

# **MEETING OF THE PARLIAMENT**

Thursday 13 January 2005

Session 2

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## Scottish Parliament

*Thursday 13 January 2005*

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

### Make Poverty History

**The Presiding Officer (Mr George Reid):** Good morning. The first item of business today is a debate on motion S2M-2240, in the name of Nicola Sturgeon, on the campaign to make poverty history, and three amendments to the motion. I call Nicola Sturgeon to speak to and move the motion.

09:30

**Nicola Sturgeon (Glasgow) (SNP):** Before I speak to the motion, I take this opportunity to convey my condolences—and, I am sure, those of the Parliament as a whole—to the families and friends of those who so tragically lost their lives in the adverse weather conditions of the past 48 hours.

The horror of the tsunami and its aftermath will live on for a long time in the minds of everyone who has watched the disaster unfold on our television screens since boxing day. However, the impact—physical and psychological, immediate and long term—on those who were directly affected is almost impossible to comprehend. Up to 200,000 people are dead, 500,000 people are injured, 1 million people are homeless, entire communities have been wiped out and livelihoods have been destroyed. In total, 6 million human beings are in need of aid and assistance.

I think that all of us would agree that the response of the world to the utter devastation has been tremendous. In terms of the money that has been donated and the pledges that have been made, the response has been quick and enormous. Perhaps most notably, it has been led not by the great and the good, but by the public. Ordinary people across the world feel enormous and overwhelming sympathy for and a deep sense of solidarity with the people whose lives have been shattered.

In such dreadful circumstances, the sense of wanting to do something to help—no matter how small or seemingly insignificant—is a basic human response. In a world that is so often divided—and divided in so many ways, including by war, poverty, religion and culture—we should all take some small comfort from the sense of shared humanity that has found its voice in the response to this dreadful tragedy.

If the world response has first and foremost been a popular movement, as is the case, the

people of our country—the people of Scotland—can rightly claim to have been up there in the vanguard. As we heard yesterday, the Disasters Emergency Committee's appeal is on course to raise £20 million in Scotland alone.

There have been examples of quite remarkable individual and corporate donations: Tom Hunter, the Souter Charitable Trust and the Royal Bank of Scotland are all worthy of mention. However, when I met aid agencies last week, I learned that the vast bulk of the money that has been collected has come in small donations from the less well-off. One of the challenges for politicians around the world is to match that spirit of generosity. Of course, countries can do so by way of direct Government aid. I am pleased that the United Kingdom Prime Minister is now talking in terms of hundreds of millions of pounds of aid rather than the much smaller sums that the Government initially promised.

In that regard, two things are absolutely vital. The first is that the aid that the Governments of the world's richest nations are pledging must be new money and not money that is diverted from the many other humanitarian crises that blight our planet. The second is that the promises that have been made must be kept. Recent experience points to the fact that pledges do not always translate into aid delivered. Exactly one year ago to the day that the tsunami struck in the Indian ocean, an earthquake devastated Bam in Iran. On that day, 40,000 people died. Although the amount of aid pledged by foreign Governments was \$1.1 billion, only \$17.5 million has been delivered to date. That cannot be allowed to be the experience this time: all the aid that has been promised must be delivered. The United Nations should be prepared to name any country that reneges on its commitment.

Pressing for generous and effective Government aid is not the only way in which politicians can help. We can also lead by example as individuals. I am delighted that the Parliament has made it possible for donations to be made through the payroll. The Parliament should promote payroll giving, as that method of giving ensures that the tax on donations also goes to the charities concerned. I know that many of us will already have made private donations to the relief fund, but I hope that many of us will also consider payroll donations, as that is the best and most sustainable form of giving.

Of course, the focus of those who are working on the ground in south-east Asia is already turning from immediate relief to the long-term reconstruction of the affected countries. Scotland should do as much as we possibly can to help in that process.

One obvious and potentially important contribution that we could make is in helping to rebuild the shattered fishing industries in the affected countries. We know that many of the communities that were hardest hit were heavily dependent on fishing. Although many of the fishermen who were at sea when the tsunami struck have, I believe, survived the disaster, the infrastructure of their industries was badly damaged. For example, 80 per cent of the fishing vessels along the Sri Lankan coast were damaged, many of them beyond repair.

As one of Europe's leading fishing nations, Scotland is ideally placed to help in that reconstruction effort. As we know, the Scottish fishing industry has offered to provide advice and training, to help replace or repair equipment and, if appropriate, to donate boats from the Scottish fleet that would otherwise be decommissioned. I welcome the Executive's announcement yesterday of a fishing task force.

Fishing is just one example of how Scotland might be able to help, but there are many other examples of Scottish skills, resources and expertise that could prove useful in the reconstruction effort. Of course, the help that is provided must be driven by the assessment of what is needed in the affected countries. Identifying the resources that are available in Scotland and matching them with what is needed and where is a big task and it is essential that it is properly co-ordinated.

The secondment of Executive staff to help aid agencies in Scotland is welcome, as are the other measures that the First Minister outlined yesterday. In addition to that, when I met aid agencies last week, we discussed the advantages of having a standing emergency unit in the Executive that could co-ordinate a unified Scottish response, not just to this but to all global emergencies. The suggestion merits further consideration for the longer term.

The tsunami was a terrible and shocking natural disaster, the impact of which will be felt for a long time to come. However, as the First Minister said yesterday,

"a man-made disaster happens"

in the world's poorest countries

"every day."—[*Official Report*, 12 January 2005; c 13359.]

Every week, 200,000 people, 30,000 of whom are children, die unnecessarily because of poverty.

As many of the aid agencies have pointed out, when natural disasters such as the tsunami strike, the poorest people are very often the hardest hit. Many of the communities that have been most affected by this disaster were already poor, isolated and vulnerable. That is why the distress

that we have all felt in the days since the wave hit in Asia must be turned into a clear demand for action.

The global community has signed up to the millennium development goals of halving poverty and hunger, providing education for all, improving standards of health and halting the spread of killer diseases such as HIV and AIDS. There is absolutely no doubt that those goals are achievable if the political will exists.

However, at the current rate of progress, most of those goals will not be met. For example, the first target, which is to enrol all girls in primary and secondary education by this year, has already been missed. The price for failing to meet those goals will be enormous. If current trends continue, there will be 247 million more people in sub-Saharan Africa living on less than \$1 a day by 2015 and 45 million more children will have died—that is equivalent to 225 tsunamis.

This year, 2005, presents the leaders of the richest countries in the world with an opportunity to change that course and to lift millions of people worldwide out of poverty. At the G8 summit here in Scotland, the issues of trade justice, aid and debt relief will all be up for discussion, but it is up to people the world over to ensure that what is delivered this year amounts to more than just the same old warm words. The time for talking has long since passed. What is needed now is tangible action, with measurable progress to show for it.

That includes action on trade. The hard truth is that the developed world preaches free trade but does not practise it. While the poorest countries in the world are pressured relentlessly to open up their markets, the United States and the European Union use subsidies, tariffs and restrictive rules in jealously protecting their own interests. It is essential that the trade playing field is levelled. We want fair trade, not just free trade, to give the world's least developed countries the chance to help themselves.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** Will Ms Sturgeon go a bit further and inform me about her thinking on the paradox whereby Egypt and Kenya grow fruit and vegetables for the UK, the fourth richest country in the world, while people on the same continent are starving to death?

**Nicola Sturgeon:** As I have said, the developed world preaches free trade but, as we know, free trade is not applied to some of the poorest countries that would benefit from it—Jamie Stone gives two examples. Let us consider some of the disaster-hit areas in south Asia. Half Sri Lanka's export earnings come from clothes, but high tariffs are pricing that country's industry out of the EU and US markets. If those restrictions were lifted,

the boost to the Sri Lankan economy would be enormous, which would enable that country to do much more to help itself rebuild its shattered communities and economy. That is the type of action that we must focus on demanding from the countries that will gather at Gleneagles later this year.

We need action not just on trade justice; we must address debt repayment, too. The immediate moratorium for the countries that were hit by the tsunami is welcome, but I do not think that it is enough. Cancelling the debt of the 32 poorest countries in the world would cost rich nations around a £1 per person per year—less than the price of a cup of coffee or a Sunday newspaper.

As important as debt relief is, however, it should not replace direct aid. One of the most urgent priorities of the make poverty history campaign must be to get the aid levels of the richest countries up to the UN target of 0.7 per cent of national income as soon as possible. Of the 22 biggest aid donors in the world, only five currently meet that target. It is of more than passing interest to note that all of them are small countries. Top of the list is Norway, which this year will celebrate 100 years of independence—there might just be a lesson in that for us in Scotland. None of the G8 countries has ever met the UN target, however, and only five of them have timetables in place to do so. The UK, to its credit, is one of those countries, but its target date is 2013, which is eight years down the line. The US—the richest country in the world—does not even have a target date.

Gordon Brown has recently been talking about a new Marshall plan and I think that his intentions are laudable. However, the hard fact is that, whereas in the years immediately after the second world war the United States spent 2 per cent of its national income on the Marshall plan, it currently spends less than 0.2 per cent on international aid. On current trends, it will take the US until 2040 to meet the UN target. I do not think that that is good enough. The speed of progress must be accelerated if the millennium development goals are to stand any chance of being met.

Although we in this Parliament are—unfortunately, in my view—unable to have a direct influence, we should nevertheless be prepared to speak out loudly and clearly. We should demand a commitment from the UK Government to meet the UN target before the end of this decade and to put pressure on others to do so, too. That would be a powerful message to send from the Scottish Parliament as Scotland prepares to host the G8. The challenge of tackling global poverty cannot be neatly slotted into boxes marked “devolved” and “reserved”. It is a moral issue: it is about life and death and about right and wrong. We all have a duty to speak out.

It is often trite to talk about historic opportunities but, this year, there is a glimmer of hope that something real might at last be done to help the poorest people on our planet. However, that will happen only if world leaders are given no room for manoeuvre. We in the Parliament can play our part and I hope that we will take the opportunity to do so.

I move,

That the Parliament expresses sympathy and support for the individuals, families and countries devastated by the effects of the tsunami; congratulates the people of Scotland for their magnificent efforts in collecting money and supplies to help ease the immediate plight of those affected and encourages all MSPs to make a payroll donation of one day's pay to the appeals; recognises that long-term support is needed to restore the infrastructure of the countries of South East Asia and that Scotland is well placed to assist in this vital work; calls for a summit of Scottish aid agencies and other interested parties to be organised to discuss and co-ordinate such activities; recognises that more than 200,000 people die of preventable causes every week and that more assistance by the richer countries is needed to tackle global poverty, and supports the Make Poverty History campaign which seeks to remind the member countries which make up the G8 of their responsibilities to the rest of the world and to demand that they take action on debt repayments, trade agreements and aid assistance to prevent people dying because of starvation and poverty.

09:45

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** I am glad that we have the opportunity to reflect further on this important issue. The terrible catastrophe that has wrought such destruction in coastal communities from Kenya to Malaysia has been of almost incomprehensible proportions. Having said that, I am glad that Nicola Sturgeon chose to open her speech by referring to the natural disaster that has occurred in our own country over the past 48 hours. I echo her remarks, as I am sure everyone in the chamber would wish to do. Our thoughts and good wishes go out to those who have been affected, in particular the MacPherson and Campbell families, who have been so dreadfully bereaved.

The tsunami in south-east Asia is a global disaster, which has rightly provoked a global response. In Scotland, there is a very real and discernible feeling of shared grief—a sense of solidarity with our fellow human beings across the world and, more important, an aspiration that we should and must do something to help those whose lives and communities have been ripped apart. I am sure that all members will join me in expressing our deep sympathy and condolences to those who have lost loved ones and to those who are living with the terrible effects of the tragedy in other ways. In particular, I am eager that we should remember the millions of children

who have been affected, many of whom have been orphaned or separated from their families.

While we have been shocked by the almost biblical proportions of the disaster, we have also been reassured by the magnificent response of the Scottish people. They have dug deep into their pockets and they have offered not just their compassion but their time and their skills. They have used their legendary inventiveness to come up with creative solutions to contribute to the relief effort. The Scottish public are on target to have donated around £20 million. The Scotland-based charities that I have visited this week tell me that they are overwhelmed by the unprecedented response.

The whole of Scotland seems to feel a collective desire to help. No shop counter seems complete without a collecting tin. On hogmanay, a hastily organised collection by the City of Edinburgh Council amassed thousands of pounds from the revellers who had come to enjoy what Edinburgh had to offer. That groundswell was mirrored by Rangers and Celtic football clubs—old rivals acting in unison. Such generosity of spirit is being replicated across Scotland. I am proud of how we as a nation have responded to the disaster so far. The response from the business community, which has given to the appeal so generously, is also to be commended.

Those donations will make a real difference to people in the communities that have been affected by the disaster. In particular, I very much welcomed Tom Hunter's pledge to help to rebuild the schools that were hit by the disaster; that effort will help to restore some normality to the lives of the children and will provide them with the education that is so important in the fight against poverty.

I have been closely following the exceptional efforts of Scottish Water. The day after the tsunami hit, when most of us were still thinking about what we could do, Scottish Water was already working in collaboration with the Department for International Development and arranging for emergency supplies to be sent out to the devastated Maldives. Since then, Scottish Water has also donated five standby generators. Those generators are surplus to requirement in Scotland, but each of them has the capacity to generate enough electricity to power a field hospital in Asia.

The important task now is to ensure that the cash that has been collected is turned into practical help on the ground, not only providing immediate relief to the people who are suffering, but contributing to the long-term reconstruction efforts.

We in government have an important role to play in supporting the efforts of the Scotland-based

charities that have the expertise and determination to take on that enormous task. In the days following the disaster, I met a number of Scottish international aid organisations to hear about how they were responding and to discuss how best the Executive could support their efforts. When time was of the essence, that productive exchange enabled us to identify ways in which we could work together immediately to complement the work of the organisations and the UK Government.

In the short term, the Scottish Executive has provided the charities with staff to give them extra support—a simple solution that has freed up resources for the emergency work and helped to ensure that the people with expertise can continue the vital work of supporting projects in other countries that are not affected by the tsunami. So far our civil servants have been helping the British Red Cross, the Scottish Catholic International Aid Fund and the Mercy Corps. I know that the charities have found the help invaluable, as with previous secondments to a number of such organisations. In the medium term, we will continue to support their efforts through secondments, providing information technology specialists and administrative staff where they are needed.

My colleagues and I are committed to maintaining a dialogue with Scottish charities so that we are well placed to respond to their needs. In the longer term, my officials are convening a working group with representatives of the international aid agencies based in Scotland to consider crisis responses, so that in the future when tragedies occur we can respond as quickly and appropriately as possible. It is perhaps an irony of the situation that that work was under way before the tragedy struck; we had discussed it with the aid agencies at the end of 2004. The need to do that kind of work has been demonstrated starkly by the events of the Christmas and new year holidays.

We also stand ready to provide further assistance to the relief effort as it becomes clearer what particular skills are needed. So far, for example, the Scottish Executive's chief medical officer has been collating Scottish offers of specialist medical help for the World Health Organisation. The Executive made an early offer to second senior specialist medical personnel and it can meet that commitment immediately if it is called on to do so. Similarly, our police force is identifying forensic and other experts who could be deployed to the region.

We acknowledge that rebuilding the communities affected by the tsunami is a long-term challenge. Thought needs to be given to what distinctive contribution Scotland can make to the international aid effort. Over the coming months,



we hope to identify other areas in which Scotland can make a special contribution. In particular, we are keen to see whether we can assist in rebuilding the education provision in a number of countries. We are opening up discussion with agencies to see whether there is a way in which our education officials can help with rebuilding the education infrastructure or whether recently retired teachers can provide teaching services on the ground in some areas.

Many children—perhaps millions—have been displaced and many more have been orphaned in this terrible tragedy. A structure to their lives that includes learning and play will be vital to their recovery and the future success and sustainability of the communities in which they live.

**Mr John Swinney (North Tayside) (SNP):** I am interested in the point that the minister is advancing about individuals from Scotland offering their services to support the aid and reconstruction effort in the affected communities. Is she satisfied that the public are sufficiently aware of the mechanisms by which they can volunteer their services to the Government, because the morass of organisations involved makes it difficult for individuals to see in a focused way how they can contribute? Will she say more about what the Executive can do to assist in that process?

**Patricia Ferguson:** I am delighted to do that. It is important that we remember that in this tragedy, as in all such events, we must respond to the needs of the communities and not try to impose our ideas or structures on them. It is important that we take time to assess what tasks need to be done and what skills are needed to respond. We have been talking to a number of governmental organisations in Scotland, such as within the health service, and we will be talking to local authorities about what role teachers might be able to play once we have a clearer idea of how effective our helping in that way might be.

It is important that we know where the skills are so that they can be deployed. For that reason, I was delighted that we arranged for someone who was seconded from the Scottish Executive to one of the aid agencies about a year ago and who is Sri Lankan to go to Sri Lanka, because she understands the culture and has knowledge of development issues and the network that will make work effective on the ground. We have had a preliminary report back, which has made me think that, in Sri Lanka in particular, education is an area on which we might focus. It is remarkable that the Sri Lankan authorities hope to have their schools back up and running by 20 January, because they understand the importance of putting that kind of structure back into the lives of not just children but the broader community. It would be good if we could support that kind of

effort, so it is important that we consider the situation in that way.

While all that effort is going on, we should not forget that the ability of the affected nations to respond to such events is constrained and dictated by how poor they were to begin with. I am by no means the first member in the chamber to note that the world's poorest people are also its most vulnerable—as we have seen in this case—but surely we now have the will and the power to do something about that.

In 2005—the year in which the G8 leaders will meet in Gleneagles to discuss how the wealthiest nations can do more to assist the poorest—we should be mindful that there is a real opportunity to address world poverty. I echo some of the sentiments that have been expressed in the chamber. I am conscious of the lead that the UK Government has taken on the issue and I am sure that we all support the efforts that are being made.

To me, there would be no better memorial to those who have lost their lives than the fact that this terrible disaster might have inspired a spirit of generosity and a will to fight the injustice of global poverty and have provided an impetus to change the world for good.

I move amendment S2M-2240.2, to leave out from “and encourages” to end and insert:

“; notes that the Parliament will facilitate individual payroll donations to the appeals; recognises that long-term support is needed to restore the infrastructure of the countries of South East Asia and that Scotland is well placed to assist in this vital work; notes the meeting of Scottish aid agencies convened by the Scottish Executive to discuss and co-ordinate such activities; notes the continuing dialogue with Scottish aid agencies during this crisis; recognises that more than 200,000 people die of preventable causes every week and that more assistance is needed by the richer countries to tackle global poverty; supports the campaign to make poverty history, and notes the work being undertaken by the Executive with the Scottish aid agencies and others in the run-up to the G8 summit to support action on debt repayments, trade agreements and aid assistance to prevent people dying because of starvation and poverty.”

09:57

**Mark Ballard (Lothians) (Green):** As we have heard in the chamber today and yesterday, the tsunami crisis left hundreds of thousands dead and country after country around the Indian ocean devastated. Since the boxing day disaster, there has been an unparalleled global outpouring of generosity, in which Scotland can be proud of its role. As we heard earlier, it is estimated that £20 million will be donated by the Scottish public to aid disaster relief. We should all join in congratulating the Scottish public on their generosity.

I hope that this debate can be consensual and that we can come together and think about what we can do not just in response to the immediate

crisis but to tackle the underlying crisis of poverty, as Nicola Sturgeon and Patricia Ferguson outlined. The crisis gives us a moment to reflect on the state of the world and to consider how we act in times of crisis. In particular, it gives us a chance to reflect on the huge injustices in our world.

It is clear that the reason why this natural disaster took such an appalling toll of lives is the poverty in the countries that it hit. Disasters happen, whether earthquakes, mudslides, volcanoes, hurricanes or flooding and high winds, which we have seen in Scotland in the past few days, but what made the difference in this case and caused the appalling loss of life in the countries around the Indian ocean was the poverty in those countries. That poverty meant that there was no early warning system and, even if there had been, there was no communication system. There was a lack of health infrastructure, transport infrastructure and decent housing, which is why the natural calamity became such a massive human disaster. As previous speakers have said, we have to take action to tackle that poverty. Nicola Sturgeon outlined how the millennium development goals will not be attained at the current rate of progress. We need to achieve those goals.

I pay tribute to the organisations that have been campaigning on and raising awareness of those issues—in particular, the Jubilee Scotland coalition, which has been campaigning for several years on debt issues. It is worth reflecting on the fact that the countries that have been worst hit by the disaster—Indonesia, Sri Lanka, India, Thailand and the Maldives—pay £23 billion a year in total to rich countries and to international institutions including the International Monetary Fund and the World Bank. Indonesia's debt is 73 per cent of its gross domestic product; Sri Lanka's debt is 105 per cent of its GDP. Until that crushing burden of debt—much of it odious debt that was incurred when the countries were under dictatorships—is removed, there can be no progress for those countries.

We have heard how the trade rules are rigged against such countries. The trade justice campaign has done a great deal to raise awareness of how the rules must be changed to benefit poorer countries, so that we have a system of fair trade that mutually reinforces relationships rather than a system of exploitation. As Patricia Ferguson said, in this year of the UK's presidencies of the G8 and the EU, we must all move towards a system of international trade that is based on fairness.

**Phil Gallie (South of Scotland) (Con):** How does Mark Ballard feel about the fact that, at the very time when the implications of the disaster

were registering across the world, the EU was putting in place further tariff barriers, against Sri Lanka in particular?

**Mark Ballard:** There are a whole range of tariff barriers that discriminate against such countries—for example, in textiles. Even more significant is the way in which the common agricultural policy works to export food surpluses. We need to tackle the way in which the CAP discriminates against developing countries.

**Rob Gibson (Highlands and Islands) (SNP):** Will Mark Ballard give way?

**Mark Ballard:** I am sorry, but I have to move on.

Overseas development aid has been mentioned as the key to ensuring that those countries develop subsistence systems and agricultural systems that can meet the needs of their populations. The basic transport and health infrastructures must be put in place. In that context, I am pleased that Gordon Brown has, at last, set a timetable for delivering on the commitment of contributing 0.7 per cent of British GDP to overseas development aid. I would have liked the deadline to have been sooner, but the fact that the commitment has been made and the timetable has been set is of great credit to Gordon Brown. We must encourage all the countries of the G8 and all the rich countries of the world to make a similar commitment and set a similar timetable. I applaud Gordon Brown for calling on other countries to do that.

However, as Patricia Ferguson said, we also need to think about what Scotland can do. I am pleased to hear of the establishment of the working group and its remit, which she outlined, to talk about how all the institutions of Scottish society can act to provide aid in such disasters. For example, the group should consider the role of Scottish Water, the Scottish Environment Protection Agency and Scottish military forces in delivering humanitarian aid. We need to raise awareness in Scotland of development issues; more public engagement is needed, including more development education in schools. That will sow the seeds for the future and a real response to such crises.

**Patricia Ferguson:** I draw to the attention of Mark Ballard and other members the fact that Learning and Teaching Scotland has produced a teaching pack that helps teachers to explain what has happened in south-east Asia and how schools can react to it. The pack will, I hope, help young people to come to terms with the enormity of what they are seeing on their television screens. That will be the first of many such projects and it exemplifies what Mark Ballard is asking for.

**Mark Ballard:** I thank Patricia Ferguson for that. That initiative is important and very welcome in

moving from the immediate shock of the disaster to something for the long term.

The world must come together to tackle global poverty. In this year of its G8 and EU presidencies, Britain has a unique opportunity to push for meaningful action to tackle debt and trade injustice and to provide more and better aid. The call for action has been made by international aid charities under the banner of the make poverty history campaign and was recently echoed by the UK chancellor, Gordon Brown, in a speech in Edinburgh. I ask the whole Parliament to unite behind the demands of the make poverty history campaign and I hope that members will support the Scottish Green Party amendment as part of the process of ensuring that out of this disaster comes an international resolve to tackle the underlying crisis of global poverty.

I move amendment S2M-2240.4, to insert at end:

“; and believes that such action by the international community must seek to take the final historic step in delivering full debt relief for the debt burdened countries and be based on the principles of fair trade relationships between rich and poor countries, through ensuring that international trade policy is designed to help the poorest countries and the removal of unjust tariffs and trade barriers, and supports the call for a commitment and a timetable for the achievement of the UN target of 0.7% of GDP in overseas development assistance.”

10:06

**Dennis Canavan (Falkirk West) (Ind):** The tsunami has been described as the biggest natural disaster in the history of the human race. It is difficult for us to comprehend the scale of the disaster, which has already killed around 150,000 people and for which the final death toll may never be known. Those who managed to survive the tsunami face the continuing difficulties of its aftermath, with life-threatening problems caused by lack of shelter, clean water, sanitation and food. If there is any positive aspect of this human tragedy, it is the response of the many people throughout the world who have seen the desperate plight of their fellow human beings and tried to help in whatever way they can.

The motion and the amendments refer to the aid agencies, which are doing valuable work both in running fundraising appeals and in ensuring that the funds that are raised are used to help the victims of the disaster. The response from the people of Britain has been generous, and the donation per head of population from the people of Scotland has been even greater than that for Britain as a whole. However, the amount that has been given so far by the British Government is only about half of what has been given by the people of Britain and it falls far short of what has been given by other countries such as Australia

and Norway, which have smaller populations. Therefore, I hope that the Government will contribute more to help out with the emergency relief that is required immediately and with the longer-term reconstruction and development programmes that will be needed for many years to come.

**Pauline McNeill (Glasgow Kelvin) (Lab):** I agree with the member that the British Government should match the donation that has been made by the UK public. Jack Straw has said that that is likely and our job is to put pressure on the Government to ensure that that will happen.

**Dennis Canavan:** I agree with Pauline McNeill and I welcome that statement. It would be churlish of anyone not to welcome the contribution that the British Government has already made. However, we must ensure that its commitment is kept and that the figure is increased. There is certainly no room for complacency, bearing in mind the scale of the disaster and given the British Government's contribution compared with the contributions of other countries, some of which have smaller populations than ours. I also hope that the financial assistance that is given by the Government will be additional funding and will not be simply a diversion of resources from other areas of need, such as Darfur and other parts of Africa.

The tsunami has been described as a natural disaster caused by an undersea earthquake over which man had no control, but there are many other disasters throughout the world over which we have control. Indeed, some of them are man-made disasters caused by war, environmental destruction and the inequalities between rich and poor. The motion and the amendments refer to more than 200,000 people who die of preventable causes every week.

Many of those people are direct or indirect victims of the international arms trade. Some of them are killed by weapons of war; others are killed by malnutrition and disease because too many Governments spend far too much on weapons of war and far too little on feeding the hungry and eradicating disease. Willy Brandt's commission pointed all that out more than a third of a century ago, and the United Nations set a target whereby the richest countries should contribute at least 0.7 per cent of their gross national product to help the poorest countries. Yet here we are, all these years later, and many countries, including Britain, have not yet reached that UN target for aid to the poorest countries. Indeed, the debt payments of many of the poorest countries are now so crippling that there is a net outflow of resources from the poorest countries to the richest instead of the other way round.

This week, Gordon Brown is visiting Africa and I hope that his visit will help to highlight the

desperate problems that are faced by many people on that continent. I also hope that it will help to ensure that the British Government will use its presidency of the G8 and the EU to ensure that more effective action is taken on debt, trade and aid in order to tackle global poverty.

Next month, some members of the Parliament, including me, will participate in a Commonwealth Parliamentary Association delegation to Africa. The links between Scotland and Africa go back many years through various activities. Some of those, such as education, have undoubtedly helped the people of Africa, but other activities, particularly many economic activities, have exploited the people of Africa, so we owe them something in return. Therefore, I hope that our visit will help to strengthen and reforge the links between Africa and Scotland in such a way that they bring about closer co-operation between the people of Scotland and those of Africa, so that we learn from each other to our mutual benefit.

I hope that one of those future benefits for the people of Africa will be that they will be better equipped to develop their own resources and help to make poverty a thing of the past.

I move amendment S2M-2240.3, to leave out from "calls for a summit" to end and insert:

"; therefore welcomes the recent meeting between the Scottish Executive, aid agencies and other interested parties; recognises that more than 200,000 people die of preventable causes every week and that more assistance by the richer countries is needed to tackle global poverty; notes that the Make Poverty History campaign is a timely reminder that the richer countries must take more effective action on debt repayments, trade agreements and aid, which are inextricably linked; demands that, if the poorest countries are to be lifted out of abject poverty, the G8 and the European Union (EU) must require governments of countries in receipt of economic and structural aid to do all in their power to ensure its fair and equitable distribution, and reminds the G8 and EU of their responsibility to ensure that their policies are not ultimately rendered ineffective by the actions of national and international organisations which have prospered under the current unfair international trade, debt and aid conditions."

10:13

**Murdo Fraser (Mid Scotland and Fife) (Con):** I welcome this morning's opportunity to highlight the Scottish response to the tsunami disaster in south-east Asia. The unprecedented scale of that tragedy claimed an estimated 150,000 lives and left millions homeless. The most affected areas were in Indonesia, with at least 94,000 people dead and almost 400,000 sheltering in scattered refugee camps across the province.

In Thailand more than 5,000 people are believed to have died. In Sri Lanka, more than 30,000 people have been killed and more than 800,000 made homeless in the southern and eastern coastal regions. It is a truly horrendous picture and

our thoughts and prayers must be with those who have lost loved ones and the survivors who are left homeless.

It must be particularly difficult for those who have relatives in the area—whether residents or visitors on holiday—and who have not yet received word as to whether those relatives are safe. This must be a desperately difficult time for people in that situation.

The response from around the world has been overwhelming and, as we have heard this morning, Scots have been at the forefront of giving, with an estimated £20 million of personal donations. We have seen great generosity from high-profile business figures such as Tom Hunter, who has given £1 million, and Sir Jack Harvie, who has given £50,000. Those who have given so generously are an example to us all and I am sure that many others will be following their lead.

However, it is not just in donations of money that Scotland has rallied to the aid of those in south-east Asia. Scottish companies have given practical assistance. Members will be aware that I have not been uncritical of Scottish Water as an organisation, but I must applaud that company for its response in providing bottled water to the Maldives, and in providing personnel who have the expertise to address the vital question of clean water supplies in the affected areas.

All members of the Parliament with whom I have spoken, including those in the Conservative party, have been generous in supporting the appeal. I know that some have made a public pledge to donate one day's salary and there is an argument that that sets an example for the rest of the country to follow. However, for many of us, the question of how much we give to charity is essentially a private matter. How much and how often we give to various appeals is a matter between ourselves and our consciences. Not everyone wants to parade their generosity publicly and we should respect those who hold such convictions. I have no higher authority for that than our Lord himself and his sermon on the mount. I quote from chapter 6 of the gospel of St Matthew:

"But when thou doest alms, let not thy left hand know what thy right hand doeth: that thine alms may be in secret: and thy Father which seeth in secret himself shall reward thee openly."

One positive aspect of the disaster has been the way in which it has focused attention on the whole issue of the third world and poverty. Members who have spoken so far have all drawn attention to that. I pay particular tribute to the make poverty history campaign, which is campaigning to eradicate third world debt. We in the Conservative party share the objectives of that campaign and seek a world free from the scandal of avoidable poverty.

Although we have been impressed at the response to the tragedy in south-east Asia, there is an on-going tragedy of mass poverty throughout the world, especially in Africa. Thirty thousand children will die today from easily preventable diseases. That is why we must commit to dealing with the fundamental problems that cause poverty. There are three aspects to that: aid, debt and trade.

My party has a commitment to increasing the foreign aid budget with a target of achieving the United Nations target of 0.7 per cent of gross national income being spent on foreign aid by 2013. However, foreign aid should also be spent more effectively. Too often in the past, money has gone into the wrong projects, or it has been diverted into the pockets of dictators rather than reaching the people who are in need. Aid needs to be more effective and better focused.

Secondly, we also have to deal with non-repayable debt. In some cases, debts should be written off altogether; in other cases, we should consider the freezing or rescheduling of debt.

Thirdly, we have to address free trade and protectionism. In this, we differ slightly from some of what the make poverty history and trade justice campaigns have said. They say that the problem that faces the third world is free trade, but we contend that the problem is exactly the opposite. It is a lack of free trade and a lack of access to markets for third world producers that is at the root of many of the problems. It is the protectionism of the countries in the west, not free trade, that helps to cause the problems of the countries in the third world. That means that we must work to reduce trade barriers and open up free and fair trade across the world.

That will inevitably mean some uncomfortable decisions for politicians here. If we allow additional competition to home-based producers, there might be adverse effects on some of our industries. No doubt loud voices will speak out against that. It is ironic that some of the voices that shout the loudest in support of third world development are the first to complain when companies here talk about outsourcing jobs in Scotland to lower-paid economies elsewhere. We have to be consistent in our approach and accept that there might be pain for us if we take our responsibilities seriously.

In that context, I believe that the attitude of the EU and the US in imposing a tariff on clothes from Sri Lanka and imposing new tariffs on goods from Thailand, even since the tsunami disaster, has been deplorable. EU officials have said that they want to shut down a flourishing trade in Phuket where traders are buying and selling coumarin from China. That substance is already the target of an EU export tariff. On 31 December, when Thailand was pleading for international aid and

had counted 4,400 dead, the EU published a judgment that all coumarin sent from Thailand would be treated as bootleg Chinese imports. That is precisely the sort of attitude that we have to change.

Those of us living in Scotland often complain about our climate. Certainly there has been extraordinary weather during the past few days, but that is notable because it is so unusual. Our dark winter days and our wet weather are what we usually complain about, but we should be thankful that we do not live in a part of the world that is subject to the sort of natural disasters that we have seen in south-east Asia and that we live in a part of the world that is generally prosperous and peaceful. That provides all the more reason why we need to be mindful of our responsibilities to our fellow human beings who are less fortunate than ourselves. Let us applaud the generosity of our fellow men and women, who have given so much to the appeal, and let us ensure that we use the opportunity to build a better future for all those who now live in poverty.

10:20

**Nora Radcliffe (Gordon) (LD):** The human reaction to the sudden death and destruction on the massive scale that happened around the Indian ocean united people around the globe. Their thoughts and prayers were for the victims: those who perished and those who survived. The almost immediate reaction was to do what they could to help.

Following the immediate shock it became starkly apparent that a major factor in the huge scale of loss of life was, quite simply, poverty. I hope that the emotional shockwave of the event galvanises the global community to think about running the world in a fairer and more inclusive way. Third world debt cancellation or restructuring must happen. In yesterday's debate John Swinney was gracious enough to acknowledge Gordon Brown's long-term commitment to that. Perhaps we will now begin to see some momentum develop, but continuing pressure will be required to make that happen.

As other members have said, if the developed world met the UN target of allocating 0.7 per cent of national income to aid, that would be a good start. If that aid were delivered in ways that were truly effective in helping underdeveloped countries to help themselves rather than in ways that can almost constitute indirect support for the economic development of the donor country, it would really begin to make a difference. It is even more fundamentally important that rich countries start to do business with underdeveloped countries on a just and equitable basis. It is salutary to remember that the loss of life to the tsunami is matched weekly by preventable deaths in Africa.

Important points were made in the Parliament yesterday about what constitutes helpful help and what does not. The most useful commodity that ordinary people can give in the immediate aftermath is money to buy relevant supplies and expertise. People in Scotland and throughout the world gave swiftly and generously. As Stewart Stevenson and one or two other members said in the members' business debate last night, where it is possible to buy supplies locally, or as near locally as possible, that puts money into the local economy and adds to the help.

Different kinds of help will be needed later on and donors must be sensitive to recipients' needs. For example, a decommissioned modern deep-sea trawler is probably of little use as a fishing boat to a fishery that operates very differently from ours, but the boat could be moored or run on to the beach, where it could immediately provide valuable living accommodation or be used as a hospital ship or a classroom while the land is cleared and rebuilding goes on. Some fishing-related help can be given. Nets, or the wherewithal to make them, can be provided, as can basic supplies. Whatever is given must be what is useful and not just what we happen to have. I welcome the task force that will organise helpful help.

The lack of an early warning system around the Indian ocean, in contrast to the sophisticated provision around the Pacific rim, was also highlighted in the debate yesterday evening. Experts tell us that it is difficult to predict whether an earthquake will trigger a tsunami—some large earthquakes do not and some small ones do. Therefore, unfortunately, such early warning systems have to be sophisticated so they are expensive and, again, poverty gets in the way.

A warning is only of use if it is backed by a response system. Who gets told? Who tells who to do what? Careful and objective thought must be given to what is required and what would be effective, but that is well within the art of the possible and such a system should be put in place.

Last week, Menzies Campbell wrote to Jack Straw to urge the United Kingdom Government to help to set up a well-resourced UN rapid reaction disaster relief force. I believe that such a force would be effective and should be set up. It is crucial to get aid in fast in such situations. We saw from the news coverage how essential air support is in getting water, food, temporary shelter and heavy-lifting gear to where it needs to be, but it took four or five days to get that aid organised and on the ground. That is a very long time to wait for basic necessities. The UN is the appropriate body to put together a rapid reaction capability that can reach any part of the globe within hours. I hope that that suggestion is acted on.

Devastation on the scale that we saw on boxing day also requires long-term support to be provided. I reiterate the suggestion that something could be done by the Executive or by the Parliament to facilitate a twinning arrangement between Scottish communities and organisations and identified communities in India or Asia. As the First Minister said yesterday, that sort of arrangement could work well between school communities.

The staying power of such personal involvement is illustrated in my own constituency by an organisation called Books Abroad, which was begun many years ago by a young teacher who was horrified by the lack of books in the African school that he taught in when, as far as I remember, he did voluntary service overseas. When he came back to Scotland, he asked around for donations of books that were to be sent out to Africa. Donated books that were not suitable for school use were sold and the money was used to get textbooks and sets of school reading books. The organisation used to operate out of an old broom cupboard in the Brander Library in Huntly and it was run by one man and a few friends. It now occupies an industrial unit in Rhynie, involves dozens of volunteers and sends out tonnes of carefully selected books all over the world to schools and institutions with which it has built up a continuing relationship.

Community to community support, with its more personal involvement, has a longer shelf life than less specific giving, which—as members have said—tends to wane along with the news coverage as the disaster becomes old news. I believe that a more personal connection can carry with it a healing power for people who have lost so much of their own human networks.

The people and institutions of Scotland, including our own Scottish Executive, have responded generously and appropriately. However, we must continue to work for the most appropriate response—a fairer and more equitable world.

10:27

**Des McNulty (Clydebank and Milngavie) (Lab):** When I lodged a members' business motion on making poverty history on 23 December, I did not think for a moment that the topic would be discussed as quickly as this and in such a dreadful context as the events of boxing day in south-east Asia. Those events are dreadful and it is important that we take full account of the historical significance of the tsunami. Dennis Canavan referred to that. It is perhaps worth bearing it in mind that Noah's flood, as reported in the Bible, is often said by scientists to have been a reflection of the terrible earthquake that took place

in Santorini, so within our own culture there is huge historical recognition of the significance of such events.

Given the context, I would have preferred a different format for the debate. We are privileged in the Parliament in having one member, the Presiding Officer, who has unrivalled direct experience of disaster relief. However, we will not be able to hear a speech from him in this debate. That is a matter of considerable regret. My preference would have been for a non-party-political debate that genuinely reflected the shock and sympathy that the people of Scotland have shown.

We need to work out what the people of Scotland expect of us. I think that they expect us to respond as they have responded—with deep sympathy and compassion for those who have died, have been injured or have been orphaned as a result of the tragedy. They want us to articulate their feelings about this terrible tragedy. They want us to do that not by holding a mirror up to Scotland and talking about all the compassion that we are showing. There is a strong sense that we should focus our attention on what has shocked, hurt and upset them—the images that they have been seeing on their television screens and the devastation that has happened. They expect us to make common cause with all the agencies here in Scotland, with UK agencies and the UK Government's efforts and with the efforts of the entire international community in dealing with the immediate after-effects of the tragedy. This is not a time for bickering at the edges of the debate or for deciding whether the nuances of words work in this way or that. This is a time for everybody to say, "We need to do something for these people. We need to work hard to ensure that their immediate needs are met."

We also need to look carefully at what assistance we can provide in the medium and longer term to help all those who need our help—individuals, organisations and Governments—in undertaking the task of reconstruction and in building up the shattered lives of those victims and communities that have survived the tsunami and need assistance from everyone else in the world. It is important that we do that in a genuine spirit of partnership. It is not the correct approach for us to think, "This is what should be given." We have to look at what is needed, and at what will work in those countries, and at the immediate needs that people have and the needs that they will have in rebuilding their lives. Aid should be determined by what people need, not by what people here think that it is appropriate to give, although money is obviously something that can be given and used in an effective way.

I take John Swinney's point that individuals might want to know how they can assist personally

by volunteering. However, it is difficult for individuals who are not trained and experienced in disaster relief to assist directly. What is needed is trained personnel who have the skills and experience necessary—medical people, engineers and people who can provide direct assistance and undertake the tasks that have to be done. That is what we should be focusing on. We should also look slightly ahead and focus on the very substantial resources that have been made available. They cannot all be spent immediately, but they can be spent sensibly in the medium term and we have to think about how that money can best be spent, in partnership with people in those countries. We have to think about what our contribution could be in that context.

One of the things that the people of Scotland will expect us to do is to look particularly at the needs of the children and at how we can provide the direct requirements—orphanages, child protection and child support. We can also look at how our support can be given particularly to women in those societies. Women have a really important role in rebuilding the economies, cultures and society of the affected areas.

It is important to reiterate a point that I made yesterday. Whatever we do in the context of dealing with the immediate and medium-term crisis in south-east Asia, we must not forget Africa. We must not forget what making poverty history is all about. It is about dealing with the abject poverty in parts of sub-Saharan Africa in particular. Five or six years ago, I was privileged to visit Kenya. In fact, I was in a place almost adjacent to the place that Gordon Brown visited yesterday, as we saw on our television screens. The extent of urban and rural poverty in sub-Saharan Africa and the combination of poverty, disease and lack of opportunity weigh on the conscience of the world.

If there is something good that can come out of the tsunami disaster, it should be a continuing long-term commitment to doing something about that. I believe that there is a genuine commitment from many people in Scotland to making that commitment and I hope that we all share in that.

10:34

**Stewart Stevenson (Banff and Buchan) (SNP):** It is encouraging that all the members who have spoken and all the motions and amendments support the make poverty history campaign. That is a consensual basis upon which to start the debate.

All in the chamber seek to tackle debt. Debt means money, but it does not just mean money. Historically, we owe many of the affected countries and adjacent countries big time—intellectually, culturally and for the very basis of our civilisation.

Financial record keeping started 6,500 years ago in Samaria—in modern Israel, Palestine and Jordan—and banking derives from gifted individuals in Mesopotamia, in modern Iraq. Indeed, the concept of and symbol for zero come from Hindu culture, from the Indian sub-continent, so our debts are historical as well as immediate. By the way, it is no accident that the derivation of the word “pay” comes from the Latin word “pacare”, which means to make peace. When we pay our debts, we make peace with those to whom we owe them.

Is not it ironic that we are patting ourselves on the back for all agreeing to back the make poverty history strategy? We heard earlier in the debate that it would take £1 per head per year to tackle third-world debt, and Scotland has given £4 per head in only a few weeks. That gives the context and shows the scale of what we are talking about when we talk about debt—a huge benefit to the third world but a small, almost trivial, price for us in the civilized world. We should keep that thought close to our hearts.

We must not be complacent. We in the developed world are the world's biggest debtors. The United States runs the biggest deficit economy of any, and we are running a deficit that is measured not in hundreds of millions of pounds—as we might end up measuring our support for the countries affected—but in billions of pounds. In other words, what we give back is much less than what we take.

What is money? Why did money come into existence? Well, in the grain stores of Samaria, excess production was put in store to be drawn back down at a later date when it was needed. Money is a way of storing the excess production that we have now for later. We run deficit economies, so we are taking the excess production of third-world countries and building our economic success on their labour. Is not that a thought to carry forward from here?

Do not let us confuse money with help. Money enables help, but it is not help. We have to move rapidly to a position in which local communities that are affected can rebuild for themselves.

Des McNulty introduced the issue of women. I suspect that we do not yet know one thing about the tragedy, which will affect fishing communities in particular. The men were all at sea and survived, but the women and children were on shore and perished. I speak to men when I say that society can continue pretty well satisfactorily with a major cull of males, but it cannot survive a cull of females. That is a simple biological fact that we must be aware of.

**Phil Gallie:** Is not the culture, in particular in Indonesia and to a degree in Sri Lanka, based

very much on family life, and would not it be somewhat dangerous if we singled out women?

**Stewart Stevenson:** I do not deign to suggest to anyone what their culture should be and I think that Phil Gallie should be aware that, in Indonesia, there are many dozens of entirely different cultures and patterns of family life. It is not for me or anyone else in the chamber to comment on that.

I return to the subject of money in relation to the role of women, particularly in India. The provision of micro-loans to women in India has been one of the most successful ways of empowering communities and individuals and I hope that there will be a focus on introducing such schemes in many of the areas affected by the tsunami. After all, women are the future in a way that men are not.

Indeed, it could be in our own interests to take such an approach. For example, when South Africa moved from apartheid to liberation, the white, western banks would not lend money to people in the squatter areas to allow them to develop and improve their housing. However, it turned out that the people who had least and borrowed least were the most likely to repay their debts. As a result, western banks lost out, to the benefit of indigenous bank developments.

We should not support a programme of rebuilding in the countries that have been affected. Instead, we should learn from the past and build anew, to empower the people in those countries. We should not get too caught up in supporting Governments; it is people that we need to support.

**The Deputy Presiding Officer (Trish Godman):** Before I call Jamie Stone, I remind members to stick to their six minutes. If they do not, I will have to lose another back bencher from the list of speakers.

10:41

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I find it strange how personal contact can bring something home to us. Just before Christmas, a family cousin, Eric, got married. He and his new wife went to Sri Lanka and on boxing day they decided—almost by the grace of God—to go to church, which was up a hill. They did not know what had happened during the service and, when they came out of the church, their hotel had gone. The management, all the staff and the people they had dined with the night before were dead. Knowing the agony that my relations went through—if only for a short time—before they discovered that Eric and his wife were still alive brought home to me what had happened.



Last autumn, a friend of another relation of mine, the Rev Richard Frazer, who is the minister at Greyfriars church here in Edinburgh, came back from teaching in Africa. She told him how, when she joined the school, she could not understand why some of the children had burnt fingers. Later, she found out that the area was so poor and the school was on such a shoestring that it could not afford to buy plastic knives and forks to allow the children to eat their one meal a day. Instead, a group of children would be fed with the school's much smaller set of conventional knives and forks, the cutlery would be washed and the next group would be fed. However, some of the children were so hungry that they were snatching the hot mealies straight off the plate and burning their fingers.

Such personal anecdotes bring home to us the issues that we are discussing this morning. As a result, I thoroughly endorse the comments that members on all sides of the chamber have made in this worthy debate. I particularly endorse the comments that the First Minister, Des McNulty, Nora Radcliffe, Dennis Canavan and other members have made about the importance of maintaining long-term relationships with the affected countries. After all, it is easy to put our hands in our pockets, throw a day's pay or whatever into the bucket and walk away with a clear conscience. Members this morning have made it clear that that is precisely what we must not do. Instead, our involvement must be medium to long term and any proposals that are made and implemented should be accompanied by one-year, two-year, five-year and 10-year audits.

I applaud Stewart Stevenson's speech and believe that his comments on debt are absolutely correct. We should wipe debt out, but what is to prevent it growing again like a cancer? Such debt develops for many reasons, one of which—as Dennis Canavan hinted at—is the arms trade. Menzies Campbell and members of other parties are right to sing off the same hymn sheet in saying that there should be a stronger United Nations. It is wrong for very poor third-world countries to be buying kalashnikovs and other weapons of destruction that they do not and should not need, and the UN has a role in that respect.

At this point, I make an important plea. Once these areas are rebuilt, tourists must go back to them. Indeed, the Pacific Asia Travel Association believes that the road to speedy recovery is to support tourism. PATA's president and chief executive, Mr Peter de Jong, said:

"The human loss of this tragedy is unprecedented. However, the negative impact will only be exacerbated if tourists cancel or postpone their visits. Now more than ever, Indian Ocean countries want you to come visit. Not only will tourism maintain jobs and boost local economies, it will also be a sign of support and solidarity, giving new

hope and confidence to those who have begun to rebuild their lives and livelihoods."

I close by returning to my cousin, the Rev Richard Frazer. His congregation now collects plastic knives, forks and plates to send out to this little school in Africa and I fancy that it will continue to do so for years to come. Members have already mentioned the links that schools and communities have made with these countries, but church congregations and families can make the same links. Relationships last best and are strongest when they are formed at the most personal level, and every effort that the Scottish Executive can make to encourage such relationships will be worth while.

I commend the debate, to which it has been a privilege to contribute.

10:46

**Irene Oldfather (Cunninghame South) (Lab):** I welcome the opportunity to speak in the debate, although I am sure that I reflect all members' views when I say that I wish that we were discussing trade justice and international aid in a different context.

Jamie Stone's opening story illustrates the unexpectedness of and people's shock at what has happened. As we unwrapped presents on Christmas day, who could have known the disaster that lay ahead for the peoples of the Indian ocean and, indeed, for us all? After all, families across Scotland and the rest of the UK have been directly affected by the tragedy. At such times, we can appreciate just how small the world is and how deeply affected we can be by such events.

We were stunned as the full horror unfolded on our television screens and the death toll crept up by thousands hour by hour. The numbers became more than reported statistics; they became real-life horror stories of families and communities that had been wiped out to leave a panorama of devastation, makeshift morgues, burial sites and widespread wreckage. Although, in the first hours of the tragedy, the figures were staggering and disturbing, the scenes that unfolded before us in our living rooms became incomprehensible. It was estimated that 159,000 were dead and that five million people—the population of Scotland—were homeless, displaced and in need of aid. I do not think that we can get to grips with that kind of crisis.

The disaster is extraordinarily tragic and unprecedented in modern times, but the Scottish people's response has also been extraordinary and unprecedented. Indeed, on such a day, we feel proud to be Scottish. Ordinary Scottish people with extraordinary talents and skills have been

finding out the best way to provide assistance. From our fishermen to our doctors and health and social service professionals, from people in Government to people in the street, it seems that no one can do enough to help. In the midst of all the devastation, aid workers are telling us how communications are being reinstated and clean water facilities in some areas are now up and running again. There is a slight flicker of light at the end of a very long tunnel. However, as other members have pointed out, there is still a great deal to be done not just in the months but in the years ahead to restructure the textile, tourism and fishing industries in the affected areas.

I take a moment to pay tribute to aid workers not just in south-east Asia but in Scotland and the rest of the UK who, since boxing day, have been working tirelessly and for extraordinarily long hours to co-ordinate efforts.

In the first few days of the tragedy, one of the local shops in my constituency raised the fantastic amount of £1,500 just by putting a bucket next to the till. People were very generous with their contributions. Today, I read a story in my local paper, *The Irvine Herald and Kilwinning Chronicle*, about an unemployed gentleman who won a radio quiz programme and donated a substantial amount of his winnings. His financial circumstances are such that he could not otherwise have made such a donation, but his first thought on winning was to give money to those affected by the tragedy. Those touching stories reach out to our basic sense of humanity. My colleague Brian Donohoe and I will work with members of our local Asian community and Oxfam Scotland to arrange a fundraising dinner at the Gulab restaurant in Irvine on 13 March. Members who are partial to a curry will find none better than Jack Singh's in Irvine, so I invite them to come along to support our cause. I hope that that little advertisement is acceptable, given that charities are involved.

I listened carefully to the Minister for Tourism, Culture and Sport today and to the First Minister's statement yesterday and I am pleased that we are sending out a clear message that Scotland is in this for the long term. Of course, as members have said, we must use the UK presidency of the Council of the European Union and the G8 summit to set out plans for the longer term, not just to deal with the disaster that we are discussing but to tackle wider problems of poverty in the third world, trade justice, debt relief and direct aid.

We can and must use the G8 summit to put pressure on countries that have not yet set targets. The scale of the challenge in Africa and south-east Asia is enormous. I provide one example: in 2004 the Indonesian budget for debt was 10 times its health budget and 33 times its

housing budget. Although we welcome the steps that have been taken so far, it is clear that if countries are to rebuild infrastructure in the coming months and years, they must be released from such a burden. The Paris club of creditors is due to meet today and I hope that further progress on the matter can be made.

During the past three weeks, we have witnessed unprecedented generosity of spirit. The Scottish people have shown that we can reach out across continents to offer help and support. We have acknowledged—by donating astonishing amounts—that we can help people who have so little. From despair emerges hope for human progress and a real sense of our duty to others, which we should aim to build on in 2005. Let us work together to send out a message that we want to make poverty history.

**The Deputy Presiding Officer:** I call Phil Gallie. No adverts, please, Mr Gallie.

10:52

**Phil Gallie (South of Scotland) (Con):** In the interests of the consensus to which Mark Ballard referred, I tell Irene Oldfather that she can count on me to buy a couple of tickets for the meal at the Gulab. I wish her well with the project.

Mark Ballard made a serious point about consensus. Given that the speeches this morning reflect almost total agreement among members, it is perhaps a pity that there must be divisions on the motion and amendments at decision time. I make no criticism of the Scottish National Party, which I commend for raising the issue, but it would have been good if all members could have come together outside the chamber to lodge a motion to which we could all have given our total support.

**Margo MacDonald (Lothians) (Ind):** Will the member give way?

**Phil Gallie:** Yes, but I am tight for time.

**Margo MacDonald:** Will the member ask the Presiding Officer whether it is in order for a party not to press its motion or amendment?

**Phil Gallie:** Will the Presiding Officer treat that intervention as a point of order, as it requires an answer?

**The Deputy Presiding Officer:** I do not want to interrupt your speech, so I will respond to the point of order when you have finished.

**Phil Gallie:** Thank you.

I identify with almost all the comments that members have made and I have no intention of repeating them. The scale of the disaster is unprecedented in my recollection, although I have recollections of the affected area. Forty-five years

ago tomorrow, I joined a Ben Line ship at Leith and for almost half the five-year period that followed we sailed in the waters of the Indian ocean. I have many memories from that time of what I regarded as the idyllic settings in which people lived around the edge of the ocean. To some degree, I was a little envious, because the immigration laws of their countries meant that it was impossible for people like me to live and work in that part of the world.

One striking memory is of my perception of the poverty in the area. I say "perception" because I tended to consider people's standards of living in relation to the standards that we expect in western life. Our impression of what constitutes poverty is not always shared by others. Nora Radcliffe and others made the point that whatever we do and however we use our resources to try to assist people in the parts of the world that have been so badly damaged, we must not insist on a western approach to development and reconstruction. We must let people make their own decisions locally; then we can give them the backing that they will need.

Comments have been made about the availability of our fishing vessels. Nora Radcliffe made constructive comments about the matter. However, given the decimation of fishing stocks in the western world due to the use of high-tech measures, I can think of no worse approach than to impose western high-tech measures on people who, for centuries, have found that their way of life is sufficient to feed and clothe themselves and their families and to sustain a life that they enjoy.

My heart goes out to the people of Scotland and the rest of the UK whose Christmas and new year holiday breaks were terribly disrupted in a way that is beyond imagination. Some people's loved ones had been looking forward to a well-earned holiday in the affected areas, particularly in Thailand. I cannot imagine the feelings of the people who have been left behind or of those who witnessed such loss of life. We must consider the effect on the minds of those of our own people who will never know exactly what happened to their families and loved ones who were among the 150,000 and more people who died.

On the efforts that the British Government and the aid agencies are making in south-east Asia, there will always be people who criticise the Government's efforts to provide facilities in such circumstances, but the Government has done almost everything that it could do to ease the way and I commend it for that. John Swinney said that there is a "morass" of aid agencies. That might be a weakness, but the aid agencies have come together and concentrated their efforts, which is important.

Murdo Fraser mentioned the water industry. The pharmaceutical industry is often criticised, but the

UK industry has taken much practical action to provide medicine and chemists. We can all be proud of the steps that such industries have taken. We can also be proud of our armed forces, which are also often criticised but which played a vital role when they were most needed.

I would like to say much more, but I regret that time has run out.

**The Deputy Presiding Officer:** In answer to Margo MacDonald's point of order, I point out that a motion was lodged, to which certain parties that were not happy with the motion lodged amendments. After an amendment has been moved, it may be withdrawn by the member who moved it at any time before the question is put, unless another member objects to its being withdrawn. That is and always has been the rule. It is not for me to decide if and when a member may withdraw an amendment; there is a procedure whereby they may do so.

**Margo MacDonald:** On a point of order, Presiding Officer. I apologise if I did not make my intention clear. I wanted to ascertain whether the same rule applies to a motion. I understood the position on amendments, but I was not sure about the position on motions.

**The Deputy Presiding Officer:** Yes, the same rule applies.

**Margo MacDonald:** Thank you.

11:00

**Michael Matheson (Central Scotland) (SNP):** No one could not be moved by the scenes of devastation that were caused by the tsunami on boxing day. The waters may have receded, but the tragedy is mounting. Almost three weeks since the tsunami swept across the Indian ocean, more than 150,000 people are thought to have died and the death toll continues to rise. The UN estimates that some 500,000 people have been injured and that millions have been left homeless.

Sadly, the local infrastructure of many of the areas and communities that have been affected by the disaster, which in many cases was very limited, has almost been destroyed. Many members of those communities were already living in poor conditions. As the international community strives to meet their basic needs, by providing them with safe, clean drinking water, for example, it is worth reflecting on the fact that many of them did not have safe, clean drinking water prior to the tsunami.

It is clear that the tsunami was one of the worst natural disasters ever, not just because of the terrible toll in human life, but because of its unprecedented geographical scale and the number of people who have been affected in numerous countries.

The world's response to the disaster's horrors has been extraordinary. As well as offering its sympathy and prayers, the world community, including the people of Scotland, has dug into its pockets deeper than ever before to assist the aid campaign. The task now must be to ensure that that generosity counts in an enduring way. As the aid agencies move from the emergency phase of their campaign towards the rehabilitation phase, it is essential that the support and assistance that are being provided do not evaporate when the story drops out of the newspapers and the news headlines.

I welcome the commitment that the First Minister made yesterday to ensure that the Executive's support to the aid agencies will continue in the long term. The rehabilitation programme must be sustainable over many years to allow the many communities that have been affected to rebuild and develop their previously basic infrastructure. We should ensure that those areas that did not have clean, safe drinking water before the disaster have it in future. It is essential that the commitments by Governments throughout the world to provide varying amounts of aid translate into real action on the ground.

It is right that the world is focusing on the disaster around the Indian ocean, but the international community must not lose sight of the other humanitarian crises that exist in the world today, especially in Africa. Last year, our headlines were dominated for a short period by the genocide that was being perpetrated in Darfur, which, sadly, it took the international community almost 18 months to wake up to. Recently, the plight of the people of Darfur has dropped out of the headlines, but the crisis continues. The UN's most recent humanitarian report highlights the fact that 1.5 million people have been affected by the conflict, 1.2 million of whom are internally displaced. In September last year, it was reported that some 1.2 million people required assistance in obtaining food and, by December, the figure had escalated to 2 million people.

To meet the demands of its humanitarian campaign, the UN asked for \$700 million. So far, it has received just over half that amount. The UN requires more than \$150 million to deal with internally displaced people alone. So far, it has received \$17 million from the international community. What are the consequences when the international community does not meet the needs of such a humanitarian crisis? Half a million displaced people in Darfur are not receiving the basic food supplies that they require. It has not been possible to provide mosquito nets, so children continue to die from malaria, which is a preventable disease. Toilet facilities, cooking pots and basic fuel cannot be provided. Widespread malnutrition is being reported in many of the

camp. Sadly, that humanitarian crisis is not in our headlines, but the international community must face up to it. We cannot respond only to natural disasters; Darfur is a man-made disaster.

I sign up to and support the make poverty history campaign, but the real challenge is for the international community to deliver in making poverty history. I believe that we must be much more ambitious about tackling that challenge.

**The Deputy Presiding Officer (Murray Tosh):** I apologise to several members, as there is time for only two more speeches by back benchers.

11:06

**Pauline McNeill (Glasgow Kelvin) (Lab):** So far, the debate has been excellent.

In one sense, the tsunami tragedy has been a reminder of the world's failure to use its wealth to provide for the poorest and least resourced countries. Although there have been periods in history during which efforts to combat famine, disasters and poverty have been stepped up, they have never been on course to make an impact in the long term. As politicians and members of political parties, we should all be self-critical of the role that we have played in that. We have never done enough, raised enough money or cared enough about the poorer nations, but we have an opportunity to change that. As many members have said, now is a time to reflect—not on how the disaster could have been prevented, but on global problems. Disasters sometimes highlight the nations that have and the nations that have not.

We should focus on the agenda of fair trade, trade justice, the cancellation of debt, increased aid and the eradication of treatable diseases and the exploitation of children. We know that poverty comes in many forms. The world's problems are complex. Poverty can be the direct result of western nations exploiting poorer nations; it can also arise in countries in which there has been continual internal conflict.

Many of the world's problems are resolvable, not just through the provision of financial aid, but through political diplomacy and the relaxation of unfair rules. Ten years ago, the UK and the Scottish nation helped to bring about a democratic South Africa by applying political pressure. Some work still requires to be done and we should not forget the assistance that we have promised that country. We can learn from such nations; it is not just a one-way street. In the middle east, poverty is partly a result of conflict. The make poverty history campaign should recognise the complex nature of poverty. Sometimes financial aid is not all that is required; a political response is necessary as well.

If we reflect on what needs to be done, we realise that offering a solution will not be a simple matter of giving aid—although as Rosie Kane said in her excellent speech in last night's members' business debate, the Scottish people have given "until it hurts". Bigger nations will have to change their patterns of behaviour and trade in the longer term, and getting them to do so will not be easy. There needs to be international support for, agreement on and trust in that agenda for it to succeed beyond 2030. Fair trade is not just about creating fairer competition for individual producers; it is about ensuring trade justice on a global scale.

As Des McNulty has said, in supporting relief aid to the tsunami appeal, we cannot forget our long-term promises to African nations. As our chancellor Gordon Brown has said, Africa cannot remain patient. It has remained patient for 150 years. Ten years ago, our average per capita contribution to Africa was about \$33, but that figure has decreased to \$27. We cannot cut the existing cake; the cake needs to be bigger.

Some countries have had bad experiences of receiving aid. In some cases, aid packages that have been sent following a disaster have arrived with a certain country's stars and stripes printed on the side of them. First-world nations have sometimes seen disaster as a cheap way of gaining diplomatic credit. As much as it is right to trumpet what Governments have done—and it is right, as Dennis Canavan said, that the UK Government should match the public effort—we should ensure that Governments act with humility. Giving is about humility and dignity.

We will never meet the needs of the world's poorest without disregarding some of our own. We all know that. While I have no difficulty in understanding the need for payroll giving, we must also acknowledge that donating and sacrificing non-financially are sometimes personal acts.

I will quote not Matthew, chapter 6, which Murdo Fraser quoted, but Rory Bremner, the comedian, who said:

"it is not just about what we are prepared to give, but what we are prepared to give up."

Dr Siddiqui, leader of the Muslim Parliament, said:

"Compassion, care and concern for mankind joins each of us—whatever our faith or ethnicity."

Mo Mowlam, former Cabinet minister, said:

"I wish it would change our attitudes to other people in other countries, but I'm afraid that it won't."

There are mixed feelings about our ability as a state to sustain the effort, but the involvement of Tom Hunter, Bono and other high-profile people will help. I support the make poverty history campaign. It has been about for some time, and is the UK arm of a global campaign calling for action

against poverty. The fact that it has been about for so long is, like the tsunami, a wake-up call for us all.

As politicians, we need to be cautious about our role. This morning's debate demonstrates that we can work together, which we should do where possible. We need to have a dignified discussion on the way forward. We must not look for political gain or list what we have done and wear it as a badge. We must have humility about what we have done. This is not about gestures, but about honesty, and will probably be the largest concerted effort genuinely to understand the complex reasons for world poverty and its extent. We dare not fail in our small but significant part. I welcome the debate.

11:12

**Rosie Kane (Glasgow) (SSP):** Nicola Sturgeon in her opening remarks described the situation in the tsunami zone as utter devastation and she is absolutely right. I am heartened that in this Parliament this week we have focused on the disaster and devastation.

Making poverty history always has to be at the top of our agenda—it must be our goal—but words mean nothing if they are not backed up by deeds. Many in this chamber have rightly expressed concern that pledges do not always come to fruition. We heard that yesterday and we are hearing it again today. The concerns are genuine. We are also concerned that focus will swiftly move from this disaster zone to another. Too often, out of sight is out of mind. As Michael Matheson said, when the focus shifts to southern Asia, it moves away from sub-Saharan Africa, Afghanistan, Iraq and any number of places all over the world that are in deep strife.

If we step back from the planet and look at the entire world, it makes horrific viewing. Each day, 30,000 children die of poverty-related illness, 800,000 people suffer from chronic hunger, 1.1 billion lack access to safe drinking water and unjust trade rules weigh in favour of rich countries and rob the poorest people of around £1.3 billion. Those are the issues that we need to address if we want to make poverty history.

The total debt of the 52 poorest countries in the world is about \$375 billion. The amount of debt that G7 countries promised to write off was \$100 billion. However, the actual amount of debt written off so far is \$46 billion, or 12 per cent. Therefore, the proportion of debt that has not been written off is 88 per cent. The conditions imposed on debt relief have forced poor countries to adopt unfair and detrimental trade policies, including the privatisation of health care. We must guard against that type of aid. As I said yesterday, Great

Britain forced the privatisation of Tanzania's water service. That is not fair—it is not fair aid and it is not fair trade.

Mark Ballard mentioned poverty in the countries that were worst hit by the tsunami. Indonesia—the country that suffered the greatest devastation—is also the most indebted. Before the tsunami struck, the European network on debt and development calculated that, taking into account essential spending on poverty and human development, Indonesia could afford only half its annual debt repayments. Half should therefore be cancelled. Other countries affected by the tsunami are among the poorest in the world, and before the tsunami they needed 100 per cent cancellation. Where are they now?

Debt relief works. In Uganda, 2.2 million people gained access to clean water, and Mozambique was able to offer all its children free immunisation. Relief works, which is why we must pursue it. Debt must be cancelled.

The G8 is coming to Scotland. The rich and the powerful will again meet and decide how they will carve up the world. I agree with Nicola Sturgeon, who said that world leaders should have “no room for manoeuvre”, but if we are to make poverty history, doing so cannot be left in the hands of members of the G8, who are motivated by power and profit. Des McNulty rightly said that it is not just what we give, but what we do not take. We must look at what we are taking from countries around the world, because that often pulls the rug from under their feet.

Cancelling debt would be a huge, important and life-saving start. I said earlier that we need deeds, not words. In the past few weeks the Scottish people have given till it hurts. They have done their bit in terms of deeds. I wonder now whether they will do their bit in terms of words and whether the people of Scotland will come together and shout, “We want to make poverty history. It's time to cancel the debt.”

11:16

**Margo MacDonald (Lothians) (Ind):** First, I apologise for not being here for the opening speeches, but I had a hospital appointment this morning. However, the speeches that I heard impressed me with their sincerity and content.

The independent group decided not to lodge amendment S2M-2240.3 until we saw whether it would be possible for all groups represented on the Parliamentary Bureau to agree to a single motion that all members of the Parliament—whatever minor differences of emphasis and nuance there might be—could support as a unanimous expression of Scottish sympathy for all those millions of our fellow beings who have been

affected by the tsunami and as an expression of our undivided opinion on the magnitude of the disaster in the Indian ocean region and therefore its effect on the priorities of those who decide the policies of international aid.

The disaster has made an examination of aid policies inescapable. We hoped that the scale of poverty reduction that we must aspire to would find common agreement across the Parliament. We lodged our amendment because, unfortunately, those aims were not met, although members might feel that we have achieved them in this live debate, rather than in the printed pages of the *Business Bulletin*.

**Tricia Marwick (Mid Scotland and Fife) (SNP):** Margo MacDonald might not be aware that the SNP motion was given to all Opposition parties, with the exception of the SSP, four hours before it was lodged, in the hope that we could reach a consensus. That simply was not possible, but it was not for the lack of trying on our part.

**Margo MacDonald:** I did not in any way mean any member in the chamber to take our reasons for lodging an amendment as condemnation of the way in which any party acted.

We tried to produce an amendment that would find agreement throughout the Parliament. On the diminution of poverty, which was the last point to which I referred, we concede that there might be a difference of opinion, but even then that difference would not be about the strategic objective, as everybody wants to diminish poverty as quickly as possible. Any differences of opinion would concern the detailed policies for achieving that shared objective.

Although Stewart Stevenson's contribution was excellent and extremely well informed and researched, this is not really the debate to concentrate on the details of future operational policy. We cannot today pass on to the G8, the EU, the World Bank, the IMF or the Westminster Government—which has an active role in the G8—the considered suggestions or recommendations of the Scottish Parliament on how, for example, international aid should be directed at, and received by, appropriate individuals and organisations in countries in receipt of aid. However, we can agree to stress to all those bodies our unanimous belief that a much-improved monitoring system must accompany all aid packages and that the system—like the aid-and-trade packages—must reflect the differing realities of institutional development, for example, in the different countries that receive aid. That point was, I think, referred to by Phil Gallie. Regrettably, however, no single motion or amendment emerged that met the criteria that I have outlined. Dennis Canavan's amendment seeks to fulfil the functions of such a motion, as

we have tried to draw in the essential elements of the Scottish National Party, Executive and Green expressions of opinion in the *Business Bulletin*.

Leaving the mechanics aside, however, I wish to concentrate on the issue of recovery in those Asian countries that were affected by the recent consequences of an earthquake and the poverty that stalks millions of our fellow human beings. The devastation in Asia is primarily a human catastrophe. We have heard of the effects of the tsunami on local economies, but little attention has been paid to the overarching economic consequences. For example, while we were sitting stunned in our living rooms as we saw people swept to their deaths in their thousands, the stock markets of Asia did not sink and the international insurance industry did not cry about its potential losses—it did not blink.

The insurance industry reckons that its bill will be far lower than that for the hurricanes in Florida in 2004. The infrastructure outside the coastal areas of those of the affected countries that have a large land mass was not damaged, while most of the people killed were poor and had no insurance, either personal or for their small boats and other businesses. Those areas have been devastated not only by loss of life but by loss of economic structures. Coastal farming is badly affected by the incursion of seawater into what was previously a freshwater irrigation system, so it is essential that any aid is directed at the reconstitution of the economies of the poor in the coastal regions. Enough money may well have been committed, along with debt suspension, to achieve that, provided that the money boasted of by the rich countries is actually paid over.

I regret that I will have to curtail my words of wisdom because I took an intervention earlier. However, the motion and the amendments refer to the linkage of aid, debt and fair trade, the indivisibility of which cannot be overemphasised. Unfortunately, I have not had time to dwell on the latter two elements of that equation. In the interests of justice and the most effective management of the globe's resources, those elements must be resolved. One factor must be borne in mind: there is no common blueprint that can be applied to every country whose people are suffering the ravages of poverty and the lack of the most basic resources.

Our amendment, in Dennis Canavan's name, encapsulates the best common elements of the different expressions of opinion on matters affecting international aid. There is much more that unites than divides all sides in the Scottish Parliament on how the world's poor can be helped and how they can be supported in helping themselves. If the SNP—

**The Deputy Presiding Officer:** Ms MacDonald, I have to stop you at that point and call Robin Harper to close for the Greens.

11:24

**Robin Harper (Lothians) (Green):** I am happy to sum up for the Greens in the debate because a considerable consensus has been expressed in the chamber on a large number of subjects.

I start with debt, which is referred to in our amendment, and I congratulate Stewart Stevenson on his contribution on that point. What we could contribute—which would be extremely effective—is actually a trivial amount that would have an enormous effect on the poorest countries in the world. It is the view of colleagues of mine that debt is a particularly vigorous nerve centre of a predatory and oppressive economic model. Since 2003, the 11 countries affected by the tsunami have repaid \$68 billion in debt repayments. Governments alone repaid \$38 billion of that. Between 1980 and 2003, the repayments totalled 11 times the original debt. The debt that those 11 countries now owe—\$406 billion—represents a figure five times greater than the debt that they owed in 1980.

To return to the flow of the debate and Patricia Ferguson's sensitive introduction to her amendment, there is much to praise the Executive for in the steps that it has taken so far, but the Executive would recognise that there is much yet to do. The one-stop shop that John Swinney mentioned in his intervention is a concept that I support. There is an enormous amount of expertise in Scotland that could be used abroad, particularly the expertise of older volunteers, who could be encouraged to go abroad. There are organisations that assist with such work, and the Executive could help in that respect—and in many other respects—to point people in the right direction. It is expertise, as much as anything else, that those countries need. Some money will help now, but the long term has been accented by many members, including Mark Ballard in his introduction to our amendment.

There was an intervention from Patricia Ferguson on Learning and Teaching Scotland's contribution and its pack on third world debt. I would like to pay tribute to the work that is being done by IDEAS—the International Development Education Association of Scotland—which Des McNulty introduced to the Parliament. Some of us were able to attend its presentation, and I pay tribute to the work that it is doing in preparing packs and information for schools and teachers to use. Many charities that assist with education abroad could go on to the Executive's list.

As a former modern studies teacher, I think that it is a shame that not every secondary school in

Scotland has a full-scale modern studies department, because modern studies includes a big section on international affairs.

Dennis Canavan's speech was strong and he made many important points. I was glad to hear Murdo Fraser supporting the make poverty history campaign and pointing out the diversion of funds through corruption. We have to be realistic: in many countries that receive aid, some of that aid does not reach the destinations that we would like it to reach. That brings me to Nora Radcliffe's contribution that the great advantage of school-to-school links, community-to-community links and fair trade links means that we know where every penny of aid and help goes. It is absolutely traceable all the way through. I welcome Pauline McNeill's dedication to the make poverty history campaign. The campaign is right at the core of what the Greens have been talking about.

Like Phil Gallie, I lived and worked in the area affected by the tsunami. As a young child, I lived in Trincomalee, on the eastern coast of Ceylon—now Sri Lanka—so I have a vivid picture in my mind of the damage that has been done to the coast of Sri Lanka. I worked as a teacher in Kenya for two years, and spent my holidays on the beaches of the eastern coast of Kenya. Again, I have in my mind a vivid impression of how appalling it would have been if the tsunami had occurred at that time.

In summing up, I congratulate Des McNulty on the sentiment that he expressed that it would have been nice if the debate had been conducted in a non-party-political atmosphere. Perhaps the Parliament could devise some way in which, in future, we could have a non-party-political debate before 5 o'clock. We have them after 5 o'clock, and many of those debates have been excellent. They have been among some of the best debates that we have had over the years.

I speak in support of the Greens' amendment and in support of a better future for such discussions.

11:30

**Karen Gillon (Clydesdale) (Lab):** I begin where Robin Harper ended. There is a way in which what he suggested can be done. It is called a take-note motion, and committees use such motions all the time. It is unfortunate that the Parliament will be forced into a division today on a subject on which there is genuine unanimity. Somebody somewhere should have worked harder to find a form of words around which members from all parties could have united.

I apologise for being late, as I had child care problems this morning.

We have had an interesting, mainly consensual debate. I apologise for moving slightly away from that consensual tone in saying that, if Nicola Sturgeon had stayed to listen, she would have had an interesting and exhilarating morning. It is not acceptable for a member to move a motion, then leave the chamber and come back for the closing speeches. That would not be acceptable for a member of the Executive, and it should not be acceptable for anybody else.

The tsunami was a terrible disaster. The 24-hour television that we now have has brought to us images that we would not have seen before. In 1999, a gas explosion destroyed one house and one family in my constituency. I saw the devastation that that explosion caused, and it was simply unbelievable to see on television devastation that destroyed not only one house, but a town or a village and its whole population. I found it an unbelievable experience, as a parent, to listen to parents express what they felt when they had to let go of their children as they were swept away into the sea by a wave. I cannot begin to understand how that felt.

However, over the days and weeks that have since past, to me the resilience of those people has been equally remarkable for the way in which they have begun to look for their loved ones and to rebuild their communities. It has shown us what people can achieve. I am proud of, but not surprised by, the way in which Scottish people have shown their practical support. I am proud of the people who did not have much money but who have given their money away because they saw the utter devastation. I am also proud of the companies that have helped. Yes, companies are doing good things. For example, Scottish Water, which all members have criticised, has been practical and has got water and generators out to the disaster area quickly.

Members have mentioned people who want to volunteer to go and do something practical. Des McNulty is right that this is probably not the right time for unskilled people to make their way to south-east Asia, but there are enormous opportunities for people to volunteer in other parts of the developing world. If people who think that they have something to offer have been spurred into helping, there are agencies that can get them doing something useful, perhaps not in south-east Asia but certainly elsewhere in the developing world, such as Africa, where they can begin to help to make poverty history.

The issue that will always divide the Labour Party and the Tory party is free trade in its purest form. I have no opposition to African countries being able to trade, but they must be able to trade fairly. I always worry that, with free trade in its purest form, the poorest people in the world will



simply be exploited to the advantage of rich companies.

**Phil Gallie:** Does Karen Gillon agree with the Tory party that it was wrong for the EU to impose trade barriers against Sri Lanka at the time of the disaster?

**Karen Gillon:** I agree absolutely. It is wrong for us to impose trade barriers and it is equally wrong for multinational companies to go into developing countries and pay people a penny or two a day for doing a job for which they would have to pay a decent wage in the countries of the developed world. I have no problem with trade as long as we say to companies not that they can exploit the poorest people in the world to maximise their profits, but that they must contribute to development, work with the Governments of developing countries to grow economies and develop the skills that are needed and give a decent wage.

We read in the papers of a young man who was swept away on a log, but who managed to survive and who was photographed with his family. He was paid £5 a day for working in a hotel that westerners would pay thousands of pounds to visit. That is simply wrong. Our countries and Governments need to work to try to change that, and there are opportunities for the Parliament to move the debate on. I will be privileged to go to Malawi and South Africa with the CPA delegation. I have no concept of the poverty that I will experience there, but I hope that I will come back more determined than ever to do something about it and ensure that we make poverty history.

Des McNulty's plea for us not to forget Africa is extremely important. A vast amount of resources now need to be devoted to south-east Asia, but every week, the number of ordinary people who die in sub-Saharan Africa and throughout the world is equivalent to the number of those who died in the tsunami. As a nation, we must do more to ensure that ordinary people both within and outwith south-east Asia are supported and helped to improve their lives in the 21<sup>st</sup> century.

11:36

**Lord James Douglas-Hamilton (Lothians) (Con):** I am glad to speak in the debate and express sympathy on a subject that has caused immense trauma and distress to countless families in Asia, Europe and Africa, not to mention other parts of the world.

I mention my interest as president of the International Rescue Corps. The firefighters and paramedics who are associated with the IRC were on immediate standby to send some of the best and most highly qualified experts in the world to the tsunami, but the Department for International

Development could not obtain agreement from the host Governments for the following reasons. The airfields on which a high-powered team could land were many miles and, in some cases, some days by train from the disaster areas and, with no onward transport, the team could have ended up stranded for days. In some cases, the number of flights that were trying to land exceeded the safe capacity of the air traffic control system. Incoming flights were being warned that holding patterns were long and that they had to refuel before entering the holding airspace. Moreover, most countries were asking for help in the form of funds rather than personnel.

The aspiration of the International Rescue Corps to assist could not be acted on in that instance, but I am glad that the IRC was involved in more modest relief efforts closer at hand in Carlisle through the use of boats, which was invaluable to the police and fire service.

I suggest that there are some extremely important lessons to be learnt from the immense, terrible tragedy of the tsunami. First, the countries that are at risk from tsunamis must have efficient early warning systems in place. It is to be hoped that the British Government will co-operate with the American Government and the United Nations in assisting other nations to have the benefit of the type of early warning system that is available to nations in the Pacific.

Secondly, it is essential that, in such situations, the Department for International Development obtains the correct facts with all possible speed to enable appropriate offers of expert help to be considered at the most senior level from the outset. Sadly, it appears that, in this case, the tragedy's full extent did not strike home, as the department was genuinely not aware at the outset of its scale or extent.

Thirdly, although I welcome Scottish Water's good work, the Scottish Administration can act in an enlightened manner by asking, in co-operation with Scottish Water, for a feasibility study on the possibility of the bulk transport of Scottish water for humanitarian aid. That is a theme that I have put to Ross Finnie in former years and in 2001 he replied that the water authorities had the appropriate powers to enable engagement in such activities, either by themselves or in partnership with other parties, and that what was then the proposed Scottish Water would have even clearer powers to take such decisions.

I welcome the First Minister's statement yesterday that 45 tonnes of valuable bottled water were sent to the Maldives, but I suggest that transferring water in bulk could have a massive impact for good. When the lives of countless thousands hang in the balance because they cannot readily obtain clean water, surely it is time

for the relevant Scottish interests to realise that clean water in bulk is an invaluable life-saving necessity.

Some of Scotland's water—the vast bulk of which is surplus to Scottish requirements—could supply invaluable humanitarian aid. All that I ask is that the Administration, in co-operation with Scottish Water, investigates the possibility of a feasibility study, as meeting the demand for clean water in bulk is likely to save many lives. That demand will not go away. Scotland has the capabilities, skills and expertise to make a huge difference.

I ask the Executive to consider the representations of WWF Scotland, which demands that future coastal developments in south-east Asia are not built in a safety zone from the tidemark. It calls for strong coastal zone management policies, planning and better implementation in the region. It supports steps to undertake tsunami impact and natural disaster risk assessments. WWF Scotland recognises the immediate need for timber for emergency housing and workplaces, but it strongly advocates that timber for long-term reconstruction efforts should be harvested from responsibly managed forests, as indiscriminate logging could contribute to other calamities, including landslides and flooding.

Some of those matters are reserved to the United Kingdom Parliament. I welcome ministers' positive stance on the subjects and I hope that they will use their good offices to help to find the best ways forward through humanitarian aid that will benefit the human race.

11:42

**The Deputy Minister for Finance and Public Service Reform (Tavish Scott):** I recognise the words of Patricia Ferguson and Nicola Sturgeon about the Western Isles. In the context of a debate about international events since boxing day, it is important to express our condolences to and sympathy for those who have been affected. As a fellow islander and representative of communities that are surrounded by the sea, I can only sympathise with what Alasdair Morrison must be going through. I pass on my sympathies to him.

The sympathy and condolences that we have all sent individually, as members, as political parties, as a Government and as citizens of this country have—rightly—been immense since events unfolded on television screens on 26 December, as many members have said. How many of us have watched our children build sandcastles on a beach only for the incoming tide to wash them away? How many of us can begin to understand the terror, numbness and helplessness at losing homes, livelihoods or—even worse—our loved ones to such a deadly event as the tsunami? Ten

years ago, I visited Sri Lanka, where my sister worked. Unfortunately, unlike Mr Harper, I could not reach Trincomalee at that time, because it was in the Tamil part of the country.

As more newspapers have procured more photographs, the abiding image of the past few days for me has been of the cricket ground at Galle, which is just behind the port. I remember watching 10 and 11-year-old young lads playing a game of cricket there 10 years ago. A picture in one of our national newspapers in recent days showed that absolutely nothing remains. The houses that surrounded the cricket field, the shops and the businesses have all been swept away. That aerial photograph gave a graphic illustration of the scene of utter devastation that has affected many in south-east Asia and around the Indian ocean.

We have heard significant speeches from all members who have contributed. Fair trade and international debt have dominated our considerations and provided some context to our concerns about how we believe, individually and collectively, that matters should be developed.

I say in response to a comment by Mark Ballard that commentators have suggested that possibly the most important development at the Cancún world trade talks last year was the emergence of alternative blocks of nations to represent countries of emerging economic importance, certainly in South America, which are determined to develop, articulate and deliver on their trading needs.

Like many, Murdo Fraser was right to raise the issue of free trade. I am very much with Karen Gillon on what we define as free trade. We could debate all morning what free trade is. Perhaps the most important characteristic is consistency. Dennis Canavan was right to express our concerns—and, I suspect, those of many in the chamber—about a definition of free trade that includes the sale of arms. We might all reflect on that and consider carefully Murdo Fraser's correct point about the need for consistency in examining such issues.

**Christine May (Central Fife) (Lab):** The minister will know that I am a member of the Co-operative group of Labour MSPs. The co-operative movement worldwide has done much to improve trade in developing countries. Will the deputy minister and the Minister for Tourism, Culture and Sport agree to meet the co-operative movement in Scotland to discuss how those principles might be used in regeneration?

**Tavish Scott:** I have no difficulty in agreeing to Christine May's suggestion. We would be happy to have that meeting.

Des McNulty has—rightly—received considerable praise for his work on the subject

and in connection with the make poverty history campaign. I was impressed by the range of statistics that members—of whom Rosie Kane is but one—used to back their underlying and reflective concerns, such as the facts that about 1 billion people throughout the world live on less than \$1 a day, that 100 million children cannot go to school and that 200,000 people die every day from preventable causes, as Dennis Canavan said.

There has been considerable discussion of how the international community should use international aid. The scale of that aid is of course important, but I was struck that several members said that what matters is not just the scale of aid, but what it is spent on. Rosie Kane talked about immunisation in Mozambique. It is precisely the point that that international aid—that debt relief money—was used for that need, which is right.

Many members talked about education for all around the globe and for both sexes. What Stewart Stevenson, Des McNulty and others said about women was right. We representatives of fishing communities might reflect on how much it means at times when men are lost, which happens in such circumstances. In that sense, we can but have common cause with the fishing communities of southern India or Sri Lanka.

Michael Matheson was right about the need for the international community to act. We are part of that community and we are proceeding to act. As many members said, the challenge is to sustain action.

**Michael Matheson:** Will the minister give way?

**The Deputy Presiding Officer:** The minister is in his last minute.

**Tavish Scott:** Nora Radcliffe talked about twinning communities. Just as the First Minister praised Glasgow for its role in that, I mention my constituency of Shetland, which is collaborating with Help the Aged on a twinning project with an Asian community that the disaster has devastated. That will involve a reconstruction and rehabilitation programme that is sustained over several years, after the focus of attention and the media hype have disappeared. That is the right approach.

I will finish with an important quotation, which I read in a paper this morning. In response to everything that has happened, the Indian Prime Minister said in a speech just the other day:

“It used to be said of the British Empire, from whose yoke Gandhi freed us, that the sun would never set on it. If there is an Empire today on which the sun truly cannot set, it is the empire of our minds, that of the children of Mother India, who live today in Asia, Africa, Australia, Europe, the Americas and, indeed, on the icy reaches of Antarctica.”

I agree. As he said, we cannot close our minds to what has happened. We all surely support that. We must act for the future.

As for the motion and the amendments, I make it clear that the Executive would be happy to withdraw its amendment in response to the points that many members have made, if all parties agreed.

**Dennis Canavan:** On a point of order, Presiding Officer. This arises from what the deputy minister has just said. That the Scottish Parliament should give as united a response as possible to the catastrophic situation that we are discussing is important. Therefore, in the spirit of unity that has been demonstrated during the debate, I would also be prepared to withdraw my amendment.

**Mark Ballard:** On a point of order, Presiding Officer. I echo what Dennis Canavan says and would also be happy to withdraw the Green party's amendment in that spirit of unity. However, I am disappointed that we did not reach such a point before the debate started. We seem to be reaching it only at the end of the debate.

**The Deputy Presiding Officer:** Those suggestions are noted.

11:51

**Richard Lochhead (North East Scotland) (SNP):** In closing the debate for the SNP, I start by echoing the comments of Nicola Sturgeon, Tavish Scott and other members. We are debating an international disaster, but many communities and families in Scotland have experienced disasters over the past 48 hours. Our thoughts go out to families that have lost loved ones in that period.

The debate has been excellent. It has been characterised by consensus and unity and has not been party political. The SNP is happy to reflect on the suggestions that other parties have made in the past few minutes. We have made every effort to produce a motion for the debate that attracts unity, and we will be happy to continue our efforts between now and decision time. Our business manager will certainly be happy to speak to business managers from the other parties.

**Patricia Ferguson:** On a point of order, Presiding Officer. My point is not at all a political point, but simply a procedural one. The easiest way to obtain consensus in the chamber is to have a debate without a motion. We all agree about what needs to be done, although we might disagree a little on nuances or on how things are done. I hope that the SNP will co-operate to make consensus a reality.

**The Deputy Presiding Officer:** Again, we can all reflect on that.

**Richard Lochhead:** I do not think that anyone wants the debate to be marred by such an argument. Our party has said that we are happy to speak to others before decision time at 5 o'clock.

For many of us, boxing day 2004 and the few days after that will for ever be associated with the harrowing images that we witnessed on our television screens. We saw mountains of sea pushing aside everything before them, caught on digicams that were carried by holidaymakers in Thailand and other places. Those images will stay with us for many years to come. There were images of orphans who had lost their parents and other members of their families and of parents whose babies had been swept from their arms. We all witnessed the overall scale of the devastation. The event brought home to us that mankind will continue to be at the mercy of the natural environment despite all the technological and scientific advances that the human race has made in the past few centuries.

The other lasting impression is that we now recognise more than ever before the gulf between the rich and the poor, and the gulf between wealthy and poverty-stricken societies. Even before the tsunami, Aceh had only one hospital and 49 per cent of the population had no access to clean water—other members have mentioned that. Some 40 per cent of the population had no access to health services. As Patricia Ferguson said, poorer communities throughout the world are much more vulnerable to such natural disasters.

In a time in which there is war and corruption in many countries, the disaster brought home to all of us that there is an enormous reservoir of human compassion in the world. The public response in Scotland and the rest of the world has been extraordinary—indeed, many Governments have found themselves playing catch-up with respect to the public's generosity. We may never know why there has been such a response. Perhaps it is the result of the sheer scale of the disaster, or of 21<sup>st</sup> century communications that mean that we can all witness exactly what is happening. However, the motives are irrelevant. The disaster could be a turning point in international aid and giving.

The SNP's aims in the debate have been clear. We want to express sympathy and support for the communities in Asia that have been affected and to pay tribute to the many people in Scotland—to individuals and those in aid agencies and companies—who have done what they can to alleviate the suffering in Asia. Of course, the aim has also been to discuss how we can continue to give short-term support and save lives in the coming weeks and months through providing clean water, sanitation, medical care, shelter and so on.

We all agree that we must turn our attention to how Scots can best contribute to the long-term

reconstruction of the communities that have been affected. There has been much talk about the contribution that fishing communities can make, and we welcome the task force that the Scottish Government has set up to help to achieve that. Fishing is one of the few economic lifelines in many vulnerable communities. We have all been shocked by the sight of large fishing boats being tossed about like toys on the main streets of communities in Asia. Many people from our fishing communities in Scotland are lining up to offer help. Stewart Stevenson has told me that one net maker has been in touch with him in the past 24 hours with an offer to supply nets. We must remember that a Sri Lankan fisherman has said on television that it would take him one year's work as a labourer simply to get the cash to replace the nets that he lost in the disaster.

The British Geological Survey has been proactive. It will conduct a meeting and bring together its international counterparts to find out whether they can come up with ideas about early warning systems. In Scotland, there are many people behind the scenes who do not get publicity, but are doing what they can to help in the crisis.

Many members have suggested that a good way forward is a one-stop shop for members of the public who want to offer materials and services. That is an important point. People know how to give cash, but some people want to volunteer services and materials and do not know how to do so. A one-stop shop would therefore be valuable.

Part of the key to the long-term reconstruction of the communities in question and other communities elsewhere in the world has been referred to by many members, the SNP's motion and other motions. We must make poverty history. We have the financial resources, the drugs and the scientific knowledge to tackle poverty throughout the world. The challenge that all of us in Scotland and elsewhere face is harnessing those resources to tackle and eliminate poverty in a developing world.

This year—2005—was going to be dominated by the international development agenda. It will be dominated by that agenda even more as a result of the added momentum that has arisen from the disaster on boxing day. The G8 summit will be hosted in Scotland, and poverty in Africa and other issues will be addressed. Such issues are high up on the agenda. In September, the UN special General Assembly will meet to review progress towards meeting the millennium development goals that were set in 2000. The aim is to halve the global population that lives in poverty by 2015. Many members have talked about trade liberalisation. The World Trade Organisation will meet in December. There has been plenty of talk and hot air before, but we agree now that action is

needed. There should be no more giddy rhetoric that ends up in sheer disappointment.

Scotland is a small country, but it can play a role. We can add our voice to the cause and take practical steps. We welcome some of the steps that were outlined by the First Minister yesterday and that have been outlined by Patricia Ferguson today. Helping to create good government in many developing countries will lead to better education and health care and a better standard of living in them. Therefore, the Parliament and the Government have a responsibility to work in partnership with civic Scotland to reinforce current efforts and find out what more we can do in the coming period.

**Margo MacDonald:** The member has said absolutely nothing that breaks the consensus in the chamber. Therefore, I appeal to him to say that the SNP will not press the motion.

**Richard Lochhead:** It is important that we do not mar the debate by getting into that argument. We have already said on the record that, before 5 o'clock, we will discuss with the other parties how we can resolve the issue.

Yesterday, the aid agencies were in the Parliament to meet MSPs. A number of themes that emerged from the briefing have been echoed by members from every party. The aid agencies said that they do not want the disaster to distract our attention from other causes around the world—Michael Matheson and many other members mentioned those crises. Currently, there are 14 other major humanitarian crises in the world—in the Congo, Sudan and in other countries—that we cannot take our eyes off, and the aid agencies do not want aid to be diverted from existing aid budgets to the disaster. Aid must be over and above existing commitments. The message that we must send to the public is that although they have been extremely generous over the past week or two, that generosity must continue.

Local people in the countries that are affected must be at the heart of the reconstruction. Many members, including Des McNulty and others, made that valid point, which was echoed by the aid agencies.

Once this particular disaster leaves our headlines, we must continue to help out. Let us remember Afghanistan and how it left the radar screen when it was out of the headlines.

Although it is difficult to imagine good coming out of the tremendous disaster that took place little over two weeks ago, 2005 can be a good year for the world. We have our own—albeit young—Parliament, and our own Government, and we have united around action that we can take in the Scottish Parliament to ensure that 2005 is a good

year. I urge members to support the SNP motion, or a motion that can unite us, at 5 o'clock.

## First Minister's Question Time

12:00

### Cabinet (Meetings)

**1. Nicola Sturgeon (Glasgow) (SNP):** To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-1335)

**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.

**Nicola Sturgeon:** The First Minister has said in the past that he wants to be open and transparent. With hindsight, does he think that he was as open and transparent as he should have been about his holiday with Kirsty Wark in January 2003?

**The First Minister:** Yes.

**Nicola Sturgeon:** I invite the First Minister to focus on the central issue of concern in this matter. He enjoyed the hospitality of an individual who, I accept, is his friend, but who also happens to be the director of a company that earns thousands of pounds in contracts from the Scottish Executive and who has been embroiled in the controversy about the withholding of evidence from the Holyrood inquiry. Does not the First Minister understand that it is those circumstances that turn a private holiday into a matter of legitimate public interest and an interest that should have been openly declared?

**The First Minister:** If Ms Sturgeon is suggesting that a civil servant broke the rules in awarding contracts to a company in Scotland, she should say so. If Ms Sturgeon is suggesting that any company in Scotland asked me for favours and that I did favours for it, she should say so. If Ms Sturgeon is suggesting that at any time in this job I have given preferential treatment to any company in Scotland because I happened to know it at some point in the past 20 years, she should say so.

However, what I think is wrong is the innuendo and the insinuation that a private family holiday is in some way wrong when the two families have known each other for over 16 years, when they have, quite properly, holidayed together before, and when everybody who knows them—and many who do not—know that they are good friends. It is wrong to bring that to this chamber, it is wrong to use it in the media, it is wrong to divert our attention away from more important issues and it is certainly wrong in relation to the members of those families who, like everybody else, deserve some privacy when they are on holiday.

**Nicola Sturgeon:** I hope that the First Minister is not deliberately missing the point. I draw his attention to the ministerial code of conduct, which states that if a minister accepts hospitality

“from a source which might reasonably be thought likely to influence Ministerial action, it should be declared”.

If accepting hospitality from a source that has a significant financial relationship with the Scottish Executive does not fall within the ministerial code, will the First Minister tell us what on earth would?

**The First Minister:** I will be very clear: there is absolutely no question that I received a gift or, in my view, hospitality, from Alan Clements, Kirsty Wark and their family. I do not accept that two families sharing a house that is owned by one of those families, who have been friends long before any of them were the national public figures that they are today, is in any way wrong. I do not accept that that represents a gift or hospitality, but it was in the public domain and everybody knew that it was taking place.

The issue to question is not a private family holiday in which friends share a house that one of them owns, but those who attack successful, Scottish professional women and the integrity of this Parliament through attacks on the integrity of my office. Much more seriously, the issue to question is those who employ photographers to sit in bushes and photograph children when they are on private family holidays. Those are the serious issues: they should be addressed as much by Opposition leaders as they should be by me as the First Minister.

I want to say, on the record, that Kirsty Wark and Alan Clements are two of the most decent, hard-working, honest and caring people whom I have ever known. I believe that it is fundamentally wrong to question either their or my integrity on the issue. I also believe that the people of Scotland know that.

**Nicola Sturgeon:** Does the First Minister accept that the purpose of the ministerial code is to ensure not just that the First Minister is above influence, but that he is seen to be above influence? Does he further accept that for him not to declare hospitality from this source is contrary to the code? Will he concede that he made an error of judgment, agree to register the 2003 holiday together with the one at the turn of this year—and any other holidays—and allow us all to move on to other issues?

**The First Minister:** If Ms Sturgeon had an ounce of decency, she would have moved on to other issues long before now. I assure her that I am probably more aware than any other member is of the demands of not only our code of conduct but the register of interests and the ministerial code. I am more aware than any other member is

of the demands on the position of First Minister and of the need to ensure its absolute integrity.

I am also absolutely clear that my family and the family of Kirsty Wark and Alan Clements have a right to a private holiday in a home that is owned by one of our families. I do not believe that that holiday was the same as my having borrowed a house from somebody or as my going on a holiday that was paid for by somebody else. The elements of the holiday that had to be paid for were paid for by me and my family. The holiday was not even booked by me; it was booked by my daughter. A private family holiday does not deserve to be in the public domain. The Parliament would be better served if we had an Opposition that cared about issues instead of running down people in Scotland.

### Prime Minister (Meetings)

**2. David McLetchie (Edinburgh Pentlands) (Con):** To ask the First Minister when he will next meet the Prime Minister and what issues will be discussed. (S2F-1336)

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

**David McLetchie:** If I may, I will pursue some of the other points that arise from the affair that the First Minister has just discussed with Ms Sturgeon. The First Minister will be aware that Lord Fraser was quoted the other day as saying:

“at the time I had understood that Jack McConnell genuinely was using his best endeavours to get the tapes”—

the BBC interview tapes with Donald Dewar and Enric Miralles—

“I am bound to question that now.”

That is the same Lord Fraser who was appointed by the First Minister and the Presiding Officer to lead the Holyrood inquiry; the same Lord Fraser whose inquiry was frustrated by the BBC's failure to hand over the tapes—as a result of which the inquiry remains formally open—and the same Lord Fraser whose inquiry had the First Minister's declared full support.

If Lord Fraser questions whether the First Minister's relationship or holidays with Kirsty Wark and Mr Clements affected his inquiry, is it really any wonder that the public are doing the same? How can the First Minister not see that?

**The First Minister:** First, Mr McLetchie of all people should know that it is possible for people to meet on holiday and for that not to compromise their political or professional integrity. When he and I played golf in Lamlash on the Isle of Arran two years ago on holiday, it did not compromise him and it did not compromise me. I assure Mr

McLetchie that, when I played golf with Alan Clements in Majorca last week, it did not compromise him and it did not compromise me—I just enjoyed taking some money from him when I won.

Secondly, and much more important, there is an issue about the failure of the BBC to hand over the tapes to the Holyrood inquiry. I made it absolutely clear in the chamber—as I did in private to the BBC/Broadcasting Council for Scotland and in private and public to the previous controller and the current controller of BBC Scotland—that the BBC should hand over the tapes. When it came to a vote in the chamber, however, the Conservatives did not even vote for the motion that demanded that that happen. We all remember that, but the Conservatives have conveniently forgotten. We have been consistent and we remain consistent to this day.

**David McLetchie:** I have rarely heard such nonsense in my whole life: that was a complete rewriting of the history of the Parliament. The facts in relation to the tapes, as the First Minister and everybody else in the chamber well know, are that this party lodged a legally competent motion by means of which the Parliament could have demanded the publication of the tapes to the Parliament, and that the Labour Party, the Liberal Democrats and, to its members' shame, the Scottish National Party voted down that motion.

Since we are on the subject of the tapes, has the First Minister made any further efforts since the publication of the Fraser report to persuade the BBC to hand over the tapes of the interviews with the late Donald Dewar and Enric Miralles?

**The First Minister:** The BBC is well aware of my views on the handing over of the tapes. Those views have been made clear to the new controller, just as they were made clear to the previous controller.

I remind Mr McLetchie that, at the end of the debate to which he refers, the Parliament divided only because he chose to lead the Conservatives in voting against the motion that the other parties present here voted for, which urged the BBC to hand over the tapes. Mr McLetchie said:

“The First Minister and the Scottish Executive deserve credit for the level of co-operation that they have given to the Fraser inquiry.”—[*Official Report*, 31 March 2004; c 7230.]

He made it clear in that debate that he believed that we were making those efforts with regard to the BBC. We did, and we do, and there has never been any question about that.

I believe that to use that matter to question a private family holiday and to question whether people who have been friends for more than 16 years should go on holiday together is wrong. It is

an intrusion into private family life. This is a questioning of someone's motivation, like Mr Aitken's calling last week for a BBC broadcaster to be sacked because she had gone on holiday with me, and I believe that that is fundamentally wrong. It is typical of the attacks that the Tories have made on the BBC over recent years.

**David McLetchie:** The First Minister seems to fail to understand that the person who was calling the matter into question was Lord Fraser, as I made perfectly clear in my opening questions. The First Minister has failed to address that. Is the First Minister calling into question the integrity of the man whom he appointed to head the Holyrood inquiry? If so, why does he not say so in plain terms before the Parliament? If he is not calling into question Lord Fraser's integrity, why does he not answer the charge that Lord Fraser made this week—that the First Minister's conduct has compromised his position and affected the conduct of the inquiry?

**The First Minister:** Let us be clear about what is happening. What is being questioned is my integrity and that of Kirsty Wark and Alan Clements, and our right to have a private family holiday with friends whom we have had for more than 16 years, in their house. That is the question of integrity that Mr McLetchie puts. He should be more honest about that.

If the Conservatives believe that we should charge friends for staying in our own houses these days, and that we should register that in some way, that is ridiculous—it would be like replacing the poll tax with a pals tax. We have reached the ridiculous stage of the Conservatives questioning whether people can have holidays with friends whom they have had for more than 16 years. I do not believe that it is right to question the integrity of either those who have been my friends or my own family in being part of that holiday. If Mr McLetchie believes that that is right, he should be more honest and say that that is the issue that he wants to address.

**The Presiding Officer (Mr George Reid):** We have two urgent constituency questions.

**Maureen Macmillan (Highlands and Islands) (Lab):** In the absence of Alasdair Morrison, I ask the First Minister and the Parliament to join me in offering our condolences and concern over the loss of three generations of a family in South Uist at the height of the recent storm. That loss will have a profound effect on such a close-knit community. Alasdair Morrison has returned to his constituency today because of the tragedy and the devastation that was caused by the storm.

What practical help does the Executive propose to give to communities that have been affected by the storm, in the Western Isles, the northern isles and on the Highland mainland?

Will the First Minister join me in commending the emergency services and all those who have worked hard to restore normality, from joiners boarding up shattered windows in the middle of the night to engineers struggling to restore power to communities throughout the country?

**The First Minister:** I echo those concerns and condolences and that sympathy to not only those who have lost family and friends because of adverse weather conditions in Scotland in the past few days but those whose property has been damaged as a result of the storms on the west coast and the flooding elsewhere. I can confirm that, following discussions with Alasdair Morrison, we hope that Cathy Jamieson, as the minister responsible for dealing with such emergency situations, will visit the Western Isles and other affected areas. We are also looking to give the proper assistance to Western Isles Council and others to repair the damage as quickly as possible and support the families concerned.

**Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** The First Minister is aware that, despite the intervention of Allan Wilson, the Deputy Minister for Enterprise and Lifelong Learning, receivers were called into Stoddard International plc in my constituency last week. Yesterday the receiver delivered devastating news, which resulted in 266 employees being made redundant and a further 90 being laid off for two weeks. The receiver has indicated that he believes that the company has a fighting chance of securing a buyer. Will the First Minister give an assurance that he will undertake to ensure that those who are charged with providing support to any prospective purchaser of that quality company do so and secure the employment of the remaining loyal workforce?

**The First Minister:** Of course we regret any job losses at that company, as we would elsewhere, although we are obviously pleased with the news that there will at least be a base for the company to build on for the future. There was indeed an effort by the deputy minister and me over the Christmas and new year period to try to secure the future of the company. Clearly, Jim Wallace and Allan Wilson will continue to ensure that the agencies for which we are responsible give every assistance to both the existing management and any prospective buyers who might secure the company and the important industry for Ayrshire in the years to come.

### Secretary of State for Scotland (Meetings)

**3. Robin Harper (Lothians) (Green):** To ask the First Minister when he will next meet the Secretary of State for Scotland and what issues he intends to discuss. (S2F-1351)



**The First Minister (Mr Jack McConnell):** I have no plans for a formal meeting with the Secretary of State for Scotland.

**Robin Harper:** Wangari Maathai, the Kenyan Nobel prize winner, told Gordon Brown earlier this week that corruption is unacceptable. What is the First Minister's view of the embarrassment that a Mr Hugh Grant—not the actor—who was in charge of Monsanto's Asia Pacific division at the time when Monsanto was bribing Indonesian officials, is now an adviser to Scottish Enterprise?

**The First Minister:** Anything that Hugh Grant is questioned on in his dealings with that company in the past is a matter for him to answer for in relation to any suggestions that have been made. As is the case with the other members of our international advisory board, Hugh Grant gives his time voluntarily, as an expatriate Scot who cares deeply about this country, to help Scottish companies grow their global businesses and markets. He does that very effectively and I welcome his intervention and assistance.

**Robin Harper:** During the period 1997-2002, \$700,000 was given in illegal payments to Indonesian Government officials. During 1997-1998, Mr Grant was managing director of Monsanto's Asia Pacific division and was promoted to having global responsibility for agriculture. He was not on holiday with Monsanto; he had overall responsibility during most of that period of corrupt practice. Is not that an embarrassment and does not the First Minister intend to do anything about it?

**The First Minister:** I will not comment in the chamber on any allegations that should be dealt with properly by the courts and the international agencies that have those responsibilities. However, I am clear that the members of our international advisory board in Scottish Enterprise, who give their time freely and voluntarily to come to this country and assist Scottish businesses to grow their international markets, do so willingly and with my support. As long as they do not have convictions against their names for international business practices, they will do so again.

### Sectarianism

**4. Michael McMahon (Hamilton North and Bellshill) (Lab):** To ask the First Minister what the next steps will be in addressing sectarianism following the recent meeting with football supporters associations. (S2F-1347)

**The First Minister (Mr Jack McConnell):** I held a constructive meeting with the supporters associations of Celtic and Rangers football clubs last Friday. The Minister for Justice and the Scottish Federation of Football Supporters Clubs were also present. The associations have agreed

to attend our summit meeting on tackling sectarianism, which will also be attended by the football clubs, local authorities, the police, religious faith representatives and march organisers. The summit, perhaps appropriately, will be held on 14 February.

**Michael McMahon:** I hope that the proposed meeting allows progress to be made towards addressing the cancer of sectarianism, which affects too many of Scotland's people and communities.

Does the First Minister agree that the vast majority of communities that are affected by religious hatred are the poorest in our country and that any finger wagging and lectures from chattering-class organisations will have little impact on them? Does he further agree that the eradication of hatred will be a long process based on the development of understanding between different religions and traditions and that our religious institutions will have a much more important role to play in achieving tolerance in our society than will any football clubs or their supporters, given the fact that football-related sectarianism is only a manifestation of the religious hatred that existed in Scotland long before football did?

**The First Minister:** I agree that the behaviour of a minority of football supporters is only one manifestation of the problem in Scotland and that the problem will not go away overnight but needs concerted, consistent action over a longer period. That is why we are working not only with the football clubs, but with the education authorities, in providing new resources for use in our schools, and with the police, in changing the law to ensure that tougher action is taken against those who carry out acts of religious hatred. Towards the end of this month, we will publish the report by Sir John Orr on marches and parades, which involve an element that is affected by sectarianism on our streets in far too many communities over the summer months.

**Donald Gorrie (Central Scotland) (LD):** Does the First Minister hope that the issue of the parades and what can be done to improve the situation, as well as the issue of football and the other, deeper issues that have been raised by Michael McMahon, can all be dealt with together in the conference that he will have? Will it be possible for all those who are involved and interested—for example, the churches—to make a constructive contribution following that conference?

**The First Minister:** I certainly hope so. The invitations will be diverse and I am sure that we will get a positive response. We have already had indications that those who organise some of Scotland's perhaps more controversial marches

and parades are willing to take part in those discussions. That is a positive sign that we may be moving in the right direction.

There has been a particularly positive signal from Scotland's churches throughout my time as First Minister and there have been several positive discussions with church representatives, who seem to be closer and more interested in interfaith activity than they have ever been before. That has been exemplified in the actions of the churches in coming together so quickly after the recent tsunami disaster to hold a multifaith service. I hope that, in the months and years ahead, the churches will pull together behind our crusade to end sectarianism in Scotland. I am sure that, if they are closely involved, they will have a significant impact.

### Flooding

**5. Mike Pringle (Edinburgh South) (LD):** To ask the First Minister how the Scottish Executive is addressing incidents and threats of flooding across Scotland. (S2F-1349)

**The First Minister (Mr Jack McConnell):** I reiterate what I said earlier. I am sure that the thoughts of all MSPs are with the families of those who have died as a result of the adverse weather conditions in Scotland this week and with those families whose homes and properties have been damaged.

We have increased the resources that are available to support local authorities' flood prevention schemes to £89 million over the next three years. We have coupled that with an increase in the rate of grant support to local authorities from 50 per cent to 80 per cent of eligible costs.

**Mike Pringle:** I thank the First Minister for his answer and I welcome the Executive's £14 million investment in flood defences along the Braid burn in my constituency that was announced on Monday. Does the First Minister agree with the chief executive of esure, who said:

"There has been an exceptional response to the problems of flooding in Scotland... We believe that Scotland has in place many of the key elements that England and Wales are lacking in terms of planning and co-ordination."?

Does the First Minister further agree that it is better to reduce the impact of flooding by restricting new developments in high flood risk areas?

**The First Minister:** I echo Mike Pringle's first comments. At times, Scotland's public servants suffer an incredible amount of abuse, particularly from some sections of our national media. During the past fortnight, our public servants have shown how good they can be in a crisis by pulling

together and ensuring that local people are properly looked after. They deserve our thanks and support for doing that at a time of year when the rest of us were enjoying our Christmas and new year celebrations.

Although it is important that we take note of those lessons, the national flooding framework that we have put in place is an important tool to deal with the emergencies that take place at the moment, and to predict and prepare for future difficulties. Further work is being done on that and we will make the appropriate announcements in due course about the action that we will take.

**Bruce Crawford (Mid Scotland and Fife) (SNP):** The First Minister is aware of the impact of recent flooding in Perthshire, particularly of the homes and businesses in Dunkeld and Birnam in the constituency of my colleague, John Swinney.

Given that the development of flood prevention measures in the city of Perth was a product of co-operation between the then Perth and Kinross Council and the Scottish Office, will the First Minister give sympathetic consideration to ensuring the same level of co-operation in order to facilitate appropriate flood prevention schemes for the communities of Dunkeld and Birnam?

**The First Minister:** There is a substantial increase in the resources that are now available for such schemes; there will be something like a trebling of those resources during the next three years. When local authorities come forward with their plans, there will be greater capacity to deal with those plans than there might have been in the past.

**Dr Sylvia Jackson (Stirling) (Lab):** The First Minister is also aware of the flooding that took place in and around the Stirling area, part of which happened near where I used to live. I welcome the resources that the First Minister mentioned, but I wonder whether he might be able to promote a more proactive working arrangement between local authorities and the agencies. In my area, local flood plans have been developed but there does not seem to be any progress with them.

**The First Minister:** The resources that we have made available will help more local authorities to implement more flood prevention schemes. However, local authorities need to put together those schemes in consultation with local communities and bring them to us. I urge those in the affected areas who have not yet begun to prepare such schemes, or who do not yet have them at a stage where they can come to us, to do so as soon as they can.

### Youth Crime

**6. Alex Neil (Central Scotland) (SNP):** To ask the First Minister what action the Scottish

Executive proposes to take to address the issue of youth crime. (S2F-1339)

**The First Minister (Mr Jack McConnell):** We have delivered new laws to crack down on antisocial behaviour, new improvements with fast-track children's hearings and youth courts, and substantial new resources to support programmes that prevent youth crime, or are designed to reduce reoffending.

**Alex Neil:** Does the First Minister agree that those initiatives are not working so far? Will he confirm that Monday's article in *The Herald*, about a leaked report that has been suppressed by the Scottish Children's Reporter Administration since August, shows that there has been a 10 per cent increase in youth crime compared with the Scottish Executive's target of a 5 per cent reduction, which makes a 15 per cent gap between the promise, the target and the performance? What will he do to close that gap?

**The First Minister:** First, like certain journalists, Mr Neil should check his facts before he comments on the issues. It would be instructive for me to read out bits of a letter that has not yet been published by that newspaper, despite the fact that it ran the story—and, I understand, was sent the letter—on Monday. The letter was sent by an independent person from the SCRA, which, as we all know, is an independent body that is charged with these responsibilities.

The letter, which refers to factual inaccuracies, states:

"SCRA could not verify the figures and the figures quoted were not accurate. I am certain that your readers, like me, will wonder why you chose to ignore this response from SCRA."

It describes the article as

"misleading, factually incorrect and extremely poor journalism."

That is probably why the newspaper has not published the letter, which continues:

"What we don't need is misleading articles, based on data neither validated nor confirmed as accurate by the source organisation."

That is from an independent body that was vilified—I think wrongly—in the press on Monday.

Secondly, on the issue of the figures, we must be one of the first Governments in history to be criticised for having a new set of figures that increases the figure to make it more accurate and to ensure that we have more accurate data. Persistent young offenders have been redefined to include those who have committed fewer offences rather than more, so that more people are caught in the net and we are therefore able to target the issue even more effectively.

We would have been able to target the issue more effectively if there had not been opposition from the Scottish nationalists and the Tories to our proposals to target antisocial behaviour and youth crime. They come into the chamber month after month to protest about crime and youth crime, but when laws are proposed to tackle crime and youth crime in Scotland they do not have the bottle to support them.

12:31

*Meeting suspended until 14:00.*

14:00

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Environment and Rural Development

##### Wildlife Habitats (Protection)

**1. Dr Elaine Murray (Dumfries) (Lab):** To ask the Scottish Executive what progress is being made on protecting wildlife habitats. (S2O-4834)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** Part 2 of the Nature Conservation (Scotland) Act 2004, which came into force on 29 November 2004, provides stronger protection for wildlife habitats. It is now a criminal offence for any person to damage a site of special scientific interest. The act places public bodies and regulators for the first time under a formal duty to further the conservation and enhancement of protected areas.

**Dr Murray:** The minister will be aware that the south of Scotland is an important area for conservation of red squirrels and that the red squirrels in south Scotland project is doing vital work in guiding and promoting habitat management. Concerns have been expressed to me—and to other MSPs, including my colleague John Home Robertson—about continuation of funding for such projects. Will the minister assure me that the Executive will continue to support the red squirrels in south Scotland project?

**Lewis Macdonald:** We are aware of the importance of red squirrels in the south-west of Scotland. Of course, they are offered protection under the terms of the Nature Conservation (Scotland) Act 2004, to which I referred. Scottish Natural Heritage and the Forestry Commission Scotland have been talking to the red squirrels in south of Scotland project about future funding. I encourage the group to discuss further the potential for future funding with SNH and the Forestry Commission, which will provide further assistance on the matter.

**Mr Stewart Maxwell (West of Scotland) (SNP):** I am sure that the minister agrees that some of the most fragile wildlife habitats that we have are on sites of special scientific interest. The minister mentioned in his initial answer the criminal charges that can be brought for destruction of SSSIs. I am sure that he is aware of the recent disgraceful incident on Arran in which a 5m trench was gouged through an SSSI by contractors who were working for Scottish Water, which wrecked a

considerable area of salt marsh. Will the minister investigate that matter without delay, to establish who was responsible for authorising the destruction of that SSSI? What action will the minister take to ensure that the destruction of SSSIs, as happened in Arran, is prevented in the future?

**Lewis Macdonald:** I do not want public bodies to breach the law and I am concerned about the matter that Mr Maxwell raises. However, the purpose of giving SSSIs legal protection was to allow prosecution to be carried out as it is under the law in general. Therefore, the matter is firstly the responsibility of the police; it is then for the procurator fiscal to decide on prosecution.

##### Single Farm Payments (Cross-border Holdings)

**2. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** To ask the Scottish Executive how single farm payments will affect farms with holdings on both sides of the Scotland and England border. (S2O-4821)

**The Minister for Environment and Rural Development (Ross Finnie):** The arrangements for cross-border farms will be similar to those that apply at present. Farmers with land in both Scotland and England should continue to apply to the administration to which they submit their integrated administration and control system—IACS—form. They will be required to submit only one application, although they will have to respect the different cross-compliance conditions that are set for Scotland and for England. The administrations concerned will apply the rates and rules to land in their respective territories, but they will exchange information so that the farmer will receive one payment from the administration to which they submit their application.

**Jeremy Purvis:** I thank the minister for the commitment to keep bureaucracy to a minimum. Does he accept that for farms that straddle the border it is important that any appeals mechanism take into account individual cases rather than a set rule? Given that the time for the IACS forms to be submitted is approaching, will the minister ensure that all decisions about the single farm payments will be made speedily so that farmers can make proper decisions in advance of completing the forms?

**Ross Finnie:** Yes, but I am not aware of any problems, even though we have held wide and extensive consultation of farmers on the proposed payments. We believe that we are up to speed in our ability to process the forms. I share the member's view about minimising administration. Different rules will apply to composition of the respective payments and some rules will have slightly different applications, but we are liaising

with the Department for Environment, Food and Rural Affairs to ensure that there is, for example, no duplication of inspections on cross-border farms. I hope that that will help further to reduce the amount of bureaucracy that is involved.

### **Roads (Air Quality)**

**3. Scott Barrie (Dunfermline West) (Lab):** To ask the Scottish Executive how it is addressing the concerns of communities situated along major roads regarding air quality. (S2O-4851)

**The Minister for Environment and Rural Development (Ross Finnie):** The "Air Quality Strategy for England, Scotland, Wales and Northern Ireland" sets out a comprehensive framework of policy measures that aim to improve air quality. The Executive is working closely with local authorities, the Scottish Environment Protection Agency and others to ensure that those policies are implemented.

**Scott Barrie:** The minister will be aware of the concerns of many communities, including Kincardine in my constituency, regarding volumes of traffic or stationary vehicles emitting exhaust fumes that cause major air pollution. Can the minister assure me that, in discussion with his colleague, the Minister for Transport, those concerns will be borne in mind when road bypasses and other major public transport initiatives are being considered?

**Ross Finnie:** The simple answer to that question is yes. We are concerned about the issue that Mr Barrie raises and we and local authorities work together in harness in that regard. If there are problems with air quality in towns and cities, air quality management schemes have to be brought in if a local authority believes that its actions are not meeting the aims and objectives of the air quality strategy.

**Phil Gallie (South of Scotland) (Con):** Does the minister agree that one of the greatest improvements in air quality at roadsides came about as a result of the opening of the M77-M8 road link in Glasgow? Now that the Executive has provided us with the new Ardrossan-Saltcoats-Stevenston bypass, does the minister envisage that there will be similar improvements there?

**Ross Finnie:** I hope so. Of course, as with every such project, it is important that we ensure that the requirements of the air quality strategy are met. That is why we have worked closely with the Scottish Environment Protection Agency, local authorities and others to ensure that the policies apply equally to roads and the situations to which Phil Gallie refers.

### **Cairngorms National Park**

**4. Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Executive what criteria

it will take into account in any decision to review the boundaries of Cairngorms national park. (S2O-4855)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** There are no current plans for any such review.

**Murdo Fraser:** Does the minister accept that, under any criterion, highland Perthshire should form part of the Cairngorms national park and that the wrong decision was taken when the current boundaries were drawn to exclude that area? Will the minister undertake to reverse that injustice at the quinquennial review of boundaries, if not before then?

**Lewis Macdonald:** I do not accept that the wrong decision was taken, but I accept that there are always strong local views on such matters. As the First Minister has said, in the course of the life of any public body, there are quinquennial reviews that examine issues that arise. However, I do not want to encourage Murdo Fraser to spend the next three and a half years lobbying on that matter for the good reason that the Cairngorms national park, as it currently stands, has a job to do in the area that it covers. It is important that the national park authority is able to get on with that job and to proceed with the plans that it has for the national park.

### **Water and Sewerage Services (Rural Scotland)**

**5. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** To ask the Scottish Executive whether lack of water and sewerage services in rural Scotland is impeding economic growth and, if so, what action it is taking to address any such provision of these services. (S2O-4853)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** Wherever there are infrastructure constraints, we expect Scottish Water to work with local councils and other agencies to identify practical solutions in order to allow development to proceed wherever possible. We consulted recently on what Scottish Water's future investment priorities should be, and we will announce soon the objectives that we wish Scottish Water to address in the next regulatory period.

**Fergus Ewing:** That answer fell slightly below the normally high standards of adroitness with which the minister evades questions he is asked.

I put it to the minister that three measures could be introduced. First, septic tanks could be allowed instead of the hugely stringent requirements that exist at present. Secondly, the environmental assessment rules that apply in areas that are subject to designations could be revised in order to ascertain whether they are unduly burdensome and cause delay and unnecessary expense.

Thirdly, the minister could bring forward the programme and timescale for the existing work from the quality and standards III programme so that areas such as Badenoch and Strathspey in my constituency, and others throughout Scotland, can get the necessary services that are a sine qua non of development and economic growth in our country. Will the minister introduce those measures?

**Lewis Macdonald:** I would certainly not want to give Mr Ewing the impression that I wanted in any way to avoid the questions that he asks—in fact, I am keen to address the issues. The matter concerns me. In the past few minutes I responded to a question from one of Mr Ewing's colleagues about the need to enforce high environmental standards. We do not want to start undermining those standards; rather, we want to ensure that the water and waste water industry is able to support economic development, which is why we are encouraging Scottish Water to work with local partners and why a £7 million investment was announced recently in the new waste water treatment works at Aviemore. That is a good example of the kind of investment that we are encouraging Scottish Water to make.

**Fergus Ewing:** Over eight years.

**Lewis Macdonald:** Fergus Ewing says £8 million. I am prepared to raise the figure if he so wishes. I look to Scottish Water to make the most of the investment opportunities that it has and to build on them during the forthcoming investment period.

**Mary Scanlon (Highlands and Islands) (Con):** Does not it make sense to ensure that Scottish Water is fully included at all stages in local authorities' local plans for housing and other developments, so that Scottish Water's long-term investment plans concur with those of local authorities? That would get rid of the blame culture that we have at present.

**Lewis Macdonald:** I certainly agree with the principle that underlies Mary Scanlon's question. I am keen that Scottish Water collaborate with local authorities on the community planning process so that there is communication and co-operation in the years ahead.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** Does the minister agree that where there are specific development plans within local plans—for example, by housing associations with land banking policies, such as Eildon Housing Association in the Borders, which has an innovative land banking policy for the next three years—programmes should not be impeded and there should be close co-operation with Scottish Water?

**Lewis Macdonald:** Again, I agree with the general principle that there are always

opportunities for Scottish Water and local partners to find ways to address development constraints. We are cognisant of those constraints, as is Scottish Water. It sometimes takes a bit of innovation and imagination to find ways to address them, but I believe that that can be done successfully in many cases.

### **Agriculture and Fisheries Council**

**6. George Lyon (Argyll and Bute) (LD):** To ask the Scottish Executive whether it is satisfied with the outcome of the agriculture and fisheries council in December 2004. (S2O-4822)

**The Minister for Environment and Rural Development (Ross Finnie):** Yes.

**George Lyon:** I thank the minister for that very full answer. Under the European Union's original proposals, fishermen in the Clyde would lose the derogation that exempts them from the days-at-sea restrictions that are contained in annex V to EU regulation 2287/2003. Will the minister confirm that that derogation still exists under the agreement that he secured at the fisheries council in December?

**Ross Finnie:** Yes. Some reductions were necessary in the number of days at sea for the west of Scotland to take account of the severely depleted cod stocks and the scientific advice that obtained last December. However, although the basic days at sea for the nephrops vessels to which the member refers were also cut by one day, the majority of those in Scottish registration retain—and will continue to retain—the derogation, which will give them unlimited days fishing, subject of course to their having quota.

**Stewart Stevenson (Banff and Buchan) (SNP):** In the minister's initial answer, he simply said, "Yes." Did he have a wash-up meeting with his officials and others to come to the conclusion that they were satisfied with the outcome of the fisheries council? Given that such a meeting would have taken place after 26 December, did he assess the conclusions of the fisheries council in the light of the possibilities for supporting the south-east Asian fisheries communities that have been so adversely affected by the tsunami, or will he approach the European Union to modify the conclusions of the fisheries council so that we can most effectively assist people in those communities, who are in dire need?

**Ross Finnie:** To take the first part of that question and deal specifically with the tsunami, I have been in touch with my officials and have had several discussions with members of the Scottish Fishermen's Federation, who are in touch with their international counterparts, as Stewart Stevenson and Richard Lochhead will be aware. There is great willingness on the part of everyone

in Scotland's fishing communities to be as helpful as they can be.

As the First Minister highlighted in his statement, we need to ensure that whatever we seek to make available is appropriate to the relevant area and to those who have been most affected. My officials in the Scottish Executive have spoken with officials in the European Commission: we are all anxious to ensure that we can provide help, but we must first establish what would be appropriate so that we do not impose unhelpful solutions on people. In my discussions with my officials and in the discussions that we will have with the Scottish Fishermen's Federation, with the Department for International Development and with the European Commission, we will aim to bring about a solution that is proper and appropriate for those who have been most affected.

**Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** Despite all the ministerial back-slapping, the December 2004 summit produced little more than the previous year's summit, which was hailed as a disaster. Will the minister confirm that his much-vaunted 47 per cent increase in monkfish quota will amount to a meagre 460 tonnes extra a year for the Scottish west coast fleet, or approximately 20 tonnes a boat? Is not it a fact that the French fleet, which could not even catch its monkfish quota last year, will receive for the same area an extra 650 tonnes, which is 200 tonnes more than the Scottish fleet?

**Ross Finnie:** Ted Brocklebank can always be relied on to turn any good news story into a mini disaster—his previous television training has obviously stood him in very good stead. In fact, the monkfish quota for areas V and VI—which was previously 10,000 tonnes—has been provisionally and unconditionally increased to 15,000 tonnes. By my arithmetic, that is an increase of some 50 per cent. However, I appreciate that arithmetic might not be a strong point for those who are not keen on good news. In addition, we have the absolute undertaking that, once we agree with the Commission steps to ensure that there is no increase in effort—which we hope to do before the end of March—a further increase in the monkfish quota will be granted.

Of course restrictions remain, but Mr Brocklebank continues to ignore all scientific evidence that indicates that any stock might be in jeopardy. That is not the Executive's approach. On that basis, I remain satisfied that we achieved a satisfactory outcome for Scottish fishermen from the December talks.

**Mr Mark Ruskell (Mid Scotland and Fife) (Green):** Despite unreservedly rejecting last year's proposals for closed areas, the minister stated in the fisheries debate in Parliament on 9 December that he had not closed his mind to the policy of

closed areas in the North sea. In the year ahead, what moves will he and his officials make, in conjunction with the regional advisory council, to assess the viability of a closed area for the North sea?

**Ross Finnie:** Let me make it clear that I rejected the specific proposal, but I did not reject the generality and have never done so. We rejected the Commission's proposition in December because the scientific evidence that was available to the Commission and the Scottish Executive did not support the proposition. Indeed, there was strong evidence to suggest that the proposal might have had a counterproductive effect by diverting fishing effort to younger stock.

In going forward, we are anxious to discuss with the Commission much earlier how we can develop future management of the northern North sea and the southern North sea. In those discussions, we hope to discuss whether the scientific evidence points to the use of closed areas—for example, in spawning areas—as an appropriate measure among a variety of measures. In addition, we will want to examine the scientific evidence on the success of other closed areas, such as those that currently operate on the west coast. My position remains that I am looking for progressive and constructive ways to manage stocks in the North sea.

### Noise Nuisance

**7. Nora Radcliffe (Gordon) (LD):** To ask the Scottish Executive what action it is taking to address noise nuisance. (S2O-4824)

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** New noise nuisance provisions are included in the Antisocial Behaviour etc (Scotland) Act 2004. Subject to parliamentary approval of the necessary regulations, we expect those provisions to come into force in the course of the next few weeks.

**Nora Radcliffe:** I thank the minister for that action. He will agree that noise nuisance, together with odour nuisance, has not always been given due consideration. Recently, we beefed up statutory support for the regulations that deal with odour nuisance, so perhaps it is time for us to do more to tackle noise nuisance. Will the minister discuss with local authorities whether they are sufficiently resourced in terms of the equipment that is needed to monitor noise nuisance and specialist training for environmental health officers, so that they can deal seriously with noise pollution?

**Lewis Macdonald:** I am always happy to progress issues with local authorities, which will have responsibility for, and discretion in, implementing the noise nuisance provisions of the

Antisocial Behaviour etc (Scotland) Act 2004. Funding has been provided for the measures that local authorities are setting in train at the moment and we will consider other funding requirements in the future. The powers that authorities have will allow them to take effective action in this area in a way that will address Nora Radcliffe's concerns.

## Health and Community Care

### National Health Service Dentists (North-east)

#### The Presiding Officer (Mr George Reid):

Question 1 is from Nora Radcliffe.

**1. Nora Radcliffe (Gordon) (LD):** That is the luck of the draw.

To ask the Scottish Executive what action it is taking to increase the availability of NHS dentists in the north-east. (S2O-4865)

**The Minister for Health and Community Care (Mr Andy Kerr):** We are committed to increasing the availability of NHS dentistry in Scotland as a whole, including the north-east. A range of initiatives are being pursued, including increasing the number of dental students and other members of dental teams, progressing the establishment of a dental outreach training centre in Aberdeen, introducing recruitment and retention allowances for dentists to work in designated areas, including Grampian, and making available grants for dentists who wish to set up or expand NHS practices under the Scottish dental access initiative. NHS boards are aware that if there is a gap in provision that cannot be filled by other means, they can apply to Scottish ministers for approval for salaried dentist posts. We will shortly announce our response to the recent consultation on modernising NHS dental services, which will include further measures to support NHS dentistry.

**Nora Radcliffe:** I give credit both to Grampian NHS Board and to the Scottish Executive for what has been done to date, which we all hope will be effective in the medium-to-long term. However, my constituents are in the totally unacceptable situation of not being able to access NHS dental services now. Will the minister undertake to discuss with Grampian NHS Board why various initiatives that have sought to recruit NHS dentists both as salaried dentists and for normal dental practice have not succeeded? If it transpires that the problem is the bureaucratic or legalistic trappings of the incentives, will the minister consider how they could be simplified and made more attractive?

**Mr Kerr:** I am always more than happy to do anything to rid the NHS of bureaucracy—that is the Executive's track record.

A review team that includes dentists and dentists' representatives is monitoring the

measures that the Executive has implemented to ensure that they work. I advise the member that all vocational training places in rural areas have been filled. Some of the measures are new, but they are working. Dental practice improvements, the dental practice allowance, golden hellos, rewards for dentists who commit themselves to substantial NHS service and many other measures that we have introduced and will introduce will seek to solve the problem.

We recognise that we have a problem and that there is a shortage of dentists, but we are making investments that will correct that. I am more than happy to discuss those matters with Grampian NHS Board and with the member.

**Shona Robison (Dundee East) (SNP):** In the past two years, 40,000 patients have been thrown off NHS dentists' lists. Is the minister aware that the north-east has one of the highest levels of deregistration? That information was revealed in answer to a question from my colleague Roseanna Cunningham. Given the urgency of the situation that I and many other members have highlighted, why—14 months after the launch of the consultation process on modernising NHS dental services—are we still awaiting a response from the Scottish Executive? Last summer, we were promised that the Executive's response would be published shortly; the minister has just repeated that. Instead of saying that the response will be issued shortly, can he give a date for its publication?

**Mr Kerr:** The response will be published shortly. The member suggested that nothing has happened in the interim. I will address precisely the points that she makes. We have introduced golden hellos and we are rewarding dentists for their commitment to the NHS. The remote areas allowance ensures that £6,000—the amount has been doubled—is given to the dentist and there is an allowance for new dental graduates. We invest continually in our NHS dental services. Other substantial allowances are paid. A £20,000 allowance is paid to those who enter substantive NHS practice. Those measures are specifically designed to deal with some of the problems.

On the supply side, we are trying to increase the number of professionals who are involved in dental services, which is why we expect 130 dentists to qualify by 2006 and why we are increasing the provision of professionals complementary to dentists, including dental therapists; we have increased that target from 20 to 45. Other measures will be taken, but members can rest assured that we are taking action now. We are reviewing the success of that action and I argue that we have had some success in relation to the key indicators. More needs to be done and more will be done. Proposals will be brought to Parliament shortly.



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

What discussions has the Executive had with Grampian NHS Board and the British Dental Association on additional measures that might be introduced to encourage dental students who will, in the future, graduate from an outreach centre in Aberdeen, to stay in the area and enter NHS dentistry? Is there continuing dialogue with NHS Grampian to ensure that its dental health programme successfully complements the Executive's action to increase access to NHS dentistry?

**Mr Kerr:** I go back to the substantive point. We have been taking action and we will continue to take action. That action costs a substantial amount of money, which we are happy to spend to ensure availability of NHS dentistry in all Scotland, including Grampian.

We are liaising with NHS Grampian over its dental healthfit programme to ensure that the outreach centre works and that the work that is carried out has an impact in the community. I understand fully the pressures that exist there. A series of measures are being put in place, but the problem is not easy to solve. People can train as dentists and move out of Scotland to further their careers. We want to implement measures, which we are introducing in concert with the BDA, to ensure that we provide substantial financial incentives to keep dentists in Scotland and provide services for patients in Scotland who require them.

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

**(Con):** Perhaps the minister might answer another question. Many dentists operate from premises that are not at ground level. What support will he give to those dentists to ensure that they comply with the new disability access legislation? If relocation is necessary, what support will they get? If they do not get such support, many of those dentists will move out of the north-east.

**Mr Kerr:** I sympathise with that point. A scheme already exists that allows some support to be given to those who require to make capital improvements to their premises. However, such support is currently limited in comparison to the proposals that we are due to announce. We seek to encourage provision of additional services, but it is critical to ensure that we protect what we have. I argue that the Executive's proposals will address some of those concerns.

## **NHS Staff (Violence)**

**2. Murdo Fraser (Mid Scotland and Fife)**

**(Con):** To ask the Scottish Executive whether more action can be taken to protect NHS staff from verbal and physical violence from patients. (S2O-4904)

**The Minister for Health and Community Care (Mr Andy Kerr):**

Violence and aggression towards NHS Scotland staff is unacceptable, and reducing the risk to staff is a key issue for all concerned in our NHS. That is exemplified in the "Staff Governance Standard for NHSScotland Employees", which requires NHS Scotland employers to provide staff with an improved and safe working environment. To help employers meet that aim, I recently provided £400,000 to NHS boards and special health boards to identify special local needs with their local partnership forum, to tackle violence and abuse and to continue to strive to reduce the risk of violence and abuse to staff from patients.

The Scottish Executive has also acted to provide increased protection in law to staff who provide emergency services. For the health service, that means greater protection for hospital and ambulance staff and for people working in the community who attend emergencies.

**Murdo Fraser:** I thank the minister for his very full response. Those measures are welcome.

The minister may be aware that over the new year staff in the accident and emergency department at Ninewells hospital in Dundee, which is used by many of my constituents in Mid Scotland and Fife, complained of verbal abuse and spitting by patients who were acting unreasonably. I am sure that the minister will join me in unreservedly condemning such behaviour. Will he encourage Tayside NHS Board to work with Tayside police and with the staff to ensure that such unacceptable behaviour is stamped out completely?

**Mr Kerr:** Obviously, I totally condemn those actions and the actions of others who seek to abuse staff who work in public services, including the NHS. One of the most disappointing aspects of my job is hearing from front-line staff about such situations. I argue that we are trying to assist in the process of dealing with the issue.

In another area that Murdo Fraser covers—Fife—there are good examples of what the health authorities have been doing. They have moved their campaign on a bit further, not only in training staff in violence-reduction measures and negotiation skills, but in working with the police and the procurator fiscal's office. I encourage some of that best practice to be followed throughout the rest of Scotland. It is a high-priority issue for us. It is at the core of our governance procedures for the health service and it will continue to receive that focus.

Some of the investment that we have made has already made a difference through training and skills in reducing risk and in risk analysis, and through additional security. However, at the heart

of the matter lies a shameful problem for the people of Scotland, which is that some members of our community think that it is within their rights to abuse staff verbally or physically. That is not acceptable, and we are trying our best to deal with it.

### Dental Caries

**3. Stewart Stevenson (Banff and Buchan) (SNP):** To ask the Scottish Executive what the health effects are of untreated dental caries. (S2O-4883)

**The Minister for Health and Community Care (Mr Andy Kerr):** Left untreated, dental caries will normally lead to progressive deterioration in tooth structure, with potential abscess formation and eventual tooth loss. Parents can make the most significant contribution to improving the oral health of their children by influencing what they eat and drink and by supporting their children in cleaning their teeth with a fluoride toothpaste.

**Stewart Stevenson:** I wonder whether the minister might talk to his colleague the Minister for Justice. An examination of 10 recent reports by Her Majesty's chief inspector of prisons shows that the waiting times in prison for dental services range from one week at Greenock to four weeks—the highest figure—at Inverness, with an average of under three weeks. Is it not disgraceful that prisoners have a premium service in access to dental services? Will he set a target for dental services, for the first time in years, when he publishes the results of his consultation and will that target exceed the quality of service delivered to our prisoners?

**Mr Kerr:** I am always more than happy to discuss the health services that we provide in our prisons with the appropriate minister, but I think that at the heart of Stewart Stevenson's question lies something of a contradiction. If we did not provide those services in prison, he would probably be the first person among many to criticise us for that. In my answer to Nora Radcliffe, I dealt extensively with some of the measures on which millions of pounds are being spent to try to improve our dental services in Scotland, as well as the further measures to address the issue that will come before the chamber.

As I have said frequently, Government can do one thing, but we all have a responsibility, as parents and within the community, to ensure that we look after our own diet and oral hygiene. I find it astonishing, for instance, that 8,000 kids starting school have severe decay. To put it bluntly, that is about more than the health service; it is about parents, their attitudes and the influence that they have over their children. On our part, we have a strategy for oral health, which will be announced

fairly soon. We also have a partnership commitment to introduce free dental checks.

### HIV/AIDS

**4. Marlyn Glen (North East Scotland) (Lab):** To ask the Scottish Executive what action is being taken to reduce the spread of HIV/AIDS. (S2O-4859)

**The Minister for Health and Community Care (Mr Andy Kerr):** Action at national and local levels to prevent HIV and AIDS takes place within the comprehensive framework provided by the HIV health promotion strategy, which was published in 2001 and is supported by resources of more than £8.5 million each year. Despite the considerable progress in responding to the challenge of HIV in Scotland over the past 20 years, the situation on the wider international scene, combined with recent increases in the number of new cases in Scotland, emphasises the need for prevention activity to continue with the utmost vigour.

**Marlyn Glen:** I thank the minister for that answer and invite him to expand on what is being done to prevent the spread of other sexually transmitted diseases and to raise awareness of the potential damage to people's long-term health. Will he guarantee dedicated funding for that most serious of issues?

**Mr Kerr:** I absolutely agree with Marlyn Glen's principal point that the prevention of HIV and AIDS is simply one part of the essential strategy on which the Executive has embarked to improve health and to deal with health inequalities. The work that we are doing on the sexual health strategy, which will of course address many of the issues that Marlyn Glen has mentioned, is evidence of the Executive's foresight in trying to deal with the problem.

I should also mention the chlamydia and genital herpes testing kits that we have issued, the work of Caledonia Youth and the community pilot projects that we are experimenting with, all of which are designed to ensure that we improve our nation's health and specifically address issues around sexual health and sexually transmitted infections. At the heart of our approach is a strategy that is based on treatment of the disease and, more important, prevention.

It is vital that we continue to earmark or ring fence the resources that are allocated in the health service to protect capacity and to ensure that HIV/AIDS is dealt with appropriately. After all, that was the wish of the cross-party group on sexual health. I am more than happy to reassure members that we will continue to ring fence that funding to ensure that those services are provided in the community.

**Patrick Harvie (Glasgow) (Green):** Does the minister acknowledge that the growing number of people of African origin who live in Scotland have a distinct set of needs with regard to those issues and that we have to take into account not only matters of translation but a whole range of other cultural factors? Given that the 2001 strategy that he mentioned might not have needed to recognise that aspect in the way that it needs to be recognised today, will he tell us what more needs to be done for that community?

**Mr Kerr:** I agree with the member's point. Sadly, a substantial part of the slight increase that has recently been recorded in the diagnosis of HIV/AIDS cases relates to people who originated in sub-Saharan Africa and to the AIDS epidemic in that region. We must ensure that our practices, policies and procedures reflect the situation. I have raised the matter, but have not yet received a response. I am more than happy to correspond with the member when I can provide the detail that he requires.

### Children's Health (Playing Fields)

**5. Mark Ballard (Lothians) (Green):** To ask the Scottish Executive whether children's health is being affected by the loss of school playing fields. (S2O-4868)

**The Minister for Health and Community Care (Mr Andy Kerr):** There is no evidence that children's health is being affected by the loss of school playing fields. Indeed, the majority of children do not achieve their daily physical activity on the playing field. The Scottish health survey reports that 81 per cent of boys and 90 per cent of girls choose to participate in active play for seven to nine hours a week while 69 per cent of boys and 60 per cent of girls participate in traditional sport and exercises for only four and two hours a week respectively. The minimum amount of physical activity required for health in children is one hour a day of moderate activity on five or more days a week. If we are to give young people an active life, we need to deliver a range of options that they will enjoy, such as dance, martial arts, yoga, outdoor activities, walking and cycling. Such activities do not necessarily require the use of playing fields.

**Mark Ballard:** The minister is quite right to point out that children require a range of activities. However, in recent years, there has been a sustained loss of playing fields across my region. I point out that no planning permission to build on those fields is automatically required from Scottish ministers. Surely he must acknowledge that school playing fields are vital in providing one option for active play.

**Mr Kerr:** I argue that the Scottish system is better than the system in the rest of the United

Kingdom. Although the prior consent of the secretary of state is required south of the border, we still have a strict set of guidelines, as set out in national planning policy guideline 11. Moreover, sportscotland must be consulted on any planning applications that affect the use of land as playing fields and planning authorities that wish to grant planning permission contrary to sportscotland's advice must notify ministers. As a result, substantial controls exist in Scotland.

As my initial response made clear, people's ideas about playing field provision are counterintuitive. We need to support the activities that young people want to do. As a result, the Executive is investing in the active schools programme, in physical education teachers and in forms of exercise, such as dance, that young people want to do. Health promotion in schools is also a crucial aspect.

I do not accept the member's proposition. As I have said, the controls that we have in Scotland are better than those in the rest of the UK. The evidence suggests—[*Interruption.*] I will give members pie charts if they do not believe me. The evidence suggests that, with the resources that we have made available, young people are not exercising exclusively in playing fields. In fact, they are involved in the many different forms of exercise and activity that suit them.

### NHS Argyll and Clyde

**6. George Lyon (Argyll and Bute) (LD):** To ask the Scottish Executive when it will take a decision on the Argyll and Clyde NHS Board financial recovery plan. (S2O-4906)

**The Minister for Health and Community Care (Mr Andy Kerr):** I was expecting to get to question 10, based on the previous performance.

Before I discuss the board's financial recovery plan, I stress that business is continuing as normal in NHS Argyll and Clyde. I made a commitment that patients would not suffer as a result of the board's financial position and I am pleased to report that a full range of services continues to be provided to the residents of the board area. NHS Argyll and Clyde is making good progress on matters such as meeting waiting time targets and the provision of local renal dialysis. I recognise that NHS Argyll and Clyde is in a difficult financial position, but the issue is complex and I want to give further consideration to the board's position, including its financial recovery plan. I also want to take into account the recommendations of the Parliament's Audit Committee, which is currently carrying out an inquiry into the board.

**George Lyon:** I thank the minister for his detailed reply. In view of the evidence that the Audit Committee has taken, which shows a history

of financial problems at Argyll and Clyde NHS Board, does the minister think that we should consider the longer term, with a view to taking radical action in relation to whether the board as it is currently constituted has a future and can recover financially from the position that it has been in over not just the past year or two, but a number of years?

**Mr Kerr:** The member makes a fair point. In previous answers at question time, I have not ruled out more radical solutions for NHS Argyll and Clyde. However, these are big decisions that require close analysis. I will of course want to take cognisance of the Audit Committee's report.

I believe that there has been a corporate failure in the health service in Scotland, not just at NHS Argyll and Clyde but within the Scottish Executive Health Department in relation to the work that we have sought to do on NHS Argyll and Clyde. However, that does not deal with the difficult financial problem in the board and I need to consider closely what changes we can make to make the board sustainable in service delivery and financial terms. The decision has not been made and I do not intend to rush it, as it will be crucial. I will take a decision at the right time, based on the right information.

## GENERAL QUESTIONS

### Elections (Turnout)

**1. Mike Pringle (Edinburgh South) (LD):** To ask the Scottish Executive what action it is taking to address issues that cause low turnout in elections. (S2O-4843)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** A variety of issues cause low turnout, which can be tackled in a variety of ways. For example, we are committed to reforming voting arrangements to increase participation and we are looking at innovations that might have significant potential to increase voter participation. All those who are concerned with elections and the electoral process need to take action to address what is a serious challenge. The Executive will work with the Electoral Commission, local authorities and other interested parties to engage Scottish voters.

**Mike Pringle:** Does the minister agree that a high turnout is a sign of a healthy democracy and that choice is key to such a turnout? Does he agree with the Electoral Commission that a range of voting methods must be available, including polling stations and postal votes, and that there should be no more solely postal elections?

**Mr McCabe:** We all need to do our best to engender a healthy democracy with maximum participation. If we are serious about that, choice is

vital. In relation to the Scottish Parliament, people throughout Scotland were determined to ensure that as many people as possible could take part in our democratic process. At this juncture, it would be a retrograde step to start ruling out particular avenues that might improve turnout in future.

**Des McNulty (Clydebank and Milngavie) (Lab):** It will perhaps not have escaped the minister's notice that the more proportional the electoral system, the worse the turnout. Indeed, the European Parliament elections in Scotland, which operate with a Scotland-wide list, give people less control and attract the worst turnout of any elections in Scotland. In that context, will the minister take account of the view of many members of the Scottish Parliament that the constituency link and the attachment between the representative and the electorate are very important?

**Mr McCabe:** I am happy to confirm that the view that the constituency link is important is shared by many people in Scotland. We must all acknowledge that in recent years systems have changed on a number of occasions. Much has been asked of voters—they have had to try to understand new ways of casting their votes. The Electoral Commission concluded, after analysing the information, that it was disappointed with the impact of the voter awareness campaign, which it believed was not as effective as it could have been; the information that the commission received indicated that, when they reached the ballot box, people were confused about the voting systems in which they were being asked to participate. That brings me back to my original answer. As we struggle with such issues, it would be a retrograde step to rule out specific alternatives at this point.

### Teaching (Qualifications)

**2. Dr Elaine Murray (Dumfries) (Lab):** To ask the Scottish Executive whether qualifications gained at English universities will be accepted as suitable qualifications to teach in Scottish schools. (S2O-4831)

**The Minister for Education and Young People (Peter Peacock):** Existing teachers in England who wish to teach in Scotland must satisfy the General Teaching Council for Scotland registration requirements. Cases are dealt with on an individual basis, with the vast majority of teachers from England gaining immediate full or conditional registration.

**Dr Murray:** I thank the minister for his helpful response. He will be aware that many of my constituents find it much more convenient to study over the border in Carlisle than in Scotland and that Open University students can take a postgraduate certificate of education course using

distance learning. However, the Open University's website seems to suggest that the qualification that is gained in that way is accepted in England and Northern Ireland, but not in Scotland. Is he sympathetic to the idea of making it easier for teachers who have an English teaching qualification to convert to teaching in Scotland, which would increase the number of teachers who would be available to teach in areas of teacher shortage, such as Dumfries and Galloway?

**Peter Peacock:** I recognise the geographical circumstances that Elaine Murray alludes to, with Carlisle being in close proximity to large parts of her constituency. I am pleased to say that, in general, the Open University PGCE qualification in England and Wales is acceptable to the GTC for Scotland. Each case is taken on its merits. For example, it is easier for primary school teachers to gain registration under that process than it is for secondary school teachers because, in England, some secondary school teachers do not have to be specialists in the subject that they teach. In general, that qualification is acceptable to the GTC and I encourage anyone who holds one to make an application, which will be considered on its merits.

We are always looking for more flexible ways in which to bring new teachers into the profession. We face major challenges in striving to increase the number of teachers in Scotland. The commitment to increase the number of teachers to 53,000, which will reduce class sizes, is significant. We are always interested in innovative ways of increasing the number of teachers. I await the final report of the teacher education review, one of the dimensions of which will be consideration of access to teacher training.

**Fiona Hyslop (Lothians) (SNP):** Does the minister acknowledge the need for a step change in the number of teachers who are recruited and trained? Is he aware that Aberdeen City Council education authority is writing to parents of pupils at Northfield Academy and Kincorth Academy to tell them that their children might have to be withdrawn from those schools because of a lack of teachers over a sustained period?

The minister mentioned flexibility. Will he guarantee that, in his struggle to ensure that there is a sufficient number of teachers in Aberdeen and throughout Scotland to teach our pupils and to teach them well, he will not reduce the standards that prospective teachers must meet?

**Peter Peacock:** The member has raised several points. On the latter point, there is no intention to reduce standards in Scotland. We have set very high standards for our teachers and we want to maintain those standards in the future. That should not in any way compromise our work to reach the targets that we have set ourselves.

Sophisticated workforce planning exercises are now in place; that was not the case a few years ago. We can predict the subjects in which we will be short of teachers and we can increase the supply of teachers in those areas through our teacher training institutions. That is what we do.

I can confirm to the Parliament that we are on course to meet our ambitious targets on increasing teacher numbers and reducing class sizes. I know that that will be a considerable disappointment to the Scottish National Party. This year, 80 per cent more teachers are coming through on our maths courses and 50 per more are coming through on our English courses. That will help us to reduce class sizes in those crucial subjects in secondary 1 and secondary 2.

### Kerb-crawling

#### 3. Mr Frank McAveety (Glasgow Shettleston)

**(Lab):** To ask the Scottish Executive what progress is being made on the partnership agreement commitment to make kerb-crawling a criminal offence. (S2O-4811)

**The Deputy Minister for Justice (Hugh Henry):** We are determined that the nuisance and offence that are caused by kerb-crawling should be criminalised. The expert group on prostitution considered possible ways of dealing with kerb-crawling as part of its report on street prostitution. I recently published that report for consultation and we will consider how to proceed in the light of the responses that we receive.

**Mr McAveety:** I welcome that response and the report of the expert group. A firm commitment was made in the partnership agreement to deal with kerb-crawling. Whatever consideration is given to the issue, I hope that the minister can assure me that that principle will be maintained in our response to the expert group's recommendations on street prostitution and that the legislative framework will be robust and effective in tackling such antisocial behaviour at source, particularly in dealing with kerb-crawlers.

**Hugh Henry:** We are determined to see through the commitment that we made in the partnership agreement. I welcome the expert group's acknowledgement that action needs to be taken against men who cause a nuisance by attempting to purchase sex in areas such as those in Frank McAveety's constituency. The expert group echoed many of the comments made by Frank McAveety and others and its report reflected the general point in the partnership agreement. The report is a welcome contribution to a complex debate.

I look forward to the responses to the consultation. Once they are in, we will give them proper consideration and, I hope, come forward

with a package of measures that will start to make a difference in local communities that suffer from the problem of kerb-crawling. Those measures should also contribute to resolving some of the wider, more complicated and fundamental issues involved in prostitution.

#### **Public Transport (Travel to Work)**

**4. Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** To ask the Scottish Executive what action it is taking to encourage people to travel to work by public transport. (S2O-4840)

**The Minister for Transport (Nicol Stephen):** The Scottish Executive is significantly increasing its investment in transport and more than two thirds of the transport budget is now being spent on public transport. One of the key priorities of the new transport agency—which I announced today will be located in Glasgow with around 200 staff—will be to deliver major new public transport projects on time and on budget.

**Cathie Craigie:** We know that, to encourage people to use public transport, the options must be affordable and convenient. Many more people living in my constituency of Cumbernauld and Kilsyth and in neighbouring constituencies would use the train from Croy if adequate parking facilities were available. What action is the minister taking to ensure that the considerable amount of money that the Scottish Executive made available to improve parking facilities at Croy is spent soon? We have been waiting for more than three years since the previous minister made the announcement that the spending would go ahead.

**Nicol Stephen:** I agree that more needs to be done to ensure that we speed the progress of new public transport projects. The delays in planning and land acquisition in relation to new park-and-ride projects have been frustrating. Work started in September on a new rail station at Gartcosh, which will have park-and-ride facilities. Moreover, we recently awarded funds to North Lanarkshire Council for a local transport interchange at Harthill. Work there is progressing well.

I understand that at Croy—there are other examples, but Croy has been a particular frustration for me—Strathclyde Passenger Transport has, after lengthy negotiations, acquired the land in question and is progressing the project. I am pleased to say that we will now have 460 new parking spaces at Croy, which will be a major breakthrough. We need to see more progress of that kind.

#### **Boy Racers**

**5. Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** To ask the Scottish Executive what steps it is taking to discourage criminal activities undertaken by “boy racers”. (S2O-4819)

**The Deputy Minister for Justice (Hugh Henry):** Boy racers cause significant problems in a number of communities and we are taking action to help local agencies to deal with problems in their areas. Additional powers for the police to stop and seize vehicles that are being used in a manner causing alarm, distress or annoyance to members of the public will come into force shortly. We have also given the police national targets to reduce the number of road accidents, introduced a national driver improvement scheme and supported safety camera partnerships.

**Mike Rumbles:** There have been problems in communities throughout Scotland, particularly in Banchory, Aboyne and Alford in my constituency. I am not asking for new powers—I am not sure that they are needed—as boy racers are already committing offences in Scots law. I was hoping that the minister would ensure that our police services—particularly in Grampian, but throughout the country—undertake enforcement action under the current law.

**Hugh Henry:** There are two separate issues. As far as powers are concerned, police take their responsibilities seriously. It is for the local police to identify whether a crime has been committed and to act appropriately. The information will then be notified to the prosecution authorities, which will consider the case; they take such incidents seriously and will prosecute when the evidence is available that there has been a criminal offence. I advise Mr Rumbles that, if there is any evidence, it should be brought to the attention of the police. I would hope that the police in those areas would act appropriately.

On the wider issue that Mr Rumbles raises, I believe that the additional powers will make a significant contribution in many areas where there have been problems. The issue was raised when we were considering the Antisocial Behaviour etc (Scotland) Bill. My colleague Marilyn Livingstone identified significant problems in her area, which was partly why we moved in the way that we did in that legislation. I believe that the additional powers given to the police in that legislation will help in areas such as Kirkcaldy, in Marilyn Livingstone's constituency, where there is a particular problem. I hope that, through the use of existing powers, linked to the new powers, there will be a significant improvement in communities that are afflicted.

**Richard Baker (North East Scotland) (Lab):** Is the minister aware that Grampian police are likely to be among the first in Scotland to take action against boy racers through the new antisocial behaviour provisions, after Lewis Macdonald and Frank Doran MP asked them to deal with the problems of racing at Aberdeen's beachfront? Does he agree that that action, along with possible education measures, will make a difference in

tackling the danger and the noise nuisance that can be caused by aggressive driving?

**Hugh Henry:** I am aware of the problem in the Aberdeen area, as Richard Baker has raised it before. Local members take that problem seriously and are working hard to remedy it. Frank Doran, the local MP, chairs a group considering the problem. Lewis Macdonald is closely involved in that work. I hope that that effort by local politicians in co-operation with appropriate agencies will, using the existing law and the new legislation, start to make a difference. I commend all those in Aberdeen who are working hard to improve matters.

#### **Disability Discrimination Act 1995**

**6. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** To ask the Scottish Executive how many claims there have been to the courts under the Disability Discrimination Act 1995 in Scotland. (S2O-4810)

**The Minister for Justice (Cathy Jamieson):** Information on the number of cases raised and their general nature is collected and published annually in the publication "Civil Judicial Statistics". It is not possible from that information to identify the number of claims raised under the Disability Discrimination Act 1995, but the Executive is reviewing the way in which the Justice Department collects and provides statistical information in relation to the civil justice system.

**Jeremy Purvis:** Is the minister aware that the Disability Rights Commission believes that there have been a number of appeals to the courts by people who, regrettably, have had to seek legal recourse for the rights that they should have enjoyed automatically? Will she ensure that the Executive captures those data, as it is important for communities throughout Scotland to understand that they have rights and that, where there are breaches of the act, there can be legal recourse? Public transparency—knowing the number of cases—is important.

**Cathy Jamieson:** As the member points out, that is important. Officials from the Justice Department have been in touch with the Disability Rights Commission in respect of that matter. I understand that the commission considered about 15 cases in a research report that was published in 2004. Obviously, the commission, too, has been unable to give the number of cases that have been taken to the courts, but it indicated to us that it believes that that number is low. We need to keep an eye on the matter. We want to ensure that we get the appropriate information. We also want to ensure that people's rights are being upheld and, even more important, that people's rights are being promoted.

#### **Wind Farms**

**7. Alex Johnstone (North East Scotland) (Con):** To ask the Scottish Executive whether it will provide further strategic guidance on the siting of wind farms. (S2O-4900)

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** A forum has been established to consider how the Executive's renewable energy targets can continue to be delivered in a sustainable way. The need for further strategic guidance will be one of the issues that the forum will consider.

**Alex Johnstone:** Since the Parliament's Enterprise and Culture Committee called for such guidance last year, there has been a further rash of wind farm applications throughout Scotland. Will the minister ensure as a matter of particular urgency that the advice is available as soon as possible?

**Allan Wilson:** I am not sure that "rash" is the correct collective term for the proliferation of onshore wind farm developments, but I assure Alex Johnstone that forum members have been asked for their views on what issues need to be addressed and how and when that could be done and that we will consider carefully what they have to say. We have also commissioned research, which will be undertaken in the spring, into the issue that he raises, which I hope will enable the Executive to begin the review of national planning policy guideline 6 earlier than anticipated.

**The Presiding Officer:** That concludes general questions.

**Dennis Canavan (Falkirk West) (Ind):** On a point of order, Presiding Officer. General questions were about two minutes late in starting, so would it be in order to give us two minutes' injury time to allow me to ask question 8?

**The Presiding Officer:** The time for question time is fixed, Mr Canavan, and you have to allow some leeway on my part to allow us to run a minute or a minute and a half over on other questions. Questions are balanced out over the course. I have no discretion on the matter.

## Victims and Witnesses

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

The next item of business is a debate on motion S2M-2241, in the name of Hugh Henry, on victims and witnesses, and two amendments to the motion.

15:02

**The Deputy Minister for Justice (Hugh Henry):** I am convinced that, unless the diverse needs of victims and witnesses are properly identified and efforts are made to meet those needs, the justice system will fall short of what we wish to achieve for the people of Scotland. Those sentiments underpin our commitment in the partnership agreement and the criminal justice plan to support victims and witnesses fully. That commitment sets us new challenges to ensure that victims of crime are treated with respect, are recognised as key participants within the justice system and receive services that help them to deal with the impact of crime.

In our “Scottish Strategy for Victims”, we said that we wanted a system that better understood the needs of victims, ensured that they were better informed and supported and secured for them more opportunities to participate effectively in the administration of justice. Four years on from the strategy’s publication, we have in place laws that mean that victims and witnesses will be at the centre of the justice system, where they rightly belong.

The Criminal Justice (Scotland) Act 2003 enhanced the rights of victims to be heard in the judicial process. It gives victims the opportunity to make to the court, after conviction and prior to sentencing, a statement about the personal impact of the crime on them. The judge or sheriff is then expected to consider that statement when reaching a decision on what sentence to impose. We are in the middle of piloting the victim statement scheme and, once we have reviewed its impact, we will decide how best to roll it out to the rest of the country.

The 2003 act also gives the victims of serious crimes the right to be notified about the release of their offenders. The victim notification scheme also gives victims the right to be told when the offenders are to be considered for parole and the opportunity to give to the Parole Board for Scotland a statement on the crime’s impact on them. It should be remembered that although the victim notification scheme came into effect only on 1 November, it is open to all victims of serious crimes for which offenders were imprisoned for four years or more and are still serving their sentence in custody or on licence in the

community. Those are significant steps towards involving the victim in the release process and represent a major advance over previous practice.

We also know that appearing as a witness in a trial can be very distressing and upsetting. That is why we now have the Vulnerable Witnesses (Scotland) Act 2004, which will formalise existing special measures and introduce new ones that are aimed at reducing the stress that until now has meant that many witnesses were prevented from giving their best evidence. We are phasing that act’s commencement.

Just as the Criminal Justice (Scotland) Act 2003 improved victims’ rights of participation, so the Criminal Procedure (Amendment) (Scotland) Act 2004 will increase the certainty of victims and witnesses about the progress of High Court trials. The prevention of unnecessary adjournments will mean that victims and witnesses have a much better idea of when a case will be called. The result will be a reduction in waiting in court, delayed trials and the distress and anxiety that that causes.

The Sexual Offences (Procedure and Evidence) (Scotland) Act 2002 has given victims of rape and serious sexual assault increased protection. I know that that law and others that deal with rape and sexual offences have come under increased scrutiny recently and that is why the Minister for Justice asked the Scottish Law Commission to examine the provisions as part of a wider review of the law on sexual offending and to make recommendations for reform.

It should be clear from that round-up that our commitment to victims and witnesses has underpinned our legislative reforms of the criminal justice system. It has also informed our thinking about how we can improve our judicial processes and change the culture of the justice system to meet the needs of victims and witnesses better.

The Crown Office and Procurator Fiscal Service has done much commendable work to raise awareness and improve practices relating to victims and witnesses throughout the Scottish prosecution service and the Solicitor General for Scotland will highlight some of that work.

The Crown Office and Procurator Fiscal Service has been a key player in developing policy for victims and witnesses. A notable example is the work on supporting child witnesses. I am delighted to report that much has been achieved in implementing the recommendations of the Lord Advocate’s working group on support for child witnesses. Recommendations that have been implemented include those on the publication of guidance on best practice for child witness court familiarisation visits, interviewing child witnesses and questioning children in court.



**Stewart Stevenson (Banff and Buchan) (SNP):** The minister will be aware of some discussion in relation to the Protection of Children and Prevention of Sexual Offences (Scotland) Bill in the Justice 1 Committee about the age at which someone is considered to be a child. The criminal justice system appears to have a variety of definitions and ages at which a person qualifies as a child. In line with the relevant European Union directive and United Nations charters, is it time universally to define children as those who are under 18?

**Hugh Henry:** That is a complex issue that strikes at the heart of many fundamental aspects that we take for granted. Such a definition would change considerably the status of 16 and 17-year-olds in our society. We need to consider which recognised age definitions can coincide, but we must proceed with caution before accepting 18 as a universal definition. A debate is needed in relation to a range of issues, not least some of those that Stewart Stevenson mentioned.

Another good example of partnership work is the recent publication of an advice pack that provides family and friends with information about the aftermath of a homicide. The advice covers not just what to expect from the criminal justice system but practical issues such as finances, housing and compensation, which can cause anguish adding to the pain of a sudden loss.

As well as promoting a culture change through publishing guidance on best practice, we are supporting others to provide services directly to victims and witnesses. Victim Support Scotland has an unequalled record in the voluntary sector in supporting the diverse needs of victims and witnesses. With the assistance of our grant, VSS makes more than 80,000 contacts with victims per year through its Scotland-wide network of professionals and volunteers. It also works with more than 60,000 witnesses a year through the witness service, which is now present in every High Court and sheriff court.

One form of specialist support that involves VSS and is assisted by the Executive is support for victims of youth crime. In a recently completed 12-month pilot, Victim Support Scotland and the Scottish Children's Reporter Administration delivered a service that provided generic and case-specific information to victims of youth crime at key stages of the children's hearings process. We are reviewing that work.

Court procedures need to be considered. They are being adapted and improved in ways that will be of direct benefit to victims and witnesses. I touched on reform of the High Court, but other initiatives are also making their contribution. One benefit to victims and witnesses of the youth court pilots in Hamilton and Airdrie is that fast tracking

young offenders allows them to be dealt with quickly and results in a swift outcome.

The youth court model is being replicated in Glasgow with the piloting of a dedicated domestic abuse court, which it is hoped will secure the same benefits of fast tracking for victims and witnesses. The Glasgow pilot comes with the assist project, which is supported by the Scottish Executive and is specifically aimed at supporting the information, advice and support needs of victims and their families. We have supported a permanent Scottish domestic abuse helpline, which now provides a 24-hour service every day of the year, and 57 local projects have been supported by the third round of the domestic abuse service development fund. All those projects are meeting the needs of victims and their families.

I recognise the importance of meeting the diverse information and support needs of victims and witnesses, but I also appreciate how threatening and intimidating physical surroundings can appear. As a result, the Scottish Court Service is carrying out a major review of its estate. That includes considering the provision of better waiting facilities for witnesses and up-to-date video transmission and recording equipment that will greatly assist child and vulnerable witnesses to give their best evidence.

There continues to be much discussion about the use of restorative justice. At its simplest, restorative justice invites the offender and the victim to meet, to try to reach an agreement about what reparation, if any, can be made, and to try to give each person an understanding of the other's viewpoint. We have applied the principles of restorative justice to youth justice and are in the process of increasing the number of places that are available to young offenders on various restorative justice programmes from 3,000 to 6,000. We think that such early interventions represent a real opportunity to tackle reoffending among young people. The jury is still out on the effectiveness of restorative justice for adult offenders, but I am sure that any restorative justice scheme must give full attention to victims and ensure that the offender takes full responsibility for his actions.

I turn to future developments. Members will know that we are in the midst of a review of summary justice. I want the needs of victims and witnesses to be just as central to any procedural changes in the summary court system as they have been to the reforms of the High Court.

Protecting our children is a priority for the Executive and we must ensure that the law in that area is robust and allows for early intervention in order to help to prevent predatory sex offenders from targeting and abusing children. Use of the

internet by paedophiles is particularly worrying, and the Protection of Children and Prevention of Sexual Offences (Scotland) Bill, which was introduced in October, makes grooming a specific offence. We think that that will greatly help.

I recognise that there is much to do to change attitudes and processes. We are in the throes of updating the Scottish strategy for victims. Over the past few months, we have worked with key stakeholders on that strategy. In the revised strategy, we want to meet the support needs of families and friends who are bereaved by murder and culpable homicide, improve the training and awareness of all organisations that might come into contact with victims and assess the local delivery of services to victims. We want to identify gaps and overlaps in service provision and opportunities for improving local capacity and co-ordination.

There are a number of other issues that I do not have time to develop, unfortunately. In particular, there are issues to do with developing national standards of service that victims can expect to receive. That is critical. We must do more to support child witnesses, and further information and guidance will be produced on that following work by the Lord Advocate's group. I do not have time to talk about work that is being done on the pilot of vulnerable witness officers, which could be critical.

In conclusion, a huge range of work has been done to change legislation, culture and practice to improve services for victims and witnesses. I understand some sentiments in the SNP's amendment, but a couple of specifics in it lead me to reject it. Unfortunately, the Conservatives' amendment simply replays the same old gramophone record and it has more to do with an election than with the needs of victims and witnesses.

The Executive is committed to making improvements. Changes to laws and procedures are only one side of the coin. We must change and challenge inappropriate attitudes and assumptions throughout the criminal and civil justice service, but we must remember at all times that the rights of victims and witnesses are essential to the proper working of Scotland's justice system, as are the rights of the accused.

I move,

That the Parliament acknowledges that the interests and diverse needs of victims and witnesses are central to criminal justice reform; welcomes recent legislation that improves the status of victims and witnesses in the justice system, including the Vulnerable Witnesses (Scotland) Act 2004 and the Criminal Justice (Scotland) Act 2003; notes the progress made in implementing the Strategy for Scottish Victims and the recommendations of the Lord Advocate's Working Group on Support for Child Witnesses; notes the major steps that have been taken within the

Crown Office and Procurator Fiscal Service, in particular the establishment of the Victims Information and Advice Service and the instigation of a detailed review of the investigation and prosecution of sexual offences, and recognises the Executive's commitment to make further improvements for victims including the reflection of their interests in proposals for reducing re-offending.

15:15

**Mr Kenny MacAskill (Lothians) (SNP):** We have no hesitation in fully supporting what the minister said and the terms of the motion. We appreciate that a great deal of work has been going on in the background.

What we are seeing today is to some extent a reflection of our due democratic system. When such policies arose previously, they were ratified by the Scottish Office and imposed on the judicial system without any attempt at democratic scrutiny. It is clear that there is democratic scrutiny now. We are happy to endorse the points that have been made and we look forward with interest to hearing about additional matters that might be mentioned by the Solicitor General. We will be happy to support them because some matters are not ideological but systemic.

Many of the problems that we have in the judicial system—how we treat witnesses and how victims are addressed—are not the fault of the current Executive or a past Administration of whatever political hue; they are down to the system that we have. Unfortunately, we have a legal system that is not necessarily about addressing injustice; it is about how we administer it. Hence the maxim that the law is not necessarily the same as justice. It is the administration of these matters that has to be addressed. As the minister said, taking cognisance of the victims of crime and those who give evidence in court is just as important as addressing the problem of perpetrators. We have no dispute with the Executive in that area.

We take cognisance of the doubts that the minister expressed about our amendment. We recognise that we lodged it at late notice without discussion. However, we raise matters of some concern and if the Executive is not prepared to accept our points at present, we would like to be satisfied that they will at least be factored in.

**Hugh Henry:** I thank Kenny MacAskill for allowing me to develop the reason why we are rejecting the SNP amendment. We do not have a problem with some of its generalities, for example on additional assistance for rehousing and protection. However, the point about a specific Scottish witness protection programme causes us problems. We know that very often witnesses ask to be relocated elsewhere within the United Kingdom, which raises significant cross-border

issues. Changes are being made in the Serious Organised Crime and Police Bill. Notwithstanding some of the differences between us about Sewel motions, we will come back with Sewel motion proposals on some of the measures to strengthen witness protection arrangements throughout the United Kingdom, which would be of benefit. We have a difference with the SNP on that specific point.

**Mr MacAskill:** We are more than happy to accept that, to some extent, it is the duty of the Opposition to propose generalities and the duty of the Administration and the Executive, together with the civil service and the secretariat, to fine-tune and deliver the work.

I also accept that when it comes to witness relocation, moving someone from Glasgow or the west of Scotland to the northern isles or the Western Isles is not best suited to maintaining anonymity. Moving people to Liverpool, Manchester or urban London is what happens. It is clear that there has to be some cross-border harmonisation. We think that such matters could be addressed even within a specific Scottish witness relocation programme, but we accept the points that the minister made.

We are not prepared to accept the Tory amendment. We all know where the Tories stand and we disagree with the concept of ending early automatic release. They are entitled to that position, but we are trying to address the matter of victims and witnesses, which would have been better addressed without the Tories giving us their mantra chant. We know that an election is coming in May, but we are trying to address an oversight of which we have all been culpable—past and present Administrations, the Opposition and the Government. We have to do better, and rather than singing an electioneering song, we should try to improve matters and move forward. Therefore, we will not be supporting the Tory amendment.

It is clear that victims and witnesses are critical and their needs are distinct. Witnesses and victims have both been taken for granted. Numerous analogies and examples can doubtless be given by every member, but we all have to do better. We accept that progress is being made and credit has to be given to the Lord Advocate and the Solicitor General for trying to address the problem.

We are bringing Scotland forward from a time when such matters were dealt with shamefully. We are all aware of the anecdotal evidence of witnesses languishing in witness rooms not having been told that the trial had been discharged. We are aware of instances, whether in Forfar or anywhere else, where the facilities for a witness are provided by the Women's Royal Voluntary Service. I do not denigrate that institution in any shape or form because what it does is worth while

and beneficial but, at the end of the day, is it the most appropriate body to cater for witnesses? When nobody else is available, the WRVS steps into the breach and we are thankful for that, but we must treat witnesses better. People often have to wait for several hours to give evidence despite the fact that they are doubtless considerably inconvenienced and worried—they must be able to get a cup of coffee or tea during that time. That must be addressed.

Our view on victims is to some extent much the same as the Executive's. Some issues have been overlooked. We address victims' immediate needs, but we forget about their long-term requirements. The minister mentioned our amendment and I will talk about two points in it. We recognise that giving evidence is difficult. It would be one thing for the Lord Advocate or me, who live in the suburb of the Grange within about five doors of each other—although I should add that we have not been on holiday together—to give evidence in a trial, but everybody is aware that, in many suburbs in small-town Scotland, people who give evidence face not only the feeling that they are breaching the no-grassing culture, but intimidation: their windows get panned in and their children are harassed. Such things happen.

The situation is a no-brainer and we must address it. Giving evidence can be extremely frightening. It is a citizen's duty, but it is one thing for the Lord Advocate and me from the safety of our salubrious homes to carry it out, and quite another for a person in Craigmillar or Easterhouse who knows that their children will be intimidated and that their windows are likely to get a brick through them to do so. If we are to allow such people to carry out their duty as citizens, we must support them. The police try to provide support, but the right hand in government does not know what the left hand is doing. Local authorities will not work with police authorities because they say that matters are being addressed in other ways or that people will use the system to queue jump in order to get a house. We must do better.

With victims, we must accept that both psychological and physical injury matter. People get recompensed for a broken nose, but there is no recompense for old ladies who have difficulties going out at night or young women who feel intimidated by crowds of youths. Society has let down those who suffer in such ways. We do not address properly psychological or psychiatric matters and we must consider that. The budget is not unlimited, but we must do better.

I move amendment S2M-2241.2, to insert at end:

“; further notes that, whilst it is a citizen's duty to report crime and testify, in doing so significant difficulties and dangers can be encountered by many; calls for additional

assistance to be given towards rehousing and protection including a specific Scottish Witness Protection Programme, and further recognises the serious psychological effect that being a witness or victim of crime often involves and so calls for any future reform in this area to include adequate provision for treatment of trauma."

15:22

**Miss Annabel Goldie (West of Scotland) (Con):** If our criminal justice system is to be effective, it is important that vulnerable witnesses and victims are supported throughout the process of cases. I speak as someone who has been a victim in a criminal case in which the accused was duly convicted. Not only does such support provide individual reassurance; it plays an important role in encouraging people to do their civic duty. There is no doubt that significant progress has been made in the past 20 years. A courtroom is a serious forum and it is inevitable that the atmosphere will be austere and sometimes forbidding, but it is vital that no witness should be so intimidated that the giving of essential evidence is inhibited or impaired. In that event, justice will not be served and the criminal justice system will be discredited.

It is right to acknowledge the progress that has been made, to which the Vulnerable Witnesses (Scotland) Act 2004 has made an important contribution. There is no doubt that special measures such as closed-circuit television, video evidence, evidence on commission, the use of screens and the use of a supporter do much to dispel austerity and apprehension and to offer reassurance. However, the 2004 act is in its early days and the minister will be aware that the phased implementation defers certain measures. It is also right to acknowledge the Executive's strategy for victims, which was launched in 2001. A report in November showed the progress that had been made on that issue.

I have several observations. First, delays still occur. Nothing is more irritating or off-putting to witnesses and victims than to be subjected to abortive court proceedings because a witness cannot be found or the accused has not turned up. Such delays still take place and too many of them lead to proceedings being abandoned. Written answers to parliamentary questions have shown that, last year, 9,000 cases in the sheriff courts were marked "no proceedings" because of delay or the time bar. For every case marked "no pro", there is a potential denial of justice and a frustrated and angry victim and, probably, frustrated and angry witnesses.

Secondly, the victim information and advice service may have been extended to all 11 procurator fiscal areas, which is welcome, but who is monitoring the system and is it operating consistently throughout those areas? For example,

are victims being told when a petition is going to be served and, which is important, when it has been served?

Thirdly, we now have a presumption in favour of bail, which is allowing many individuals who have been charged with serious crimes to walk the streets. That leaves many victims and witnesses feeling frightened and vulnerable, results in accused persons not turning up for trial, which causes adjourned trial diets, and allows reoffending during the bail period. The interference in the court's primary responsibility to ensure the victim's peace of mind, to protect the public, detain an accused person who is likely to abscond and to exercise judicial discretion accordingly is intolerable. The availability of bail to people charged with serious crimes is utterly unacceptable. When such individuals, many of whom offend on bail and fail to appear for trial, are cosseted with rights while victims are left afraid and the law-abiding majority is put at risk, we have reached unprecedented levels of absurdity. Something has to be done about that, which is why I refer to the matter in my amendment.

Implicit in any discussion of witnesses and victims is the acknowledgement that crimes have already been committed. In that regard, I will deal with the criticisms of my amendment that were proffered by the minister and Mr MacAskill. Surely a priority should be given to trying to reduce violent crime, drug crime, rape, attempted rape, handling of offensive weapons and criminal homicide, the incidence of all of which is well up on 1997 levels. If we can reduce such crime—and I am responding here to Mr MacAskill's challenge—we will have safer communities, fewer victims and, therefore, fewer witnesses. There have to be more police officers in our communities to deter the commission of crime and detect it more swiftly when it is committed.

**The Minister for Justice (Cathy Jamieson):** I agree that it is important that communities see visible signs of police on the streets, but does the member agree that intelligence-led policing is important in relation to many crimes such as sexual crimes against children and internet pornography? The issue is not simply about putting more police on the streets; it is about ensuring that those crimes are prevented, detected and brought to the courts.

**Miss Goldie:** I do not think that the two elements are mutually exclusive and I would say to the minister that a lot of intelligence can be gleaned from communities by having officers working there not as a negative presence but as a co-operative, encouraging presence among our citizens.

I recently heard with concern of the proposal in the Association of Chief Police Officers in

Scotland's "Beating Bureaucracy" report that officers should be selective about what laws to enforce. That is a disastrous suggestion that flies in the face of what works. The priority is to get substantially more police officers in our communities. Criminals must be thinking that Christmas goes on all year when they hear of such proposals.

It is also clear that abolishing the automatic early release of convicted criminals will act as a deterrent and will cut avoidable crimes of the type perpetrated by people such as James Campbell and Stuart Leggate and will greatly restore public confidence in our criminal justice system. That is why I have lodged the amendment in my name, which I have much pleasure in moving.

I move amendment S2M-2241.1, to insert at end:

"...believes, however, that the best support and protection that can be given to witnesses and victims is to cut crime in Scotland, and therefore calls for a greatly-increased police presence in our communities to deter and detect crime, a review of the use of bail and an end to automatic early release from prisons."

15:28

**Margaret Smith (Edinburgh West) (LD):** I welcome the opportunity to recognise the various needs of victims and witnesses and to acknowledge that much has been done by the Executive and the Parliament to deal with those needs.

Before I expand on that issue, I want to highlight the role that is played in our justice system by jurors—ordinary men and women who are taken away from their daily lives to sit in judgment on their peers. At best, even if the case is relatively minor, jury duty can involve a loss of earnings and disruption of family life. At worst, a juror can be picked for jury service in relation to a distressing murder or high-profile rape trial. I feel strongly that the Crown Office and Scotland owe a debt to our citizens who fulfil their civic duty in that way, and I wonder what counselling or other services are available to assist jurors, following involvement in a violent rape case for example. What work have the courts and the Crown Office done to evaluate jurors' views of the system and how it affected them? On a lesser, administrative note, I inform members that one family in my constituency contacted me to say that, nearly two years after her death, one of their grandmothers, who was in her 80s, was contacted with a request to do jury duty. As a result, I discovered that the authorities were working from an electoral register that was three years old. I do not think that that represents good administration, never mind the upset that it might cause people.

The Scottish Executive and the Parliament have already gone a long way towards improving the position for victims and witnesses—that includes the extra support for victims of domestic abuse that the minister outlined. During 2003-04, the Scottish Executive provided £6 million for victim and witness services, including providing £3.3 million to Victim Support Scotland for a range of services such as the excellent court-based witness service, which I experienced when I was called as a witness to the sheriff court. I am pleased that the Crown Office and Procurator Fiscal Service has extended the victim information and advice service to all areas. I know from feedback from constituents that that has made a real difference.

In 2003-04, more than 127,000 cases were prosecuted in the Scottish courts—that means that there were just as many victims, and even more witnesses, whose lives were disrupted and sometimes destroyed. As a society, we must do all that we can to support victims and witnesses and I am pleased that arrangements are now in place to refer victims to support organisations and practical help.

We must ask ourselves what victims and witnesses want and we must do all that we can to deliver it. Victims want fair and speedy justice that respects diversity. They want information about what is going on and they want the justice system to be effective. They also want to be able to report crime without putting themselves and their families in danger, and I whole-heartedly agree with many of the comments that Kenny MacAskill made about that. In parts of my constituency, certain other parts of Edinburgh and areas across Scotland, life is such that people cannot do that.

First and foremost, people want offenders to be caught. With record numbers of police and support staff and the highest police clear-up rate in a quarter of a century, I believe that the Executive and the Crown Office and Procurator Fiscal Service are on track to do just that. Secondly, people want the justice process to be as quick as possible, with the minimum of delays. We have already introduced a number of measures that will speed up the process, particularly in the High Court. The Criminal Procedure (Amendment) (Scotland) Act 2004 introduced preliminary hearings and other initiatives that should cut the number of delays and reschedulings. I do not believe that anybody agrees with the present system, whereby more than 50 per cent of cases at the High Court in Glasgow are delayed or rescheduled.

People want a system that is fair when they are waiting to give evidence, when their family is waiting to hear them give evidence and when they give evidence. Many of the measures that have been introduced through the Criminal Justice

(Scotland) Act 2003, the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002 and the Vulnerable Witnesses (Scotland) Act 2004 will go a long way towards improving the reality of giving evidence in court. Those include the prohibition of the accused from conducting his own defence in sexual offence cases and the special measures for vulnerable witnesses, including children. Those improvements not only benefit witnesses but allow them to give a better quality of evidence, and therefore they improve the system overall. I am keen to hear a little more from the Executive about the current situation with regard to the victim statement pilots that are operating in Edinburgh and elsewhere. How will their success or otherwise be evaluated?

Crucially, victims want to ensure that offenders do not offend again. That is why the Liberal Democrats are committed to working to tackle reoffending and why we welcome the recent commitments in the criminal justice plan to introduce a greater range of options for doing just that.

Victims want to be treated with respect from the beginning of the process, when they become victims, and we can do that by ensuring that the police respond effectively and timeously to calls about not only serious crimes but the less serious but persistent offences that make some people's life a misery. The Parliament, rightly, passed the Antisocial Behaviour etc (Scotland) Act 2004 not only to recognise the problem but to give police and local authorities greater powers to deal with such harassment. I appreciate that the police must prioritise, but they must respond to all calls if we are to maintain public confidence, which is a crucial ingredient in a successful justice system.

A number of people have lost faith in the justice system, including many victims of sexual offences. That is hardly surprising, given that we get convictions in only 6 per cent of rape cases and that male rape does not even exist as an offence. That is why we support the Executive's review of the investigation and prosecution of sexual offences.

I welcome the fact that the Executive has turned its attention to those who are more likely to become the victims of hate crimes: Scots from different cultural and ethnic backgrounds and the lesbian, gay, bisexual and transgender community. Incidences of racist and homophobic attacks appear to be on the increase, but there is a strong argument that that is partly because of the good work that police forces, including Lothian and Borders police, are doing.

I welcome the strong stand that the First Minister has taken on sectarianism and racism, but it is time for him to do the same on homophobia, no matter where it comes from—including the

archbishop of St Andrews and Edinburgh, given his remarks in the chamber.

The Executive can be proud of many of its initiatives so far to improve the experience of victims and witnesses.

I whole-heartedly support the motion.

**The Deputy Presiding Officer:** We move to open debate. I will give Marlyn Glen six minutes but, as we are a bit behind the clock, I give notice to Bruce McFee and subsequent members that I will give them only five minutes.

15:35

**Marlyn Glen (North East Scotland) (Lab):** I welcome the opportunity to speak in the debate and to talk about the fundamental reforms that the Executive has made, and continues to make, to the criminal justice system. I also welcome the opportunity in this more general debate to consider the bigger picture rather than the finer detail that we concentrate on week by week in committee. For example, last year the Justice 1 Committee examined the Criminal Procedure (Amendment) (Scotland) Bill, which was designed to speed up the judicial process by reducing adjournments and postponements, which can be so detrimental to victims and witnesses. I welcome whole-heartedly the changes that have been introduced. It is extremely enlightening to see how the act slots into the wider strategy of reform, but the reforms must be given time to take effect.

The Scottish Executive's strategy for victims is a new and welcome approach to dealing with the consequences of crime. Developed with a range of agencies that are involved in the criminal justice system, the strategy aims to make the whole process more supportive of victims by ensuring that victims are given emotional support as well as practical assistance and information. The strategy will also ensure that all agencies are working together.

One aspect of the strategy is the victim notification scheme, which has been mentioned. The scheme gives victims a voice when the Parole Board considers a prisoner's application for release. The Minister for Justice's reply—for which I thank her—to my recent letter, asking what steps the Executive is taking to ensure maximum publicity for the scheme, informed me that victims who are eligible are automatically contacted by the procurator fiscal. Victims can opt into the scheme at any point up until the offender is due to be released. I welcome that flexibility of registration, given that a victim might not want to consider such an issue immediately after the end of a trial.

I welcome the general information leaflet on the victim notification scheme that has been

distributed to advice organisations, but I would like to see greater media publicity for the scheme. It was highlighted in a recent Dundee *Evening Telegraph & Post* article and I would be delighted if other newspapers followed suit. The scheme is an important part of the Executive's strategy to help victims to participate in the process and to have their views heard.

Such reforms encourage changes in the public's expectations of the support that they will receive when they are victims of crime. They create higher expectations, which must be met. For example, Scottish Women's Aid has provided so much support for victims of abuse that victims now know that they are entitled to information and support. Its listen louder campaign and the "It's OK to talk" initiative mean that victims know that it is okay to report abuse and to expect and accept support. It is essential that the Executive continues to fund organisations such as Scottish Women's Aid that provide such an invaluable service.

Linked to the reforms is the public perception of crime, which presents a real challenge. The Executive aims to challenge perceptions about crime through many initiatives, including the excellent video identification parade electronic recording scheme—VIPER—which allows victims of crime to attend a virtual identity parade by looking at pictures on a laptop computer in their own home. Allied to those initiatives is the introduction of restorative justice schemes and specialised courts, which will work to improve the justice system by making it more effective and efficient. I welcome those initiatives and hope that they have a positive effect on the perception of crime in communities and of how crime is dealt with.

We must also promote and publicise the reforms. How safe people feel is bound up with their perception of crime. Statistics alone cannot convince people, especially when there is scaremongering and headline grabbing—as always seems to happen. One example of a successful scheme is the Dundee co-ordinated anti-crime network—or DUNCAN initiative—which was set up in 2003. The initiative aims to make Dundee city centre a safe and secure environment in which people can live, work and socialise without fear of becoming a victim of crime. The scheme has been successful beyond all expectations and the Executive now hopes to use it as a model for the rest of Scotland. It has also led to Dundee becoming the second Scottish city to receive the British Retail Consortium's prestigious safer shoppers award.

An essential element of making people feel safe is the management of prisoners, which, despite appearances, is connected to this debate. I welcome the work that is being done to reduce

reoffending. The Justice 1 Committee's inquiry into the rehabilitation of prisoners is finding that huge changes have already been made in the Scottish Prison Service and that the pace of change is very fast. Rightly, expectations of prisons are now much higher. It is no longer enough to lock up prisoners; work must be done to change and improve their behaviour, so that when they return to our society, our communities continue to be safe.

I look forward to seeing all the initiatives that I have mentioned come to fruition in this wide-ranging and welcome reform of criminal justice.

15:40

**Mr Bruce McFee (West of Scotland) (SNP):** I believe that over the past few years we have been travelling in the right direction in the provision of services for both victims and witnesses. I refer to measures such as support for child witnesses and vulnerable adults; the ability to give evidence through video or CCTV; attempts to protect witnesses from intimidation in the court setting, such as the long-overdue scheme to complete the separation of defence and prosecution witness facilities; the introduction of the pilot victim statement scheme; the right of victims to learn of the release of an offender; and improved support and information services to victims and witnesses, which enable them to understand how the system operates. We wait to see how the Bonomy High Court reforms will work out in the long term, especially those in relation to adjournments and discounted sentences for early guilty pleas.

It would be remiss of me and the Parliament if we did not recognise the enormous contribution that organisations such as Victim Support Scotland have made. Composed largely of volunteers, Victim Support Scotland provides emotional support, practical help and essential information to victims, witnesses and others who have been affected by crime. The service is confidential and is provided free of charge by community-based victim services and court-based witness services in all the High Courts and sheriff courts in Scotland. I believe that the aim is eventually to provide services in our district courts. Because of demand for the service and the referral changes that police forces have made, the number of referrals to Victim Support Scotland has doubled in the past few years. Now, around 90 per cent of referrals come from the police. The situation is reversed for under-16s, the vast majority of whom are referred by parents or carers.

The SNP amendment refers to "a citizen's duty to report crime and testify", but recognises that

"significant difficulties and dangers can be encountered by many"

in doing so. I want to highlight one or two of those issues.

There is still a need to improve information in the court system and the experience of both victims and witnesses. The process of plea bargaining, when defendants agree to plead guilty to specific crimes and other charges are significantly reduced, often makes victims and witnesses very angry, as in their view it diminishes the crime that has been committed against them for no apparent reason and leaves them wondering why they bothered reporting matters or becoming witnesses in the first place. Some charges are dropped completely as part of plea-bargaining deals or for a variety of other reasons, and sometimes those reasons are not explained either to the victim or to witnesses.

A lack of information or communication also lets down our systems for providing feedback to victims of crime. Although victim services are now relatively successful in providing victims with information on the disposition that has resulted from a trial, the information seems to be harder to obtain when a guilty plea has been entered. When the perpetrator is a child, the situation for victims is even more difficult. When a case is heard by a children's panel, feedback to victims is almost zero. I would be grateful if the Executive would indicate, when summing up, whether it is prepared to consider that matter.

Although victims are now told about the release of an offender, they are not informed about the pre-release of the offender as part of the process of preparing that individual to come back into the community. We must consider that issue.

Another matter on which we let down victims relates to housing. Just before Christmas, I had occasion to contact the police about the case of a young lady in Paisley. She was unable to remain in her home because of the level of harassment that she was experiencing from people who were connected to an individual who had been arrested by the police. As is common procedure, the housing association contacted the police to ascertain the truthfulness of the young lady's story and to assess the threat that she was under. When I phoned the police, the police officer confirmed that the housing association had contacted them three months ago but said that they had not yet responded to the request for information because it was not a high priority and they did not resource such a service. In the meantime, the young lady was a prisoner in her own home.

Unfortunately, as my time has been cut, I will conclude at this point. Much has been done over

the past few years to improve services, but I suggest that we must travel a lot further to provide services that encourage witnesses to report crime in the first instance and to encourage witnesses and victims to testify in court. I look forward to any further proposals that are announced.

15:46

**Bill Aitken (Glasgow) (Con):** Bruce McFee is correct to say that the justice system is totally reliant on people coming forward to give evidence. If they are inhibited or frustrated in attempts to do so, the justice system comes under a great deal of pressure.

Depending on the individual and the circumstances, giving evidence in court can be either a minor inconvenience and a pain in the neck or a very traumatic situation. The Parliament and the Executive have been correct in recent years to address various issues that relate to the treatment of witnesses. Undoubtedly there has been an improvement, particularly when the witness can be described as vulnerable. In those situations, a difficult balance must be struck between the rights of the witness and the rights of the accused. That balance must always be borne in mind. Time alone will tell whether we have struck the right balance, but genuine progress has been made.

Although there has been progress in one direction, there have been failures in another. I put a simple equation to the minister: less crime equals fewer victims and fewer witnesses. In many cases, the witnesses are the complainers and the victims of the crime. If crime is cut, it is clear that the problem will be reduced. I suggest to the minister in the strongest possible terms that the Executive's policies on policing and law enforcement in general are unlikely to achieve that aim.

**Hugh Henry:** I do not know which policy on policing Bill Aitken is complaining about. Is it the additional and record numbers of police who are on the streets compared with the situation when the Conservatives were in power? Is it the very effective policing that takes place? On there being more crimes, is he also complaining about our attempts to ensure that there is proper recording of some crimes that were not properly recorded under the Conservatives?

**Bill Aitken:** When the minister seeks to obfuscate and hide the facts from Parliament, that is one thing; but when he tries to delude himself, the issue is perhaps more serious. The fact is that there are not more police on the streets. He might well say—and I accept—that more police officers are employed, but there has been a significant reduction in the number who are on operational



duties. He should not try to confuse us into thinking that additional police numbers mean that there are more police officers on the street.

Let us consider some of the situations that arise. Recently, I was involved in the citation of witnesses on summary matters. The new citation system, which is based centrally in Glasgow, appeared to work, but when I wanted to fix my parliamentary diary, I could not find out what happened at the intermediate diet because nobody would answer the phone, and that was the case over a period of about two days. When I was about to phone the Solicitor General for Scotland, another idea occurred to me, so I phoned the Glasgow procurator fiscal's office and got a bypass number.

The fiscal in Edinburgh then looked into the matter and said, "The accused didn't turn up. There's a warrant out." Another trial diet has been fixed, but what is the chance that the accused will turn up on this occasion? I would suggest that it is very small. Basically, we must consider bail, because although the issue does not really matter in the case in which I am involved, in High Court cases the problem merits serious consideration, as it impinges on people's liberties as well as on their personal safety. Recently, I received an e-mail from a lady whose son had been subjected to a vicious assault with a baseball bat at Christmas in 2003. The case has been adjourned in the High Court twice because the accused failed to turn up. I shall copy the e-mail to the Solicitor General.

When situations such as that arise, there is a serious problem, and I am very pleased indeed that the Sentencing Commission for Scotland will take the matter on board and report back with recommendations. Unless we speed up the system, there will be reluctance on the part of witnesses to give evidence. Where there are delays, there is more time for people to be intimidated and more time for people's evidence to become less reliable. Inevitably, there is also a chance that those who have been cited will move and contact with them will be lost.

Let us speed up the system and improve the services to witnesses, and there will be real progress. Most of all, we must ensure that the policing situation is resolved. That will cut crime.

15:51

**Patrick Harvie (Glasgow) (Green):** All members recognise the vital importance of ensuring that witnesses in the criminal justice system have a positive experience that leads to feelings of safety, confidence and trust, as that will impact on their willingness to report crime in the future and on their ability to give evidence in court. Having a negative experience—whether because

of the outcome of a court case or because of a court's physical ability to support people in a way that is relevant to them—can lead to outright hostility rather than merely to simple distrust. Crimes going unreported because people have those feelings and are not willing to report crimes or are not able to give evidence when they get to court means that no Government policy of any kind, no policing policy, and not even having as many police on the streets as any Conservative could dream of, will be able to deliver justice.

Therefore, I was pleased, as other members were, to support the Vulnerable Witnesses (Scotland) Act 2004. During the passage of the bill, we supported calls from Justice for Children for the use of intermediaries and the right to therapy in court. Since then, we have pursued the question of intermediaries through parliamentary questions, in the hope of drawing attention to the work that is taking place in countries such as South Africa rather than merely the work that is being done in England and Wales. The Executive has responded by promising a detailed assessment of the pilots in England and Wales and a comparison with the work in other countries. In the minister's closing statement, it would be good to hear something about how quickly the issue can be addressed and what the timescale might be for having that assessment carried out. I also welcome the commitment to careful monitoring of implementation of the 2004 act, and I add our weight to calls for regular reports on its implementation.

It is important to recognise that the need for a positive and supportive experience applies in exactly the same way to victims as it does to witnesses. They need trust and confidence if they are to be willing to report future crimes. Most important of all is the role of Victim Support Scotland, which I am glad that Hugh Henry and other members mentioned. It is not only the criminal justice system and the courts that can ensure that victims have a positive experience; Victim Support Scotland can also ensure that that happens and that victims feel that they are recognised and taken seriously.

However, that in itself is not enough. Many victims also want to see meaningful consequences for offenders—not just prison sentences or fines, but consequences that have meaning and that are relevant to the offence. Many want to see offenders taking responsibility for their offences, but all too often that is turned into a suggestion that offenders can be made to take responsibility. "Making offenders take responsibility" is either an example of rhetoric or it shows a misunderstanding of the issue. After all, people cannot be made to take responsibility any more than an anti-racism campaign can make people not be racist or a health promotion campaign can

make people live a more healthy life. Taking responsibility is a voluntary act; the offender must buy into it. Achieving that will require us to work with offenders on their own terms. As a result, I agree strongly with Marlyn Glen that our treatment of offenders, including prisoners, is an important aspect of the debate on victims and witnesses. They are not separate groups in society; they live in the same society and do not experience separate criminal justice systems.

That brings me back to some of Hugh Henry's comments about restorative justice. Although I welcome many of the Executive's measures in that respect, the approach is still in its infancy. Indeed, some people dismiss it as a fashionable idea that has no substantial value while others regard it as peripheral. The position and perception of restorative justice have not been helped by the rhetoric about being tough on crime. For example, the Executive still promotes retribution as a purpose of the criminal justice system. Restorative justice should be seen not as a bolt-on to a punitive or retributive system of justice but as a rejection of such purposes. Improving offenders' lives is part of the same equation as improving victims' lives. That does not mean that we should give offenders an easy ride; instead, we should make them less likely to be offenders and make victims less likely to be victims in future.

I say to Hugh Henry that, although the jury is still out on restorative justice for adults, it has come in on retribution, prison and brutalising prisoners. Such approaches do not work and, until we end them, we will make no progress towards achieving the reduction in reoffending that we all want.

15:57

**Mr Duncan McNeil (Greenock and Inverclyde) (Lab):** I am grateful for the opportunity to make a short speech in this debate. That said, I am slightly unnerved by all the agreement in the chamber, as it does not exactly suit my debating style.

To the outside observer—and, at times, to humble back benchers—politics can be a slow business. The wheels of government seem to take an age to grind. However, in the Scottish Parliament at least, if people make their case repeatedly and stick to it, those wheels certainly will grind.

The way in which the criminal justice system treats victims and witnesses—if that is the way to describe what happens—is a prime example. It is clear from other members' speeches that I am not the only MSP to represent constituents who, after falling victim to an offence, felt excluded and humiliated by the system. Victims or their families were effectively told that matters such as the Parole Board system were nothing to do with them

and, after conviction, their involvement came to an end. That was the case for decades. Indeed, I recall two of my constituents telling me of almost identical experiences, despite the fact that the incidents in question occurred almost 20 years apart.

If the Scottish Parliament is good at one thing, it is the reform of specific aspects of the legal system. Indeed, we have started to take a number of big steps in that respect, such as the passing of the Criminal Justice (Scotland) Act 2003. Provisions such as victim statements, new rights to information about an assailant's proposed release and the right to make representations to the Parole Board about any release have all put a few pounds on the victims' side of the justice scales.

Now that the wheels have been set in motion, they show no signs of slowing down, as the publication of the criminal justice plan at the beginning of last month shows. It is hard to disagree with the plan's aim of restoring public confidence in the criminal justice system, but the key to any such approach must be a reduction in reoffending rates. After all, what is the point of working harder to catch and convict criminals if, at the end of their sentence, they are simply allowed back on to the streets to commit more crime?

The international comparisons are not favourable. In America, 47 per cent of prisoners reoffend within two years of their release. In Norway, the figure is 43 per cent and in Germany it is 36 per cent. In Scotland, to our shame, 67 per cent of prisoners—six out of ten—reoffend within two years of their release, in a cycle that not only wastes valuable time and money but creates a whole new set of victims each time round. It is right that a top priority for the plan is to break that cycle and put a spanner in the revolving doors of our prisons and courts.

I restate my view that the Parole Board must be made more accountable. It is only fair that we should have the right to challenge Parole Board decisions and be given reasons for prisoners' release on licence. I look forward to the Executive's continuing work in the area.

We are all members of the public and as such we are not disinterested bystanders. The justice process exists to serve us and we must be at its heart.

16:01

**Donald Gorrie (Central Scotland) (LD):** I will depress Duncan McNeil by saying that I agree with what he said. My job will not be too onerous, in that my colleagues Margaret Smith and Mike Pringle know much more about the subject than I do and address it with great sense. I will just make a few personal observations.

I am reading one of the numerous books that have been published recently about Edinburgh in the golden age. Members of the legal profession were the top dogs in Scotland for a long time. That was a good thing in some ways, in that after the union of 1707 it kept alive the Scottish individuality and national spirit that might have died altogether. However, it meant that the legal profession ruled in a sort of one-party state. Ever since then, the courts and the legal system have been run for the benefit of the lawyers. The Parliament has made progress in trying to deal with that, but we must do much more.

I agree with Annabel Goldie that we devalue and do not give a fair amount of attention to witnesses and victims. Kenny MacAskill in particular spoke strongly on that point and I will ruin his career by saying—I think for the second time in recent debates—that he made a good speech.

People must have confidence and faith in the legal system. However, quite a lot of people do not have confidence in the system, because it seems to be pretty obscure and to be run for the lawyers' benefit. For example, there are many delays in the system. As the minister said, we have been trying to tackle delays but much remains to be done. Delays are often to do with the incompetence of lawyers, or are tactical moves by lawyers. We can respect human rights while keeping people up to scratch so that they cannot unduly delay the process.

We can all understand that there might be justification for plea bargaining, even for people such as Mark Thatcher. However, many people who are involved in cases do not understand that at all. The system must be explained and communicated to the outside world much better than currently happens. All systems are bad at communicating, because the people who work in a system understand it and assume that everyone else does—we are guilty of that, too. We must explain to the public who become involved in the system how it works.

In coming new to the subject, I was interested in the proposals for intermediaries. Children 1<sup>st</sup> produced a paper on the matter and claim that the system works well in South Africa. I have no idea whether that is correct, but the idea of intermediaries between child witnesses and the court seems sensible and could be explored in a worthwhile way.

I was also interested in Kenny MacAskill's proposal for a Scottish witness protection programme. The minister might be perfectly correct and there might be technical reasons why we should not just jump into having a single scheme. However, we could develop a programme gradually, perhaps throughout the United Kingdom, to help witnesses, who get a raw

deal and are often put in danger, as Kenny MacAskill, Margaret Smith and others said.

Margaret Smith's suggestion that, as well as speaking to witnesses, we should speak to jurors to find out what they think of the process was a good one. We are not very good at speaking to people at the sharp end to find out how the whole system works in their practical experience.

We have advanced a great deal on domestic abuse. The Parliament and the Government deserve credit for that, but we could do more to encourage people to come forward and to give them the support that is necessary.

Restorative justice is another important issue. It helps the victim a bit in that he or she has explained to them what the issue is. The same explanation is given to the offender and the fact that the victim and the offender come together may help to sort matters out a bit more effectively.

Other members have spoken about the pointlessness of short sentences, but we must keep making that point, because it is easy for the system to continue what it is doing. It is difficult for a machine that makes sausages to stop making sausages and to start making bacon instead, but that is what the justice system must do.

16:06

**Colin Fox (Lothians) (SSP):** I begin by declaring a partial interest. My parliamentary assistant has spent the week in Dunfermline sheriff court waiting to be called as a witness in a case and my work is backing up. Like me, she is exasperated at the length of time that it is taking for that case to proceed. The minister and others have said that that is a regular occurrence. When the wheels of the justice system turn so slowly, it is perhaps no surprise that people lose faith in it or that citizens throughout Scotland are often reluctant to get involved in the process of reporting crime. That said, what people in Scotland want most of all is to have confidence in their justice system and to believe that it is fair. They want to see justice being done and they want cases to be handled thoroughly; they are not interested in speed just for the sake of it.

As the minister knows, I have broadly welcomed the legislation that has been introduced to improve the rights of victims and witnesses; I said as much during committee consideration of the Vulnerable Witnesses (Scotland) Bill.

Donald Gorrie said that Duncan McNeil would be depressed that he agreed with him, but I do, too—on his point that working-class people who witness or are the victims of crime often feel left out in the cold by what they see as a criminal justice system that is dominated by the middle

classes and which leaves their interests unconsidered. That is a big issue for the Executive to tackle.

The real challenge is to ensure that the changes that we introduce to improve the circumstances of victims and witnesses are introduced in a way that does not lessen or compromise in any way the right of defendants to a full and fair trial. I have raised concerns about that in the past with ministers. Changes that run the risk of prejudicing a fair trial are not helpful to victims, witnesses or anyone else.

If we are honest, we must admit that, under new Labour, fears about the integrity of the right to a free, full and fair trial are haunted by the Government's record at Belmarsh prison. The minister will be aware that, before Christmas, defence counsel Ian Macdonald QC resigned over his belief that the right to face one's accuser in a trial on the charges that have been brought is consistently denied to inmates at Belmarsh under the cover of the war on terrorism.

**Hugh Henry** *rose—*

**Colin Fox:** I hope that the minister, who is now on his feet, will—along with me and other members—express his concern about that situation.

**Hugh Henry:** Colin Fox might not be fully conversant with the terms on which he was elected to the Parliament or with its responsibilities. The issue that he raises is purely a reserved matter. We are trying to concentrate on our distinct Scottish legal system. We want both to consider the huge benefits that it offers and to admit that it has failings and weaknesses that we need to address. That is why we are using the powers that are available to us to improve our distinct legal system. The issues that Colin Fox raises are nothing to do with this Parliament.

**Colin Fox:** The minister will be aware that, although it is a reserved matter, both he and I have the right to an opinion on it. I offered him the chance to condemn what happened at Belmarsh, but he refused to do so. He understands, as I do, why campaigners refer to Belmarsh as Britain's Guantanamo bay. I raise it in this debate because only improvements for victims and witnesses that do not prejudice the right to a fair trial are welcome in this chamber.

I welcome the developments in the victim information and advice service, as mentioned by the minister. He has already accepted that there is a long way to go to defeat the frustration that victims and witnesses feel by letting them know that their interests are included in cases and that they have a part to play. I welcome the improvements to the victim statement scheme that have been mentioned. I hope that the minister

accepts that such statements will have credibility provided that they are acted upon where they are reasonable and benefit the criminal justice system.

The Scottish Executive has promised that all victims of crime committed by young people should have access to restorative justice services, which is a good thing. Is funding to be made available to roll out that service beyond the seven local authorities that are presently covered? Does the minister intend to expand the scheme to include crimes committed by adults? He alluded to that in his speech and said that the jury is out. I offer him the opportunity to elaborate on that point in his response to the debate.

I finish by commenting on the amendments. I have sympathy with the Tories' amendment, which calls for more community police. Of course, they are right. Police numbers are higher, but they are not where people want them to be. People want the police to be in their communities and accountable to their communities. Nonetheless, I will oppose the Tories' amendment, because it is too one-sided. Not only do we need more police to combat crime, but we need to combat the causes of crime and invest in diversion from crime and early-intervention schemes to prevent crime from escalating from low-level offences.

For largely the same reasons, I have concerns about Kenny MacAskill's amendment. Although citizens may well have a

"duty to report crime and testify",

he has to recognise that citizens have an equal right to share in the wealth of society. We cannot have one without the other. Perhaps the member who will respond to the debate for the SNP can assuage those concerns and reassure us that the right to share in society's wealth goes alongside the duties that Mr MacAskill mentioned.

16:12

**Maureen Macmillan (Highlands and Islands (Lab):** First, I declare that I am a member of the Highland abuse survivors project, which seeks to support adult survivors of childhood sexual abuse, and that I am an unpaid director of Ross-shire Women's Aid, of which I have been a member for nearly 25 years.

Through my involvement with Women's Aid, I am well aware of the trauma experienced by vulnerable witnesses and victims in their dealings with the justice system, be it the police, the fiscal or court procedures. I cannot emphasise strongly enough the terror felt by abused women when faced with a court appearance where they are required to give evidence of their abuse, face to face with their abusive partner. Women's Aid workers have seen women shake with fear or be

physically sick at the prospect of such an ordeal. That can be corroborated by other support groups, such as Rape Crisis.

One of the greatest achievements of this Parliament and the Executive has been the recognition of the need to make our justice system victim and witness centred. Indeed, the victims in domestic abuse, rape or common assault cases are the principal witnesses.

Those who work in our courts have not always appreciated how alien an environment the courts are for most people and have defended the robes, wigs, gowns and uniforms as necessary to uphold the majesty of the law. That, together with the presence of the abuser and hostile questioning by the defence solicitor, have caused victims to drop charges rather than face the ordeal, or to refuse to testify. In the past, that led to the police's reluctance to charge, fiscals' reluctance to prosecute and sheriffs' irritation and cynicism at cases being abandoned. The fact that witnesses were too afraid to give evidence led to cynicism all round in the justice system, which did not make for good practice. Thank goodness that has changed.

We are beginning to address the reasons why abuse, assault and rape victims do not report crimes, do not wish charges to be pressed, or wish to abandon the process once started. Every time that happens it is possible that an abuser or a rapist goes free to commit a similar act again.

Protecting vulnerable witnesses and victims and being sensitive to their needs in court is not about feeling sorry for or mollicoddling people; it is about enabling them to give their best possible evidence, free, as far as possible, from fear.

I believe that the Protection of Vulnerable Witnesses (Scotland) Act 2004 represents a huge step forward. It will protect children, vulnerable adults and those who are terrified of confronting their abuser or the person who raped them. Now, the police, solicitors and the court will identify vulnerable witnesses and provide them with appropriate support through the presence of a friend, through the possibility of giving evidence on commission and through the use of video links, so that their fears are allayed and they are able to give evidence in conditions that are as free from fear and pressure as possible, which, as I have said, allows them to give their best possible evidence. I look forward to the rolling out of the provisions of the 2004 act, first in criminal cases and then in civil cases. It is important that those provisions apply in civil as well as in criminal cases, so that they can cover matrimonial cases and cases of protection from abuse.

Two issues still trouble me, however. The first is the low number of convictions in rape cases, which I know concerns us all and has been

mentioned in the chamber before. There is currently uncertainty surrounding the definition of rape. I know that the Executive is having those matters examined and I hope for a satisfactory outcome.

The second issue is one of practicalities. Last week, three child abuse cases were heard in Highland courts: one in Fort William, one in Portree and one in Dingwall. Such cases are not unusual. How will rural courts cope with the requirements of the 2004 act? As the minister knows, I am particularly concerned about the capacity of small rural courts, where space is often constrained. It might be difficult, for example, to provide video links for witnesses easily. The Scottish Court Service has worked very hard in the Highlands to provide for the changes that have been needed to deliver the on-going programme of witness support and for the needs of child witnesses to date, but we need to plan for serious money to be spent on modernising and rationalising the court estate in rural Scotland. I hope that the minister will consider that.

16:16

**Mr Stewart Maxwell (West of Scotland) (SNP):**

The needs of victims and witnesses fall into six broad categories: first, getting information throughout the criminal justice process; secondly, emotional and counselling support; thirdly, courtesy, respect and sensitivity to the experience that they have lived through; fourthly, assistance in coping with physical difficulty, speech or hearing impairments or language or cultural differences; fifthly, comfort when attending court; and finally, physical protection and security. I acknowledge that progress has been made in a number of those areas, but I will concentrate my remarks on the final category—that of witness protection, not just at court but also before and after the trial.

Although some degree of witness protection is available from certain police forces, including Strathclyde police, other forces operate such a policy on an ad hoc basis. That is simply not good enough. We need a properly established, specialist witness protection programme. I was sorry to hear the minister's view on the proposal for a Scottish witness protection programme. I understand the need for cross-border co-operation, which is fairly obvious to us all, but that would be entirely possible in the context of a Scottish witness protection programme.

The fear of crime is palpable in many communities, and so is the fear of retribution by criminals or by the friends, families and associates of those who commit crime against those who come forward with evidence about the people who have been responsible for carrying out crimes in their community. The fear of retribution is

something that we have as yet not properly addressed in our attempts to assist vulnerable witnesses. We have all heard of high-profile cases in which people who have agreed to be witnesses against criminals have suffered as a result. It is incumbent on the criminal justice system to ensure that people are properly protected from retribution against them by the perpetrators of crime or their supporters.

There is a widespread view that only big-time criminals, such as those who are involved in the illegal drugs trade or organised crime, take revenge on witnesses. However, people can also fear petty criminals, vandals, young adults and even children trying to stop them coming forward and reporting crime. Many people's lives can be ruined by the actions of petty criminals, who terrorise decent people just because they did the right thing and gave evidence to the police about criminal activity. The psychological impact of such intimidation on individuals and families can be devastating. People experience problems ranging from heightened anxiety to complete mental breakdown. Children often find that their schoolwork suffers: they do not sleep properly; they cannot concentrate while at school; and they are constantly worried about their parents.

I have no wish to overemphasise or exaggerate the problem, but it is clear that it exists. Even if the fear of retribution far exceeds the likelihood of any such action actually occurring, the mere fact that people are afraid to come forward means that we must act to overcome that. Many other countries around the world have witness protection programmes already. It is time that we caught up in this area of criminal justice.

Most people have heard of the witness protection system that is in place in the United States of America, but America is far from alone in providing that level of protection to witnesses. For example, in 1996, the Canadian Witness Protection Program Act was passed, and the International Criminal Court has established a victims and witnesses unit. Not only large countries such as Canada and the USA, but small European countries, have such programmes in place. Recently, Macedonia drafted legislation that will establish witness protection measures and create a panel that will be responsible for overseeing the protection programme. When that legislation was announced, Macedonia's justice minister stated that all other countries in the west Balkans have enacted such legislation and that the proposals would bring Macedonia into line with international standards.

When even countries such as Macedonia are upgrading their criminal justice systems by introducing witness protection programmes, surely it is time that the Executive backed the proposals

that are outlined in the Scottish National Party amendment, which include a specific Scottish witness protection programme.

I acknowledge the progress that has been made so far—my experience on the Justice 2 Committee and, previously, the Justice 1 Committee has allowed me to see much of the good work that has been done for vulnerable witnesses and victims—but I urge the Parliament to keep the momentum going by supporting the SNP amendment.

16:21

**Bill Butler (Glasgow Anniesland) (Lab):** I believe that no member would dissent from the view that the needs of victims and witnesses and an improvement in their status within the criminal justice system are central to the development of a system that is fit for our times. Like many of the members who have already spoken, I am firmly of the view that our Government's progress so far in implementing the Scottish strategy for victims is to be welcomed. All the main players that are involved in Scotland's criminal justice system—the Crown Office and Procurator Fiscal Service, the Association of Chief Police Officers in Scotland, the Scottish Court Service and the Scottish Prison Service—are working in co-operation, which is vital in moving towards improved support for victims of crime. The strategy has the backing of Victim Support Scotland and is based not only on experience in Scotland, but on international experience and developments in Europe.

Supplying emotional and practical support to victims and ensuring the provision of information to them is just as important in the development of a quality justice service as dealing effectively with those who commit crimes. A recognition of the central importance of victims and their right to have their voices heard is vital at all stages of the criminal justice system and is the correct philosophical basis on which to build a successful strategy.

The Parliament has, as other members have noted, worked hard to enact legislation that puts statutory muscle on the strategy, including the Criminal Justice (Scotland) Act 2003; the Vulnerable Witnesses (Scotland) Act 2004, which gives child witnesses in particular an automatic entitlement to help in court; and High Court reform, such as the Criminal Procedure (Amendment) (Scotland) Act 2004, which expedites procedures in relation to High Court trials. All those measures support victims of crime in practical ways and show the Parliament at its best: passing laws that support Scotland's citizens.

That approach and those measures mean that the Parliament has taken significant commonsense strides to advance the cause of our

fellow citizens who find themselves as witnesses, victims or both. Such progress is commendable, but we cannot be complacent, as there remains much to do to improve matters further. There is still a problem of repeat offending in Scotland, which is highlighted by the worrying statistic that more than 60 per cent of those leaving prison will be reconvicted within two years. International comparisons show that Scotland has a particular problem with reconviction rates. There is also the challenge of reducing the number of persistent youth offenders. Bald statistics on reoffending illustrate the continuing human cost that victims pay and emphasise the necessity for us to do all that we can through the criminal justice plan to target various types of offenders in a complex of ways. Our constituents seek partnership working that will lead, via a range of measures, to a reduction in criminal activity and thus to safer communities and fewer victims.

I will mention briefly two approaches that are part of supporting victims and creating such a safer society. Restorative justice has a significant part to play, especially in respect of young people. I was pleased to hear the deputy minister make positive comments about restorative justice. The Government has invested heavily in creating 6,000 places on restorative justice projects and I hope that the system can be rolled out further. Used appropriately, that approach, which creates a greater likelihood that victims will be willing to resolve matters in that fashion with young offenders, should be pursued. It is to be commended as an innovative approach that deserves the support of us all.

The victim notification scheme is an imaginative and necessary support for victims. I ask the Solicitor General to say whether the scheme is intended to be extended to all victims regardless of the length of sentence that is imposed on offenders.

Too many of Scotland's people have been victims of crime. The intention of our Government and the Parliament is to support such victims in practical ways and to create a justice system and a society that establish safer communities in which citizens do not become victims. On that basis, I commend the motion.

16:26

**Mike Pringle (Edinburgh South) (LD):** I might know a little more about the subject than Donald Gorrie does, but there is no doubt that I bow to his knowledge of Edinburgh's history. I am glad that the Executive has enabled us to debate this important topic. A major highlight of my first year in the Parliament was scrutinising the Vulnerable Witnesses (Scotland) Bill at stages 1 and 2 as part of the Justice 2 Committee. The Vulnerable

Witnesses (Scotland) Act 2004 allows child and vulnerable witnesses to benefit from several special measures that help them to give evidence. It will be phased in from spring 2005 for child witnesses in the High Court, the sheriff court, in solemn cases and in children's hearings court proceedings.

The Liberal Democrats had a manifesto commitment to help communities and victims. We promised in particular to support victims of crime during court cases and in rebuilding their lives. The 2004 act goes quite a long way towards doing that.

Bruce McFee and Duncan McNeil referred to the lack of information for the victims of young offenders. Such information is important. Those members might be heartened by my experience when I visited Dundee with Marlyn Glen. We visited a project called victims of youth crime—VOYCE. Like me, I am sure that many members receive complaints from victims of crime that they never know what is happening after a crime has been committed against them. In Dundee, that is where VOYCE comes in. The victim is kept informed at all times of what is happening to the young offender. I was given a good example of young men—members might guess that they were men—who overran a garden that was run by disabled people. After the offenders were caught, VOYCE brought two of them back to the garden to speak to some of the disabled people who ran it and the two youngsters became involved to an extent in the garden. Such a project deserves our support.

Annabel Goldie referred to an ACPOS report that said that minor crimes would not be prosecuted. That statement came not from an ACPOS report, but from a report by Fife constabulary's deputy chief constable. I have a copy of what *The Scotsman* said about the subject. The report was to Fife police board and was in answer to a query about the response to minor crime in that area. The report certainly was not from ACPOS.

Guidance that was published in June 2004 enabled restorative warnings to be given to youth offenders. Victims will be kept informed of progress and the action that is taken against youth offenders.

The deputy minister referred to improvements in the physical state of our courts, which are greatly to be welcomed. I remember going to Edinburgh sheriff court many years ago, when I was lumped in a very smoky room with all sorts of people from the defence and the prosecution and with police. That was a nightmare. Two or three years ago, I was back in that court, which is now excellent. Prosecution witnesses are kept entirely separate from defence witnesses, which is to be welcomed.

We must improve facilities for court witnesses in such ways.

Kenny MacAskill, Annabel Goldie and Stewart Maxwell referred to intimidation when people want to go to court. It is clear that intimidation is extremely bad news and that we must do something about it. The pilot victim statement scheme that has been running in Edinburgh and other places allows victims of most crimes to make a written statement about the physical, emotional and financial impact that the crime has had, and that statement is submitted to the court. The victim can say whether they have been intimidated. The sheriff can read the statement once the offender has pleaded guilty or has been found guilty. The scheme will need to be evaluated until 2006, but I am sure that it is already reasonably successful, and I would hope and expect to see it rolled out across Scotland.

One of the excellent schemes that the Executive has set in place is the victim advice unit. Some £1.3 million has been set aside for it, and I am pleased that £3.3 million has been made available locally through Victim Support Scotland. Local circumstances often require a different local approach. I am sure that the needs of people in urban areas are different from the needs of those in the Western Isles, for example. That local money means that the support that victims need will be tailored to the area that they are in.

I am pleased to see the Deputy Minister for Justice and the Solicitor General taking part in the debate. The Crown Office and Procurator Fiscal Service has now extended the Victim Support Scotland scheme to the entire country. The scheme provides legal information to victims. Legal procedures are often impenetrable. Many members have referred to witnesses going to court who have no idea of what is happening or about the process, and we should help them. Ending victims' and witnesses' confusion when they go to court is extremely important. Any service that helps them through the legal minefield must be extremely welcome.

One of the Liberal Democrats' key manifesto messages in 2003 was to help to improve victims' rights. That commitment is being delivered by the Executive, and I welcome that.

**The Deputy Presiding Officer (Trish Godman):** I call Stewart Stevenson.

**Stewart Stevenson** *rose*—

**The Deputy Presiding Officer:** I am sorry. I call Margaret Mitchell.

16:32

**Margaret Mitchell (Central Scotland) (Con):** Duncan McNeil has left the chamber, but I will further depress him by saying that the debate has

confirmed the consensus among members that the concerns of victims and witnesses are central to criminal justice reform. We acknowledge that the Scottish Executive has made addressing those issues through legislation a priority, and we welcome the strategy for Scottish victims and fully support its three key objectives.

However, legislation and strategies are not enough—they must deliver in practice. Therefore, although we applaud the important work that is being carried out in the Crown Office and Procurator Fiscal Service with the establishment of the victim information and advice service, it is not, as Annabel Goldie pointed out—and despite Margaret Smith's anecdotal comments—adequately monitored. More generally, we have grave reservations about the adequacy of funding in the COPFS. As a result, it is far from clear that the main thrust of the Criminal Procedure (Amendment) (Scotland) Act 2004—to prevent delays and ensure that trials proceed earlier—will be achieved. There does not appear to be any prospect of significant progress in that respect as long as the police and fiscal services remain under-resourced. The minister must realise that nothing undermines victims' and witnesses' confidence more than being told that their case will not proceed. Colin Fox, Duncan McNeil and Mike Pringle share our concern about the lack of adequate information for witnesses when their trial is delayed.

Delays are particularly distressing for children. A day can be a long time for an adult, but it is a lifetime for a child. I join Patrick Harvie and Donald Gorrie in calling on the minister to consider the introduction of intermediaries in an attempt to ensure that children have every opportunity to give their best evidence and to help them to cope with their experience in court. Research has indicated that that measure would give children and their families greater faith in the criminal justice system and that it would tackle the under-reporting of crimes against children.

There is little doubt that all victims and witnesses want crimes to be resolved without undue delay. To that end, there is no substitute for ensuring a visible police presence on the street to deter and detect crime. At present, there are a meagre 140 police officers on the beat throughout Scotland at any given time. The minister does not like to hear that statistic, but I make no apology for repeating it. The situation cannot be allowed to continue.

**Hugh Henry:** Perhaps, at her leisure, Margaret Mitchell will give me the source for that statistic and the confirmation of that number.

**Margaret Mitchell:** I will pass that on to the minister later. It is a good statistic for him to look at in detail.



More funding is required. However, in addition to funding, there are various ways in which police resources could be released. In that context, I hope that the Executive will seriously consider introducing in Scotland the violent offender and sex offender register software system, which would help police forces in Scotland to manage programmes and information about sex offenders. The system is already in place in England and Wales. After the initial cost of implementation, there have been subsequent savings from, for example, the sharing of information and avoiding the duplication of work. There is also the potential for a reduction in recidivism, which would certainly help to increase confidence in the justice system.

Why should the public be encouraged to report crime when the alleged perpetrator is charged and then released back on to the street, free to threaten, intimidate and continue offending, simply because bail is too readily available? As Bill Aitken pointed out, a radical new approach to the bail system is required.

A point that seems to have totally escaped Kenny MacAskill of the SNP is just how soul-destroying the effect of early release can be on victims and witnesses. That was highlighted by the sense of outrage and despair of one victim of sexual abuse who related how, upon conviction, the abuser had three legal representatives in court to argue whether he should serve 18 or 24 months in prison. In fact, he served only nine months and was home for Christmas. The minister has it in her power to introduce honesty in sentencing and to end that injustice now.

I have much pleasure in supporting our amendment, the intention behind which is to put victims and witnesses at the heart of the criminal justice system by implementing the measures already discussed, by establishing a greater police presence to deter and detect crime, by ending automatic release and by reviewing the use of bail.

16:38

**Stewart Stevenson (Banff and Buchan) (SNP):** I had a sense of déjà vu a few minutes ago. In our SNP candidate training, we role-play from time to time, during which we ensure that all the parties are represented. It is confession time—all too often for my comfort, I am selected to play the role of a Tory. Do I get time off for good behaviour and can I plea bargain? Had I been invited to sum up on behalf of the Tories, my speech might have come out just a little different. The differences between the SNP and the Tories are long standing and well known. I will revisit some of them.

In his speech, Hugh Henry referred to restorative justice and how it is not yet clear that it

is delivering for adult offenders in England in particular. I hope that we can persist with the idea and find ways to make it effective. In relation to children, whether they are 18, 16, 14 or 12—I throw that back into the debate—restorative justice appears to play an important role in returning children to a path of probity and commitment to society.

I was slightly surprised when the deputy minister appeared to say that the Protection of Children and Prevention of Sexual Offences (Scotland) Bill specifically addresses grooming, although he may take this opportunity to clarify what he said. The bill certainly does not refer to grooming, although it may deal with some aspects of it. We will give the bill a fair wind and I do not seek to criticise it, but there may be more work to do on that subject. I suspect that members of all parties on the Justice 1 Committee will assist the minister with that.

Annabel Goldie made an astounding claim about Stuart Leggate, who was responsible for the horrendous sexual murder of a young boy in Paul Martin's constituency. Annabel Goldie said that early release was somehow directly responsible for Stuart Leggate's offence. I am interested to know the argument for that connection. I was unable to intervene on Annabel Goldie, as she made the comment within 35 seconds of having to sit down. Stuart Leggate was understood to be an evil person, both when he was in prison and thereafter. The real issue with the Leggates of this world—there are others of similar character—is supervision.

**Miss Goldie:** My point was that the two individuals whom I mentioned were free to commit more crimes because they were released early.

**Stewart Stevenson:** Had they been released later, they would also have been free to commit their crimes. My point is that there is no connection between release date and commission of crimes. Annabel Goldie's point does not help to promote good argument on the issue.

Colin Fox had, of course, a rather different approach. He came up with one insight that I should mention when he talked about the slowness of justice. I disagree with him slightly in that I do not think that the speed of justice is the primary issue. Justice should be faster, but the key point is that we should search for ways to make the progress of the justice system more predictable for all those who are involved. For example, if victims and witnesses had to attend on 14 February and knew that something was to happen then, they would not willingly trade that for thinking that things might happen on 31 January. We must have speed, but if increased speed must be traded against reduced stability and predictability, I suspect that most people would go for predictability.

Colin Fox seemed to say that, in a capitalist society, socialists have no duty to society. That is an interesting concept for him to articulate, given that we have previously thought that socialists, even if we disagree with them, espouse more strongly the concept of society than do we lesser mortals.

**Colin Fox:** Will the member give way?

**Stewart Stevenson:** Sorry; I am running out of time.

I have a few suggestions as I head towards my conclusion. We use professional witnesses in civil cases, particularly in housing matters, and there is a case for examining whether professional witnesses have a role in the criminal justice system.

I want to highlight some statistics on where crime happens, which I understand will be published in the not-too-distant future and which were requested by the Scottish Prison Service. The statistics show that 25 per cent of the total prisoner population on 30 June 2003 came from just 53 of Scotland's 1,222 local government wards, and that 50 per cent came from just 155 wards. In other words, there is a concentration of criminality, which makes witnesses vulnerable in those areas. Furthermore, there is a direct relationship with deprivation. In communities in the bottom decile of deprivation—the most deprived areas—953 out of every 100,000 people are in prison, whereas at the top level, the figure is 4 out of every 100,000.

There are actually 269 local authority wards in Scotland that have no one in prison. We also have densities of people in prison from many of our local authority wards that exceed the density of people in prison per head of population from Harlem and the Bronx. The figures are made up mainly of young men. That concentration creates real problems—even threats—for people who engage with the criminal justice system, report crimes and become witnesses.

Plea bargaining has been referred to a few times during the debate, in particular by my colleague Bruce McFee. I would like to pose a thought, not make a proposal. Plea bargaining involves the offender and the offender's representatives. I wonder whether there could also be a role for the victim and the victim's representatives in that process, particularly in relation to serious cases. I do not know whether that is done anywhere else but, after all, the analogous processes in civil cases would involve both sides of the argument.

I make no apology for returning to the subject of fines—as the SNP has done over a number of years—and to the suggestion that it is time that we considered relating fines to the income of the offender. A fine might represent a small amount of

an MSP's income, but the same fine might represent a much more significant penalty for someone with a lower income status. If the offence is the same, the conviction should be the same.

The Prisons Act 1839 gave prison the purpose of reforming criminals. It is amazing that that purpose was put at centre stage so long ago. Our criminal justice system must continue to hold that principle at the centre of what we do after we have convicted people. There is no point in simply convicting people if we do not seek to reform them as part of the process.

My late mother-in-law had the misfortune to be the victim of theft when two young men took her cash card and withdrew money from a cash dispenser. It was a great comfort to her, however, that one of the sentences that was passed by the court was for compensation and that one of the two young men paid that compensation. Financially, the measure was not of great importance but in terms of her ability to feel that the criminal justice system had dealt properly with her case, it was important.

Victim support for mental health is one of the elements of the strategy that I particularly commend. We will, of course, be supporting the Executive's motion, but we hope to see support for our amendment as well.

16:48

**The Solicitor General for Scotland (Mrs Elish Angiolini):** This has been a constructive and useful debate. I welcome the comments that have been made by Kenny MacAskill, Annabel Goldie and Margaret Smith among others, who recognised the progress that has been made over a substantial period—the past three years in particular—in bringing about great changes in the system.

As members have acknowledged this afternoon, witnesses are fundamental to the operation of the criminal justice system. We ask much of witnesses and victims and there can be no doubt about the need to transform our criminal justice system into one that puts those who are most vulnerable at the centre of its culture, rather than its treating witnesses and victims as marginal and disparate issues that are related to the system but not central to it.

As a prosecutor—sadly, now a prosecutor of some vintage—

**Stewart Stevenson:** A fine vintage.

**The Solicitor General for Scotland:** I am obliged for that comment.

As a prosecutor of some vintage, I am encouraged that a major change in culture is now

under way. That momentum brings with it new challenges for the system as a whole and particularly for prosecutors, defence lawyers, justices and judges who must respond by further raising their game. The Deputy Minister for Justice has set out a wide range of legislative and practical initiatives that herald no less than a sea change in how we view and deal with victims in our courts. The impact of those changes will be profound and radical but, once they are in operation, they will provide a platform that will allow us to re-examine how we can further eliminate the secondary victimisation of victims by the system.

Colin Boyd has set out an ambitious and visionary programme for the Crown Office and Procurator Fiscal Service in Scotland. However, in 1999, in a speech to 700 of the world's prosecutors, Nelson Mandela set a challenge to prosecutors around the world that we in Scotland are happy to take up. He said:

"It is your duty to build an effective relationship with the community and to ensure that the rights of victims are protected. It is your duty to prosecute fairly and effectively according to the rule of law; and ... without fear, favour or prejudice. It is your duty to build a prosecution service that is an effective deterrent to crime and is known to demonstrate great compassion and sensitivity to the people it serves."

The manner in which the Crown Office and Procurator Fiscal Service interacts with victims of crime has changed dramatically since the publication of the "Scottish Strategy for Victims" and we are in a period of intense development and adjustment. I am grateful to the many members who acknowledged the considerable work that is being done by officials in the Crown Office and Procurator Fiscal Service, and its related organisation VIA, to progress those changes. There has been a huge effort on their part. There has also been a considerable amount of good will from a number of other agencies that have collaborated with the COPFS to ensure that those changes take place and have effect.

As members will be aware, there have been profound internal changes in the structure of the Crown Office and Procurator Fiscal Service. Those changes include increased focus on the importance of service delivery to the public, including victims and witnesses, and they have underlined the need for consistency of approach. The COPFS is committed to being sensitive and responsive to the needs of the public, including victims. In our prosecution code, we describe how the prosecutor is required, in deciding who to prosecute, to take the victim into account by considering the effect of the crime on the victim, the victim's attitude to prosecution, and any reasons why a prosecution might be damaging to the victim, such as ill health or frailty.

Of course, the public interest and the interests of the victim do not always coincide and responsibility for decision making properly rests with the prosecutor, who must exercise that duty independently. Bruce McFee made a point about plea negotiation, although he referred to it as plea bargaining, which is an American concept rather than a Scottish one. Plea negotiation can be characterised in a way that makes it sound like a bargain that is made in a dark smoky room, but it is the public prosecutor's duty to consider any plea of guilty that is put forward only when it is in the public interest. In certain cases, that might mean that difficult decisions have to be taken.

A victim might feel let down because a plea is accepted in respect of three charges but not in respect of a fourth. However, a plea of guilty results in a conviction, a sentence and certainty. A trial always brings uncertainty and it brings distress because of the need for cross-examination, which must be taken into account. Any suggestion that the process is related to resources or costs is quite simply an insult to the procurators fiscal throughout Scotland, who work long hours in the interests of justice and who work day in and day out to ensure that justice is done when they accept such pleas. I have the greatest faith in prosecutors. They do not abuse their discretion; that should be recognised by Parliament.

I am delighted that VIA has been acknowledged in the debate. Margaret Smith and Annabel Goldie mentioned the contribution that the development of VIA has made to the criminal justice system. Annabel Goldie quite correctly suggested that it is important for the service to be monitored to ensure consistency throughout Scotland, so we have done exactly that. Sue Moody, who is the director of VIA, has been assiduous in ensuring such monitoring and consistency of standards throughout the country. Indeed, the independent inspectorate will examine the operation of VIA during the next year.

**Miss Goldie:** Does the Solicitor General agree that in petition cases it is helpful to the victim to know when the petition will be served, given that it then passes outwith the control of the Crown Office, pending service?

**The Solicitor General for Scotland:** I certainly accept that there are certain circumstances in which the victim should have that information. However, in some cases there are clear operational reasons for not alerting a victim to the service of a petition. A petition is essentially a warrant that gives the procurator fiscal and the police the power to search someone's house and arrest them. We do not usually broadcast that activity, and even though a victim might have an interest in it, it is not always necessary or

appropriate to impart information about it. The procurator fiscal must exercise discretion and must be trusted.

VIA has a duty to provide information about the progress of a case. I am pleased to report that, as of 31 December 2004, all procurators fiscal throughout the country have access to VIA. It is a tremendous achievement for Sue Moody, her staff and those in the procurator fiscal service to have reached that point within three years.

On provision of information, VIA has a target that all victims who are subject to the service be provided with information within 24 hours of the granting of bail. That is an important service, which is being achieved in more than 90 per cent of the cases that are the subject of VIA's services. I accept that information is especially important in cases in which no proceedings are taken, as it can cause dismay to victims not to know the reasons behind such decisions. The Lord Advocate has committed our department to a review of that policy and we are currently considering how we can be more open and accessible in providing reasons in such cases. We will report progress on that to Parliament. Our being more open will help to remove the mystery and mystique or secrecy with which the prosecution service has traditionally surrounded itself in its approach to such issues. Such secrecy often exists for very sound reasons, as it is not always possible to give the reasons for a decision to take no proceedings, but that process must be communicated to victims.

**Miss Goldie:** On a point of order, Presiding Officer. Members who are entering the chamber may be indifferent to the Solicitor General's speech, but I happen to be interested in it; I am not alone in that.

**The Deputy Presiding Officer:** I was just about to say that members entering the chamber must do so quietly.

**The Solicitor General for Scotland:** I am obliged.

In addition to the other initiatives on which we are collaborating with other parts of the system, in June 2004 the Crown Office and Procurator Fiscal Service issued chapter 22 of the book of regulations. Chapter 22, which is now available on our website, provides all procurators fiscal with detailed guidance, which will be followed up with guidelines, on how the service should communicate with victims, and the standards that victims and witnesses can expect. Victims of crime and those who represent their interests may consult the website to learn what type of service they can now expect from procurators fiscal across the country.

In addition, as several members mentioned in the course of this afternoon's deliberations, we

have supported the development of a child witness pack and guidance on how to deal with child witnesses.

Kenny MacAskill and Stewart Maxwell mentioned witness protection, which plays an important role in the system. Victims give a great deal, so it is important that we take into consideration the vulnerability of those who give evidence. I accept that in many cases such witnesses disproportionately come from areas of some deprivation. A great deal is being done on the matter. Overall responsibility for witness protection lies with, for example, the Scottish Drug Enforcement Agency in respect of serious crimes and with local police forces in local circumstances.

The position of jurors is obviously not for the prosecution. Members would be rightly concerned if the Crown Office had a role in providing support for jurors, given that we are constrained by the law on contempt of court. However, I am advised that a service is available to jurors who have had to hear traumatic evidence during the course of a trial. The judge can intimate details of that service, which provides support to jurors for what they have had to experience during the trial. That is an important development that should be welcomed.

The victim notification scheme was also mentioned by members. To some extent, the scheme has transformed the way in which victims are treated. I have spent 20 years as a prosecutor, so I know that the notion of giving information to the victim at the end of the offender's sentence would have seemed beyond possibility for most witnesses even 10 years ago. To start with, the scheme applies to those who are victims of crimes for which a sentence of imprisonment in excess of four years has been imposed. However, I understand that Cathy Jamieson is considering the possibility of extending the scheme.

As we improve services for victims and witnesses across the criminal justice system, people's expectations are, quite rightly, being raised. We welcome that and we look forward to responding to those.

Maureen Macmillan mentioned rural courts. In my experience as a procurator fiscal in the Highlands and Islands, many rural courts have some of the best accommodation in the country. However, the Scottish Court Service is looking carefully at the estate in preparation for the Vulnerable Witnesses (Scotland) Act 2004, which should come into effect later this year.

Although this afternoon's debate has focused on the past three years, the Deputy Minister for Justice—I almost promoted him by calling him the Deputy First Minister—also referred to some of the legislative initiatives that are yet to be implemented. Given that delay has featured in

many members' concerns, I think the Bonomy reforms to the High Court could herald our greatest opportunity to bring about certainty, to avoid churning and to ensure that witnesses are not required to attend court more often than is necessary. More than anyone, procurators fiscal and advocate deputes are aware of the trauma, distress and frustration that is caused when witnesses have to come to court not simply once or twice but more often than that.

As many members will appreciate, one cannot in any system eliminate the possibility of adjournments. Accused persons do not work to a social calendar and generally are not very concerned about victims. Often getting together all the characters in a trial, including victims, witnesses and the accused, can be a challenge. We are addressing that issue, and the Bonomy review provides us with one of the best opportunities for doing so. I look forward to seeing what contribution the prosecution service can make to the process over the next two years.

Exciting opportunities are ahead in the criminal justice system. This is a great time to be involved in the system and I am proud to be a prosecutor in this country because of the dedication that prosecutors show and the close working that takes place with Rape Crisis Scotland, Scottish Women's Aid and a number of other agencies that work together to improve the lot of witnesses and victims. There is much more to be done and I look forward to continuing that work with the Lord Advocate.

## Decision Time

17:00

**The Presiding Officer (Mr George Reid):** I have received notice of a point of order from Nicola Sturgeon.

**Nicola Sturgeon (Glasgow) (SNP):** Further to the points of order that were made this morning, I thank Dennis Canavan, Mark Ballard and Patricia Ferguson for agreeing to withdraw their amendments to motion S2M-2240 in my name. In the light of that and of the unanimity that was expressed this morning—especially in support of the make poverty history campaign—I seek Parliament's permission to withdraw the motion in my name. That will enable Parliament to unite, rather than to divide, so that it can focus on advancing the many good points that were made in this morning's debate. *[Applause.]*

**The Presiding Officer:** Rule 8.3.6 of standing orders is perfectly clear on the matter. It states:

"After a motion is moved, it may be withdrawn by the member who moved it at any time before the question is put unless any member objects to it being withdrawn."

No member has indicated that they object to the motion's being withdrawn.

*Motion, by agreement, withdrawn.*

**The Presiding Officer:** The amendments to motion S2M-2240 fall, so the new first question is, that amendment S2M-2241.2, in the name of Kenny MacAskill, which seeks to amend motion S2M-2241, in the name of Hugh Henry, on victims and witnesses, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Adam, Brian (Aberdeen North) (SNP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, 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)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)

Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
White, Ms Sandra (Glasgow) (SNP)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
Baillie, Jackie (Dumbarton) (Lab)  
Baker, Richard (North East Scotland) (Lab)  
Barrie, Scott (Dunfermline West) (Lab)  
Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
Brown, Robert (Glasgow) (LD)  
Butler, Bill (Glasgow Anniesland) (Lab)  
Byrne, Ms Rosemary (South of Scotland) (SSP)  
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
Davidson, Mr David (North East Scotland) (Con)  
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
Douglas-Hamilton, Lord James (Lothians) (Con)  
Eadie, Helen (Dunfermline East) (Lab)  
Ferguson, Patricia (Glasgow Maryhill) (Lab)  
Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
Finnie, Ross (West of Scotland) (LD)  
Fox, Colin (Lothians) (SSP)  
Fraser, Murdo (Mid Scotland and Fife) (Con)  
Gallie, Phil (South of Scotland) (Con)  
Gillon, Karen (Clydesdale) (Lab)  
Glen, Marilyn (North East Scotland) (Lab)  
Godman, Trish (West Renfrewshire) (Lab)  
Goldie, Miss Annabel (West of Scotland) (Con)  
Gorrie, Donald (Central Scotland) (LD)  
Henry, Hugh (Paisley South) (Lab)  
Home Robertson, Mr John (East Lothian) (Lab)  
Hughes, Janis (Glasgow Rutherglen) (Lab)  
Jackson, Dr Sylvia (Stirling) (Lab)  
Jackson, Gordon (Glasgow Govan) (Lab)  
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
Johnstone, Alex (North East Scotland) (Con)  
Kane, Rosie (Glasgow) (SSP)  
Kerr, Mr Andy (East Kilbride) (Lab)  
Lamont, Johann (Glasgow Pollok) (Lab)  
Livingstone, Marilyn (Kirkcaldy) (Lab)  
Lyon, George (Argyll and Bute) (LD)  
Macdonald, Lewis (Aberdeen Central) (Lab)  
MacDonald, Margo (Lothians) (Ind)  
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)  
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)  
Muldoon, Bristow (Livingston) (Lab)  
Mulligan, Mrs Mary (Linlithgow) (Lab)  
Murray, Dr Elaine (Dumfries) (Lab)  
Oldfather, Irene (Cunninghame South) (Lab)  
Peacock, Peter (Highlands and Islands) (Lab)  
Peattie, Cathy (Falkirk East) (Lab)  
Pringle, Mike (Edinburgh South) (LD)  
Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
Radcliffe, Nora (Gordon) (LD)

Robson, Euan (Roxburgh and Berwickshire) (LD)  
Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
Scanlon, Mary (Highlands and Islands) (Con)  
Scott, John (Ayr) (Con)  
Scott, Tavish (Shetland) (LD)  
Sheridan, Tommy (Glasgow) (SSP)  
Smith, Elaine (Coatbridge and Chryston) (Lab)  
Smith, Iain (North East Fife) (LD)  
Smith, Margaret (Edinburgh West) (LD)  
Stephen, Nicol (Aberdeen South) (LD)  
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
Tosh, Murray (West of Scotland) (Con)  
Wallace, Mr Jim (Orkney) (LD)  
Watson, Mike (Glasgow Cathcart) (Lab)  
Whitefield, Karen (Airdrie and Shotts) (Lab)  
Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

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

**The Presiding Officer:** The result of the division is: For 25, Against 83, Abstentions 7.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S2M-2241.1, in the name of Annabel Goldie, which seeks to amend motion S2M-2241, in the name of Hugh Henry, on victims and witnesses, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Aitken, Bill (Glasgow) (Con)  
Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
Davidson, Mr David (North East Scotland) (Con)  
Douglas-Hamilton, Lord James (Lothians) (Con)  
Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
Fraser, Murdo (Mid Scotland and Fife) (Con)  
Gallie, Phil (South of Scotland) (Con)  
Goldie, Miss Annabel (West of Scotland) (Con)  
Johnstone, Alex (North East Scotland) (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)  
Scanlon, Mary (Highlands and Islands) (Con)  
Scott, John (Ayr) (Con)  
Tosh, Murray (West of Scotland) (Con)  
Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

#### AGAINST

Adam, Brian (Aberdeen North) (SNP)  
Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
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)  
Brown, Robert (Glasgow) (LD)

Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 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)  
 Cunningham, Roseanna (Perth) (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)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kane, Rosie (Glasgow) (SSP)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 MacDonald, Margo (Lothians) (Ind)  
 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)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)

Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**The Presiding Officer:** The result of the division is: For 17, Against 99, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The third question is, that motion S2M-2241, in the name of Hugh Henry, on victims and witnesses, be agreed to.

*Motion agreed to.*

That the Parliament acknowledges that the interests and diverse needs of victims and witnesses are central to criminal justice reform; welcomes recent legislation that improves the status of victims and witnesses in the justice system, including the Vulnerable Witnesses (Scotland) Act 2004 and the Criminal Justice (Scotland) Act 2003; notes the progress made in implementing the Strategy for Scottish Victims and the recommendations of the Lord Advocate's Working Group on Support for Child Witnesses; notes the major steps that have been taken within the Crown Office and Procurator Fiscal Service, in particular the establishment of the Victims Information and Advice Service and the instigation of a detailed review of the investigation and prosecution of sexual offences, and recognises the Executive's commitment to make further improvements for victims including the reflection of their interests in proposals for reducing re-offending.

## Sustaining Agriculture

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

The next item of business is a members' business debate on motion S2M-2209, in the name of Jamie Stone, on sustaining agriculture and sustaining communities. The debate will be concluded without any question being put. I ask members who wish to speak in the debate to press their request-to-speak buttons. It will not be possible to extend the debate, and I will take a view on speaking times when I have seen the number of requests to speak.

### *Motion debated,*

That the Parliament believes that sustaining a viable agricultural sector involves encouraging an increase in employment on Scotland's land and that this would strengthen the contribution of agriculture to the viability of rural communities and contribute to the nutritional health of Scotland.

17:06

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I thank all members present for staying for the debate.

My argument is based on two facts. First, and deeply unfair, is the fact that some of our farmers are today regarded as subsidy junkies. Recent headlines that have involved a member of the nobility and a member of the royal family have done nothing to help. The second fact is that as we sit in our comfortable chairs watching, for example, Jamie Oliver, we continue to spoon in the Pot Noodles. It is a strange paradox that while telly cooking and telly gardening have never been more popular, many of us treat them as being akin to spectator sports rather than activities for us to become involved in, despite most of us knowing full well that fast food—high in saturated fat, salt and additives—is not doing our health any good.

Those two facts persuade me that it is time for some new thinking. If we want to improve Scotland's nutritional health, increase employment on the land and underpin our rural communities, we will have to do things rather differently.

Take school dinners as an example. If we want more of our children to eat one properly cooked, healthy meal a day we must look again at how we can achieve that and we must be willing to pay for it. Most children have choice. They have the choice of school dinners versus something from the tuck shop versus—the minister will recognise this expression from the Highlands—going down the street. Councils are trying to improve the nutritional quality of school dinners, but anyone who is on the streets of our communities during school dinner hour will see for themselves the scale of the problem and the number of young

people who go to the shops and eat things that are not good for them.

Should we consider compulsory school dinners? That approach seems draconian to say the least. We could consider that option, but we should be courageous and consider all the possibilities. We should not shrink from any of them. Perhaps in looking over the edge at the extreme, we may alight on something that is more acceptable. Perhaps if we made school dinners cooler, in the trendy sense, by getting someone like Jamie Oliver to come and do a celeb scoff event in one of our schools we could advance without being extreme.

By spending more money on nutritious food in our schools, in our hospitals, in our Government canteens and here in the Scottish Parliament, we could start to swing the money the other way—from the support of subsidies for our farmers to the demand of public sector customers with the wherewithal to pay for the type of product that they will demand. I believe that we can develop that demand. That would front-load the money in the way that the system currently does for farmers, which would be healthier. In that way, we would link our farmers more directly with the customers for their products and, besides improving food quality, we would offer farmers financial reward from real trade. That would silence the unpleasant talk of subsidy junkies.

My cousin teaches homeless people in Edinburgh how to cook nutritious food. That is great, but we could do with far more people like her. We should teach not only the homeless, but our young, people in our villages and people on our housing estates—anyone who wants to learn—how to cook nutritious food. Celebrity cookery is a hugely popular spectator sport, so why not pay for the aforementioned Jamie Oliver, for instance, to come up to Edinburgh to do a celebrity cooking event for people, not just in schools?

In Barrow-in-Furness in England, households receive free boxes of vegetables, and people are naturally and understandably more likely to turn the neeps and parsnips into good, nourishing soup, rather than throw them away. The scheme works; it helps farmers and it improves public health.

The third theme of my motion is increasing employment on Scotland's land. If we want to make it worth while for someone to buy two acres or 25 acres of land and grow beans or raspberries or to produce eggs, pigs or whatever, by stimulating customer demand we will be moving in the right direction. If we threaten supermarkets with a big stick, they simply say, "Oh, but we are merely responding to our customers' demands." The trick, surely, is the same. Customer demand



for quality local agricultural and horticultural products will soon bring the multiples to our farm gates.

Most communities are reasonably near a supermarket, but not many of them are near allotments. Indeed, there are not an awful lot of allotments outside our Scottish cities. Why should not people who live in housing estates in our Scottish villages and towns also have allotments? I do not think that there is any reason at all. When I began my speech, I said that television gardening is big and getting bigger; there, too, Government could go with the flow and improve the nutrition of the nation and increase work on the land, not to mention biodiversity, which is a big issue but one for another debate.

We should offer inducements to our farmers and local authorities that would lead to the sale or long-term let of suitable pieces of arable land adjacent to our towns and villages. Many people would love to be able to grow their own fruit and vegetables, but right now they cannot. Besides the potential for healthy eating, gardening is good for people.

**Mary Scanlon (Highlands and Islands) (Con):** I appreciate that Jamie Stone's motion focuses on nutritional health in sustaining employment and rural communities. Will he also consider plants such as bog myrtle, which is undergoing pharmaceutical trials and is being proved to have superior qualities to tea tree? That could be used as a wonderful benefit in sustaining employment and communities, although it would need some inducements from the Executive.

**Mr Stone:** That is a very fair comment and I certainly take it on board, as will other members.

I am saying some simple things. We could support our farmers by stimulating customer demand and awareness and investing real money in the public sector so that public sector organisations could afford to buy better-quality local farm products. The demand for quality products, combined with the greatly increased dissemination of cookery skills, would help farmers. It would also help to support rural communities and improve Scotland's health.

Let us have more allotments. They could be helpful on all those fronts. I believe that a person's happiness is much connected to working with the land, because there is something deep inside us all. It will take money, but it will also take a different approach and that will have to be considered carefully. My reason for having the debate—and I look forward to hearing other members' speeches—is that I hope we can stimulate some thought and possibly some action. The way that we are going at the moment, we do not seem to be tackling the health problems—or at

least not as quickly as we would like—and I am not entirely sure that our rural communities are as safe as we would like, although I am aware that the ministers are making their best efforts.

I shall conclude my remarks at that point. It must seem like a miracle to the chamber that I have not mentioned cheese—at least not until now.

17:14

**Stewart Stevenson (Banff and Buchan) (SNP):** Quite the most alarming thing that I have heard this evening is that Jamie Stone eats Pot Noodles. Nevertheless, I congratulate him on creating this opportunity to debate an important subject.

The importance of the subject was illustrated perfectly at the Cancer Research UK reception last night, because one of the five strands of reducing the incidence of cancer is addressing the issue of diet. The matter may be of particular importance to me because, after researching my family tree, I know that five of my 16 great—or is that great-great?—grandparents died from cancer of the intestine in one form or other. I hope that my genetic inheritance can be offset by some good Scottish scoff, to use Jamie Stone's word.

The subject is important, particularly in my constituency, which is very big in food production. For example, Macrae Foods Ltd, Fisher Foods Ltd, Grampian Country Chickens Ltd and International Fish Cannery (Scotland) Ltd are all major employers in Banff and Buchan. The predominance of high-quality food processors reflects the importance of agriculture and fishing not just in my constituency but throughout Scotland. Indeed, about 70,000 people are employed in producing this healthy scoff for the country and perhaps one in 10 Scottish jobs is related to food production.

Of course, supermarkets fight against the drive for quality in Scotland's production industries. We should note that UK supermarkets' margin of profit is about four times greater than that in any other comparable country; in fact, it is more than four times greater than US supermarkets' margin of profit. The supermarkets' control of the market is very subtle; it is driven not by health and healthy eating, but by margin and price. Their manipulations are certainly well documented. For example, they use known-value items—the few items on the shelf for which the general public have an idea of price—to create the impression that things are cheap.

I go to my local butcher, who sells organic beef that is locally grown, slaughtered and hung in the chill store at a lower price than I would pay at Tesco down the road. If more of our communities were to consider the matter, they would discover

that option for themselves. I listened with interest to the 20-minute speech that the chief executive of Tesco plc made at the Scottish Agricultural College's centenary dinner, and noted that he did not once use the word "quality". That says a lot about the constraints on the way in which supermarkets deal with food and quality.

I hope that John Scott will speak tonight, because he is a great supporter of farmers markets. I encourage his efforts in that regard and very much support that quality method of delivering affordable local food.

17:18

**Alex Fergusson (Galloway and Upper Nithsdale) (Con):** Having received an accusatory look from Tavish Scott when Pot Noodles were mentioned, I should say that I have never eaten one in my life, nor do I intend to.

Presiding Officer, you will not be surprised to hear that I welcome any opportunity to debate agricultural issues in the chamber. Jamie Stone's motion is no exception. I thank him for lodging it, as it contains issues that I deem to be very close to my heart. Indeed, members will not be surprised to learn that I intend to concentrate on the motion's agricultural element, particularly on the need for greater employment on the land.

Although my constituency is as far from Jamie Stone's as it is possible to be while remaining in Scotland, both share a high degree of dependency on agriculture and agricultural products. Before the foot-and-mouth outbreak, 23 per cent of Dumfries and Galloway's gross domestic product derived directly from agriculture. One could argue with considerable justification that that percentage is too high; however, it underlines agriculture's importance to the region and explains my determination vigorously to oppose any attempt to redistribute agricultural support funding from Scottish Executive, UK or European sources. I am sure that other members would like such redistribution to happen, but the importance of that funding to my region is too great for me to support such a move. I have always opposed such redistribution and will always do so.

However, the reform of support funding is a very different matter. I will spend a few moments on the opportunities that will open up with the advent of the single farm payment, which replaces the headage-based subsidies that predominated for many years. Many of my farming constituents have bravely pioneered projects that are designed to add value to their own products. In doing so, they have often found themselves at considerable financial disadvantage when they consider the support that they would have received if they had carried on farming in the traditional way.

For example, I highlight to the minister the excellent Cream o' Galloway Dairy Company Ltd venture at Gatehouse of Fleet in my constituency. The venture started by turning the organic milk that was produced on the farm into what I contend is the most delicious ice cream in Scotland and led to the creation of a highly successful visitor centre, which employs many permanent staff and many more temporary staff at the height of the summer season. The venture achieved the greatly increased employment on Scotland's land for which Jamie Stone's motion calls, but it did so despite the considerable cost to the farming business that the proprietor's outside-the-box decisions brought about. I cannot remember the exact figures, but the decision to go organic led to the loss of many thousands of pounds in subsidies, despite the conversion grants that were available at the time. I concede that grants have improved since then.

Under the single farm payment, farmers and other land managers will be free to think outside the box as they attempt to maximise the returns that they receive from the marketplace, as long as they operate within the restrictions of cross-compliance. I suspect that they will have to think outside the box if they are to maximise their returns, because I do not expect the marketplace simply to cough up for any financial deficit that is incurred as a result of the change in support funding.

As Scottish agriculture adapts to the new system in the coming years, we are likely to witness changes and I have considerable faith in the ability of Scotland's agricultural entrepreneurs to maximise their returns. There is enormous scope for adding value at the point of production, which in turn will maximise the employment potential at the point of production, providing the financial contribution to the viability and indeed the vitality of our rural communities to which Jamie Stotion refers—I meant Jamie Stone's motion, but the name "Jamie Stotion" might stick; it has something about it. Farmers are now quite fortunate in that they can make outside-the-box changes while being a little cushioned by the single farm payment. Their brave and innovative forebears, such as the people at Cream o' Galloway, had to make such changes at their own expense and financial loss.

The motion is correct to suggest that such jobs are crucial to the viability of our communities and I commend it to members.

17:22

**Eleanor Scott (Highlands and Islands) (Green):** My name is Eleanor and I once ate a Pot Noodle.

Confessions apart, I welcome the debate that Jamie Stone has secured, as much as anything because it reflects a view of agriculture that is different from the conventional one of units that must be extremely large if they are to be efficient and which over the years have employed fewer and fewer people per tonne of produce or acre of ground—whichever way we consider it. Jamie Stone's comments are particularly relevant to the north of Scotland and to other parts of Scotland where we want to keep people working on the land. Greater efficiency through increased output per person is not always the best way forward if we are to sustain rural communities.

I must mention the O-word and talk about organics—I would not be Green if I did not. Consumer demand for organic food is great and is growing faster than is demand in many other sectors, but that demand is still met largely by imported produce. Organic farming employs many more people per acre of ground or per tonne of food produced than non-organic farming does. Robin Harper's proposal for a member's bill on organic food and farming targets and the subsequent Scottish Executive organic action plan helped to stimulate the sector, but we must acknowledge that organics is a sector in which we can increase employment and meet consumer demand and which can grow, produce for the market and be good for the environment and for rural employment, which is extremely important.

Local markets and farmers markets have helped, but it would help if supermarkets could be a bit more flexible in sourcing produce locally rather than using centralised distribution points. Any members who have read some of the books that I am ploughing my way through, such as "Not on the Label", which makes one never want to shop in a supermarket again, will realise that we must change the culture of our supermarkets if we are to continue to shop there. We must get them to take local produce, as they do on the continent, and get them to source organic produce locally.

I say to Jamie Stone that if we are to have a reputation for quality and a thriving organics sector, we must be GM-free in the north.

I have a similar view to Alex Fergusson on the level of support that should be provided, but perhaps a different view on how that support should be targeted. I would like a lot more support to be provided through the rural development regulation. Historically, Scotland has had the lowest level of rural development funding in Europe. Parts of the rural development regulation, such as article 33, which allows for funding for wider rural development, have not been used in Scotland and payments have not gone directly to farmers. We could do much more under the rural development regulation to ensure that some of the

added value of agricultural production in our rural areas is kept in those areas. In that context, I must mention abattoirs. Having local abattoirs would allow us to complete the local production chain. We could have local production and direct distribution to the consumer, with value being added downstream.

I am interested in initiatives for what might be described as non-traditional production over in Skye and Lochalsh, where, as Jamie Stone will be aware, the use of polythene tunnels is being considered. Poly tunnels could revolutionise food production in areas in which the growing of salads and some vegetable products has traditionally been difficult. That might be done organically in Skye and Lochalsh, to supply the local market.

That is a new tradition that is becoming established, but old traditions are being renewed. For example, north-west cattle producers are trying to reverse the ratio of sheep to cattle by getting cattle back on the ground. That would allow cattle to be finished and produced for local markets.

I concur with what Jamie Stone said about allotments. There is perhaps a perception that people in rural areas who live in small towns and villages have gardens. That is not true nowadays, given the size of modern building plots. Food growing could become a popular movement and could be thought of as being quite a trendy thing to do. Gardening programmes are as popular as cookery programmes and, like cookery, gardening tends to be a spectator sport at the moment. In Invergordon, there are moves to have green gyms, where people are encouraged to undertake horticultural activity for their physical health. That idea represents a way forward in that it allows production and health to be joined up in the way that Jamie Stone has in mind.

17:27

**Rob Gibson (Highlands and Islands) (SNP):** I welcome the debate and thank Jamie Stone for securing it. I am glad to talk about nutrition and employment as key issues for the future of our countryside.

Agriculture should be at the heart of that future, but we must ensure that it is suitable for each part of the country in which people live. We need to recognise that the public goods that will be drawn from rural development funds in future increasingly will allow people in the poorest parts of the north, the west and the islands to get more value from having units of production that not only produce excellent and ever-improving headage, but deliver the environmental benefits for which those areas are particularly well suited.

In areas of more intensive farming, the problem is that the countryside is much more industrialised. That means that it is difficult to turn some areas into land of any great environmental benefit. The new openness and accountability will allow us to find out the level of subsidy in different parts of the country. The debate on that issue is important for how we view agriculture in the future.

At yesterday's meeting of the Environment and Rural Development Committee, the Minister for Environment and Rural Development stated that the Freedom of Information (Scotland) Act 2002 would allow us to find out about levels of subsidy. I questioned the minister on the subject and we had quite a debate about it. Some people get very large subsidies; indeed, there might be farmers in Scotland who get £1 million in subsidies. I do not know whether that is the case, but we will be able to find out very soon. If a single farm business is receiving that level of subsidy, surely it would be far better if there were 20 farm businesses with 20 families living on the countryside and maintaining and developing it. One could say, as the minister has done and as others might do, that large farms are viable. However, traceability and quality products that have taste do not necessarily go with large and so-called viable farms.

I am happy that the National Farmers Union of Scotland wants us to support it in the fair trade campaign for milk, but I want something from it in return, which is an agreement to absolute openness and to a debate on how to distribute the cash to best deliver public goods in future. I hope that this debate will be another chance for us to impress on the Scottish Executive the fact that it is essential to address that debate head on. Crofters welcome the forthcoming openness on subsidies. They say that it is high time that people saw how unevenly money is distributed. In addition, we will be able to have a much more open debate about how less-favoured-area money should be spent.

We need to think about farming waves, wind, biogas and biomass. I was glad to see on "Landward" two examples of biogas projects on farms in Ayrshire and Galloway. We need more of that to create income on farms. We also need more land for farming—not the inby land in crofting, but the Forestry Commission's land, which should be opened up for new settlements. We need more people living in the countryside. When we have that, we will have far more demand for quality food that is traceable. Such structural changes will allow more people to have a healthier life and will allow more people to farm our land.

17:31

**Nora Radcliffe (Gordon) (LD):** It has always annoyed me intensely when agricultural subsidies are seen as subsidies for farmers, because what

is being subsidised is the cost of food. Agricultural subsidies were introduced to give us cheap food, not to featherbed farmers. The very people who point the finger at farmers and complain about subsidies are the people who are being subsidised. It really annoys me. I am glad to have got that off my chest. I thank members for their indulgence.

The effects of the common agricultural policy reforms are not obvious yet, but they open up possibilities for farmers, from vegetables to bog myrtle, as Mary Scanlon mentioned. Seeing how those things develop and how people find niche markets and exploit possibilities that are opening up will be extremely interesting over the next few years.

At the inaugural meeting of the cross-party group on food, we had a presentation from the person who organises school meals in Aberdeenshire. He outlined how it is possible within European Union rules on food procurement to procure local supplies if one is careful about the specification, for example by specifying varieties or degrees of freshness. Doing so is well within the rules and means that one is more likely than not to get local suppliers supplying local fresh produce for school meals. That could be replicated in all public procurement. Hospitals are big consumers with local hinterlands that could be exploited.

It is important that we do more in schools on food and cookery—not just on nutrition, but on preparing real food. It is astonishing how many people have never tasted a home-cooked meal prepared from fresh produce. The perception is that it is difficult, time consuming and labour intensive, but it need not be. If we can get that message across to kids and let them taste what good, freshly prepared food tastes like, they are far less likely to be satisfied with a Pot Noodle. That important element needs to be addressed.

I return to the sustainability of agriculture and local communities. Agriculture is not the be all and end all of the rural economy, but it is pretty well the foundation of it. That was evident during the foot-and-mouth outbreak, when we saw just how far the effects of the crisis in farming spread through the community. Rural depopulation and the fact that farming does not employ as many people as it used to are important factors. Regenerating our rural communities and getting people back into the countryside might be possible by exploring different ways of farming the land—various new possibilities are opening up—and also simply by encouraging people to live in the countryside.

We should think of the number of people that farms used to sustain. In the old bothy ballads, there was the aal farmer, the grieve, the first

horse, the second horse, the orra loon and the kitchie deem. In the old days, a farm would support 10 or 15 people, where there might now just be one, with a lot of contracting out. There is no way that we could go back to those days, but having that number of people living in the countryside meant that local shops were viable, schools were full and churches were sustained.

Broadband is so important, because it enables a wide variety of work to be done away from the urban centres—work that is probably far more highly paid than more traditional rural jobs. It also has an intangible benefit in that it involves putting highly paid professional people into the countryside. They tend to be far more demanding, which, in the right context, is a good thing. Housing supply is crucial—businesses cannot expand if there are not people there and they cannot bring in skilled people if there are no houses.

The age profile of our farming communities is a worry. However, I hope that the new tenancy arrangements will make it easier for new entrants to get into farming.

Finally—I know that I have been going through this at a gallop—there is the possibility of diversification into green tourism. The fact that we have new access legislation, with a change in people's perception of access to the countryside—even if actual access has not, in fact, changed—will help to boost such diversification. We are living in exciting times, with new prospects opening up in front of us, and I hope that they all roll.

17:36

**John Scott (Ayr) (Con):** I declare an interest as a farmer, as the chairman of the Scottish Association of Farmers Markets and as a council member of the Scottish Agricultural Organisation Society.

I congratulate Jamie Stone on securing the debate, which has raised important points about how policy and rural businesses can address the challenges of population change and employment in rural communities. Strong rural economies need employment and population growth to sustain them, as Nora Radcliffe pointed out. For farming to be prosperous, it must constantly seek to improve efficiency. However, that can have negative implications for employment opportunities and for the attractiveness of a region for inward migration.

There is obviously a source of tension in that but, from my background and experience in agriculture, I suggest that there are a number of ways in which that tension can be addressed. Rural businesses can be innovative—witness the success of farmers markets in recent years. Farmers markets identified a need and recognised

an opportunity. There are now about 60 farmers markets operating regularly in Scotland. In meeting that need, farmers markets not only bring fresh food to the consumer, contributing to the nutritional health of Scotland, but have created new employment in rural areas in the local processing and distribution of food.

One feature of farmers markets is that most of them are organised on a co-operative basis and are developed with the help of the specialist co-operative development organisation, the SAOS. Agricultural co-operatives play an important and often underestimated role in creating rural prosperity. They are particularly important for rural employment and training.

Labour and machinery rings help to make the most efficient use of labour in local economies. Such co-operative businesses sustain jobs by matching the demand for labour with the supply. The rings also build capacity in rural areas by improving training opportunities and the skills base of the labour force, which helps to unlock the potential resource in the rural economy. I give an illustration of the role that co-operatives play: one machinery ring has reported that it handled more than 14,500 requests for labour in 2004, delivering an average of 274 workers per working day. Such businesses are present throughout most of the Scottish rural economy. The newest one, which has been developed by the SAOS, is the Argyll and islands business ring. It is located in a sparsely populated area, where it helps to meet the employment and population challenges.

Diversification can also offer new job opportunities. The recent consultation and debate on a green jobs strategy highlighted the opportunities that exist in rural areas to develop renewable energy sources. Interestingly, overseas experience suggests that in many areas, such as biomass, opportunities are more likely to be exploited if the farms involved organise as a co-operative, in order to ensure that they can guarantee quality, quantity and consistency of supply.

Moreover, co-operatives such as Tarff Valley Ltd, ANM Group Ltd and Highland Grain (Marketing) Ltd are businesses in their own right. Managing those businesses generates high-quality employment in rural areas throughout Scotland. In fact, there are about 80 agricultural co-operatives, whose throughput amounts to £1.3 billion per year. Although they employ only 2,500 people directly, their role clearly supports rural employment more generally.

The minister and the Scottish Executive Environment and Rural Affairs Department actively support co-operative development in agriculture in the rural economy through SEERAD's partnership with the SAOS. Therefore, they acknowledge the

contribution made by co-operatives to a dynamic and successful rural economy. Today, parliamentarians, too, should note the important role that co-operatives play and recognise that the wider development of co-operatives throughout the rural economy would go a long way towards addressing the challenges that Jamie Stone's motion identifies.

17:40

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I congratulate Jamie Stone on his ingeniously broad interpretation of the wording of the motion, which is itself extremely broad. The kernel of the motion is a concern with how we can increase employment in the agriculture sector in rural Scotland, with particular regard to farmers who produce food.

The crofting counties have not specifically been mentioned. The recent change—as from 1 January—in the scheme that provides assistance for young people in crofting counties has created a new barrier. Young crofters can no longer obtain loans, only grants, as part of the scheme. The minister will be aware that the average cost of building a house in the crofting areas is now £80,000. However, if crofters can get a grant of only £11,500 in a low-priority area, they cannot readily get a building society or bank loan, because, unless the land is decrofted, there is no security of tenure. That is a real problem. The scheme has just been introduced, so I do not expect the minister to announce this afternoon that it will be reformed—not even if my arguments are particularly persuasive, which I believe they are. However, I hope that there will be an early review of how the scheme performs, perhaps even before the impending election.

The previous session's Rural Development Committee did a lot of good work on the broad area that the motion addresses. It pointed to barriers that must be removed if diversification is to be made less difficult. Planning law is key, as it restricts the development of farm steadings in many areas. In my area, a great many farmers have turned to tourism development. They have had assistance from the agricultural business development scheme and a few—it was only a few, contrary to Lord Sewel's promise—had assistance from its predecessor, the agricultural business improvement scheme. In my area, tourism development has been a modest success. I hope that that will be replicated throughout Scotland, because such development offers greater opportunity.

What can the Executive do? It is plain that, in the public procurement of food, a lot more can be done. I was interested to hear Nora Radcliffe's description of the talk from the gentleman from

Aberdeen, as my impression of the public procurement of food is less positive than hers. It arises from a meeting that I had with the food tsar, Gillian Kynoch, in which I sought to advocate the benefits of venison as a food—it is more nutritional than any other meat. I do not wish to be unkind to the lady who is the food tsar, but I am not sure in which century the bureaucratic procedures that she outlined to me will permit venison to find its way on to the plates of schoolchildren or workers in any public sector organisation with a canteen for which there is public procurement. There is plainly a problem and it is up to the minister to sort it out.

Dairy farmers are on their uppers in a great many places, because they sell at below cost. Why on earth cannot schoolchildren have access to milk in their schools? An answer that I received just this afternoon to an oral question that was not reached in question time said that the evidence for the nutritional value of milk was equivocal. Equivocal? The minister should ask the National Osteoporosis Society whether drinking milk is good or bad. If young children drink milk—as they should—that will do much more than anything else of which I can think to develop healthy bones, so that when those children enter the latter part of their lives they do not suffer from the horrible, crippling disease of osteoporosis, which is a scourge for many of our senior citizens of both sexes.

17:45

**The Deputy Minister for Environment and Rural Development (Lewis Macdonald):** I thank Jamie Stone for the opportunity to have a wide-ranging debate. If we wanted an example of diversity in relation to agriculture, this evening's debate has probably provided it.

The Executive recognises that agriculture remains central to the prosperity of rural areas. As "A Forward Strategy for Scottish Agriculture" makes clear, we want prosperous and sustainable agriculture that produces good food for the consumer and which meets high standards of environmental stewardship. The key challenge is to establish conditions that allow farmers and crofters as business people to take decisions that achieve those objectives. Agricultural production needs to be smart about the marketplace and it needs to be sustainable. That approach must guide decisions as we move forward under the new common agricultural policy reform scheme and it must drive our objectives for land management contracts. A major component of those will be to provide incentives to allow producers to respond and to develop their businesses in ways that deliver public policy objectives and meet their own economic interests.

Several speakers pertinently mentioned CAP reform, which provides an excellent opportunity to advance our strategic objectives and gives us in Scotland more opportunities to make decisions than we have had for a generation. We have decided fully to decouple subsidy from production at the earliest possible date. We have also based future payments on a straightforward historical reference period. Those decisions were taken after extensive consultation and have been widely welcomed. They provide some certainty for farmers and crofters and give them the opportunity to improve market returns by producing food that meets market requirements.

Several members highlighted the relevance of food production in Scotland to improving diet, which is a key aspect of health improvement policy. As Stewart Stevenson said, that relates to cancer as well as to some of the more obvious obesity-related ailments that arise from bad diet. We recognise the enormous potential for local food producers to ensure food access and to overcome health inequalities, which is why local nutrition plans form part of joint local authority and national health service health improvements plans. Increasingly, community planning for health improvement is building in sustainable access to fresh food.

Several members referred to local initiatives: local community food initiatives are adopting a range of innovative approaches, which include community-assisted agriculture that involves local growing projects, such as the type on which Jamie Stone is keen. Scotland has about 500 community food initiatives, many of which have support from local authorities, local NHS services or both.

We recognise that the Government has a direct role in such matters, especially in relation to procurement. School meals have been mentioned. Several councils—including Aberdeenshire Council, which Nora Radcliffe mentioned, Highland Council and East Ayrshire Council—are engaging effectively with their local food producers to supply that important market.

The question of uptake of school dinners has puzzled those who are responsible for young people's nutrition for a long time. Jamie Stone was right to highlight that issue, which is not new. I agree with him that making school dinners cool is likely to be much more effective than making them compulsory.

I also agree with him that celebrity chefs have a role to play. In fact, celebrity chefs regularly appear at the Royal Highland Show, which is Scottish agriculture's foremost flagship event each year. Ross Finnie has occasionally been happy to help with demonstrating good preparation and consumption of food. I am sure that Jamie Stone will be pleased to hear that colleagues are taking

such matters seriously and that they support the kind of initiative he outlined.

We want to encourage local food producers to bid for more of the public sector contracts to which members have referred, and we have published new guidance on public sector procurement as part of our sustainable development agenda. If the motion is about any one thing, it is about sustainable development and how we relate production to consumption, sustainability and the best interests of individual citizens. In that public sector procurement agenda, we must of course acknowledge legislation that is designed to ensure fair competition, but we have also made it clear that it is possible to set procurement criteria that can help local businesses to compete in delivery frequency, freshness, seasonal availability, organic production—which has been mentioned—or simply in considerations of taste. There are a number of ways in which that matter can be taken forward.

As John Scott said, farmers markets are an increasingly important outlet for local produce. He said that we have supported that development through the Scottish Agricultural Organisation Society, of which he is a leading member. I am delighted to say that the policy has broad support that will continue, because we recognise the important contribution that such markets can make to increasing access for consumers to local produce and in increasing opportunities for local producers to understand what the market requires.

**Mr Stone** rose—

**The Deputy Presiding Officer:** Jamie Stone.

**Mr Stone:** The minister has given way without my saying anything.

On cookery classes, the Scottish Executive supports Fairshare in Edinburgh, which delivers to some of the most needy people in society. Will the Scottish Executive continue to roll out such projects? We could do with more classes and more people out there teaching quality cooking of quality Scottish products. If the minister does not have an answer today, will he at least consult his colleagues?

**Lewis Macdonald:** Good work is being done to educate children about the food that they eat, which is a key aspect of our health improvement project. The work that is being done by us and the Royal Highland Education Trust, for example, to train farmers and give access to children to such information is valuable.

In closing, I want briefly to mention two other matters. Allotments have been mentioned; I am happy to say that the power already exists under the Land Settlement (Scotland) Act 1919 for local authorities to acquire land for creation of

allotments. Members might want to take that into account.

I should also mention that many initiatives that we are progressing to bring benefits to farmers and crofters and in healthy eating depend on the quality of scientific research. I am therefore pleased to mention that my department will publish a new research strategy tomorrow for the environment, biology and agriculture, which will cover the next five years. That research will underpin much that will be done in the areas that we have discussed.

We are committed to working with the industry to create economically viable and environmentally sustainable businesses, and we will continue our work to improve the nation's diet and health. We will continue to work towards a more sustainable and healthier Scotland.

*Meeting closed at 17:54.*



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