congratulate my wife, Margaret, on securing the debate—it would also be rather risky. It is a rare experience for me to have the last word and I begin by congratulating the efforts of the Highland senior citizens network, which recently carried out a survey of the views of 2,000 senior citizens. It is interesting and gratifying that relatively few respondents considered that their heating was "poor", although given that only 50 per cent of the sample replied, perhaps the people with the most serious problems did not participate in the survey.

However, the survey highlighted the incidence of fuel poverty in the Highlands and other areas that have a large rural hinterland. A recent answer to Christine Grahame's parliamentary question,

S2W-11715, included a table that demonstrates that the incidence of fuel poverty is far higher in island communities than it is in urban areas: there are 18,000 fuel-poor households in the Highland area and 4,000 fuel-poor households in the Western Isles. That is a worrying trend, which I hope will be addressed. Government money should be spent sparingly and sensibly; I wish that instead of frittering money away on matters such as transferring jobs in Scottish Natural Heritage to Inverness the money could be spent on pensioners. I hope that John Swinburne agrees with me.

We should bear in mind other factors. Through a trust fund, Scottish Gas provides the useful here to help scheme, whereby people who need help can receive £350. One such person might be the gentleman who replied to the survey that I mentioned saying that he had had to curb his heating bill because he had had to spend £700 on a new door. He should contact Scottish Gas on 0845 600 0294.

**The Deputy Presiding Officer:** Quickly.

**Fergus Ewing:** That is a serious suggestion, and if I can do anything about it I will make sure that Scottish Gas receives that application.

We also need to invest in infrastructure, as has been pointed out. In conclusion, for even longer than Margaret has campaigned, the SNP has campaigned, with Duncan McKellar, who was the first SNP councillor—

**The Deputy Presiding Officer:** Okay, Mr Ewing. That is fine. I gave you two minutes. I call Malcolm Chisholm to wind up the debate.

17:50

**The Minister for Communities (Malcolm Chisholm):** I, too, congratulate Margaret Ewing on securing this important debate and on all the work that she has done in the area over the years, both here and at Westminster. I join her in paying tribute to Ann Loughrey of Energy Action Scotland for all the work that she has done during the past 12 years. I benefited from meeting her on many occasions in relation to both my housing and health responsibilities.

Excess winter deaths is a serious but complex issue. It is not simply about living in a cold climate or poor housing. Recent research, which I studied for some time today, shows a variety of causes, including pre-existing respiratory disease. Other research shows that rates of excess winter deaths in countries such as Spain, Portugal and Italy are similar to those in Scotland, if not higher.

Taking account of that complexity, we are doing our utmost to tackle the causes of excess winter deaths, from increasing pensioners' incomes to

improving people's homes and providing free flu jabs. We are having some success and the figures for people who live in fuel poverty are plummeting. Between 1996 and 2002, which is the latest period for which we have figures, the number fell from 738,000 to 286,000. As Margaret Ewing reminded us, much of that is to do with changes in income. That there was a high number of pensioners who lived in fuel poverty in 1996 must say something for the pension changes that have been made since 1997. I do not intend to go far into those controversies, but we should acknowledge that across the United Kingdom the Government is spending £10 billion more on pensioners than in 1997, and that is significantly more than an earnings link would have cost. Almost half of the spending is targeted on the poorest third of pensioners.

We are meeting all our targets for the warm deal insulation programme and the central heating programme, which provides central heating to pensioners and tenants in the social rented sector who have none. Also, as Mary Mulligan reminded us, we offer a benefits entitlement check. However, that does not mean that we are in any way complacent. We know that some of the easy-to-treat homes have been dealt with and that we will be challenged in the future by homes that are more expensive to treat. We also know that some people need a higher income or cheaper fuel and that is why we encourage people to find out whether they are getting all the benefits and tax credits to which they are entitled and to switch fuels or suppliers if they can get a cheaper deal.

The central heating and warm deal programmes are making significant inroads in the eradication of fuel poverty and the improvement of health—cold, damp housing can have serious health implications. Since the central heating programme started in 2001 we have installed more than 43,000 central heating systems. Those homes now benefit from central heating where none existed before.

Our warm deal programme provides the most vulnerable people with a package of measures to help them to insulate their homes. So far, we have insulated more than 200,000 homes, which is nearly one tenth of Scotland's housing stock.

**Christine Grahame:** Will the minister speak to the Eaga Partnership about an issue that I raised, and to which John Swinburne alluded? Some pensioners have systems that are not just faulty but dangerous, but they are prohibited from accessing the scheme. Will the minister consider investigating that, as it is obviously of great concern?

**Malcolm Chisholm:** I will certainly look into that matter, which two members have raised in the debate and which has been raised previously.

Significant sums are available to take forward the central heating and warm deal programmes. So far, we have spent more than £116 million on the central heating programme and £55 million on the warm deal programme.

The motion calls on the Executive to review the effectiveness of our schemes. We have commissioned research to do that for the central heating programme. A report published earlier this year showed that more than 60 per cent of recipients were fuel poor, which is one of the best targeting rates in the UK. Further, of those in fuel poverty who entered the programme, nearly 90 per cent were lifted out of fuel poverty by the programme. We know, therefore, that the central heating programme is a key tool in eradicating fuel poverty. The programme was extended in May 2004 to include applicants who are 80 and over and who have partial or inefficient systems.

Looking ahead, Communities Scotland has produced a detailed fuel poverty report. We are studying the evidence to ascertain where fuel poverty is most prevalent now and what measures will be most effective in eradicating it. We will use that evidence to create a fuel poverty programme to continue our work after our current programmes end in 2006. We will consult on a future programme in the new year and would encourage everyone to participate.

We know that fuel prices are rising and that that is bound to have an effect on the levels of fuel poverty. Last month, I challenged the major fuel supply companies in Scotland to offer a social tariff—that is, a lower tariff—particularly to people on pension credit. Since then, all the companies have requested to meet me to discuss the idea, and I met the first of them earlier today. I was also pleased to see earlier this week that the Office of Gas and Electricity Markets has called on the companies to improve awareness of the help and information that is available to their vulnerable customers. Ofgem also said that, in its opinion, the companies were able to offer social tariffs to their vulnerable customers and that there is nothing in their licenses, in competition law or in other consumer protection law that prevents them from developing such tariffs. More recently, I welcomed the chancellor's pre-budget report that provided extra money for pensioners aged over 70 and 80, respectively, for their winter fuel payment. Mary Mulligan referred to that. I know that that money will help many people with their fuel bills.

Margaret Ewing raised again the question of landlords who would not allow their tenants to have central heating systems. There is only a small number of such cases, but it is still a problem. In the context of the forthcoming housing bill, we have consulted on giving disabled tenants of private landlords the right to make adaptations

to their houses to meet any particular needs arising from a disability. In some cases, that could include the installation of central heating. I will consider further whether it would be desirable and appropriate to introduce such a right, through the forthcoming housing bill, for elderly and disabled tenants more generally for the purpose of installing central heating.

On help and advice, I am sure that members will know that there are energy efficiency advice centres throughout Scotland, which have an 0800 number. They serve the purpose of the helpline to which Margaret Ewing referred. I will, of course, take up Mary Mulligan's invitation to visit the project in West Lothian to which she referred. In reply to another of Margaret Ewing's points, I inform her that the eradication of fuel poverty by 2016 was, in fact, enshrined in the Housing (Scotland) Act 2001.

The cumulative effect of the various measures and actions that I have described is that a substantial number of people now benefit from warm and comfortable homes from which they did not benefit at the start of the central heating and warm deal programmes. It is, of course, a sign of a civilised society that it looks after its elderly citizens, and that has certainly been the focus of our efforts in relation to fuel poverty in particular. Those achievements illustrate our commitment and the importance that we place on the health and welfare of our senior citizens. There is much more to do. In saying that, we should acknowledge the progress that has been made.

*Meeting closed at 17:59.*



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