

# **MEETING OF THE PARLIAMENT**

Wednesday 7 September 2005

Session 2

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## Scottish Parliament

Wednesday 7 September 2005

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

### Scottish Executive's Programme

*Resumed debate.*

**The Presiding Officer (Mr George Reid):** Good morning. This morning we continue the debate on the Scottish Executive's programme.

09:30

**The Minister for Education and Young People (Peter Peacock):** It is a great joy to be back and to see all the happy, smiling faces around me, earnest for the fray.

As we know, families are very much the bedrock of life in Scotland; they are the key to our social fabric, to our economy and to our future. Family structures and relationships have changed and are still changing. There is more diversity and variety in the ways in which people choose to live their lives. Our policies and our legislation to support families need to reflect those changes in our wider society.

If families are to fulfil their ambitions and contribute fully to our nation, they must have access to good housing and employment, they must have access to high-quality health care and education, and they must live in communities that are safe and attractive. The Executive has taken massive steps forward to reverse the legacy of poverty, unemployment, poor health and chronic underinvestment in public services. The number of children in absolute poverty has halved. The number of working adults on low incomes has been reduced by more than a third. At around 3 per cent, unemployment is the lowest that it has been since 1975. Huge investment is being made in affordable housing and to help to regenerate our most disadvantaged communities.

As part of the range of provision, high-quality health care for families is essential. The gap between the health of the rich and the poor in our society—often living only a few miles apart—is still too wide. However, record investment in the national health service is showing impressive results, with reductions in deaths from cancer, heart disease and strokes, and decreasing waiting times. We have tackled postcode prescribing and delayed discharges. New programmes are being delivered on mental health and men's health and throughout the health service there are additional staff to care for patients. The historic decision to

ban smoking is key to improving the health of our nation.

Our priorities for the future are to ensure best value for the £10 billion that we invest in the NHS by driving up standards and efficiency, by reducing waiting times even further, by reaching out with health improvement programmes, by following through on the Kerr report to build an NHS fit for the future, by implementing our mental health priorities, by ensuring that NHS 24 provides an improved service and by ensuring that community health partnerships deliver improvements in our communities.

**Alex Fergusson (Galloway and Upper Nithsdale) (Con):** One part of the NHS that the minister has perhaps carefully skipped around is dental provision, which in my constituency is chronic to say the least. I was contacted yesterday by a constituent whose 15-year-old daughter has had orthodontic advice to have four teeth removed and on-going treatment. She cannot access an NHS dentist. Is the minister satisfied that enough is being done to attract more dentists into the area?

**Peter Peacock:** As the member well knows, the Executive never skips around problems. We try to take them head on—Andy Kerr is renowned for taking problems head on. He is making the kind of investment that is necessary to make the improvements in NHS dentistry that are undoubtedly required. Those investments are being made by the Executive. Andy Kerr will pick up some of that when he replies to the debate.

Among our future priorities is the need to protect the most vulnerable in our society. Our vulnerable adults bill will put in place modern and strengthened measures to ensure that unsuitable people cannot work with vulnerable adults and that that group is better protected against abuse.

As members know, I have set out a clear and challenging vision for our children and young people, both in their education and for other services that work with them. We are setting higher expectations and new standards of excellence. We are providing more modern learning environments. We are recruiting unprecedented numbers of teachers to reduce class sizes and we are giving more freedoms and choices to schools and pupils. We are seeing tangible and undeniable results: pre-school education for all three and four-year-olds is now available and there has been a massive expansion in child care in Scotland.

Our already high-performing education system—a world-class system—is improving further. Nearly 50 per cent of our young people leave school ready for tertiary education. Our schools of ambition will help; initially 20 schools will transform

their performance and set new standards and expectations throughout the system.

We are determined to build further on existing success. We know that high levels of parental involvement help to improve educational performance and strengthen schools. Our parental involvement bill is designed to promote and increase parental involvement. It will build on the experience of school boards.

**Fiona Hyslop (Lothians) (SNP):** Would the minister care to comment on the parental involvement bill's relationship to school boards? Originally, the consultation considered the abolition of school boards. Has the Executive had a rethink about supporting those school boards that are successful, which many of our constituents and school boards have told us they are?

**Peter Peacock:** I have always been very clear that although we will abolish school board legislation because it is too restrictive in a variety of ways, if schools wish to keep their present arrangements, they are perfectly free to do so. A school board may call itself a school board if it wishes to do so. However, if schools wish to move forward and to adapt or change those arrangements, we want to give them the freedom to do that. For example, we want to remove the statutory limits on the number of parents who can become involved; we want to add to parental rights; and we want to give parents more freedom to choose how they structure their involvement locally. The bill that we will introduce will strengthen the role parents play in supporting their school to be ambitious and successful.

**Mr John Swinney (North Tayside) (SNP):** To follow up Fiona Hyslop's point, what guarantee can the minister give us that there will be an absolute increase in the level of parental involvement? The concern about school board abolition is that it is just another way of reducing parental involvement, and that the Government does not have a mechanism in place to guarantee an increase in parental involvement.

**Peter Peacock:** We are absolutely committed to increasing parental involvement. Given the way in which statute is currently written, only 1 per cent of parents can become involved in decision making at their school. We want to abolish that to allow more parents to become involved. We will deploy a variety of techniques, including placing a firm new duty on local authorities to promote parental involvement. We are committed to increasing parental involvement and not in any way to constraining or reducing such involvement.

Excellent progress is being made in Scottish schools to address health improvement, as the implementation of hungry for success continues

apace. We have seen it take root in our primary schools and it will increasingly impact on our secondary schools as the programme rolls out. Brilliant things are happening in our schools to change the behaviour and eating habits of today's generation of young people. As the First Minister announced yesterday, our actions are by no means the end of the story or the limit of our ambition. That is why we will consult during this parliamentary year on a range of proposals to further strengthen our approach to improving the health and nutrition of our young people.

Tragically, some children and young people may not be able to live in safe, stable and happy family environments. We need to protect them. We have embarked on an ambitious agenda to overhaul child protection services, and we have already piloted multi-agency inspections of those services. We will seek powers to strengthen effective joint work by inspectors in the interests of better child protection policy and practice. We have proposals to modernise the children's hearings system. Those proposals will deliver a unified system to ensure that children get the help that they need, when they need it. The system will be based on a single, shared assessment of needs and a single care plan, led by a designated and accountable professional. Our proposals put the child very firmly at the centre of better future practice.

**Robin Harper (Lothians) (Green):** Robert Brown will be well aware of the serious situation for children in care, as he was at the same presentation that I was at on Monday—we had another presentation yesterday. I ask for a guarantee that young people in care and leaving care will be given priority in the minister's considerations.

**Peter Peacock:** I can give that absolute assurance. I will be chairing a group of different agencies to drive forward progress, particularly in educational outcomes for looked-after children, which are, frankly, far too low. We need to do better and we fully intend to do better and to prioritise some resource allocation to that group in future.

Despite our determination to improve and integrate services for children and families, there will always be cases where a child cannot have a stable and loving life with his or her parents. Current adoption legislation is more than 25 years old and does not reflect modern societal and demographic factors. We are consulting on adoption law and the responses to that consultation will shape our detailed plans for legislation. However, it is clear to us that we need to modernise and improve the legal framework for adoption and permanence and to improve support for adoptive and foster parents. Our bill on adoption will allow us to make necessary changes.

The needs of families and their children in the 21<sup>st</sup> century are more complex and varied than ever before. Family structures, relationships, priorities, pressures and expectations have changed dramatically. Our legislative programme will build on the success of our current policies and programmes and will fashion modern legislation to meet today's and future circumstances. I commend the programme to the Parliament.

09:40

**Fiona Hyslop (Lothians) (SNP):** When I heard the First Minister's statement on the programme for government yesterday, I was reminded of the wedding ritual of presenting the bride with something old, something new, something borrowed and something blue. We recognise that the children's hearings system legislation and the adoption law are old and need to be updated. The issue is what the Executive is bringing to add value to the necessary updating process.

The parental involvement bill is new, but I am not sure how school board legislation can be abolished and school boards can be kept. Perhaps arguing that will be a challenge for the minister when the bill is scrutinised in committee.

Issues, policy proposals and legislative proposals have been borrowed from other parties. The nutritional standards proposals have much to do with Shona Robison's work on nutritional standards and with the Scottish National Party's action plan for fit and healthy young Scots. I refer to Jack McConnell's late conversion to legislation on business rates. Stewart Maxwell's smoking legislation drive must be recognised and we all know that Conservatives, Liberal Democrats, Labour and the SNP have argued for school-college links.

I had difficulty finding something blue, but there is a heavy justice theme. Much could and should be said about policing. We support much of the justice legislation, but the issue will be its implementation. I hope that the voice of the police will be heard when legislation is reviewed.

Much of the programme for supporting children and families is worthy and needed, but the programme is not about preventing children from being vulnerable in the first place—it is about supporting children and families after the event. That is symptomatic of where Scotland stands. A catalogue of concerned and worthy bills will cope with the consequences of the failure of the economy and society. Scotland must deal with children who are damaged by deprivation and with depressed, suppressed families who are oppressed by poverty of income, opportunity, hope and ambition.

We live in an increasingly polarised world. The fact that one in 50 children is born to parents who misuse drugs is a portent for the future, and services for vulnerable children must address that. We need a system that is fit for purpose but also a system, policies and legislation to prevent people from falling into such traps in the first place.

Some matters require legislation, but some issues that we are discussing require policy rather than legislation. That the legislation is about dealing with failure is striking—it is about dealing with damaged families, children who enter the children's hearings system and vulnerable children who are up for adoption. We must think about a future in which legislation promotes success rather than simply dealing with the failures of today's families. Until and unless we can liberate economic drivers for success in all our communities, Governments will increasingly be forced to cope with damaged communities. Devolution can do some things, but unless there are fundamental drivers for change in our society, we will be stuck in second gear rather than driving at full throttle.

I want to consider specifics of the legislation. The children's hearings review is welcome and input into it must focus on the child. There will be a fundamental resource issue to do with social workers. If powers are to be given to children's hearings panels and there is to be legislation relating to different organisations, the resource issue will be under question.

In respect of adoption, we are dealing with changing times. I hope that members will focus on the plethora of changes that are required to adoption law rather than the specifics that will hit the headlines.

Parental involvement should be less about the management of schools and more about the management and role of parents in respect of the individual child's education. At a meeting that I attended last night, looked-after children in West Lothian called for carers to have a better understanding of the curriculum so that carers are able to support the children in their homework. The looked-after children probably do not realise that most parents do not know what the curriculum is or what their children are doing. It is not legislation but innovative and continuous improvement in schools that is required.

Is legislation required for head teacher annual reviews and updates? I know about schools that do such things at the moment as best practice. Some of the issues that we are discussing are not about legislation but about continuous improvement.

Last year, the Government said that there would be the most comprehensive modernisation

programme of our secondary schools for a generation. Yesterday, the First Minister talked about schools for ambition. Some 5 per cent of our schools are benefiting. That is not a comprehensive figure—a selective number of schools are being affected. A striking thing about the programme is that it is about leadership, motivation and continuous improvement, for which legislation is not needed.

The nutritional standards proposals are to be welcomed and I hope that the committees will scrutinise the proposals well and that there will be cross-committee scrutiny, as health and education are involved. I have not heard much so far about sport, but we should look innovatively at what can be done. Not selling off playing fields would be a good start, that would ensure that there are active and fit young children in the future.

There are inhibitors to progress. I appeal to the minister to consider a presumption against the closure of rural schools. We need to nurture success in our rural communities and promote excellence in small schools. I also ask that the issue of early years intervention be addressed. If success is nurtured early, we will not have to deal with failure later.

In a changing world of different lifestyles, in which parents pick up and deliver children, school transport needs to be changed. In relation to congestion charging in Edinburgh, the removal of the school run would make a big difference. Legislation may be required.

I return to the theme of how we can change our society for the better. I look forward to a future, alternative Government that aims to legislate for success rather than one that has to legislate to cope with failure.

09:47

**Mrs Nanette Milne (North East Scotland) (Con):** Yesterday morning, I sat with my pencil poised during the health section of the First Minister's statement. Apart from noting the planned consultation on a health promotion, nutrition and schools bill, my pencil remained poised. I am more than happy that there is not another planned raft of legislation on health matters, but I am surprised that the First Minister said so little about such matters.

Indeed, I was left with a sense of complacency. It was as if, through the investment of record sums of money in the NHS—which no one denies is happening—the setting of priorities and targets for delivery and legislation to ban smoking in enclosed public places, most of our health problems were nearly solved, and the promotion of healthy eating and lifestyles remained as the Executive's unfinished business. As David

McLetchie said in his response to the First Minister, the Executive gives the impression that

"passing a piece of legislation is tantamount to solving a problem."—[*Official Report*, 6 September 2005; c 18810.]

There is no doubt that introducing our young people to a healthy lifestyle should result in long-term health benefits, but that will not come about by an act of Parliament. As the First Minister said, schools are already taking action to ensure that healthy foods are available in canteens and tuck shops. Many are providing fresh fruit and chilled drinking water, which is how things should be.

The aims of the hungry for success programme, which is to receive further investment, are laudable. The programme aims to ensure that children are provided with healthy school meals, but I sound a note of caution that is based on a visit that I made to a rural school during the recess. There was concern there about the implementation of the project. The menus are set centrally, the purchasing of ingredients is closely monitored and the cooks find that there is little scope for them to give a little extra food to very hungry children or to provide an occasional little treat for a special occasion. We all know that children's appetites vary and that a hungry child is not necessarily an obese child. I am concerned that if children are left hungry after their school lunch, they will top up later with crisps, sweets or whatever unhealthy option will satisfy their hunger. The school cooks to whom I spoke were experienced and the food that they produced was tasty, but they were not happy with the rigid controls that were being placed on them. It is clear that they were losing some of their job satisfaction as a result.

For years now, we have said that top-down control is not the answer. Government at all levels should set policy and leave its implementation to people who understand the practicalities. The centralised, target-driven control of the health service in recent years has spawned more than 1,100 more senior NHS bureaucrats than there were in 1999—according to figures from the information and statistics division—and they must be absorbing a significant proportion of the resources invested in the system. Despite that, the ISD figures show that there are nearly 7,000 more out-patients waiting more than a year for treatment, with waiting lists and median waiting times for out-patients and in-patients all up significantly.

I speak to many health service professionals who are desperate to be released from targets and management. Patients want to retain their local services. They want to be confident of receiving help if they are struck down with pain or sickness out of hours, not to have to endure hours of waiting for a response from NHS 24. It is not right



that my friend's sister had to endure the agonies of renal colic throughout the night until the right medical help was directed to her the next day. It is not right that a surgeon's operating list is scrutinised by a manager who removes a major case from the list and replaces it with three or four minor ones to improve waiting list figures; the surgeon's clinical judgment is overturned and the patient's major operation is delayed for reasons of expediency.

**The Minister for Health and Community Care (Mr Andy Kerr):** Would the member care to give me the names of the hospital, the manager and the consultant involved?

**Mrs Milne:** I will not do so at this point in time, but I will speak to Mr Kerr later.

Those anecdotal incidents are happening all over the country, leading to worry and dissatisfaction among patients, low morale among hard-working health professionals and problems of recruitment, retention and early retirement in the service. If Government were prepared to let go of the reins and put patients and primary care advisers at the heart of the NHS, as the Kerr report advises, and if it let the service develop in response to patient choice, as we have consistently advocated, with professionals free to exercise their professional judgment, I have no doubt that we would see a more responsive and more efficient health service that people were eager to work in. Change in the system would be evolutionary and would avoid the regular disruptions that are caused by tight political control from the centre.

To be fair, the Executive has recently moved some way towards that by allowing cross-border movement of patients between health boards, by at last looking to use non-NHS facilities to deal with NHS patients who are waiting too long for treatment and by promising to introduce diagnostic and treatment centres. However, there is still a long way to go. There are major problems with NHS 24, with out-of-hours provision, particularly in remote and rural areas, and with recruitment and retention of medical, nursing and allied professional staff, not to mention dentists. Although the establishment of community health partnerships is progressing well in some health board areas, I am told that it is not happening so well in other areas. Of course, we still await the Executive's response to the Kerr report.

With all those major health issues facing the Executive today, I am amazed that the First Minister did not say more about health yesterday. Could it possibly be that he is listening to us, and that we will eventually get a health service that is run by professionals instead of Government, that he will do a U-turn such as the one on business rates that was announced yesterday and that he

will release the NHS into the hands of patients and their advisers? If the Executive were to move in that direction, it would certainly have our support.

09:53

**Euan Robson (Roxburgh and Berwickshire) (LD):** I am pleased to have the opportunity to open the debate on behalf of the Liberal Democrats. Not surprisingly, we welcome the content of the legislative programme that was announced by the First Minister yesterday, and we look forward to working with our coalition partners to take the bills through Parliament, thereby completing our four-year partnership for government programme.

This morning's debate focuses on health and education, one of the most obvious crossovers between which is the hungry for success programme, which Peter Peacock mentioned. It is welcome that resource has been announced for the next three years of the programme, which will build on its initial impact. Hungry for success will ensure the development of better, healthier eating habits, and formation of such habits in early life will lead to a longer lifespan and a fitter life for our children. It is clear that hungry for success depends on the commitment in schools not only of teachers and parents, but of kitchen staff, to whom we owe a particular debt of gratitude.

I urge the Executive, in addition to taking action on sugary, fizzy drinks, to consider making milk more available in schools to counteract the growing problem of osteoporosis. Brittle bone disease particularly, but not exclusively, affects women in later life and causes untold misery, and targeted intervention under hungry for success ought at least to be consulted on.

In my experience over the past two and a half years, hungry for success was at its very best where it was integrated into the school curriculum, especially at primary level. I urge that best practice in that regard continues to be spread throughout all local authorities.

**Helen Eadie (Dunfermline East) (Lab):** Does Euan Robson agree that osteoporosis is potentially a hidden killer and that by ensuring that we lay down early foundations we can tackle a silent killer that attacks many people of all ages?

**Euan Robson:** Indeed, osteoporosis is a distressing and disabling disease and one that I believe we could do more to combat.

The centrepiece of health legislation in the next few months will be the vulnerable adults bill; obviously, that bill has particular resonance for me as I represent a Borders constituency. No one will disagree that it is important to make the necessary changes in legislation, the better to protect vulnerable adults from neglect, harm and abuse. I

believe, however, that there is one cautionary note to be sounded. The bill will need to ensure symmetry between child protection legislation and the new legal framework for vulnerable adults. There are obvious risks of overlap or duplication; if anyone doubts that, I ask them to define the word “adult” in law. More especially, we cannot have a lesser standard of protection for children or for vulnerable adults; it must be consonant. Special care must be taken to ensure that any new regulatory regime or disclosure checking does not overburden the voluntary sector, and I know that Peter Peacock has that point in mind.

While I am on the subject of protection, I offer a suggestion for how we might better protect children, especially in the light of the terrible tragedy in West Lothian. In many schools, swipe card technology is now in place to assist with school meals. Perhaps that technology could be extended to registration. If children were to swipe in and out of school, or even at the start of each lesson, that could alert staff to unexplained absences almost instantaneously. It would be not for teachers but for other professionals to follow up such absences. In my day as a teacher, such a professional was known as the educational welfare officer, although children in my high school used to refer to him as the kiddie catcher. I understand that there are pilots of that kind of system in England—Gateshead was mentioned to me recently—and it would be worth investigating and further exploring such schemes.

The Executive has recognised the challenges of Scotland’s aging and declining population. A narrower base of economically active people impacts on our economy and there are consequences for our public services. The private sector may be prepared to buy the necessary labour at rates with which the public sector would find it impossible to compete. It is therefore especially important that the Executive is pursuing workforce issues vigorously with the 21<sup>st</sup> century social work review and the review on early years workers, both of which are soon to report. It is also right to pay tribute to the pioneering efforts in the national workforce unit in the Health Department, and I thank all those who have contributed to the national workforce group on social work services in recent months—they are making a real contribution to developments in that field. I trust that the initial work to co-ordinate those separate strands across the Executive will be taken forward in the months ahead.

It is of fundamental importance that the talents of all Scotland’s children are developed to the fullest degree. We need to do that not only because every individual is unique and deserves the best possible start in life, but because the Scotland of the future needs their skills. The Executive, rightly, has a fresh talent initiative, but I

believe that the policies of the programme for government and the forward legislative programme collectively address the issue of the hidden talent across the nation. That hidden talent lies in the 20 per cent of lowest achievers in school, hence the importance of the curriculum review, of the massive investment in the school estate, of the schools of ambition programme and of greater parental involvement, which was mentioned recently by Peter Peacock.

The legislative programme will allow us to harness the hidden talent of our children and young people in care. That is why the Executive has boosted fostering with extra resources and other initiatives and will reform adoption law to give more of our young people who cannot for one reason or another live at home a secure and nurturing start in life. We must harness the hidden talent that is wasted by young offenders who need a reformed children’s hearings system to interrupt behaviour patterns early and to restore individuals to a path to full and useful citizenship. We must harness the hidden talent of the majority of kids in the hearings system, who are there because of lack of care, social needs, neglect or abuse, and who need the better and earlier interventions to address their needs that the reform of the system envisages.

The programme also targets the hidden talent that the Education (Additional Support for Learning) (Scotland) Act 2004 will unlock on its implementation in November by placing a duty on local authorities to address the learning needs of all children and young people; the hidden talent that is wasted by the failed transitions or lack of opportunity that, as the First Minister said yesterday, the school-college review has striven to correct; the hidden talent of those whose bad health prevents a fulfilling, rewarding and useful career; the hidden talent of those with disabilities, who are either unappreciated or neglected; and the hidden talent of young people in residential care whose educational attainment for many years has been—and is still—so low.

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

**The Presiding Officer:** No. Mr Robson, you must conclude pretty quickly.

**Euan Robson:** One of the privileges of being an MSP is to meet people and to be discomfited by what they say. I recall how, as a minister, I met a young woman from Inverness who, between the ages of six and 16, had lived in about 12 homes. She had started in Inverness, had moved ever southwards to Dumfries and had then gradually come back north to the city where she had started out 10 years before. Would I want that for my child? Would any of us want that for our children? That experience illustrates the importance of the

work that lies ahead of us and the legislation that we will consider in the next few months. Let us set to work to release Scotland's hidden talent.

10:01

**Maureen Macmillan (Highlands and Islands) (Lab):** I was pleased that the First Minister's statement placed so much emphasis on the health and education of and support for children. Such an approach builds on policies that the Executive has already implemented.

I am sorry that the Minister for Communities is not here, as I wish to praise him and I suppose that it would be better to praise him to his face rather than in his absence. At this point, I ought to remind the chamber of my entry in the register of members' interests: I am a director of Ross-shire Women's Aid. I wish to praise the minister for his efforts in facilitating the opening of Women's Aid Orkney's refuge in Kirkwall; the flexibility that the Executive showed over funding, along with the input of Women's Aid Orkney and Orkney Islands Council, have had very positive results. Now Orkney women and their children will no longer have to go to the Scottish mainland to find a place of safety.

Ensuring that children are free from abuse is very important for their health and welfare. In that regard, I should also mention that Women's Aid Caithness and Sutherland's refuge opened this summer. Such a move gives me a great deal of satisfaction, as it was this Parliament that began to roll out a refuge programme in the north of Scotland. It is good that those new refuges are opening throughout the Highlands and Islands.

I am very pleased to see the Minister for Finance and Public Services, because I wanted to point out that the number of refuges in Highland Council is still below the level that is recommended by the Convention of Scottish Local Authorities. Given that there is no refuge on the west coast of the mainland north of Dunoon, I wonder whether it will be possible to fund a refuge in Lochaber.

Such refuges are critical to the health and well-being of mothers and children who have suffered domestic abuse. They provide a place of safety and support and enable women to break away from the abusive situation in which they and their children find themselves. I know that the Executive is aware of the effect that abuse of the mother has on children and of how the abusive partner's contact with the children can be used as a weapon both against them and, through them, against the mother. As a result, I ask the Executive to consider those issues fully in the Family Law (Scotland) Bill and to engage with Scottish Women's Aid on its safe contact proposals. We

must ensure that the legislation does not end up endangering women or children.

Education is the key to changing the culture of domestic abuse in Scotland. Indeed, the Executive-funded respect programme for schools is central to the strategy of changing attitudes. I hope that all local authorities will be encouraged to buy into that approach to ensure that we fully realise the aim of the three pillars of protection, prevention and provision that the Executive has proposed in the past.

The protection element of the policy depends on access to justice—in other words, legal aid. That has been problematic; the contribution rules have prevented many women from going to court because of the difficulty of accessing legal aid and because fewer and fewer solicitors are willing to take on civil legal aid cases. As a result, I welcome the Executive's consultation on legal aid reform as a prelude to legislation as a means of seeking to remedy the situation. Without such reform, legislation that Parliament passed in the previous session, such as the Protection from Abuse (Scotland) Act 2001, will not have the impact that the Justice 1 Committee in the previous Parliament sought.

As the Minister for Education and Young People made clear in his opening speech, strong and healthy families need access to housing. However, the increase in house prices in the Highlands and Islands has caused an exponential increase in the number of families who are registering on housing lists because they cannot afford to buy. I therefore welcome the Executive's initiatives on affordable housing. For example, 500 new homes are proposed for Dingwall, 25 per cent of which will be affordable housing for rental or purchase. That said, I have already raised with the Minister for Communities my concern that such affordable houses should remain affordable to the community in perpetuity.

On a visit to Tiree this summer, I saw eight affordable houses being built for sale on the old oil-tank site beside the pier. That is the start of significant housing investment in the island. The advertisement in the local paper made it clear that the houses were for local people and were being built with grant assistance from Communities Scotland. However, it is not clear what will happen when the houses are sold on. Will there be a similar restriction on second purchasers or will the first purchasers be able to sell the houses on the open market, despite the original subsidy? I would not like those properties to be sold on as second homes a few months or years from now, and the Executive's policy on that matter is important. What assurances can the Minister for Communities or the Minister for Finance and Public Services give in that regard? Will

Communities Scotland exercise the right of pre-emption that was given to rural housing providers in the Title Conditions (Scotland) Act 2003? Will that be at the open market value? Will the £40,000 subsidy be deducted from the price that is paid in a second sale? As far as local people are aware, there is no restriction on resale, and that concerns them and me.

The Justice 2 Committee, in its recent inquiry into youth justice, was particularly concerned about what it saw as drawbacks in the system. In its response, the Executive drew our attention to its consultation document "getting it right for every child: Proposals For Action". I like the fact that that document seeks to change the culture of children's service provision to ensure that it is not seen as a threat to families; that it is not a scary experience for parents and children; and that agencies have a duty to listen to the child's point of view. Moreover, proposed new duties on co-operation among agencies will minimise the bureaucracy of meetings, referrals, reports and plans that can impose unnecessary burdens on staff and is bewildering for families. Finally, the children's hearings system will be strengthened.

I seek an Executive commitment with regard to the families of migrant workers. It appears that one parent comes to work in Scotland—in the Highlands, they work mostly in the tourism or food industry—and they are then followed by their families. An ever-increasing number of children entering Highland schools do not speak English and local authorities need more support to provide qualified teachers of English as an additional language. When I spoke to the Minister for Education and Young People on the matter, he did not disagree that action is necessary, for example, to provide distance learning courses for learning support teachers so that they can qualify as EAL teachers.

I hope that the Executive will forgive me if I ask for more. I very much appreciate what it has already done and share its ambition to provide for the health and well-being for families not only in our cities but in the remotest rural areas of the country.

10:08

**Mr Adam Ingram (South of Scotland) (SNP):**

As my colleague Fiona Hyslop intimated in her opening speech for the SNP, we take issue with little in the Executive programme that concerns children, young people and education. Modernising the children's hearings system and adoption law and improving school-college links are all welcome—and, some might say, long overdue—initiatives. Even the bill on parental involvement, about which we have had some concerns, appears to be shaping up better than

we might have expected as a consequence of the consultation process. That said, we will wait with interest to see the detail before we give a considered response.

One concern that we would like to be addressed is that parental involvement is best expressed through providing home support for learning. In its pupil motivation inquiry, the Education Committee found that, all too often, parents whose own experience of schooling has not been positive do not provide the kind of support that is required to ensure that their children realise their potential at school.

My question for the Executive is not whether its legislative proposals are necessary but whether they are sufficient to tackle the underlying problems of poverty and social deprivation that are blighting the life chances of many of our youngsters. There is a particularly strong moral obligation on ministers and all of us in the Parliament to do better by the most vulnerable group of children—those who are looked after by local authorities. Robin Harper highlighted that group. We are talking about nearly 12,000 children nationwide who are being supervised because of their offending behaviour or their need for care and protection.

The children's hearings system does well to deal with child offenders and child victims of abuse in the same system—not least because they are often the same children. However, there is no doubt that children's reporters need more powers to ensure that the intensive services that are needed to help those children to stop offending behaviour are delivered.

Reforming the children's hearings system alone will not do; the whole children and families support system needs an overhaul. Too many children come to children's hearings not because their problems are serious—although of course they are—but because the right support has not been offered at the right time.

It is therefore disappointing to say the least that the programme for government makes no mention of developing the provision for early years education and child care, especially as the review of the early years workforce continues and is due to report well within the next 18 months. In our vision for a prosperous, socially just and independent Scotland, the development of a universal affordable system for child care and education is an absolute priority. We would seek to move along that road as far as we could, even with only the Parliament's limited powers.

It should be seen as a mark of shame on the Government—and perhaps even the Parliament—that children who are taken into the care of the state are so poorly equipped for the world in which

we live. Of those who leave care, 60 per cent have no educational qualifications and 60 per cent are not in education, employment or training. One in six such young people experiences a period of homelessness in the year after leaving care. Such figures make a mockery of the First Minister's boast that we are the best wee country in the world.

In a speech to Barnardo's earlier this year, Mr McConnell said:

"I am determined to press council leaders and others to make sure the education of looked after children is taken as seriously as most parents take the education of their own children."

I say to the First Minister and the ministers who are present: let us see that rhetoric converted into action in the programme for government.

10:13

**Dr Jean Turner (Strathkelvin and Bearsden) (Ind):** The First Minister was right yesterday to emphasise the importance of working on many fronts if we wish to find solutions to our ill health. Alongside the need to treat the sick is the obligation to educate to prevent illness and to promote healthier ways of living. A good place to start is with mothers and babies. In addition to the promotion of breastfeeding, staff must be provided to make it possible. An excellent idea is the arrangement of cookery lessons to encourage more fresh food to be cooked and to help people with what they buy. The rich and poor alike use microwaves for convenience too often.

Young children should have their palate educated and re-educated to encourage them to eat better nutritional food and to help the early development of good habits. People usually stick all their lives with a trend that is developed early.

**Margo MacDonald (Lothians) (Ind):** Does the member agree—honest, Presiding Officer, we have not discussed this idea—that the Minister for Education and Young People could consider increasing the number of home economics teachers who are recruited, particularly to teach alongside physical education teachers about fitness, health and nutrition as an holistic subject?

**Dr Turner:** That is a good idea. We all know from teachers—I know even from those in my family and to whom I speak—that children who have had breakfast do better at school. That is a well-known fact.

Schoolchildren have impressed me with their response to the ban on smoking in public places. Most hate smoking and encourage all their loved ones to stop. As the First Minister said, we should tap into the excellent resource of our children, who should help us with health promotion issues to improve our health in the future.

I have discussed with Andy Kerr, our Minister for Health and Community Care, the fact that coughs and sneezes spread diseases. It is important for people to wash their hands. We have only to look about to see how many adults have not mastered that art or understood why it should be practised. I have discussed with the minister and with our local director of education the possibility of a painting competition in our area and it seems that that will proceed soon.

The prevention of disease does not always cost much, but it requires training and repetition. A thought came into my head this morning when I looked through my notes. I spoke to a friend who is a bacteriologist—a microbiologist—about the chewing gum that we see stuck everywhere and he reminded me of a *BMJ* article from 1980, I think. Tubercle can live for a long time. It can live as it dries and then it becomes airborne. Tubercle has not left our shores and we have a bad habit of sticking chewing gum everywhere; that might lead to an interesting research project.

I will get down to more serious matters. I accept that we have worked hard to reduce deaths from cancer, stroke and heart disease. As a general practitioner, I know that we work very hard in primary and secondary care to do that. In relation to deaths from cancer, I cannot believe the turnaround in services in Glasgow. In the 1990s, our cancer services were sinking into the earth. Our consultants were leaving, staff were demoralised and patients were not doing much better. We look forward to a bright future with the changes that have taken place in our cancer services and the new Beatson hospital that will be finished at Gartnavel. That is the jewel in the crown and we can learn much from what has happened with the rearrangement and reform of services there.

I have seen an important turnaround when patients complain. For example, when a change of service takes place, it is important to listen to patients' needs. If a patient is attending for chemotherapy, they need parking and do not want to hang about wasting their time while waiting for chemotherapy if it can be done more quickly. I have noticed that instead of being treated as a complaint, a comment is accepted as good feedback. I would like that to be the case for acute services in Glasgow.

I am extremely worried about the acute services in Glasgow. We require acute beds and we have a chronic bed shortage. Greater Glasgow NHS Board still wants to reduce medical beds by 40 per cent, yet medical admissions are rising. In total, the board wants to reduce the number of beds by 9 to 10 per cent. It does not seem to take on board the importance of having beds. To meet the requirements of care in the community, great

discharge systems are needed; we have good ones but, frequently, when patients are required to give up beds that are needed, they must go into the community far too soon. The person who is in charge of the two new ambulatory care hospitals did not know how many theatres were required and it is essential to know the number of theatres and of beds that we require. I would like Andy Kerr to reflect on that.

We use bank nurses in the national health service too frequently. Nurses do three 12-and-a-half-hour shifts, which fall under the working time directive. They can shift into the bank service, which means that they could work for the next four days and nobody would worry about the working time directive. Every nurse who works in a ward knows that bank nurses who do not know a ward hinder other nurses. That is not good practice. I would like to hear from our ministers on those matters.

10:19

**John Scott (Ayr) (Con):** I thank Bill Aitken for inviting me to speak on a health issue that directly affects my constituency and families in my constituency—the proposed rundown of accident and emergency services at Ayr hospital.

**Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** Will the member give way?

**John Scott:** Not just yet—I would like to get into my stride.

Others have described the situation more succinctly and—I fear—accurately, as the *Ayrshire Post* did in its headline of 25 August, which said “A&E Axe”. That is what NHS Ayrshire and Arran proposes.

The proposal was presented to NHS Ayrshire and Arran’s board on 24 August and the anger in Ayrshire—particularly south Ayrshire—has been palpable since, for a variety of reasons that I will describe.

First, health board officials in Ayrshire and Arran have, for many years, denied that they would ever consider closing our A and E unit. In the past, people at public meetings have been assured that the matter was not negotiable and not on the agenda; yet that is the scenario that we are facing today.

The second, more important, reason why anger is palpable in South Ayrshire is that the 42,000 people who use the Ayr A and E unit annually are about to be made into second-class citizens, in national health terms.

**Helen Eadie:** On a point of order, Presiding Officer. The member is supposed to be speaking to the motion, which is about the legislative programme.

**The Deputy Presiding Officer (Murray Tosh):** I understand that the Executive has general responsibility for the delivery of health services. We have just listened to a speech about acute hospital beds in Glasgow to which nobody objected. I think that we should allow a reasonable degree of latitude concerning what the debate covers. There is no strict motion as such; it is essentially a take-note motion on the Executive’s programme.

**John Scott:** Each year, 15,000 to 16,000 of those people require admission to hospital after presenting to the A and E unit at Ayr; that is why they are about to become second-class citizens. For them and for many of my constituents, Ayr hospital is the hospital of choice for A and E, but we are now told that we will have to travel to Crosshouse hospital in Kilmarnock to access full A and E services. I inform members who are unaware of the geography of Ayrshire that Crosshouse hospital is sited some 20 miles north of Ayr, about 20 to 25 minutes’ travelling time from Ayr, depending on road conditions. Many people in South Ayrshire will, therefore, lose the golden hour. Naturally, they do not regard that as an improvement in service. That is the view not just of laypeople, but of consultants, hospital staff at every level and those in the ambulance service on whom much of the burden of transportation will fall.

The figure that I mentioned earlier breaks down into 40 to 50 people a day who require hospital beds after being sent to A and E. Many of those people will have to travel by ambulance between Ayr and Kilmarnock and, in my view, the ambulance service simply cannot cope.

**Margaret Jamieson:** Will the member take an intervention?

**John Scott:** No, thank you. I have taken too many interventions as it is.

Operational research consultancy—or ORCON—standards will not be met or maintained, and I do not want to see the ambulance service put under greater pressure than it is under at the moment.

Furthermore, I have concerns about the proposed consultation paper 4—“Recommendations from the Review of Services Project to improve the delivery of emergency and unscheduled care in Ayrshire and Arran”—as it does not consider the status quo as an option. Nor does it consider option 2 in the review paper that was put to the board, which would have kept both A and E units at Ayr and Crosshouse hospitals open and would have put in place community-based casualty units at Girvan, Cumnock and Irvine. Option 2 was proposed for inclusion in the consultation paper, but it was rejected by the

board at its meeting on 24 August, leaving the consultation paper considering only options 4A and 4B. Nonetheless, many consultation meetings are being held on the matter, and I hope that many of my constituents will take the opportunity to attend them.

**Margo MacDonald:** On a point of order, Presiding Officer. Although I accept that the Executive has general responsibility for the provision of health services, what we are hearing from the member is not a general critique of health service provision; it is a very specific critique of provision in a certain part of Ayrshire. That may or may not be valid, but I do not think that it is in order.

**The Deputy Presiding Officer:** I do not honestly think that I can rule it out of order. However, I offer the general guidance that, when members refer to the delivery of services, they ought at least, at some point in their speech, to make some reference to Executive targets and to attempt to relate the content of their speech to the broad delivery of policy and services.

**John Scott:** I appreciate your point, Presiding Officer. This is perhaps a more general point on a matter of which the minister has a more strategic overview—I hope that I can have his attention. A and E services for Ayrshire are increasingly moving into central Scotland, and the people of south-west Scotland are losing out. The Executive's proposals will make the situation worse. One must ask what kind of strategic myopia leads the Executive to site seven A and E units within a 25-mile radius of Crosshouse hospital and then propose closure of the most southerly unit, at Ayr, leaving no A and E services in south-west Scotland between Kilmarnock and Dumfries.

It is not just me, as a politician, saying this; lifelong health service professionals are pointing out the lack of strategic thought in the Executive's proposals. The provision and location of specialist A and E services further and further away from the local community that they are required to serve is not acceptable at a time when we are paying more and more tax, partly in the name of improving the health service in Scotland.

**Margaret Jamieson:** Will the member take an intervention?

**The Deputy Presiding Officer:** No. The member is almost out of time.

**John Scott:** A different model must be found for the provision of services in Ayrshire from the one that is currently on the table, especially as we are told repeatedly by health board officials that it is not a matter of money.

10:25

**Scott Barrie (Dunfermline West) (Lab):** Perhaps we can now return to the debate that we are supposed to be having this morning.

In the time that is available to me, I will concentrate on two pieces of legislation that were highlighted by the First Minister yesterday, which do not affect all children and young people but which concentrate on some of the most disadvantaged young people in our society. As we know, the number of young people who are referred to the children's panel reporter on offence grounds has declined dramatically over the past 30 years of the operation of the children's hearings system. However, the proportion of children who are referred to the reporter on the grounds of care or protection has dramatically increased. It is, therefore, right that we should review the operation of the children's hearings system and ensure that it is fit for purpose in the 21<sup>st</sup> century.

To a large extent, the Children (Scotland) Act 1995 was a missed opportunity, with regard to the children's hearings system. The grounds of referral that were contained in the Social Work (Scotland) Act 1968, which set up the children's hearings system, were simply incorporated, lock, stock and barrel, into the 1995 act. We have not, therefore, reviewed the main grounds of referral to the children's hearings system since the mid-1960s, when the system was first devised. If we want the children's hearings system to work as well as it can, it is fundamental that we consider the reasons why young people are referred to the system in the first place. I am very glad that the First Minister highlighted that yesterday.

Joint assessment is vital to the working of the hearings process. The children's hearings system should not be a forum for professional disagreement between the children's panel members; the function of the children's panel is to come up with the right decision that will affect an individual young person's future. It is very important that professionals from a variety of disciplines get their act together long before they enter the children's hearings system and start to give contradictory advice to laypeople. It is important that we get the joint assessment process right. That is an easy thing to say; it is much more difficult to do. Nevertheless, we should ensure that that is incorporated into any review of the hearings system.

**Fiona Hyslop:** Joint assessment also means sharing information about assessments. Does the member agree that it is critical that resources and finances for shared computer systems, which are held centrally, are deployed sooner rather than later?

**Scott Barrie:** Yes. That is already happening in some parts of Scotland, and it is fundamental to the working of the system. We cannot allow professional disagreements or mistrust to prevent information from being shared.

At the moment, decisions that affect a child can be made only by attaching a supervision requirement and conditions to the child. I would like ministers to consider whether, on certain grounds, we can attach conditions to parents. Often, the reasons for young people appearing at children's hearings are nothing to do with their own actions, but are about the inaction of someone else, usually their primary carer.

I now turn to the review of adoption law. Currently, we are working with legislation that is anchored in the Adoption (Scotland) Act 1978—again, legislation from another time. If we are to improve the adoption process, it is fundamental that we update that piece of legislation.

We know what the problems are with adoption: there is a lack of rigorous planning; the legal system is slow; there is a toing and froing of children and young people between their birth families and their extended families when in the formal care system operated by local authorities; and there is a lack of consistent support services for post-adoption families. We also need to recruit more applicants to become potential adoptive parents.

Those are the problems; what we must now do is find solutions to them. Several members have already highlighted the severe problems that young people face when leaving the care system, usually at the age of 16. One of our biggest problems is the lack of permanence that many adolescents experience when in the care system. It is a very artificial existence, particularly if it is subject to annual review by a children's hearing. We must make sure that we get systems of adoption and of children's hearings that work together and not apart.

A permanence order would go a long way towards achieving that kind of co-operation. It would be far more flexible than the parental responsibilities order under the Children (Scotland) Act 1995. Such orders are no more effective than the section 16 parental orders that were available under the Social Work (Scotland) Act 1968. A permanence order could replace the current freeing for adoption order and would allow people who are involved in the planning process to take young people through the care system properly rather than go through the children's hearings system or through the adoption system and apply through the courts.

Bringing the two systems together is fundamental to proper planning and to giving

young people permanence in their lives. If we do not give adolescents permanence at 13, 14 and 15, it is no wonder that they have no permanence at 17, 18, 19 and 20.

10.31

**Iain Smith (North East Fife) (LD):** I am delighted to participate in the debate on the Liberal Democrat and Labour Scottish Executive's legislative programme for the remainder of the second session of the Scottish Parliament.

As we reach the halfway point in the current session, it is worth taking a few moments to reflect on the Scottish Parliament's many achievements to date and to remind ourselves that the programme that the First Minister announced yesterday should not be seen in isolation. It is actually the completion of the four-year partnership for a better Scotland into which the Liberal Democrats and Labour entered in 2003.

In its relatively brief six-year existence the Scottish Parliament has already introduced many changes that will benefit current and future generations of Scots. We have seen reforms to our education system and our health service; we have seen land reform and modernisation of our mental health legislation; and we have the Housing (Scotland) Act 2001, which will allow local authorities to start to address the scandalous housing legacy that was left by the Conservatives—a legacy that left many people in our communities unable to afford a house in the area where they were brought up and where they live. In addition, of course, we have seen the abolition of tuition fees.

In the first two years of the second session, we have already passed the Education (Additional Support for Learning) (Scotland) Act 2004 and introduced further reforms to our health service and schools. We have banned smoking in enclosed public spaces, reformed charity law, passed the first of several private bills that will see Scotland—uniquely—constructing and opening new rail and tram systems, and introduced fair voting for local councils. What we have already done in Scotland since devolution is looked on with envy by many people elsewhere in the United Kingdom and beyond, but there is still more to do.

This debate is about completing the programme for government on which we embarked two years ago. I followed yesterday's debate with some interest but I was saddened that, after six years of devolution and partnership government, we still hear the same tired old arguments from the Opposition parties. Of course, I am deeply touched by the SNP's concern to see the Liberal Democrat manifesto implemented in full, but I am not sure that even I want that. I think that it was



the late Jo Grimond who said to someone who was thinking of joining the Liberals but was concerned that he did not agree with all our policies, "Never mind, old chap. I've only ever agreed with about half of them myself."

The SNP should be delighted that the Executive's legislative programme will help to ensure that more than 80 per cent of the manifesto commitments that the Liberal Democrats put to the Scottish people in 2003 will be implemented. That is a record that few Governments have achieved and I will be proud to put it to the Scottish people and my constituents in North East Fife in 2007.

**Margo MacDonald:** On a point of order, Presiding Officer. Our standing orders refer to the requirement for relevance in debate. I fail to see what is relevant about how good the Liberals have been at backing up the Labour Party. That has nothing to do with the programme for government.

**The Deputy Presiding Officer:** As I understand it, Mr Smith was effectively saying that the Executive's legislative programme reflects the priorities of the Liberal—

**Margo MacDonald:** He was saying that they are fantastic.

**The Deputy Presiding Officer:** He is entitled to say that they are fantastic. That is a matter for political comment. I do not think that he is straying very far from the subject of the debate. Mr Smith, do continue.

**Iain Smith:** It is important to bear it in mind that the measures in the Executive's programme, which is what we are debating, implement Liberal Democrat manifesto commitments. For example, the health promotion, nutrition and schools bill will build on the success of "Hungry for Change". I hope that it will lead to the removal of unhealthy drinks and encourage healthy eating in all schools in Scotland. I also hope that it will encourage the use of fresh local produce, wherever possible, in the preparation of school meals.

**Fiona Hyslop:** Does the member recognise that one of the problems with fizzy drinks in schools is the public-private partnership and private finance initiative construct, which places severe restrictions on the public promotion of health in our schools?

**Iain Smith:** The SNP has an obsession with those things, but I like to see the new schools that have been built and the schools that have been modernised as a result of our willingness to look at innovative ways of financing them. People in my constituency want new schools. They are not so concerned about the ideology behind the issue.

I hope that we will not lose the benefits of healthy eating due to the fact that many children just pop out of the school gates to the chip and

burger vans that sit there. Ministers will consider how we can avoid such situations. No one should underestimate the importance of engendering the habit of healthy eating in our young people. With the possible exception of the ban on smoking in public places, that will have the single biggest effect on the long-term health of our nation and will lead to significant reductions in the incidence of heart disease and cancer in later life for today's generation of children.

I also welcome the parental involvement in schools bill. Unlike the Conservatives, I am pleased that it will lead to the scrapping of the present system of school boards, which was imposed by the Conservatives when they were in Government. I have no doubt that there are many good school boards that actively encourage the effective involvement of parents, but the rigid structure that was imposed is not appropriate for all schools and in many cases it can act as a barrier to effective involvement. I hope that the education ministers, in bringing the bill forward, will remember that it is not only the parents of children who are currently at a particular school that have an interest in it. The school can and should have a role in the wider community as well.

I expect the adoption bill to prove to be one of the more controversial bills in the programme, although I anticipate that it will have broad support in the chamber. As a new member of the Education Committee I look forward to the robust evidence-taking sessions that I expect we will have at stage 1. The essential reform of adoption and fostering law will benefit some of the most vulnerable young children in Scotland.

I also welcome the commitment to introduce a transport and works bill, as recommended by the recent Procedures Committee inquiry on private bills. Modernisation of the existing arcane process is essential if the Executive is to be able to deliver on its record investment in public transport.

Finally, I want to comment briefly on the planning bill. I am concerned that we are still considering the creation of statutory city-region planning authorities. I hope that that idea will be reconsidered. I have no problem with the creation of voluntary authorities, but I am concerned that statutory authorities will not be accountable to the people who will be affected. For example, people in Fife might have decisions imposed on them by the majority of councillors from Lothian or Tayside, who will not be accountable to the people of Fife for those decisions. That worries me and I think that it needs to be looked at again.

10:38

**Eleanor Scott (Highlands and Islands (Green):** I will focus on the health section of the First Minister's speech. In fact, I want to focus on

one little phrase that he used, which struck me as important. We debate health in the Parliament on many occasions, but often what we are debating is the delivery of health care. That is understandable, but, as the First Minister said in his speech yesterday, it is not the NHS that is going to deliver improved health for the people of Scotland. The NHS is important—it delivers health care and treatment when health breaks down—but other agencies and departments will deliver good health. Health is a truly cross-cutting issue.

In trying to anticipate what the First Minister was going to say in his speech yesterday, I spent my train journey down to Edinburgh looking through the Executive's draft budget for 2006-07, sad person that I am. I found it quite interesting. The fact that certain cross-cutting issues are a part of each section is a measure of progress and recognises that all things are interconnected. Each portfolio section covers the cross-cutting issue of growing the economy. I and my colleagues might have some reservations—which I do not have time to express now—about using that as an overarching aim, but it is there. Other cross-cutting issues are closing the opportunity gap, promoting equality—I have no quarrel with those, of course—and sustainable development, which is dear to my Green heart.

In each section, from tourism to health, areas of expenditure have to be considered in the context of those cross-cutting issues. I would like health to be mainstreamed in the same way. The health of our population depends on so many interacting factors that every Government policy ought to be health proofed. I will give an example from the section on transport.

There is a welcome increase in the draft transport budget for walking, cycling and safer routes, funding for which is going from £10 million in 2005-06 to £15 million in 2006-07, but it is such a tiny slice of the overall transport budget, which is £1,500 million—sorry, £15,000 million; no, £1,500 million. I can never remember which one is a billion, so I will say it in a way that I can understand: walking and cycling account for about 1 per cent of our transport budget. Less than 1 per cent of our transport expenditure goes on healthy transport, despite the fact that a 2003 study for the NHS and the Executive entitled "The Cost of Doing Nothing—the economics of obesity in Scotland" estimated that obesity was costing the NHS £171 million per year—I got that figure right. Increasing the walking and cycling budget tenfold would pay enormous dividends.

Transport policy needs to be health proofed. Unfortunately, as we heard from the First Minister, that is far from being the case. The bulk of transport expenditure is still going to go on roads, and the motorway programme—unnecessary and

damaging as it is—will continue. That is one example of how the Executive's good intentions can be undermined by other parts of its programme.

According to the World Health Organisation in Europe, there is evidence that half an hour of moderate physical activity per day can halve the risk of developing heart disease, adult diabetes and obesity. For the overwhelming majority of people, walking and cycling are the easiest and most sustainable methods not only of reaching the recommended daily target of 30 minutes of moderately intense physical exercise, but of getting around. However, we know that 27 per cent of boys and 40 per cent of girls are failing to meet the activity target on a daily basis.

The Scottish public health white paper "Towards a Healthier Scotland" identified walking and cycling as making a vital contribution to positive health and active aging, while the draft of the Scottish Executive's walking strategy acknowledges that

"brisk walking at 3-4 mph ... is an ideal way to increase levels of physical activity."

Unfortunately, in many of our communities it is too difficult or unpleasant to walk or cycle anywhere. I hope that the Executive's proposed planning legislation will address health issues, because planning also has to be health proofed.

I fully support the ban on smoking in enclosed public places that we passed before the summer, but while it is important it will not solve the problem of deaths due to lung disease. We reckon that passive smoking kills about 2,000 Scots per annum. A study in 2002 from the University of St Andrews estimated that at least 2,000 deaths a year in Scotland are attributable to the health-damaging particulates from vehicle emissions. In that respect we have a long way to go, and there is nothing in the Executive's programme to tackle the matter. As I said, the transport programme has not been health proofed.

Finally, the First Minister mentioned yesterday, and Peter Peacock mentioned today, the diet of our children and the hungry for success strategy to improve children's nutrition via better school meals. I support that programme, which has been much admired elsewhere in the UK, but it should not be the limit of our ambition. As we said in the chamber before the summer, already in Scotland a couple of schools are piloting the food for life programme that is promoted by the Soil Association, which advocates that school meals should be 70 unprocessed food, 50 per cent local food and 30 per cent organic. That initiative has been transport proofed, in terms of reducing food miles, and rural development proofed in the sense of supporting local jobs in the food industry.

If we want to promote health, we will have to get serious about it. That does not mean funding yet another health promotion initiative—it means building a Scotland in which it is actually possible to grow up healthy.

10:44

**Dr Elaine Murray (Dumfries) (Lab):** This year, comprehensive education will be 40 years old. It is worth reflecting on how the perception of the purpose of education has changed over the period and on the contribution to that change of the legislation that has come before—and will come before—the Parliament. Prior to the introduction of the comprehensive system, education was based on the failure of the majority. A small number of people, usually from better-off and more privileged backgrounds, had the opportunity to succeed academically and to go on to higher education, but the vast majority of people were offered a uniform and standard education that stopped when they left school, because the jobs that they were going to do for the rest of their lives did not require them to have more than that.

Forty years on, our education system is based on success. It is based on evaluating what children can do, not what they cannot do. Unfortunately, a lot of people who were brought up under the old philosophy do not like that. The change is often referred to as dumbing down. I will get on to one of my hobby-horses. During the summer, I get really annoyed that a lot of people decry the efforts of young people and teachers in achieving exam success; when exam success is reported, they try to belittle the efforts of those people.

The Standards in Scotland's Schools etc Act 2000 embodies the current ideal that

"education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential."

We no longer have the hierarchy that states that academic success is more important than creative success or success in vocational subjects—and thank goodness for that.

Part of the motivation for the sea change in education philosophy has been a recognition of the rights of the child. It has also been about the needs of our country—to be a confident and successful country, Scotland needs to have successful and confident citizens.

**Fiona Hyslop:** I am interested in Elaine Murray's theme of ambitions for the future. We have to address lifelong learning, which we need for the future. Perhaps she will develop that point.

**Dr Murray:** I did not intend to develop it today, but I agree with what Fiona Hyslop says. Lifelong

learning has been very much part of the philosophy of the Scottish Executive and the Parliament over the past six years.

We need an education system that recognises and supports the abilities, learning styles, development patterns and individual circumstances of each pupil. I, too, attended the session on burning issues and looked-after children in West Lothian yesterday and I agree with the many people who said that we are not delivering for looked-after children what we promised in the Standards in Scotland's Schools etc Act 2000. I was impressed by Euan Robson's speech on hidden talent, because I agree that it is essential that we develop hidden talent.

School is not a place for parents just to deposit their children in the morning and then resume responsibility for them after the school day is over. We know that parental involvement in children's education improves achievement and develops and reinforces the ethos of the school. The child has to be the centre of education policy and child care policy. We know that, when parents and pupils are included in and understand the decisions that affect schools, they are more likely to abide by those decisions.

Adam Ingram made a good point about parents who have had a negative experience of school. There is a challenge in bringing in parents who did not like school. It is important that they get over that, so that they can engage with their children's school.

**Margo MacDonald:** Will the member give way?

**Dr Murray:** Sorry, I have only a couple of minutes left.

School boards have been a success in many schools. I acknowledge the concerns of the Scottish School Board Association and others, but if a school board is successful and parents want to keep it, it can continue. The legislation is being repealed, but school boards are not being disbanded. It is important that more parents are brought into the school board system.

I wish to comment on health promotion in schools, because just as the habit of lifelong learning to which Fiona Hyslop referred in her intervention is engendered in school, so must be the habit of maintaining a healthy lifestyle. Many of us Scots find it difficult to re-educate ourselves later in life to eat sensibly and to take more exercise, so that pattern must be laid down in school. School meals in Scotland have been favourably compared with those in the rest of the country. I was slightly puzzled by Nanette Milne's mention of school cooks, because I have a friend who is a school cook and she is fed up with people going on about Jamie Oliver. She says, "In my school, I'm Jamie Oliver." That is down to

programmes such as hungry for success. I was pleased to hear yesterday that a further £70 million will be invested in that programme.

I am sorry that Alex Fergusson is not with us any more, because I wanted to ask him about a statement that he made in *The Galloway News*, urging Dumfries and Galloway Council and the Scottish ministers to enable people to opt out of hungry for success. I wondered whether the Tories were in favour of the programme and whether they think that there should be a mechanism to allow people to opt out of health promotion in schools.

Investing in health promotion will save money on expensive treatments later on. It will enhance the quality of people's lives as they get older and it will increase their ability to work and to contribute to the economy and the prosperity of the country. Investment in health promotion is investment in many of the Scottish Executive's priorities.

10:50

**Shona Robison (Dundee East) (SNP):** Every time a Liberal Democrat stands up to speak in the Parliament, they claim that the fact that the sun rises in the morning and sets in the evening is down to what was in the Lib Dem manifesto. That gets very tiring. I say to Andy Kerr that at least the SNP has some right to make such claims. He acknowledged Stewart Maxwell's work on pushing forward the smoking agenda. Similarly, my proposed bill on nutritional standards in schools has in no small way led to some of the measures in the Executive's programme. We have no qualms about making claims about that.

In opening the debate, the minister made claims about the health improvement element of the legislative programme. However, most of what he was talking about has already been legislated for, albeit that that legislation may not have been implemented yet. It has to be acknowledged that the new legislative programme is limited in its proposals for health improvement. We all agree that the ban on smoking in enclosed public places is important, but that legislation is already in place and is to be implemented next year.

Many areas were not covered in the First Minister's statement yesterday and are missing from the Executive's priorities. As has been said, for all the claims that have been made about the health service, it is still the case that median waits are up and that thousands more patients than ever before find themselves on hidden waiting lists. Those lists are to be abolished in 2007, but that raises the question why they cannot be abolished now so that we can have a true reflection of the state of waiting in our health service.

As I said yesterday, one of the crucial areas in the health improvement debate on which we must

seize is the Kerr report. However, we are still waiting for time in the Parliament to debate the report's important findings. That means that individual health boards—whether Ayrshire and Arran NHS Board or boards elsewhere—are left to do their own thing. That is not the way to implement a blueprint for the future of the health service. We have to have a national debate in the Parliament about the type of health service that we want. If we do not, health boards will do their own thing and it is difficult to blame them for that.

Likewise, we are still waiting for the detail of what is to be proposed on dentistry, particularly in relation to fees. Dentists are fed up with waiting. Many are on the cusp of deciding whether to remain working in the health service or to return to it—they need to know the detail of the proposals and we need to see that detail quickly.

The Executive's proposals for health improvement are to be welcomed—as I said yesterday, many of them will find support on the SNP benches. The specific proposal that I lodged in June last year was to prohibit the sale of certain food and drink in schools. It is important that the health message that children get in the classroom is not undermined by what they see when they walk out into the corridors of their school, whether that is through advertising or through the products that are being sold in the vending machines and other outlets in the school. Children do not react well to mixed messages.

**Margo MacDonald:** Does the member agree that it is just as important that children should see a consistent approach to good nutrition in the home and at school? I am not sure that the Government has placed enough emphasis on that. Does she agree that we have to teach a generation of women who think that every recipe ends with a ping? That will need a concerted effort, but, with a bit of imagination and some help from the people whom John Swinburne represents, it might be done.

**Shona Robison:** The ping is quite convenient for all of us sometimes, but the member's point is well made. The issue comes back to the number of home economics teachers in our schools. The fact that women and men do not know the basics of how to cook simple, nutritious food is a genuine problem. We must ensure that, when children leave the school environment, they have that basic set of skills.

The proposed bill on nutritional standards in schools is important because of what it will do in the captured school environment where children might have their only nutritious meal of the day. However, what happens when children walk out of the school gates is not in our power. All we can do is try to educate them to make informed decisions, so that they do not go to certain outlets outside the

school. When they get home, perhaps they will even demand of their parents more nutritious food, so that the message is passed back into the home environment. The issue is certainly not easy to tackle.

In addition to that, we would like an extension of the free school meal programme, to pilot free school meals to primaries 1 to 3 and to extend the eligibility of those on low incomes. The hungry for success programme is an important tool, but it could be much better.

10:57

**Mr Duncan McNeil (Greenock and Inverclyde (Lab)):** The minister opened by welcoming us all back after the summer—with tongue in cheek. Nothing much has changed. The SSP are protesting outside to get in, those who are inside do not turn up for debates and the nationalists are still greeting and ginning.

I had a good summer mostly. I engaged with constituents, but I also found time to enjoy radio programmes. Some members might have noticed that Radio 4 ran a competition to find out the nation's favourite painting—a sort of middle-class “Pop Idol”. They might have read in yesterday's press that the winning painting was “The Fighting Temeraire” by Turner. It is a depiction of a gunship that served at the battle of Trafalgar being taken to the breaker's yard by a tugboat after 40 years' distinguished service. What is interesting about the painting is what it represents. The obvious interpretation is that it is a sentimental lament for the passing of the romantic age of wood and sail. An alternative interpretation, however, is that it is a celebration of the dawn of the age of steam. That is a debate with which the chamber is more than familiar.

Should we, as some advocate, hark back to the romanticised past with a tear in our eye, or should we, as my colleagues and I believe, look ahead excitedly to the future and the opportunities on offer? Take the theme on which we have concentrated this morning—supporting strong, healthy families. There are a number of interesting proposals in the Executive's programme, which deserve to be properly debated and not dismissed or hurriedly brushed aside to make way for the usual whingeing and wallowing in misery. Although we have taken steps to improve public health and to tackle health inequalities, I am glad that the Executive recognises that more needs to be done, especially in communities such as mine.

The inverse care law whereby good medical care tends to be most readily available to those who need it least is still alive and well. Over the summer, I met Graham Watt, professor of general practice at the University of Glasgow, who told me

that that situation applies not only to coronary heart disease prevention, but to self-care—

**Shona Robison:** Will the member take an intervention?

**Mr McNeil:** No, thank you. SNP members have had two days in which to put their alternative vision; as usual, they have failed miserably.

As I was saying, Professor Watt said that the inverse care law also applies to self-care, unscheduled care, planned care, the management of long-term conditions and palliative care. Modernising the delivery of care is essential if we are to tackle health inequalities.

Support for young people to make the right health choices will be most valuable to the most disadvantaged children—the children whose parents do not make them an organic breakfast before jogging with them to the school gates. [Laughter.] I have my porridge every morning so members should not be so disparaging.

Putting people in a position where they can make informed health decisions for themselves will always be more effective than compulsion. The health plans are just one example of the thread that runs through the Executive's legislative programme, giving everyone the chance to take advantage of the opportunities that are available in today's Scotland.

Another notable move is action to reduce the number of 16 to 19-year-olds not in education, employment or training. Today, Scotland is the land of opportunity. Young Scots have never had more opportunities to enter higher and further education and modern apprenticeships.

Of course, people who do not come from stable and wealthy backgrounds need more help to take advantage of those opportunities, but that is not the same as saying that someone who comes from a disadvantaged background is automatically condemned to fail. There is no reason why someone born today in difficult circumstances cannot succeed if they are given our backing and the support that they need.

Yesterday, the First Minister said:

“We need concerted action not just to identify such youngsters, but to support them. We must not only give them opportunities, we must help them along the way. We must give them not only a first chance to take up opportunities, but a second and a third chance if they fail at the first attempt.”—[*Official Report*, 6 September 2005; c 18797.]

I believe that that is a clear response to the hand-wringing excuses that have failed our young people for too long. I reject the excuses for failure and I am sick of politicians who revel in them. This legislative programme is a vision of what Scotland can become. The SNP—which models itself as the

Opposition in the Parliament—has signally failed, over a day and a half, to present its vision. We can only conclude that it has no vision at all.

11:02

**Lord James Douglas-Hamilton (Lothians) (Con):** The theme this morning is supporting strong, healthy families and I wonder whether I have to declare an interest as the father of four sons—after all, there could hardly be a greater interest than that. The theme reminds me that there is a great deal of truth in the African proverb that it takes a village to raise a child. Families and communities can change an individual life into a meaningful part of a village, a neighbourhood or a nation.

I want to make three points in response to the Scottish Executive's programme for government. My first point relates to the proposed adoption bill, which aims to overhaul the adoption process in Scotland. The number of adoptions in Scotland has fallen dramatically from around 1,000 a year 20 years ago to around 400 a year now. That is why the Executive believes that we need to change the adoption system to offer more children the opportunity to flourish and succeed by providing them with permanence and the sense of belonging to a family.

One of the bill's proposals will allow unmarried couples—including same-sex couples—who are in enduring relationships to adopt jointly. In our view, adoptions should be a question of the best interests of each child. Any couple who are being assessed as adopters should undergo a rigorous examination both of their ability to provide stability for the child and of their parenting abilities.

We think that an immediate priority with regard to adoption should be to extend the number of married couples who can adopt. That should be done by tackling prejudice on the grounds of age or race. I am of course aware that a person who is part of an unmarried couple can apply to adopt, especially when the partner is applying for a residency order. When the bill is introduced, we look forward to considering the matter thoroughly.

**Margaret Smith (Edinburgh West) (LD):** I want to try to pull something out from what Lord James has just said. I totally agree with him on the need to tackle prejudice against people who would be older parents, but I want to make other things absolutely clear. At the moment, individuals—whether they are unmarried, in same-sex relationships, or whatever—can adopt. The proposal is to extend that to couples. We should be considering the best interests of the child, with careful vetting of whoever is applying to be adoptive parents.

**Lord James Douglas-Hamilton:** The principle that guides me is that the question of the best interests of the child should be paramount. When the bill is introduced, we will state our position in detail.

My second point relates to the proposed nutritional standards bill. Nutritious school meals can be greatly beneficial in establishing healthy eating habits for life and in helping to improve concentration and attainment. It is equally important to ensure that parents are well informed about the importance of a healthy diet and are making informed choices that set a good example to their children. It follows that regular physical activity through sport, dance and playtime games should be commonplace.

We believe—Euan Robson made this point in his speech—that more children should be encouraged to eat meals in schools. That could be achieved by providing children with pre-credited swipe cards to pay for meals. Efficiency and cost-effectiveness would be improved by reducing the amount of food that is wasted because large numbers of children eat outside school. Most important, children should be encouraged to take the time to enjoy their meals and to take the opportunity to relax and interact with other pupils. That is a key aspect of schools' responsibility to encourage social as well as academic development.

My third point relates to the parental involvement bill. Many responses to the consultation have voiced strong support for the retention of school boards with amendments to their current procedures. Those views should not be trampled on by ministers. The rights of parents to act as real partners in the management of their children's education must not be diminished. School boards have served Scotland and Scottish families well. Reform and modernisation are what is called for, rather than emasculation and abolition. When the consultation responses have been fully analysed, I urge ministers to listen to the voice of the people.

In his wind-up speech, the minister might answer the parliamentary question that I lodged many weeks ago. When will the analysis of the responses to the consultation be published? I have awaited that reply for many weeks and I hope that the minister will not suppress the information. The nation is very interested to know it.

11:08

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Before I comment on specific health initiatives, I would like to make some general observations on the legislative programme in the round.

I welcome the positive proposals that the First Minister set out yesterday, particularly the changes to business rates. It is good to see the Executive taking action to support our economy in such a practical way. However, I was not so impressed by several other announcements, in which the First Minister seemed to me to be avoiding the clear commitments that he entered into in the partnership agreement between the Labour Party and the Liberal Democrats.

The commitment to establish an independent police complaints commission has somehow turned into a commitment to establish "an independent element" in the process. For me, that is not good enough from our First Minister.

The commitment to consult on a limited third-party right of appeal in planning—a commitment that resulted in an overwhelming 86 per cent of positive responses—has turned into an absolute refusal to legislate for such a right. For me, that is not good enough from our First Minister.

On the issue of reforming bail, the use by the First Minister yesterday of the term "offender" when he should have referred to "people accused of offences" betrayed a singular misunderstanding of the tradition in Scotland of people being innocent until found otherwise by our courts. It is well seen that we need a human rights commission.

If the First Minister reneges on what is contained in the partnership agreement that was negotiated between our two parties, he cannot be surprised if back benchers such as me do not now feel honour bound by the agreement in the same way as before. I for one have no intention of supporting the Executive if it does not honour the commitments in the partnership agreement—and I stress to Euan Robson that I am speaking for myself. A limited third-party right of appeal in planning and the creation of an independent police complaints commission are extremely important issues. The Executive cannot and should not dump them.

I turn to specific health issues. I welcome the Executive's commitment on health promotion in the legislative programme. The negotiations between our two parties' health teams nearly foundered on the issue of fizzy drinks. I well remember that Tom McCabe was not willing to move on the issue, so I am pleased that we have eventually got round that.

My main focus in respect of health issues is the contrast between legislation and action. We have passed legislation to ensure that everyone in Scotland will have the right to free dental checks by 2007. We did so despite the problems that we face because of the dental crisis. We do not have enough NHS dentists to enable everyone to

access one. The crisis is particularly acute in my constituency, which has the lowest number of NHS dentists in Scotland.

In addition to the legislation, we have the dental plan that Rhona Brankin, the former Deputy Minister for Health and Community Care, announced in the chamber some six months ago. The plan is very good and ministers have done well to produce it. It is also radical, as is necessary if we are to solve the problems that we face. However, six months on, we seem not to be much further forward in implementing it. Where is the sense of urgency? There is simply no point in legislating to improve Scotland's health if the Scottish Executive does not follow through with action.

**The Deputy Minister for Health and Community Care (Lewis Macdonald):** Does Mr Rumbles accept that, since we last met in the chamber to discuss these matters, the first of the new practice payments, which are significantly higher than the rates under the old arrangements, have been made? They were made at the end of July. Does he also accept that all the vocational training places in rural areas that were announced as part of the action plan are now filled and that negotiations are on-going with the dentists' professional representatives on the implementation of the remaining aspects of the plan?

**Mike Rumbles:** I said that not much had been improved. There is a huge amount in the plan and the minister has mentioned only a couple of points.

The most important part of the plan is for the negotiations with the British Dental Association to be completed—they should have been completed before the announcement was made. We are six months down the line, yet the Executive has not reached an agreement with the BDA.

I ask Lewis Macdonald in particular to consider what has happened to the commitment to consult on the new dental school for Aberdeen, as was agreed in the partnership agreement. We have heard nothing about a consultation for the new dental school. We have heard, however, about the scandal of the dental school in Dundee, where the suggestion was made that £2,000 be paid to prospective students if they would defer for a year.

The Executive seems to be getting the planning right—everything is lined up in the right order. I agree that the plan is a good one. However, if we are to produce the goods by 2007, we need to get on with it. We are too slow in implementation.

I welcome some of the initiatives in the legislative programme, but I am increasingly sceptical about the willingness of the First Minister to implement the partnership agreement that was

agreed in the negotiations between our two parties. I make it clear to all Scottish Executive ministers that, if they feel that they can alter or abandon commitments that were made in the partnership agreement, they must understand that back-bench colleagues such as me will also feel able to do the same.

11:14

**Mr Kenneth Macintosh (Eastwood) (Lab):** I will not respond to the member's last comments; there was a sour taste of bitterness about them.

Before I turn to some of the health and education measures that the minister outlined this morning—measures that will undoubtedly improve the lives of many Scots in many local communities—I want to touch briefly on a couple of other announcements that the First Minister made, as I was unable to do so yesterday morning.

First, the headline measure is undoubtedly the important move to reduce business rates and I warmly welcome it. There can be few who doubt or who can be unaware of our commitment to the reform of and investment in our public services. The improvements that we have made in our schools and hospitals are there for all to see, as is our commitment to social justice and to protecting the most vulnerable members of our society.

The cut in business rates demonstrates more forcefully than words alone that the Parliament is not just about spending money. It demonstrates that we are here to represent everyone in Scotland—the successful as well as those who face challenges. It also demonstrates that we recognise the vital importance of business, entrepreneurial activity and the economy in meeting our aspirations and expectations and in delivering on all our goals. It is a bold and hugely welcome statement of intent.

Secondly, and on a slightly different subject, I want to state the importance that I place on the forthcoming police bill and the other associated measures that are designed to tackle and clamp down on knife crime. I want to highlight the action that is already under way, with the support of ministers, through initiatives such as the Strathclyde police's violence reduction unit.

I am sure that some of my colleagues will have taken the opportunity to visit the unit, as I have done. If so, they will be aware of its role in reducing the number of knife-related crimes and in tackling head-on the peculiarly Scottish culture of carrying a knife when out of an evening. If I had not already been aware of the extent of the problem, the horrific and sometimes devastating consequences of the casual or thoughtless habit of carrying a knife were brought home to me in my

discussions with the violence reduction team. The visit gave me a glimpse into the reality of the lives that are needlessly lost as a result of knife crime.

We are embarrassed at our country's reputation for having one of the worst health records in Europe. For Scotland to be the country with the highest level of stabbings and deaths from knife attacks is a record of shame. If we are to address the concern, the task will be a long one. The measures now under way will begin to challenge the knife culture and our peculiar and worrying attitudes to the carrying of knives.

I turn to the subjects that the Minister for Education and Young People addressed this morning. I add my approval of the health and education measures that the Executive has outlined. My personal experience is of the schools in my constituency and of my children's school in particular. For them, some of the most important and successful recent initiatives have been the additional support of an active schools co-ordinator and the family learning co-ordinator. For example, during health awareness week, my children's school was enthused by competitions such as how many pieces of fruit a child could have in their lunchbox or how many steps a teacher could clock up on their pedometer over the course of the week.

Aside from the health benefits, pupils and families are being encouraged to take a greater role in the work of their school. The Executive's measures will take this further. There are so many gains in involving parents to a greater degree in the education of their children and in supporting parents in the difficult and stressful task of bringing up their family. That is a point that my colleague Elaine Murray made earlier.

The gap between the highest and lowest achieving youngsters can often reflect the difference between the most supportive and the most chaotic home backgrounds, a point that was thoughtfully made by Adam Ingram earlier.

**Margo MacDonald:** Will the member give way?

**Mr Macintosh:** I will finish the point.

The proposed parental involvement bill and new powers for parents to request a school inspection by Her Majesty's Inspectorate of Education are encouraging first steps towards further interaction between schools and parents. There are many excellent school boards that serve their pupils and communities well. Unfortunately, too many parent-teacher associations are excluded from participating in the decisions that affect their schools; schools can regard PTAs as mere fundraising bodies.

The bill offers a real choice agenda; it shows how the Executive plans to increase parental



choice. It is in stark contrast to the Tories' talk of choice, which is a misleading and false prospectus. The Tories pretend that everyone can pick and choose between local schools, but what they offer is like an ersatz private system, which we all know would remain the privilege of the few.

**Margo MacDonald:** The difficult question is how to involve parents and the wider family in those schools where there is no history of great parental support. As we know perfectly well, the pupils at those schools are often in most need of support. The Executive should give some thought to how to incorporate the role that grandparents can play. People are living longer and are active for longer and grandparents might be more willing to take on that role. After all, they understand what it used to be like in the good old days. I speak as a grandmother of 10.

**Mr Macintosh:** We have all heard those wise words. The topic will come up as part of the debate on the children's hearings system and, more particularly, the forthcoming debate on the Family Law (Scotland) Bill—I think that we are to debate that bill next Thursday. Margo MacDonald's comments will be echoed by many members in those debates.

I applaud the Executive's plans to protect vulnerable adults, but I also flag up my concerns about the needs of older people who live in retirement complexes. Despite the new powers that were given to home owners in the Title Conditions (Scotland) Act 2003, there are still too many examples of poor management and too many situations where the owners do not exercise control of their own affairs. Most worrying of all, there are too many cases of bullying and intimidation of older and often frail residents. One way of addressing those concerns might be to grant retirement home owners the right to take such cases to the ombudsman and I would welcome any comments that the minister might make on that suggestion.

The Executive has outlined an ambitious range of proposals that will have an impact on the lives of many thousands of Scots across our country. I call on the chamber to join me in giving them our support.

11:20

**Margaret Smith (Edinburgh West) (LD):** This has been an instructive debate. We have heard some excellent and robust speeches—I am thinking of Euan Robson's, in particular, as well as those of Scott Barrie, who always brings his experience as a social worker to bear when he is talking about issues relating to families, and of Duncan McNeil, who has left the chamber. We found out yet again from Shona Robison that the

sun rises and sets because of the SNP and we are now content that we know that. However, Iain Smith was right to highlight the role that the Liberal Democrats have played in the programme for government, in terms of the announcement about business rates, the proposed health promotion, nutrition and schools bill, the proposed human rights commission bill and some elements of the proposed police bill. That is hardly surprising. The Liberal Democrats are a party in Government and in partnership. I am sure that my Labour colleagues would be able to stand up and highlight some of the things that they have brought to the table as well. What is important is that we hope that the programme that we have come up with will be able to garner support across the chamber. I was heartened by some of the comments of support for the programme that were made by members of various parties.

I welcome the comments of the First Minister and the Minister for Education and Young People about the future of Scottish schools. We are recruiting more teachers and putting more and more money into the school investment programme. Last week, I was delighted to be able to attend the opening of a new extension in East Craigs Primary School in my constituency. When I visited that school in previous years, I saw a good school that was bursting at the seams. Now, however, I see an enlarged school. Also in my constituency, we have the new Muirhouse Primary School and Craigmount High School and an upgraded Royal High School. The Scottish Executive is improving the schools in our constituencies.

I share some of Fiona Hyslop's concerns about the impacts of PPP projects. There are some important issues about access to community interests, services and playing fields, which are a matter of concern to my constituents at the moment. That also raises the issue of the need to ensure that the proposed planning bill allows communities to have a voice in decisions relating to such matters.

I welcome the plans to reform parental involvement in schools. We have to try to ensure that we get more of that because it benefits parents, pupils and the professionals who teach in and manage our schools. Parents should be reassured by the minister's clear commitment to increase parental involvement from the low base of 1 per cent at the moment and by the First Minister's comments yesterday.

Secondly, I welcome the announcement of the additional investment of £70 million in the hungry for success initiative, which has done a lot to encourage healthy eating in schools. Learning such lessons early in life is a good foundation for pupils' later lives. I associate myself with the

comments made by Euan Robson and others about that. I have done some work on the matter and have undertaken a survey of primary schools in my constituency that backs up the minister's comments about hungry for success and in no way backs up the comments that Nanette Milne made.

I welcome the announcement of the adoption bill and agree with Lord James Douglas-Hamilton's view that each case has to be judged on its own merits. There will be cases in which unmarried people, unmarried couples and same-sex couples will be able to deliver for young people, many of whom are coming out of care. The evidence that has been highlighted by many colleagues today is that the state is the worst parent that a child could possibly have. We must give those potential carers an opportunity and, in doing so, give those children the opportunities that Euan Robson and Duncan McNeil talked about. There is a great deal of hidden talent, both in terms of the prospective adoptive parents and in terms of the young people. We must do all that we can to support them to establish the stability that they need to enable them to take advantage of the opportunities that the programme for government and the work of the Scottish Parliament and the Scottish Executive have given to the young people and families of Scotland.

11:24

**Derek Brownlee (South of Scotland) (Con):**

This has been an interesting and wide-ranging debate. I found Mike Rumbles's comments particularly interesting—and not just those on health and education.

Yesterday, the First Minister said that he wanted to be ambitious for Scotland. Although I am new to this place, I am told that ambition is not something that he is short of. Indeed, with £30 billion a year to spend, it would be surprising if he were not ambitious. As many people have noted, there is much in the Executive's programme with which members on all sides could agree. That does not mean, of course, that we will agree with everything. I was particularly interested in the comments that Fiona Hyslop made in relation to the debate on adoption and I join her in hoping that that debate is handled in a calm and reflective manner.

The question is not whether the intentions of the Executive are good—we all know that the intentions of all members of this Parliament are good—but whether the programme that was unveiled yesterday is the best way in which we can improve Scotland's quality of life, health, education and everything else that the First Minister talked about in his speech.

Yesterday, the focus was on justice and respect and respect is important today as well. One of the things that has struck me in my first few months in this Parliament is how far we still have to go as a group and as individuals in order to raise the level of respect with which we and this institution are regarded in the communities that we serve.

It is fair to say that politicians of all parties are notorious for making grand promises and failing to deliver. It goes without saying that that is one of the reasons why we are, collectively, held in such low esteem. There are other reasons, of course, but the one that I mention is particularly pertinent to today's debate. When the First Minister and his colleagues speak of their vision and ambition, they set a high bar for the Executive and, if they fail to live up to their fine words, they and, by association, all of us in the Scottish Parliament will be treated with more cynicism and rather less respect.

From a PR perspective—and I use the abbreviation in both its senses—I understand why we had a raft of legislation yesterday: it gives the impression of action and gets headlines, as we have seen today. However, there would be no shame in the Executive admitting that there is a lot that could be done to improve public services that does not require legislation. A modest legislative programme does not signify modest ambition. Indeed, it would be ambitious in the extreme for this Executive to decide to govern with a lighter touch. The Executive has chosen not to take such an approach, which is fair enough; that is its judgment. Time and the voters will tell whether that judgment was right.

The First Minister spoke of record amounts of money being spent on the NHS. That is true enough but, as many have noted, spending more money is not an end in itself. The First Minister spoke of setting priorities for health but the question is, whose priorities? He is not necessarily speaking about the priorities of the individual patient or his general practitioner. It is all well and good for ministers and health boards to set priorities and make decisions but, surely, individual patients and GPs should also have a choice in relation to the delivery of health care. John Scott made some interesting observations in that regard in relation to the situation in Ayrshire.

On education, Peter Peacock made the same point about record spending. Again, that is true enough, but the issue is not all about money. He talked about greater parental involvement, but is not the right to choose the appropriate education for one's child the ultimate in parental involvement? I disagree with Ken Macintosh on that point and agree with some of the comments that Ruth Kelly made today about education south of the border.

I do not doubt the good intentions of the Executive; I doubt whether the measures that were announced yesterday will achieve its stated aims and whether we will get value for money from the £30 billion of taxpayer's money that is spent every year. Further, I doubt whether, in 19 months' time—and 19 bills later—this Executive will have achieved greater respect from the public.

11:28

**Stewart Stevenson (Banff and Buchan) (SNP):** The First Minister made justice and respect the watchwords for his Government's programme for the coming year. However, across the chamber and throughout the debate, today's theme has clearly and properly been children. That is the thread that links almost all of today's speeches. The SNP entirely agrees with that emphasis. It does the Parliament credit that we look to those who will live in our future and dwell less on the past. Aims, objectives and targets for the future—as we can see them—are the essence of today's discussion because our future depends on how well children are prepared for their future. However, much of the programme is little more than a palimpsest—a writing over of much that has gone before.

As ever when he speaks on children, Scott Barrie made an interesting, engaging and widely enjoyed speech. I hope that he continues to do that, because he has knowledge and experience that few members share.

Peter Peacock, as ever, struck a balance between selling the programme and conceding that there are areas in which challenges remain. In particular, I focus on his statement that the gap between rich and poor remains too great. Everything that he and his colleagues do to close that gap will have support from SNP members. We encourage him to make the greatest possible efforts in that area.

I was especially pleased by the reference to mental health, an important issue in which Adam Ingram, who is sitting behind me, and I take a particular interest.

Euan Robson came up with a useful catchphrase that we should retain—hidden talent. He spoke with real passion about those, particularly among our young, who are currently excluded from making a contribution to our society. We must focus on them, as they are the people whom we must re-engage. Doing so will take money, but it will also take much more: engagement on our part. The Executive has some way to go to convince us that we are on track.

Duncan McNeil, the most improved speaker of recent times—it is a double-edged sword—made an impressive bid to be recognised as the

boilermaker's Jacob Bronowski. I wish him well in his future endeavours in that regard.

I turn to one or two issues that are not included in what is before us and that are signal omissions on which we should focus. The First Minister's statement is but a keyhole view of what is planned. The draft budget for 2006-07 gave us a broader picture. Mike Rumbles will be particularly interested to note that there are eight targets for health and community care but that, for the fourth year in a row, there is no target for dentistry. Not only that, but there are a mere 120 words—a single paragraph—relating to the subject, on page 79 of a substantial document. If we doubt the Executive's commitment to making a real difference on dentistry, we have the evidence in front of us.

Many of the changes that have been made in the health service over the past year are probably well intentioned, but flawed in implementation. I see no word anywhere about NHS 24. I say to Mr Kerr that the idea has merit. However, in the absence of an electronic patient record that is available whenever a patient contacts the health service, to inform and guide efficiently staff of NHS 24 in particular, the introduction of NHS 24 in its present form has made the health service less efficient, although it may be more effective. The paragraph in the draft budget for 2006-07 on the single patient record—it appears on page 80—is even shorter than that on dentistry.

I close by stating the obvious. The Executive's programme has been well and truly rumbled. Mike Rumbles adumbrated a Liberal-free Government in future. I come from a Liberal family. My father's cousin was in Lloyd George's Cabinet in 1916. My great-uncle was Lord Provost of Edinburgh 75 years ago and my father was Lloyd George's election agent when he stood for rector of the University of Edinburgh. I have arranged for a membership application to be posted to Mike Rumbles, so that he can cross this way as well.

**The Deputy Presiding Officer (Trish Godman):** Mr Stevenson, it is about time that you sat down. Minister, you have six and a half minutes.

11:34

**The Minister for Health and Community Care (Mr Andy Kerr):** Oh dear. Six and a half minutes is not long in which to sum up a very substantial debate.

While Duncan McNeil was speaking, I reflected on my summer, during which I met people of passion and confidence who are innovating in our health service. However, I landed with a dull thud in the chamber to hear the same old same old from the Opposition parties. They must drop in

and out of funerals on a regular basis. They must walk by looking for them, because they have nothing positive to say.

The snake oil salesmen and women of the SNP say that independence, separation and divorce will solve all our problems. With the exception of Mr Brownlee, the Tories offered only anecdotal evidence. They suggested that we go to post office queues and bus queues or stand in supermarkets to find out about our health service and our education service, instead of asking the people who are running those services and providing them on our behalf. It was a disgraceful performance by the Tories, as usual.

Mr Fergusson spoke about the dentistry situation that he faces in Nithsdale. There are salaried dentists in Sanquhar in his community. The local health board is planning to appoint a further six to eight salaried dentists. The Executive is investing £150 million over three years to make a real difference in communities throughout Scotland. That is the real message about the reform, change and modernisation that is taking place and the investment that we are making in our health service.

**Shona Robison:** Will the minister give way?

**Mr Kerr:** No—I have only six and a half minutes.

Fiona Hyslop's approach was again to argue for independence as a cure-all.

As Mr Brownlee recognised, it is not just about legislation—it is also about all the other activities in which we are engaged. We will not legislate to fix NHS 24—we will simply fix it. Those are the actions of confident government, which is what we are delivering.

Throughout Scotland, best practice on health is being rolled out in our communities. More than ever before, investment is making a real difference. As a result of our health strategies, we are turning the corner in terms of outcomes for patients and health improvement for the public. We are providing many more services in our local communities.

Nanette Milne raised the issue of the hungry for success programme. She should not listen to people in the post office queue, the bus queue or wherever else she hears such comments. She should speak to the professionals. I met the United Kingdom school cook of the year in Scotland. She works at Tannadice Primary School and told me about the difference that she is making to the health and well-being of pupils.

**Mrs Milne:** Will the minister give way?

**Mr Kerr:** No.

Let us consider diet and portion control. Under the hungry for success programme, there is

unlimited access to bread, salad, vegetables and other parts of the menu in our schools. Portion controls are adequate and are defined by those who, to speak bluntly, know better than Mrs Milne how to do that. School cooks have been relieved of the burden of dealing with the financial pressures that affected the provision of school meals to children, because the Executive has invested money that is being spent on the valuable meals that we are providing in schools. That investment is making a real difference to the health and well-being of our children.

Nanette Milne spoke about bureaucrats. I am sick of hearing about bureaucrats in the health service. She does not want to employ the same bureaucrat who would provide the information technology that Stewart Stevenson wants. We cannot provide a modern health care system without support mechanisms. Those who work in our clinical records offices and reception staff who look after patients when they are worried are not bureaucrats—they make a real difference to the health care that our health service provides. It is a disgrace for the Tories constantly to attack them.

Mr Robson made some valuable comments, especially about the vulnerable adults bill. I do not have time to do so today, but I can reassure him on the connectivity and dovetailing of the regimes that we intend to have.

The issue of school milk was raised. We are considering the matter, but under hungry for success children have a choice between water and milk. Osteoporosis is a real issue, especially for girls in their early teenage years. The issue is not universal availability, but the focus and intervention that are appropriate for people. That will continue to be our approach.

I will refer Maureen Macmillan's comments and some of the points that she made to the Minister for Finance and Public Service Reform and to the Minister for Communities.

Adam Ingram said that he agreed with many aspects of the process and made the point that consultation improves what the Government does. It is a recognised part of the way in which the devolved Government in Scotland does its business. Consultation and the pragmatic approach that the Executive takes—listening to people in our communities—make a real difference to our legislation. However, the rhetoric surrounding PPP and the private sector does not wash any more with the public in Scotland. They want services and are right to demand them of us. We will deliver those services to them.

Jean Turner made many valid points and recognised what the Executive is doing on early intervention. I refer to the services that we are providing for pregnant women and the

interventions that we are making in respect of post-natal care, breastfeeding, young people's diets, oral hygiene and so on. Good work is being done. Breakfast clubs are developing throughout Scotland. Glasgow City Council is offering gold and silver awards to parents who make the choice not to smoke at home in front of their children. Such innovations are being supported and developed by the Executive, in partnership with our local authority colleagues.

Jean Turner was wrong on the issue of surgical units in Glasgow. I am happy to reassure her on that point. In Glasgow, there has been £1 billion-worth of investment in the modernisation of the health service and the service has been driven into areas in which communities expect it to be delivered, which I think is important.

I must put it on record that I thought that John Scott's speech was disgraceful, in that shroud waving during a consultation exercise is unacceptable. That is all that I have to say on that.

As ever, Scott Barrie's speech was effective and my colleague Peter Peacock and others will reflect on what he said. Iain Smith, too, made many valid points.

Eleanor Scott made the argument for us. Health is not just about the NHS; it is about everything that we as a Government do in Scotland and it takes in issues such as transport. We have received commendations worldwide on our strategy on walking, cycling and taking exercise. Health is also about the individual; it is not just about the NHS or the public sector. We need to keep sending out the message that individuals must make a choice. As Duncan McNeil acknowledged, we need to support them by making the healthy choice the easy choice. That is what this Government will do.

Shona Robison trotted out the old arguments about availability status codes. We will deal with that issue at question time, so it is hardly worth wasting my time on it at the moment.

Duncan McNeil made a valid point—

**The Presiding Officer (Mr George Reid):** Will you wind up, please?

**Mr Swinney:** The minister raised the matter with Tayside NHS Board last week.

**Mr Kerr:** I will deal with the issue at question time; I do not want to waste my time in an important debate about the legislative programme dealing with an issue on which, quite frankly, the SNP has been trotting out lies up and down the country for the past few weeks. I will deal with the matter in a few minutes' time, during question time.

Lord James Douglas-Hamilton made a valid point about the village approach and the fact that we need to nurture our children as part of a community and not just in families. Although we want to support families, we want to ensure that the village approach is adopted throughout society.

**The Presiding Officer:** Will you close, please?

**Mr Kerr:** It was not good enough for Mike Rumbles, as a partner in the coalition, to speak in the way in which he did.

## Question Time

### SCOTTISH EXECUTIVE

#### General Questions

11:42

**The Presiding Officer (Mr George Reid):** Question 1 was not lodged.

**Karen Whitefield (Airdrie and Shotts) (Lab):** On a point of order, Presiding Officer. I note from today's *Business Bulletin* that a number of members have failed to lodge questions for question time. I believe that such action is discourteous to the Parliament and denies other MSPs the opportunity to scrutinise the work of the Scottish Executive and to hold it to account. Will you consider whether it might be appropriate to introduce sanctions against those MSPs who continually fail to lodge questions?

**The Presiding Officer:** One of the MSPs involved was Mike Watson; I am progressing matters by writing to the other two members concerned.

#### Rural Schools (Presumption Against Closure)

**2. Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Executive whether it will support a presumption against closing rural schools. (S2O-7412)

**The Minister for Education and Young People (Peter Peacock):** Any case for a school closure needs to be considered on its individual merits. The local authority concerned must make a clear case, set out openly for parents and the wider community its arguments for closure and be seen to weigh up the advantages and disadvantages of any proposal.

**Murdo Fraser:** I am not sure that that is an encouraging response. Does the minister accept that a presumption against closure, such as that which exists in England, would protect communities such as those in Angus, where the Scottish National Party-run council is threatening to close a number of small, rural primaries, despite vigorous opposition from parents' groups?

**Peter Peacock:** With respect, I think that Mr Fraser misleads people about the position in England. The circular in England makes it clear that the presumption against closure does not mean that rural schools should not close. It would be highly misleading to suggest to people that difficult circumstances do not arise in Scotland in which it is sometimes necessary for small schools to close, just as schools in urban communities with larger populations sometimes have to close.

In our guidance, we have tried to set out what is important and have made clear our position to local authorities. I am prepared to reinforce that message and, in fact, tomorrow—I think—I will meet the Convention of Scottish Local Authorities to discuss such matters, among other things. We will make it clear that we expect any council to set out its case clearly, to justify it to the local community, to engage in proper consultation and to be seen to weigh up the arguments properly, openly and transparently. That is the right way to proceed. We cannot impose a blanket policy to cover all schools, as all schools are different.

It is disingenuous for the Tories to raise the matter. When David Mundell was still a member of the Parliament a few months ago, he promised that the Tories would not support school closures in the south of Scotland, but what are the Tories doing in the south of Scotland? They are producing proposals for school closures. Rather than listen to what the Tories say, we should watch what they do.

**Fiona Hyslop (Lothians) (SNP):** The minister might care to enlighten Murdo Fraser about the Tory councillor on Moray Council who voted against the presumption against closure at the council's recent meeting, at which Labour and Liberal Democrat members supported the SNP's position.

I want to pick up the minister's point about a blanket policy. The problem for rural communities is that the Executive has imposed blanket school estate management requirements. Although the guidelines have been revised, they still do not connect with education and rural development policy. I invite him to reflect on the hurt, anguish and concern that are being experienced by the many communities that face a rolling programme of threats to schools. Perhaps the school estate management programme that is being pursued nationally should be married with the important desire of communities to protect the quality of education that small schools provide, as well as the rural development benefits that they bring.

**Peter Peacock:** I take such matters seriously. We must all acknowledge that the population of young people in Scotland is declining dramatically. In some communities, the rate of decline is staggering. At the same time, we are having to invest large sums of money to make up for the Tories' huge neglect of our school estate. The combination of those two factors means that, locally and nationally, we all have an obligation to think about the implications of the long-term planning of our school estate. That important process must be gone through. In that context, no one should go down the road of school closures in a frivolous or light-hearted manner. The issue is serious, which is why our guidance sets out how serious it is and how people need to deal with it.

I say to Fiona Hyslop what I said to the Tories. Like Tory councils, SNP councils are involved in making proposals for school closures. That is a necessary part of the work of all our local authorities, regardless of their political complexion. It is not right to imply that we can stop all school closures, given the extent of the change that is taking place in our society. What is important is that we consider each case on its merits and that any case for closure should be extremely strong and justifiable.

**Mr John Home Robertson (East Lothian) (Lab):** I invite the minister to remind Murdo Fraser that my excellent local primary school has just been closed by the Tory council in the Borders. The issue is far too serious for political point scoring. What will the Executive do to take a grip of those local education officials who are hell-bent on herding primary school pupils into distant, centralised schools, regardless of educational or community considerations? I put it to the minister that there is now a powerful case for introducing a presumption against the closure of rural primary schools.

**Peter Peacock:** John Home Robertson is right to draw attention to the contradiction in the Tories' position. At the same time as they appear to argue for a presumption against closure, they are closing schools. I have already agreed to meet John Home Robertson who, along with Richard Baker, has expressed concerns about the way in which some local authorities are conducting their affairs. There was a recent case in the north-east in which a council upset—unnecessarily, in my view—a range of communities throughout its area. As it used an informal consultation process, it was not required to take account of our guidance. I want to examine that issue, because we can tighten up how local authorities conduct themselves.

I return to the point that each case must be considered on its merits and must be clearly justified before people take difficult decisions that have a major impact on local communities.

### **School Public-Private Partnership Projects (Renewable Energy)**

**3. Mr Mark Ruskell (Mid Scotland and Fife) (Green):** To ask the Scottish Executive whether school PPP projects can apply for funding for renewable energy schemes under the Scottish community and householder renewables initiative. (S2O-7476)

**The Deputy Minister for Education and Young People (Robert Brown):** PPP projects are ineligible for funding under the Scottish community and householder renewables initiative. However, the current review of the scheme, which is due for completion very shortly, will recommend how the

installation of renewables technologies in PPP schools might best be supported.

**Mr Ruskell:** I am getting a sinking feeling. I feel that we have not moved on since the last time that I asked the question or since the times before that. Projects such as that at Breadalbane Academy desperately want to be sustainable, but time has almost run out for them. Will the minister commit to speak to Perth and Kinross Council urgently to find out whether there is any way in which the Executive can help to fund the capital costs of the biomass infrastructure connected with the Breadalbane project and help Perthshire to take the first small step towards creating a new and sustainable renewable energy industry?

**Robert Brown:** There are a number of points to make. First, the facilities in PPP projects and in capital projects generally are a matter for local authorities—they have operative responsibility for such matters. Secondly, the installation of sustainable heating systems should not turn solely on questions of grant. I understand that the report that was commissioned by the council to which the member refers points to long-term running-cost savings from the use of wood fuel, for example. I also understand that the consortia that are bidding for the Perth and Kinross project have no difficulty in principle with the biomass proposal.

The Executive's role is to support and encourage such developments and to consider various ways in which we can make progress with the agenda. For example, we are doing that through the school estate strategy and through publications such as "Sustainability: Building our Future: Scotland's School Estate", which took account of issues that were discussed at a workshop in Glencoe in July last year. The issue has featured in school estate conferences that we have organised. We also fund a sustainable design initiative, which is based at the Lighthouse in Glasgow and which includes the preparation of client education guides for a variety of building types, including schools. The picture is broader than Mark Ruskell suggests. However, I return to the fact that councils have overall liability for the matters that he raises.

**Mr John Swinney (North Tayside) (SNP):** Although the measures that the minister has just mentioned are welcome and interesting, they will not close the financial gap that must be closed to ensure that Perth and Kinross Council completes the Breadalbane Academy project. The financial gap exists simply because the proposed heating system is more expensive than other systems. The Government will have missed an opportunity if it continues to preach to us about sustainability and environmental concerns but does not make it possible for practical solutions to be delivered on the ground. As time is running out, I ask him to

examine the situation urgently and to ensure that that innovative project goes ahead.

**Robert Brown:** We should not overplay the significance of the impact of what would be a modest amount of grant, given the high value of school PPP projects, which already attract considerable funds from the Executive. I understand that grant funding may not be necessary for the installation of renewable technologies in PPP schools in Perth and Kinross. I return to the point that the matter is for the council to deal with using the facilities that are available. We will consider the matter further when we receive the report of the review to which I referred in my opening answer.

### **Sustainable Development (Planning)**

**4. Patrick Harvie (Glasgow) (Green):** To ask the Scottish Executive how its proposals on the reform of the planning system will contribute to sustainable development. (S2O-7475)

**The Minister for Communities (Malcolm Chisholm):** Sustainable development is at the heart of our proposals to modernise the planning system, as our white paper makes clear. A key way of doing that will be to ensure that sustainability considerations are taken into account in the preparation of all plans and programmes, from the national planning framework through to local development plans.

**Patrick Harvie:** If the term “sustainable development” is to be more than mere jargon, the Executive must understand that achieving sustainable development requires nothing less than a transition in society from business as usual to true sustainability, which means living within our ecological means. Does the minister agree that, at least in the devolved context, the planning system is perhaps the most important tool that we have to facilitate that transition? If so, would it not make sense for the proposed planning bill to set out explicitly that sustainable development is the purpose of the planning system?

**Malcolm Chisholm:** The white paper emphasises the central importance of planning for sustainable development and we are considering how that can be translated specifically into words in legislation. However, the substance of the matter is the critical issue. If people read the white paper with any care, they will see that it puts strong emphasis on sustainable development in relation to all development plans, including the national planning framework. A strategic environmental assessment will be carried out for all plans and there will be statutory consultees, including the Scottish Environment Protection Agency and Scottish Natural Heritage. Also, it is proposed that if an environmental impact assessment is required for individual planning

applications, pre-application consultation will have to take place with local communities and enhanced scrutiny, including hearings, will be required. That comprehensive package of measures will ensure that sustainable development is at the heart of the planning system.

### **Tourism (Highlands and Islands)**

**5. Mr Alasdair Morrison (Western Isles) (Lab):** To ask the Scottish Executive what assessment it has made of the impact on tourism in the Highlands and Islands of public service obligations. (S2O-7449)

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** The Executive has made no specific assessment of the impact of public service obligations on tourism in the Highlands and Islands. However, PSOs are imposed to support regional development, and tourism is a key sector in the economic base of the Highlands and Islands. The Highlands and Islands strategic transport partnership has carried out detailed work to appraise the impact of improved services.

**Mr Morrison:** I trust that the minister enjoyed her visit to the most westerly inhabited island in my constituency 10 days ago.

The minister will be aware of the excellent work that is being undertaken on public service obligations on air routes in the Highlands and Islands. Such PSOs would help to make travel affordable for more islanders and the islands more accessible for visitors and tourists. As she knows, I am campaigning for a new air route between Stornoway and Aberdeen. Will she reaffirm the Executive's commitment to the PSO principle in the Highlands and Islands and will she join me in helping to secure a new air link between Aberdeen and Stornoway?

**Patricia Ferguson:** I am happy to confirm the Scottish Executive's commitment to the PSO principle in the Highlands and Islands. I am sure that my colleague Tavish Scott, the Minister for Transport and Telecommunications, and I will be happy to work with Alasdair Morrison to secure the new air link between Aberdeen and Stornoway.

**The Presiding Officer:** Question 6 was not lodged.

### **National Health Service (Availability Status Codes)**

**7. Mr Frank McAveety (Glasgow Shettleston) (Lab):** To ask the Scottish Executive what progress the national health service has made on its policy of phasing out availability status codes. (S2O-7443)



**The Minister for Health and Community Care (Mr Andy Kerr):** Interim guidance on implementing new ways of defining and measuring waiting, which includes the abolition of availability status codes, was issued by the Scottish Executive in March and NHS boards have assured me that they are following the guidance. Boards have also produced outline plans for delivering the target of abolishing ASCs by the end of 2007 and they will shortly agree individual profiles for phasing out ASCs. I will monitor progress on that.

**Mr McAveety:** I welcome the commitment that the minister and the health boards have given to phase out status codes. Does he agree that the misrepresentation of what those codes stand for does a great disservice to the people of Scotland, given that we are tackling the longest waiting times and targeting NHS resources at those who need it most?

**Mr Kerr:** I agree with Mr McAveety that we are tackling the longest waits effectively and are successfully bringing them down. Of course, those who want to create discord, disharmony, misunderstanding and mistruth about the health service focus on something that they call the hidden waiting list. However, I talked about that hidden waiting list on 15 December, it is available on our website and I talk about it in my regular meetings with journalists to discuss waiting times. There is no such thing as a hidden waiting list in the health service. Nonetheless, in the interests of the patient, we seek to abolish availability status codes, even though 90 per cent of them are driven by the patient and not by the NHS.

**Shona Robison (Dundee East) (SNP):** Will the minister acknowledge that there are 30,000 people on that waiting list who are yet to have treatment? If the list is so irrelevant, why has he accepted that it should be abolished by the end of 2007? Rather than wait until the end of 2007, why does he not do the right thing and abolish it now?

**Mr Kerr:** I am not sure where the member was on 15 December, but I said then that patients who show the service and staff a discourtesy by not turning up for an appointment and who waste the equipment, resources and time that are devoted to their appointment will be zeroed and sent back into the queue. That is an appropriate way of treating such people.

Let us go through the codes. One relates to patients with medical constraints that prevent admission for treatment—in other words, people who have another long-term chronic condition that means that they cannot safely undergo their operation. Does Shona Robison want me to bring forward those operations and endanger the lives of the patients? I think not. Another code relates to patients who have asked to defer admission to hospital, perhaps because that does not suit them

socially or personally. That is a legitimate choice to make. I cannot make people have their operations; they have every right to defer an appointment if they think that that is in their interest.

We also have patients who are judged to be of low medical priority. Ms Robison has mentioned the hidden waiting list for children. However, 99 per cent of the children on that list—she calls it hidden, which is untrue in the first place—are waiting for religious circumcisions. I must be honest with the people of Scotland: children who have much greater clinical needs should receive priority and should go first; religious circumcisions, after discussions with parents, can be dealt with appropriately.

I could go on, Presiding Officer, but that would be inappropriate. I am happy to discuss the ASCs—they are not hidden, information on them is widely available and I am happy to talk about why we are getting rid of them.

### Dental Services (Fife)

**8. Iain Smith (North East Fife) (LD):** To ask the Scottish Executive when it last met NHS Fife to discuss dental services in Fife. (S2O-7465)

**The Deputy Minister for Health and Community Care (Lewis Macdonald):** Andy Kerr discussed dental services with NHS Fife at its annual review in Glenrothes on 17 August 2005; I discussed dentistry with the national health service board chairs at their regular meeting with ministers on 29 August 2005; and there are regular meetings at official level to discuss the implementation of the action plan for improving oral health and modernising NHS dental services in Scotland.

**Iain Smith:** Will the minister join me in commending NHS Fife for its efforts to establish an access clinic in St Andrews to fill—almost literally—the gap that has been caused by the retirement of a dentist in the town? Will he examine how health boards can expand the services that they provide through salaried dentists and access clinics to include some level of continuing care, not just emergency cover? Will he condemn the decision of many dentists to stop NHS treatment and virtually blackmail vulnerable patients to sign on for private treatment or take out expensive insurance schemes that they cannot afford?

**Lewis Macdonald:** I am aware of the position in St Andrews and I hope that NHS Fife is successful in putting in place those access arrangements. The key thing is that there should be access to continuing care under the NHS wherever possible. For that reason, I share Mr Smith's concern at the actions of those dentists who have withdrawn or

reduced the level of services that they provide under the NHS. That is why we have brought forward a range of plans to ensure both that NHS dentists are properly rewarded for their contribution to the NHS and that the funding that we provide is used to reward NHS dentists.

**The Presiding Officer:** As we started two minutes late, I will allow a final question from Helen Eadie.

**Helen Eadie (Dunfermline East) (Lab):** Like Iain Smith, I applaud the Executive's efforts to improve dental services. However, will the minister investigate why, of the five constituencies in Fife, the one that has received the most negligible investment in resources is Dunfermline East, which is also the constituency with the highest incidence of heart disease, with which gum disease is very much associated? I would very much welcome any commitment that he could give on that issue.

**Lewis Macdonald:** Our discussions with NHS Fife on those matters will continue. We will certainly take into account both the levels of existing access to NHS services and the wider health and deprivation position of communities that are affected by dentists who withdraw their services from the NHS.

## First Minister's Question Time

12:01

### 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-1784)

**The First Minister (Mr Jack McConnell):** The Cabinet will meet again tomorrow. We will discuss the implementation of our legislative programme.

**Nicola Sturgeon:** I warmly echo the praise that the First Minister gave in the chamber yesterday for the fantastic success of the Royal Bank of Scotland, which will open its global headquarters here in Edinburgh next week. Does he accept that the RBS would not even be a Scottish company today if, back in the 1980s, a foreign takeover bid had not been blocked? Will he also agree that any proposed takeover of Scottish Power must be resisted just as strongly and vocally?

**The First Minister:** I am sure that Scottish Power will be determined to come out of its recent changes stronger as a company. I certainly hope that it will remain not just headquartered here in Scotland but very much in control of its own affairs here. The energy industry is extremely challenging, so Scottish Power needs to be competitive on a global scale in order to succeed. It will have our full support in doing that. Later today, I will discuss with Scottish Power's chief executive the steps that he is taking to ensure that that happens.

**Nicola Sturgeon:** That was not strong and vocal, but weak and barely audible. I remind the First Minister that, just last year, he said that the retention of Scottish corporate headquarters is fundamental to the Scottish economy. Does he realise that the loss of Scottish Power's HQ would be an inevitable consequence of a foreign takeover and that the jobs of the 2,500 people who work there would be on the line? Will he practise what he preaches by making it clear, at this early stage when we can still ward off the threat, that an overseas bid to acquire Scottish Power is simply not welcome? Is he prepared to be that explicit?

**The First Minister:** Had I stood on the table and shouted in my loudest possible teacher's voice, I suspect that Nicola Sturgeon would still have said that it was barely audible, because she wrote down her response before we came into the chamber. The purpose of the question session is that Ms Sturgeon should listen to the answer before responding, rather than read out some pre-prepared statement. It really is time that she started doing that at these weekly sessions.

It is very important that Scottish Power is able to defend its company interests, its employees and its profits against any competitor, not just those who might threaten a hostile takeover. At the same time, it is important that we talk up Scottish Power rather than talk down the potential consequences of such a move. What we see today is that, instead of rallying around Scottish Power by ensuring support for the decisions that it takes, the nationalist party is in there yet again with gloom and doom, as if Scottish Power will be susceptible to takeover unless everybody rushes to its assistance.

Scottish Power is one of our best companies. It has competed nationally and internationally. In a difficult transition in the Tory years, it moved from being a public sector company to being a private sector company, but even in the private sector the public interest is at its core. It has our full support, it will retain our full support and we will work with it to secure a profitable future for it and a secure future for its employees.

**Nicola Sturgeon:** I remind the First Minister that the purpose of First Minister's question time is for the First Minister to answer questions. I asked him to say explicitly that a foreign takeover bid for Scottish Power was not welcome. He failed to do so. I suggest to him that it is now time for some explicit economic patriotism and that we need that from him. Is he aware that Britain tops the league of countries in which domestic companies have been taken over by foreign competitors? That shows that the Department of Trade and Industry cannot be relied on to defend Scottish Power. If he is serious, as he says he is, about having major Scottish players in the global market, will he show some resolve—some explicit plain speaking resolve—and stand up for the Scottish national interest?

**The First Minister:** No. I am absolutely not going to get into the weak nationalist nonsense that we in Scotland should in some way close our borders and consider only what happens inside our own small economy. The most successful Scottish companies—including the Royal Bank of Scotland, which Nicola Sturgeon mentioned—are taking over companies in other countries. They are out there competing in the global marketplace and they are ensuring that they are competitive enough, ambitious enough and ultimately successful enough to compete in that global marketplace. We should not see our ambitions being limited to inside the borders of Scotland; we should be saying that our Scottish companies can compete elsewhere in the world, that they will have our full support and that, if they are ambitious, they can be successful.

**Nicola Sturgeon:** I remind the First Minister that there is nothing inconsistent with wanting our

national companies to grow internationally while being prepared to defend them when they are under threat of extinction. That is what grown-up national Governments do the world over, and it is about time that this one started doing it. I remind him that Scottish Power employs 6,000 people throughout this country. They will be dismayed that he has failed to stand up for that company here today.

**The First Minister:** There are a number of possible threats to the future of companies such as Scottish Power, including the international competition they face and the occasional threat of hostile takeover. However, there is also the threat that comes from those who want to close off Scotland's borders. For our energy companies, that threat is probably more acute than in most other sectors, perhaps excluding financial services. The threat to our energy companies is because the future for our energy companies is to expand their markets, to export energy out of Scotland and, as the Deputy First Minister said this morning in Aberdeen, to use the incredible natural resources that we have here. Their future is not just to create and generate more renewable energy for us here in Scotland, but to export that energy, to win new markets, to create new jobs and to create more successful Scottish companies. Those are the ambitions that we should have in Parliament: not the limits of the Scottish National Party, but a global perspective that will win for 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-1785)

**The First Minister (Mr Jack McConnell):** I met the Prime Minister in Easterhouse last Saturday and I would like to thank and congratulate all those whom we met there, who are doing such hard work in their community to regenerate that community and to ensure that their children have a better life than some of them have perhaps enjoyed. I expect to meet the Prime Minister again soon.

**David McLetchie:** I wish to explore with the First Minister something that arose from his statement to Parliament yesterday, and to ask him to clarify the Scottish Executive's intentions in relation to school boards and parental involvement. I ask him to explain why the system is being changed at a time when 97 per cent of our secondary schools and 88 per cent of our primary schools already have school boards, which have proved to be one of the great success stories in Scottish education since they were established by the previous Conservative Government. Instead of

this constant meddling, when will the First Minister and the Scottish Executive finally realise the common sense of the old adage: "If it ain't broke, don't fix it"?

**The First Minister:** That question shows how out of touch Mr McLetchie and the Conservatives are with the reality of Scottish education. Everybody knows that, from the beginning, school boards in some schools have improved parental involvement and have worked successfully with head teachers, other parents who are not represented on them and others in the local community. However, everybody also knows that there are many schools with or without school boards throughout Scotland that desire a far better system of parental involvement and representation. That is what the bill that we will present to Parliament will deliver.

The bill will not deliver the old system, which was designed to encourage schools to opt out of the local comprehensive system. We know why school boards were introduced in Scotland—the act that did that was strictly designed to ensure that schools were encouraged to opt out, but that has failed. We want a far better system that gives parents the chance to design their own involvement and participation in the school's life, but there will be real obligations. First, there will be a real obligation on head teachers to engage properly with parent councils or school boards. Secondly, there will be an obligation that will ensure that head teachers take account of parents' representations in future plans for schools. Thirdly, there will for the first time in Scotland be an obligation that will ensure that parents will have the right to request inspectors to come in when the local authority or school has let them down.

Parents throughout Scotland will be delighted by the changes. We will ensure that the existing successes of the system will continue, but we will deliver a better system for more parents in more schools. As a result, Scottish education will be better.

**David McLetchie:** The Scottish Executive's proposals are designed to emasculate the powers of school boards and the involvement of parents. That was a classic example of Orwellian doublespeak from the First Minister that is worthy of a chapter in "Nineteen Eighty-Four".

I am not the only person who is concerned about what is going on. Glasgow City Council, which is the largest education authority in Scotland, has said of the proposals:

"it is the unanimous view of councillors that the draft bill ... will not strengthen current parent interest or representation in schools ... indeed the proposals may well erode parental involvement in schools."

That is a response to the First Minister's consultation.

Yesterday, the First Minister spoke about "Existing successful" school boards. Will he confirm that those boards will continue to exercise no less power than they currently have? Will he confirm that no existing powers will be taken away or diluted by the proposed measures?

**The First Minister:** I want to confirm and clarify a few things. A range of responses to the consultation have been received; we consult in the first place to obtain a range of responses. I know that "consultation" is a dirty word for the Conservatives, who in Parliament and elsewhere regularly criticise consultation, but we believe in consultation and we listen to the results of consultations. If an existing school board that is reformed under the new system wants to continue to call itself a school board and believes that that would be a strength in the school, it will be perfectly at liberty to do so.

Secondly, the new bodies will have more, not less, power than the old school boards. As I said yesterday and have said today, they will have the additional power to call in inspectors. I am prepared to consider the suggestion that Elaine Murray made—about which I spoke to the chief inspector last night—that parents could also have the right to call in inspectors to inspect a local authority if they believe that the local authority is letting down their schools. Those are new rights for parents. They will extend the work of the school boards into new areas and will give more opportunities to parents throughout Scotland.

Of course the new bodies might lose one or two powers, but I do not think that parents anywhere in the land will regard the giving up of administrative procedures for school lets as a great letdown, given the new role that they will have not only in receiving a report from the head teacher every year, but in being able to influence the head teacher's future plans and having the power to call in the inspectors. The deal seems to me to be pretty good.

**The Presiding Officer (Mr George Reid):** There should be a brief third question from Mr McLetchie and a brief answer, please.

**David McLetchie:** The deal will be a poor deal because school letting policy is all about a wider policy of community involvement in our schools, which the First Minister should support.

I want to clarify matters and to ask the First Minister a specific question on the so-called powers that are being taken away. Will his replacements for school boards have exactly the same statutory powers as are exercised at present by current school boards in relation to the appointment of senior staff?

**The First Minister:** They will have different powers, but they will be better powers.

**Margo MacDonald (Lothians) (Ind):** Now that we know that the cost to the City of Edinburgh Council of acting as Scotland's capital and hosting G8-associated events will be almost £3 million, will the First Minister say whether he is going to pay for that, rather than leave it to the council tax payers in Edinburgh?

**The First Minister:** As we said in advance, we are committed to reimbursing appropriate costs, both for local authorities and for the other public bodies that helped us to prepare for and implement a successful G8 summit. The City of Edinburgh Council was one of the bodies that came under considerable pressure in advance of and during the summit. It will need to submit to us—I do not believe that it has yet done so—its detailed figures and justify them, because there is no blank cheque, and the justifiable costs that it identifies will be reimbursed.

#### **Secretary of State for Scotland (Meetings)**

**3. Shiona Baird (North East Scotland) (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-1789)

**The First Minister (Mr Jack McConnell):** I speak with the secretary of state regularly and we discuss all kinds of issues.

**Shiona Baird:** Over the past six years, a quarter of Scottish dairy farmers have gone out of business. The major supermarkets sell their milk for 55p a litre, but some Scottish farmers receive as little as 18p for a litre of milk and it costs about 19p a litre to produce. Does the First Minister agree that it is wrong that Scottish dairy farmers are paid less than the cost of production?

**The First Minister:** As I said recently on a visit to a farm in the north-east, and at an agricultural show at the beginning of August at which I spoke to farmers about that very subject, I believe that although farmers obviously participate in a market for that produce, the supermarkets must regard the situation with a great deal of seriousness. They must realise that if they cut off those who supply them with milk by squeezing the price in that way, they will find ultimately that they have a problem with the supply that is coming through. The supermarkets need to take account of the report that has been published today by the Milk Development Council. They must also ensure not only that the price that they are paying allows them to profit from the milk that they sell, but that it allows farmers profitably to produce the milk that the supermarkets sell. There is a need to ensure that and the issue is raised regularly with supermarkets—Ross Finnie meets supermarket

representatives regularly and we raise the matter with them. The supermarkets need to take seriously the long-term sustainability of that market. If they do so, the farmers will get a far better deal.

**Shiona Baird:** The First Minister seems to be saying that the matter has nothing much to do with him and that it is up to the supermarkets. Does not he appreciate the seriousness of the crisis that the dairy farmers face? He is presiding over a vital industry in which the price that is paid for its product is below the cost of production. We are having a debate this afternoon about prosperity for all. Is he prepared to accept the destruction of dairying in Scotland, or will he stand up for the Scottish dairy farmers, go down to Westminster—if that is what it takes—and get the issue resolved?

**The First Minister:** We are in danger of having a repeat version of previously prepared questions being read out regardless of the answer. The answer, as I said, is that we raise those matters with the supermarkets, that we take the issue very seriously indeed and that there is a serious issue at the heart of the debate. The solution, however, is not to create a situation in which the state fixes prices for supermarkets to buy from producers. The objective must be to get the supermarkets to realise that, if they do not take more seriously the price that they are paying for their milk, they will not be able to get that milk in the future. That is how the market will operate. The dairy farmers deserve better from the supermarkets. They have our full support in trying to secure that deal from the supermarkets, but ultimately the supermarkets themselves must make that decision.

#### **Terrorism**

**4. Mr Kenneth Macintosh (Eastwood) (Lab):** To ask the First Minister what procedures have been put in place by the Scottish Executive to respond to any heightened risks following the recent terrorist attacks in London. (S2F-1790)

**The First Minister (Mr Jack McConnell):** We are working very closely with the Home Office, the police and other agencies. Furthermore, we continue to consider and develop national policies to ensure that Scotland is well prepared for major emergencies, including terrorist incidents. For example, the Scottish emergencies co-ordinating committee includes chief officers from the main responder organisations and provides co-ordinated strategic direction for emergency planning in Scotland, and a ministerial group on civil contingencies has kept under review the Executive's policy for managing the consequences of major terrorist or other disruptive emergencies.

In addition, since 7 July, we have engaged further with faith and minority ethnic communities. The Minister for Communities and his officials

have attended a number of meetings with community representatives to hear about their concerns and the impact of the events on them. Although we need to be prepared for such incidents, we must also ensure that we have in Scotland good community relations in order that we can minimise the potential for creating the feelings that lead to them.

**Mr Macintosh:** I thank the First Minister for his response and reassurance. As far as the latter part of his response is concerned, does he accept that, although the bombs have left people in our country feeling anxious and vulnerable, few feel more so than the members of our Asian communities, particularly Muslims? Is he aware that, in order to address that anxiety, I organised an event in my constituency in East Renfrewshire for Muslim residents and others, which concluded that we could take a number of positive steps, the most important of which was to have greater dialogue? Will he reassure me that the most important response that he can give is to continue to take the lead in supporting multiculturalism in our schools and elsewhere; in promoting greater understanding between our different communities; and in supporting and encouraging an attitude of tolerance and respect in our one Scotland with its many cultures?

**The First Minister:** Many people in our minority ethnic communities and the different minority faiths in Scotland are not immigrants; they were born here and are very proud of their national roots. I am very pleased today by figures that show that Scotland's incoming population is growing and is of a quality that not only allows us to reverse population decline but will help us to grow a dynamic economy in the future.

However, although that central objective is a big priority for us, we in Scotland must tolerate and celebrate diversity to ensure that multiculturalism is more than just a word on a piece of paper. It must be a way of life for us. I was not aware of Ken Macintosh's meeting, but I encourage him to pursue that dialogue in his community. I absolutely assure him that individual Executive ministers and I, as First Minister, will take our responsibilities in this area seriously and will maintain and improve dialogue not only with those who represent the ethnic minority communities in Scotland but with individual members of those communities.

### **Single-status Agreement**

**5. Brian Adam (Aberdeen North) (SNP):** To ask the First Minister whether the Scottish Executive has any concerns regarding local authorities not implementing the 1999 single-status agreement. (S2F-1797)

**The First Minister (Mr Jack McConnell):** That is a local authority matter. The Executive had no

involvement in the negotiations between local authorities and the trade unions that resulted in the single-status pay agreement of 1999. It is therefore for local authorities to implement the agreement.

**Brian Adam:** The First Minister is no doubt aware that Aberdeen City Council and Moray Council have been forced to withdraw their proposals. I am sure that he will join me in welcoming the fact that the threat of industrial action has been lifted. Will he confirm that similar public sector workers who deal with equality issues are getting deals such as the national health service agenda for change arrangements, which are fully funded by the Executive? Moreover, does he think that all staff who work in the public sector deserve to receive the same support for equality issues from the Executive?

**The First Minister:** The difference between agenda for change and the new local authority arrangements is that, in national negotiations, the United Kingdom Government and the devolved Administrations secured the agenda for change arrangements in the health service to meet a number of important objectives, such as the modernisation of staffing in the NHS to ensure more flexibility, and to introduce real reforms that would improve patient care throughout the country. As a result, the significant funding that we are providing not only meets those staffing objectives but ensures that health boards can manage the change. When local authorities decided in 1999 to establish the new single-status agreement, the decision was made by them and the trade unions. At that time, they should have decided how it would be implemented. It is their responsibility to implement and fund it.

**Richard Baker (North East Scotland) (Lab):** Does the First Minister agree that thorough and adequate negotiations with trade unions are essential to securing single-status agreements? Will he urge councils to act in such a way, unlike the Lib Dem-Tory administration in Aberdeen, whose actions have greatly distressed the workforce?

**The First Minister:** Negotiations between public bodies and trade unions are notoriously difficult. All I will say is that I am pleased that an immediate impact has not been felt on services for the people of Aberdeen. It is important to have further dialogue and to ensure that council administrations and trade unions in different parts of the country discuss the matter seriously and, I hope, reasonably, with local people's interests always to the fore.

### **Scottish Parliament (Powers)**

**6. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** To ask the First Minister how

Scotland could benefit from enhanced powers for the Scottish Parliament. (S2F-1798)

**The First Minister (Mr Jack McConnell):** Devolution is delivering a more democratic and more accountable system of government. It is durable, but it is not immutable and it is a process, not an event. We have made important adjustments and there will be more—not because of a fixation on constitutional abstracts, but to enhance the Government's ability to deliver for the Scottish people.

**Jeremy Purvis:** Does the First Minister recall that the constitutional convention—a body in which the Scottish National Party and the Conservatives refused to participate—has suggested that it might reconvene to review Parliament's powers and functions? Does he support that, in the hope that it will allow a constructive and consensual way to move towards more powers for the Parliament? In the meantime, I immodestly suggest a pamphlet called "Fiscal Federalism", which concerns the levers of economic powers of Parliament and argues for radical but realistic policies, rather than the black-hole economics of fiscal autonomy that the SNP may propose.

**The First Minister:** If the pamphlet has a price on it, I hope that Jeremy Purvis will declare a financial interest in promoting it in the chamber.

Six years into devolution, we should be mature enough to have such debates, but we should have them openly and honestly. At the core of those discussions we should put the interests of the people of Scotland, rather than individual party interests. I hope that we are prepared to do that.

The constitutional convention had a particular role in creating the Parliament. The convention's purpose was to bring together political representatives in civic Scotland to prepare and secure a settlement. It succeeded in achieving that. I would never say never, but I counsel against revisiting the convention model, because it had its place. It has an important place in Scottish history.

Widespread debate of such matters is needed in the years to come, while we always remember that we are elected to come here, do our business and use the powers that we have to benefit the people of Scotland.

**Alex Neil (Central Scotland) (SNP):** In the light of what the First Minister said, given the wide-ranging views throughout Parliament on the need for additional powers and in the spirit of the Parliament's founding principles, does he agree that rather than conduct an internal review in the Executive, it is time to consider establishing a special committee of the Parliament, perhaps convened by the Presiding Officer, to examine additional powers and to take evidence from civic

Scotland and others on the additional powers that Parliament now requires? Does he acknowledge that although there is disagreement about independence, agreement may well be wide on the next step forward?

**The First Minister:** I make it clear that no review on the matter is taking place inside the Executive, for a good reason. That is why I oppose the suggestion that Alex Neil just made.

I know that it would suit the purposes of the Scottish National Party to set up a special committee of the Parliament and have a constant debate over the next two years about the powers of the Parliament and how we can blame all this on everybody else; however, that is not our purpose here. I know that the SNP has run out of ideas and has nothing else to suggest, that the other committees of the Parliament are of no interest to the SNP and that it does not want to talk about the justice system, the economy, the health service or the education service—absolutely nothing in the debate that we have had so far on the legislative programme—or to put forward new ideas. However, we have ideas. We announced them yesterday and they are going to go to Parliament's committees for debate over the next 18 months.

Through that programme, we will secure a better criminal justice system, a better education service, health improvements for Scotland and a stronger, growing Scottish economy. That is the priority for the Parliament, not the setting up of more committees and having more navel-gazing debates. Let us get down to the work that we were elected to do. Let us serve the people of Scotland and make a difference.

**Phil Gallie (South of Scotland) (Con):** The First Minister has, in the past, claimed that the European constitution would give greater voice and more powers to the Scottish Parliament. Does he now acknowledge that current analysis of the constitution shows that not to be true and that, in fact, the constitution would drain Parliament of further powers? On that basis, will he take the message to the Prime Minister, in his European presidency, that the Scottish Parliament wants him to kill off the constitution once and for all?

**The First Minister:** We could be back in the mid-1980s with Alex Neil and Phil Gallie's contributions to the debate—but it is still fun. The reality is that the proposed European constitution—which, I recognise, is now opposed in several European countries—would give new rights and opportunities to Parliament and to devolved Governments the length and breadth of the European Union. It will be a pity if we do not secure those rights but, as the debate goes on, we have an opportunity to influence the way in which not just the British presidency, but the next

responds to the votes that have taken place and what steps are taken about the future constitutional arrangements in Europe. We have an opportunity to put our case.

I believe that there needs to be further devolution of decision making and influence in the European Union and that an enlarged European Union can be successful only if it recognises that. I do not believe in further centralisation. In constitutional debates we have an opportunity—we now have a role, in fact—to state our case. I hope that we can do that not in a negative way that says that we walk away from all this and do not take part, but in a positive way that says that we are strong and confident that we have something that we believe in, and that we can make a difference with it.

12:32

*Meeting suspended until 14:15.*

14:15

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Enterprise, Lifelong Learning and Transport

##### Careers Scotland (Pay)

##### 1. Janis Hughes (Glasgow Rutherglen) (Lab):

To ask the Scottish Executive what progress has been made in discussions between Scottish Enterprise and Careers Scotland staff regarding the introduction of performance-related pay. (S2O-7434)

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** I understand that Scottish Enterprise has recently put forward new proposals, which have formed the basis of productive discussions with the trade unions. Ministers have consistently urged both sides to take part in discussions and negotiation. I am pleased by the latest developments, which I hope will provide a resolution to the dispute.

**Janis Hughes:** I hope that that indeed leads to a resolution of what has been a long and protracted dispute. Many of us will be happy to hear about that. Using the lessons learned from the dispute, and hoping that other ministers will do likewise, can the minister assure me that he will do everything in his power to ensure that any future proposals involving pay and grading changes in public sector companies will be subject to full consultation and partnership working with trade unions?

**Allan Wilson:** Pay and grading arrangements vary across the public sector, as we heard during First Minister's question time. As a national service, Careers Scotland is a model that has been recognised by experts in the field, and we must maintain its integrity. Those arguments remain valid. I am aware, however, that people have different perspectives on the matter, and I am considering how best to invite and consider those views.

##### Modern Apprenticeships (Application Criteria)

**2. Ms Rosemary Byrne (South of Scotland) (SSP):** To ask the Scottish Executive what criteria have to be met to apply for a place on the modern apprenticeship scheme. (S2O-7471)

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** Industry sets the selection criteria within each modern



apprenticeship framework. The criteria therefore vary from sector to sector. All modern apprentices are employed for the duration of their training, and employers often set their own selection criteria over and above any industry standard to ensure that they recruit the most suitable candidates.

**Ms Byrne:** In light of the Executive's statement yesterday that

"Scotland's employment rate is now the best in the UK and among the highest in Europe",—[*Official Report*, 6 September 2005; c 18780.];

in light of the fact that unemployment in North Ayrshire is markedly above the national average, with the Irvine Vineburgh area having male unemployment at 11 per cent, Stevenson having 9.7 per cent male unemployment and Irvine centre having 9.4 per cent; and in light of the fact that apprentices who are trying to get into the skillcentre in North Ayrshire have to have a job that goes with that—

**The Deputy Presiding Officer (Murray Tosh):** Come to a question.

**Ms Byrne:** What can the minister do to stop the barriers that prevent young people in deprived areas from getting into modern apprenticeship courses when Scottish Enterprise is telling the skillcentre that they must first have an employer? Nine young people—

**The Deputy Presiding Officer:** You are making a speech.

**Ms Byrne:** Nine young people out of a total—

**The Deputy Presiding Officer:** No, Ms Byrne. You have asked the question; the minister can answer it now.

**Ms Byrne:** I want to ask him—

**The Deputy Presiding Officer:** No. You have asked the question. Sit down, please.

**Allan Wilson:** There were a number of issues in that. Representing, as I do, a substantial part of North Ayrshire, I am very familiar with the employment situation there. The employment situation in North Ayrshire is improving, as it is throughout Scotland. Part of that process of improvement undoubtedly comes down to the fact that we now have 34,000 modern apprentices in Scotland; we hope to build on that figure so that young people get the opportunity to go into training in North Ayrshire, as elsewhere.

**Phil Gallie (South of Scotland) (Con):** The minister will no doubt agree that modern apprenticeships, which were born under the previous Conservative Government, have been a great success. What percentage of those who go into the scheme complete their modern apprenticeships?

**Allan Wilson:** We have made substantial modification and improvement to the modern apprenticeship scheme since it was introduced in 1995. Part of that improvement has revolved around an increase in the completion rate to which Phil Gallie refers. We are committed to improving that rate; several activities have been put in place to achieve that and the completion rate has increased from 48 per cent in 2001 to 55 per cent in 2005. We hope that that progress will continue.

### **Traffic Congestion (West Edinburgh)**

**3. Mr Kenny MacAskill (Lothians) (SNP):** To ask the Scottish Executive what action it is taking to address traffic congestion in west Edinburgh as a result of the opening of the Royal Bank of Scotland's headquarters at Gogarburn. (S2O-7398)

**The Minister for Transport and Telecommunications (Tavish Scott):** Local traffic issues are a matter for the City of Edinburgh Council and will have been considered carefully by the council prior to its granting planning permission for the development.

**Mr MacAskill:** The minister is aware that that is a major area for development for Edinburgh and all Scotland. It is not just the Royal Bank of Scotland; airport expansion is on the go. Does the Executive accept that investment in road access, as well as in public transport, will be necessary and that paying for that should be the responsibility of all Scotland, not just the Edinburgh council tax payers?

**Tavish Scott:** The Scottish Executive is considering traffic congestion in west Edinburgh. Significant funding has been provided for the park-and-ride service at Hermiston, which will be opened officially tomorrow, in addition to the west Edinburgh busway system, Edinburgh crossrail, the Edinburgh airport rail link and the tram network. That is a considerable body of investment, which can in no way be described as local. I am sure that even Mr MacAskill acknowledges that money will be allocated by the Executive—and approved by Parliament—for those major projects that will help with the airport and the expansion that might happen in that part of Scotland.

### **Marine Energy**

**4. Nora Radcliffe (Gordon) (LD):** To ask the Scottish Executive what progress has been made on encouraging and promoting marine energy. (S2O-7463)

**The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen):** In Aberdeen this morning, I announced our decision to offer double or treble renewable

obligation certificates for wave or tidal energy projects in Scotland. That will help to transform investment in marine projects around our shores with the potential to create 7,000 Scottish jobs.

**Nora Radcliffe:** The minister's announcement was very welcome; I have already had e-mails from people in the north-east to say how welcome it is. It is to be hoped that it will unlock major potential benefit for Scotland, both economically and in respect of meeting climate change targets. However, to smooth the progression of a burgeoning marine energy industry, what is being done on the strategic environmental assessment of Scotland's coastal areas to help with rapid deployment of marine energy in the most suitable locations?

**Nicol Stephen:** Nora Radcliffe is right that a strategic environmental assessment is being done that will help to ensure that the development of tidal and marine power—for which there is huge potential—is done in the most sensible, sensitive and speedy way. That is why a major contract was let to Faber Maunsell in June this year. That vital work, which is looking round Scotland's coastline to seek out the best opportunities, is continuing with a project group that includes the industry, the public sector and environmentalists. Today's announcement of the extra injection of funding that will be available to the marine sector for the commercialisation of its schemes, and to the study to discover where around Scotland those schemes should be best placed, will give a major kick start to those initiatives. I have no doubt that the combination of those initiatives will be a major boost for marine renewables in Scotland.

**Alasdair Morgan (South of Scotland) (SNP):** I welcome what the minister said; it goes some way towards allaying the concerns that the Enterprise and Culture Committee expressed in its report of last year. Will the minister undertake to continue to monitor the situation so that we can be assured that what he has announced will successfully redress the current imbalance between wind developments on the one hand and marine and other technologies on the other? If what he has announced is not sufficient to redress the balance, will he undertake to revisit the issue?

**Nicol Stephen:** I can give that undertaking. It will be effective only if schemes that are developed in Scotland are delivered in Scotland. That is what today's announcement was all about. Although all forms of renewables are entitled to access the renewable obligation certificates and the available subsidy, it is clear that wind schemes are going ahead but wave and tidal schemes are not. Wave and tidal technology is at an earlier stage and more costly at the moment, so it needs that extra boost.

I believe passionately that we need a mixed renewables sector in Scotland and that we have a

great opportunity to lead the world in marine renewables technology. Wave and tidal power will be a big part of the future of renewables, but unless we invest in renewables here in Scotland it may be difficult for those Scottish companies that already have a world lead to secure that lead when they go out to global markets.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I want to press the minister on the question that Alasdair Morgan asked. The minister will be aware of the widespread concern in many rural communities about the overemphasis on onshore wind developments. What discussions has he had with the renewables industry about the likely impact of the proposals that he announced today on shifting the balance away from onshore wind towards marine technology?

**Nicol Stephen:** It is fair to be frank with Parliament about the issue. The industry and many of the power generators feel that the current approach to onshore wind, and indeed to the offshore wind proposal that Talisman is developing, has been successful. They feel that the renewable obligation system has been at the heart of that and that a stable financial and investment environment has allowed a significant number of renewables schemes to come forward. They are nervous about tinkering with that scheme and about any shift in the scheme that might affect the investment climate.

I think that it is worth tackling that issue head on and doing what has been announced today—increasing the renewable obligation certificates for wave and tidal power. The bigger prize, which is clear, is worth the associated risk. There is great potential to increase significantly the contribution that marine power makes to renewables in Scotland. There is an even greater opportunity to establish a global lead for Scottish companies. If we do that, we can secure jobs—as the Danish have done in relation to wind power—because we are the global leader in marine technology, as well as opportunities for work, contracts and profit around the globe.

**The Deputy Presiding Officer:** Question 5 has been withdrawn.

### **Oil Tanker Accidents (The Minches)**

**6. Eleanor Scott (Highlands and Islands) (Green):** To ask the Scottish Executive what assessment it has made of the economic consequences of an oil tanker accident in the Minches and what representations it has made to the United Kingdom Government on such consequences. (S2O-7477)

**The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen):** The Scottish Executive is clearly concerned about the potential for marine,

environmental and economic damage in all parts of Scotland, but ministers have made no assessment of the economic consequences of an oil tanker accident in any specific location. As the late Lord Donaldson noted in his comprehensive report, "Safer Ships, Cleaner Seas", which was published in 1994 following the Braer tanker disaster, predicting an outcome and placing a value on damage to wildlife and to amenity present real problems. The Scottish Executive is conscious of the importance of the issue, but has not made any representations to the UK Government on the matter.

**Eleanor Scott:** I am aware that shipping and maritime safety are reserved issues, but the economic aspects—not to mention the environmental and social aspects—of a major oil spill would be disastrous for Scotland and particularly devastating in areas that depend heavily on tourism. Given that the number of vessels over 300 tonnes going through Highlands and Islands waters has increased more than threefold since 1999, let alone since the Donaldson report, does the minister agree that that is an accident waiting to happen? What discussion will he have with the UK Government about protecting the economy and environment of those vulnerable areas?

**Nicol Stephen:** It is important that appropriate safety measures are taken and that our ships improve their safety standards. We have seen a significant improvement in safety standards in the industry even since the time of the Braer disaster in the 1990s. It is vital that we remain alert to the threats and problems—communities would demand no less—but we also want to encourage international trade. We want to do that safely, but we want Scotland to do more in that regard. That is why there are proposals in Orkney and at Hunterston for the major trans-shipment terminals, which offer great opportunities for Scotland. However, any proposals must be handled in the right way.

**Mr Alasdair Morrison (Western Isles) (Lab):** I urge the minister to dismiss instantly any suggestion that tankers should be banned from the Minch. Experienced seafarers, of whom there are many in the Western Isles, agree that such a measure would be unnecessary and, in fact, would border on the reckless.

I urge the minister to liaise closely with colleagues in the United Kingdom Government and to examine the viability of introducing a pilotage system in the Minch. Such a system would, of course, provide the necessary safeguards against tanker accidents.

**Nicol Stephen:** We are always very happy to consider reasonable suggestions for improving safety such as that proposed by Alasdair Morrison.

I am certainly willing to raise the issue with the UK Government. I agree with him that an outright ban would lead to greater dangers for our seafarers, who would be forced to go into more dangerous waters.

As a maritime nation that is aware of the dangers of the sea, Scotland must take appropriate precautions to manage those dangers; however, it must also continue to be very much engaged in trade, fishing and the most appropriate use of the seas.

#### **Lifeline Air Links (Highlands and Islands)**

**7. Mr Jim Wallace (Orkney) (LD):** To ask the Scottish Executive what progress it is making on the delivery of the partnership agreement commitment to reduce the cost of lifeline air links in the Highlands and Islands using public service obligations. (S2O-7469)

**The Minister for Transport and Telecommunications (Tavish Scott):** Executive officials have been working closely with the Highlands and Islands strategic transport partnership to complete their assessment of options. I expect to receive advice imminently on how best to implement the partnership agreement commitment to reduce the cost of air links.

**Mr Wallace:** I am grateful to the minister for indicating the progress that is being made on appraising the options. I think that he hoped to complete that work by the end of August. When does he hope to receive that assessment? Moreover, will he knock on the head the idea that simply abolishing landing charges at airports that are run by Highlands and Islands Airports Ltd would make any significant impact on fares? Does he accept that, on this issue, he and I share a great view that we must continue to make steady progress towards achieving this commitment before 2007?

**Tavish Scott:** The analysis will be with me this week. I confirm to Mr Wallace that I am not persuaded by the argument, made by some, that we should simply increase the subsidy to HIAL. My understanding of the figures is that such a move would reduce the cost of flying by less than £10 a ticket, which would not make the material change to which we are all committed in the partnership agreement.

I certainly understand that Mr Wallace has been committed to this matter not just in this Parliament but in other Parliaments. Indeed, I used to write the supplementaries to some of the questions that he asked at Westminster.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** As the minister probably knows this information far better than I do, will he confirm that the cost of return fares from some of our

islands to the mainland can exceed £300 and that his constituents have suffered that exorbitant cost for too long? Will he also confirm that HITRANS has been making what the former Deputy First Minister described as “steady progress” for six years now? Does he agree that it is now time to try out the HITRANS proposals and to reject both the landing charges option and the new entrant—aid having a social character—which many believe has been introduced as an attempt to foil the strategic transport partnership’s proposals?

**Tavish Scott:** I can certainly confirm Mr Ewing’s figures; indeed, the cost of a full-fare return flight between Edinburgh and Kirkwall or Sumburgh can at times approach £400. That was one of the issues that I discussed with the chairman of HITRANS, Councillor Charlie King, at a meeting on 20 July. That is why the final assessment will be with me this week; after that, I hope that it will go to ministerial colleagues to ensure that they make progress with the matter.

As for the impact on island communities—and, indeed, on the Highlands and Islands—I believe that, as Alasdair Morrison related this morning in his question to the Minister for Tourism, Culture and Sport during general question time, this development will have huge economic benefits. Tourism alone must be an economic area whose potential will be even more huge when we begin to put these measures in place.

#### **East Coast Rail Line (Electrification)**

**8. Mrs Nanette Milne (North East Scotland (Con)):** To ask the Scottish Executive what further negotiations it will hold in respect of the electrification of the east coast rail line. (S2O-7410)

**The Minister for Transport and Telecommunications (Tavish Scott):** There are no current plans to hold negotiations on electrification of the east coast main line.

**Mrs Milne:** The minister might be aware that his predecessor in post, Nicol Stephen, was a former chairman of the campaign for rail electrification from Aberdeen to Edinburgh—or CREATE—and would, I hope, support my call to make this issue an Executive priority. Under the new franchise agreement, First ScotRail has agreed improvements that promise to deliver higher performance standards in the network and improve service punctuality and reliability. Does the minister agree that electrification of the east coast line between Aberdeen and Edinburgh is a priority for the development of the north-east economy and the provision of a modern and efficient transport network?

**Tavish Scott:** The provision of a modern and integrated transport network is very much the point

and is our overriding objective. I accept Nanette Milne’s argument in relation to that. However, I know from the Executive’s research that rail passengers look for and expect us to deliver on punctuality, reliability and the comfort of trains rather than on how they are powered. It is essential that we focus on that. However, I will continue the discussions that my predecessor had with the north-east Scotland transport partnership in relation to the strategic overview of transport spend. We will make the best progress that we can on delivering on the key priorities of punctuality, reliability and the comfort of trains.

### **Justice and Law Officers**

#### **Violent or Abusive Pornographic Material (Legislation)**

**1. Donald Gorrie (Central Scotland) (LD):** To ask the Scottish Executive whether it will ensure that any legislation arising from the recently announced consultation by the Home Office and the Executive in relation to violent or abusive pornographic material will be primary legislation through this Parliament rather than United Kingdom legislation with a Sewel motion. (S2O-7460)

**The Deputy Minister for Justice (Hugh Henry):** We intend to bring forward during this session any legislation that arises from the extreme pornography consultation. As was announced yesterday, there will be an opportunity to do that next summer in the sentencing bill.

**Donald Gorrie:** Thank you. That is encouraging. Does the minister accept that there has been concern in the past that sometimes a Sewel motion has been used on a socially controversial issue that would have been better dealt with through full parliamentary legislation here? Will he look more favourably on trying to legislate in-house on controversial issues rather than using Sewel motions.

**Hugh Henry:** I do not accept Donald Gorrie’s analysis. Any time we have used a Sewel motion, we have done so because that has been the most appropriate and effective way of dealing with legislation. Controversial issues have been dealt with in this Parliament and we will continue to try to bring through this Parliament whatever legislation is appropriate. However, we also recognise the value that is afforded to us by the Sewel mechanism, which will be used judiciously, appropriately and, I believe, sparingly, given the overall amount of legislation with which we deal.

#### **High Court Reforms (Monitoring)**

**2. Karen Whitefield (Airdrie and Shotts) (Lab):** To ask the Scottish Executive what

monitoring has been undertaken on the effect of High Court reforms since they were implemented. (S2O-7457)

**The Deputy Minister for Justice (Hugh Henry):** High Court reform is working. The early, informal signs are very promising with, it seems, 1,000 fewer victims and witnesses having to come to court unnecessarily in the first six weeks. A full evaluation has been put in place and results will be available next September. It will look at reductions in the number of cases adjourned or needing extra time and at improvements in the experience of victims and witnesses.

**Karen Whitefield:** I am grateful to the minister for his response and I am pleased to learn that initial indications are that the reforms have been positive. Will the Parliament be kept fully informed of the evaluation results so that it can ensure that victims and witnesses are seen as a priority in a swift and effective justice system?

**Hugh Henry:** Karen Whitefield makes a valuable point about the role and place of victims and witnesses in the judicial system. We have given significant emphasis in the Executive and Parliament to what many perceived as a gap in the support that is given to victims and witnesses. We have put in place a number of measures to give greater support to them and to recognise their role and the stresses and strains of being a victim or a witness in the courts.

Anything that can be done to improve their experience, support them and enable them to give their full evidence so that justice can be served must be considered. It is in the interests not only of the judicial system, but of victims and witnesses that cases be dealt with quickly and effectively and that they reach a speedy conclusion. I commend everyone who has been involved in seeing through the improvements. There is still more to come, but the early signs are very encouraging and bode well for the future.

### **Shoot to Kill (Police Authorisation)**

**3. Dennis Canavan (Falkirk West) (Ind):** To ask the Scottish Executive under what circumstances the police are authorised to shoot to kill. (S2O-7472)

**The Lord Advocate (Colin Boyd):** The deployment of firearms by police officers is an operational matter for chief constables; however, such operations must be within the law. Force can be used to defend oneself and others; lethal force can be used only when there are reasonable grounds for believing that there is an imminent threat to life and that there is no other way of averting the danger.

**Dennis Canavan:** In view of the tragic killing of an innocent Brazilian by the Metropolitan police

and the concern that the police have been given some kind of licence to kill, will the Lord Advocate reconsider the Scottish Executive's policy that the deployment of firearms is an operational matter for chief constables, while accepting that chief constables should have the power to apply the rules in a specific case—for example, in hot pursuit of an armed terrorist? Will the Executive ensure that the basic rules of engagement are subject to some form of parliamentary scrutiny? The forthcoming legislation on police powers might be an opportunity for it to do so.

**The Lord Advocate:** I accept the fact that Parliament is, rightly, concerned about the issues that arose from what happened in London. However, it is also right that the police officers, who are the professionals who are trained to make such decisions, should do so while being conscious that they must act within the law. It would be very dangerous for politicians to substitute their own judgments for those of trained professional police officers.

### **Dispute Resolution**

**4. Bill Butler (Glasgow Anniesland) (Lab):** To ask the Scottish Executive what measures it is using to help to resolve disputes without recourse to court proceedings. (S2O-7426)

**The Deputy Minister for Justice (Hugh Henry):** We support and encourage the use of alternative methods of dispute resolution where that is appropriate. We have published guidance for the public on how to resolve disputes without going to court and we are providing support and funding for a range of mediation and advice services. That includes funding that was recently announced for two new in-court mediation pilot schemes and for the Scottish Mediation Network.

**Bill Butler:** I note the encouraging news that there are to be two further in-court mediation pilot schemes to follow the one in Edinburgh. Has the ministerial team considered taking the opportunity to build on the success of the Edinburgh pilot scheme by using the Glasgow pilot scheme to go beyond merely dealing with the settlement of small claims?

**Hugh Henry:** Bill Butler is right to refer to the success of the Edinburgh project. When I visited it recently to open the new mediation rooms, I was impressed not only with the dedication of the volunteers who were there, but with the effectiveness of the scheme. It is in everyone's interest for people to achieve an early and amicable resolution to a dispute without having to go through the full rigours—with the associated time demands and cost—of a court hearing.

Although the Edinburgh project deals mainly with small claims, Bill Butler's suggestion is useful

and I would like the projects in Aberdeen and Glasgow to deal with summary cause and ordinary cause. If we can help to establish that such a mediation service works for more complicated claims, we can give everyone confidence in seeking resolution without having to resort to a full court hearing.

**Christine Grahame (South of Scotland) (SNP):** I am sure that the minister will agree that family mediation services have played a crucial—indeed, integral—role in matrimonial disputes and disputes over children. Is he therefore considering granting additional funding to family mediation services, whose role will increase under the Family Law (Scotland) Bill?

**Hugh Henry:** The funding of local projects should be a matter for responsible local agencies. There is an historical anomaly in the fact that the Executive funds 10 or 11 local mediation services throughout Scotland. We are seeking to rectify the situation by transferring the funding to a more appropriate local agency. I do not think that it would be right for the Executive to determine all decisions about funding for local projects. Taking that approach to its logical conclusion, we would not stop at funding family mediation; we would fund every local voluntary project through the Executive, which clearly would not work.

On the other hand, it is right that the Executive should look to support the national bodies that help to develop, promote and establish the wide variety of services that exist across the country. We are doing that. We have invested substantially in that and we are working with those national bodies, which are going through a change programme to make them more effective. Additional funding has been allocated and we remain committed to that.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** The family mediation and other mediation services are very effective and complement both criminal and civil law in Scotland. When is the minister likely to come to the conclusion of his review? What role will local authorities and, crucially, the voluntary sector play in helping him to reach his conclusions?

**Hugh Henry:** We have been in discussions with local government to establish an effective mechanism for the disbursement of funds for local bodies. I hope to reach a resolution in the near future. However, that does not take away from the pertinent point raised by Jeremy Purvis. There is a need for local government across Scotland—this reflects Christine Grahame's concerns—to recognise the value of such services. It is not for the Executive to dictate to local government what it should do with its funds. However, I encourage those in local government to look carefully at what is being delivered and achieved in their areas. I

commend to them the value that is delivered by family mediation services and I exhort them not to underestimate the harm that would be caused if those services were not supported.

### **Procurator Fiscal Service (Cupar)**

**5. Mr Andrew Arbuckle (Mid Scotland and Fife) (LD):** To ask the Scottish Executive what progress has been made to address recent public concerns regarding the Procurator Fiscal Service in Cupar. (S2O-7459)

**The Lord Advocate (Colin Boyd):** The area procurator fiscal recently met members of the local bar, the sheriff, the chair of the local justices and other interested parties to reassure them of the Procurator Fiscal Service's continuing commitment to services in Cupar and Fife.

**Mr Arbuckle:** I thank the Lord Advocate for his answer, but I question how up to date his information is. Only last week, a serious criminal case was scheduled for Cupar. The accused was brought for trial and the police and security guards were present, as were the sheriff and sheriff clerk, but there was no one from the procurator fiscal's office. That resulted in the case having to be transferred to Kirkcaldy, some 20 miles away.

**The Deputy Presiding Officer:** Could you treat that as a question, Lord Advocate?

**The Lord Advocate:** I am aware of that case. I think that there was a mix-up with the transfer of the prisoner. I reassure Mr Arbuckle that I am aware of the concerns—and I know that the area procurator fiscal is aware of the concerns—about that particular case and another one, of which Mr Arbuckle is also, no doubt, aware.

The restructuring in Fife means that there has been a certain amount of centralisation of the marking process in Kirkcaldy. That has brought great benefits to Fife as a whole and to Cupar. I appreciate that problems have arisen but I know that they are being addressed. I will certainly keep Mr Arbuckle informed about that.

**Iain Smith (North East Fife) (LD):** I appreciate the answers that the Lord Advocate has given. As I am sure he is aware, I have also raised the matter with his colleague the Solicitor General for Scotland. Despite the assurances that the elected members for North East Fife have received, there are still reports of cases—including those involving serious assault—not taking place in Cupar and being abandoned as a result of the problems with the Procurator Fiscal Service and the sheriff court. Does the Lord Advocate agree that that is not in the interests of justice and, in particular, not in the interests of victims?

**The Lord Advocate:** Of course I agree with that proposition, but I also think that it is right for us to

address the issues of the Procurator Fiscal Service throughout Fife. One of the issues in the Crown Office and Procurator Fiscal Service is single-member offices. We need to address how those offices handle peaks and troughs, how we have a proper system of career development and progression and how we ensure that there is an efficient service that looks at the area interacting with its criminal justice partners. My commitment is not only to Cupar but to Fife. I seek to ensure that the service is properly managed in the interests of everyone in Fife.

### **Crime and Young People (Diversiory Courses)**

**6. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** To ask the Scottish Executive whether it considers that diversionary courses, such as the methods deployed in the television series “Bad Lads Army”, can play a role in turning young people away from a life of crime. (S2O-7390)

**The Deputy Minister for Justice (Hugh Henry):** We have yet to see any evidence to demonstrate that such courses have a positive and long-term impact on reoffending rates. Most offenders are likely to present with complex social problems and they can encounter difficulties in reintegrating into their local communities. It is for those reasons that we are investing in programmes such as constructs—rigorous community-based programmes for young male offenders that independent evaluation has shown to be effective.

**Fergus Ewing:** Does the minister accept that courses such as Highland youth advantage, which is run jointly by the Army and the Northern Constabulary for male and female teenagers—“Bad Lads Army” without the beating and physical punishment—have had remarkable success? The courses employ two features. The first is a mixture of physical education, exercise, training and lectures in citizenship and about drugs. The second—the essential part—is that they get young people who may be on the cusp of a career of crime away from their natural home habits and habitats and show them that there is a better way. Is the minister aware of the huge success of those schemes in the past four years?

**Hugh Henry:** I exhort Fergus Ewing to get in touch with the reality of dealing with youth offending, rather than in touch with reality TV. I suspect that his viewing habits are as socially useful as Alex Salmond’s 2 am viewing of teletext. As far as the other issue is concerned, I have answered Fergus Ewing’s question before. The matter is for individual forces to consider. A number of local initiatives throughout the country can make a contribution. We will examine with

interest anything that is proven to do so. However, it would be wrong for us to dictate to local forces exactly what they should do in their areas.

### **Family Law (Scotland) Bill (Scottish Women’s Aid)**

**7. Maureen Macmillan (Highlands and Islands) (Lab):** To ask the Scottish Executive whether it has had any discussions with Scottish Women’s Aid regarding its concerns about aspects of the Family Law (Scotland) Bill. (S2O-7440)

**The Deputy Minister for Justice (Hugh Henry):** The Minister for Justice and the Minister for Communities met Scottish Women’s Aid in December when its concerns about aspects of the Family Law (Scotland) Bill were discussed. Since then, my officials have been in regular contact with Scottish Women’s Aid.

**Maureen Macmillan:** The minister will be aware that, with the welcome introduction of responsibilities and rights for unmarried fathers, there are concerns that where a relationship breaks down because of domestic abuse, those rights could be exercised in a way that further abuses the mother and children. Will he continue his discussions with Scottish Women’s Aid to determine whether a robust safeguard of mothers and children can be included in the bill?

**Hugh Henry:** I am aware of the concerns that have been expressed not only by Scottish Women’s Aid, but by a number of other organisations. Clearly, we do not wish any child to be put into damaging circumstances. The whole of the Family Law (Scotland) Bill is predicated on the best interests of the child and that approach will continue to influence any decisions that we take. We will discuss with Scottish Women’s Aid and others what can best be done to ensure that that happens. The one thing that I am clear about is that we will not proceed with any course of action that looks for any reason at the interests of any adult rather than at the interests of the child.

### **Electronic Tagging (Children)**

**8. Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** To ask the Scottish Executive how many children under 16 have been electronically tagged under the Antisocial Behaviour etc (Scotland) Act 2004. (S2O-7464)

**The Deputy Minister for Justice (Hugh Henry):** To date, six intensive support and monitoring service disposals have been made by the children’s hearings system. One restriction of liberty order has been imposed by the courts on a young person under 16.

**Mike Rumbles:** I understand from that response that only one child has been subject to the tagging

system. Will the minister confirm that the partnership agreement states that the Executive will

“allow children who might otherwise be in secure accommodation to remain in the community through the use of electronic tagging”?

If that has applied to only one child, is that policy being pursued rigorously?

**Hugh Henry:** I am not sure that I understand the logic of the question. I will clarify for Mike Rumbles. One restriction of liberty order was issued by the court. Six tagging—or intensive support and monitoring service—decisions were made by the children’s hearings system. It is true that there was to some degree a slow start because some areas were slow to put staff in place. However, a responsible attitude is being adopted and people are committed to making the scheme work. We said at the time that there was no carte blanche; tagging is a particular disposal to avoid putting someone into a secure unit. That is the way in which the scheme operates and the numbers reflect the fact that people are carefully considering all other options before any decision is made. At the same time, tagging is an effective disposal and I certainly hope that those responsible in the local areas where the scheme operates look carefully at its use and that we see effective improvement in the behaviour of the individuals to whom it is applied.

## Scottish Executive’s Programme

*Resumed debate.*

**The Deputy Presiding Officer (Murray Tosh):** We now come to the resumed debate on the Scottish Executive’s programme. I invite members who wish to speak in this part of the debate to press their request-to-speak buttons now. Nicol Stephen has eight minutes.

14:56

**The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen):** As I have only a short time in which to speak, I will highlight some of the key issues for the economy in Scotland and for the enterprise and lifelong learning portfolio, and I will start to give my perspective, as the new Minister for Enterprise and Lifelong Learning, on those issues as I see them.

This is a very good week for business in Scotland. The announcement that was made yesterday about business rates was the most significant announcement for business since the previous Scottish Parliament elections, and it will give a major boost to many small and medium-sized businesses throughout Scotland. It is also a powerful symbol to business that we are listening to its interests and its lobbying organisations, such as the Confederation of British Industry, the chambers of commerce, the Scottish Council for Development in Industry and the Federation of Small Businesses, and that we are responding.

The announcement that I made today to offshore Europe delegates about renewables and the maritime sector in particular is also important.

**Mr Swinney:** Before the minister goes on to speak about what is a welcome announcement about wave and tidal power, will he give Parliament further details on the implementation of the commitment to reduce business rates? When will the reduction come into effect? Which companies will be affected? What will be the total bill paid by the Scottish Executive?

**Nicol Stephen:** It will be a general reduction in business rates, as John Swinney well knows, which will bring rates into line with those in England. An estimate of the cost was given for 2005-06 and the assessment was that it would cost around £200 million. The commitment is to deliver that reduction in business rates within the period of the current spending review. More detail will be given about the announcement by Tom McCabe, the minister responsible for local government taxation and business rates, later this month. It is good to see John Swinney picking



away at the detail because, after all, it was Nicola Sturgeon who said:

"he says in his manifesto that we need to cut business rates to boost economic growth. The question for him is whether, now that he is in charge of enterprise, he will deliver."—[*Official Report*, 29 June 2005; c 18457.]

It would have been kind of John Swinney if he had asked that question again today.

In relation to renewables, our announcement today was important because of the potential of renewables, and maritime renewables in particular, for Scotland. We have a great opportunity to generate a significant element of our energy needs from wave and tidal power and we also have a huge opportunity for Scotland to lead the world in that area.

I referred earlier this afternoon to the opportunity to become a nation like Denmark, which now dominates the market in wind power. I believe that, given the companies that we have in Scotland, we have the opportunity to do the same in relation to marine power. We have seen that potential in relation to the European Marine Energy Centre in Orkney and the help from there that allowed the Scottish Pelamis project to be exported to Portugal. However, we have to do more. That is why today's announcement on increasing the renewables obligation certificates that are available for wave and tidal power schemes is so important.

We have the capacity to deliver 10 per cent of Scotland's electricity needs from the maritime sector—from wave and tidal power. That represents more than a gigawatt of wave and tidal capacity; we need 13 gigawatts or so to cover all the electricity needs of our nation. Through such forms of power, we could create up to 7,000 jobs and could generate hundreds of millions of pounds of investment here in Scotland. However, we have an opportunity to go further. If we consider increasing oil prices and the demand for renewables, there are opportunities right across Europe, in China, in India and right around the globe. Scotland could be leading the drive in wave and tidal power. As Minister for Enterprise and Lifelong Learning, I am determined that we should do everything possible to ensure that we maintain our lead and secure the future of the industry here in Scotland.

The third area that I would like to touch on is that of capital investment. Put simply, Scotland needs more capital investment. Last week, the head of the Confederation of British Industry in the United Kingdom congratulated the Executive on our record levels of spending on transport. Our proposed transport and works bill is intended to speed up the pace of delivery. However, we also need companies themselves to invest more. I have heard from Fuji Electric (Scotland) Ltd in

East Kilbride that it could source 60 to 70 per cent of its materials and supplies here in Scotland; currently 100 per cent of those materials come from Japan. The company recognises that one of the key reasons for the situation is not wage differentials but the willingness of Scottish companies to invest in research and development and in new machinery and new world-class equipment.

**Christine May (Central Fife) (Lab):** Does the minister recognise that part of the problem for young Scottish companies is the warranties that financial institutions require on track records? Will he discuss that issue with Scottish Enterprise to see what can be done to give the sector more confidence?

**Nicol Stephen:** I would be happy to discuss that issue. We are happy to help businesses; we are not here to do the job of businesses but we can help with investment. For example, we have been helping textiles companies, Rolls Royce and British Aerospace with investment.

However, Scotland's track record remains poor. Last year, Scottish companies invested just £520 million in research. If they had matched even the UK average, they would have invested £1.2 billion. That is why the Scottish co-investment fund, the way in which we access venture capital markets and the need to encourage more of our companies to go for an initial public offer or public flotation are all areas that, over the coming weeks, I would like to investigate and set up initiatives on.

**Jim Mather (Highlands and Islands) (SNP):** The minister identifies a problem in research and development. Does he have any answers to the question why that situation pertains here in Scotland?

**Nicol Stephen:** Yes, I do. The issue is both historical and cultural. Many of our small and medium-sized businesses have not been making the investments that they should have been making. A senior executive at IBM told me of an example of a company that had bright, modern and efficient equipment on one side of its factory for its IBM contract, and old, run-down 1960s equipment on the other side of its factory. When he asked why the modern equipment could not be used in all of the factory, the answer was, "We could not afford to do that." My answer would be, "You can't afford not to. You can't afford to lag behind. You can't afford to get stuck in the 1970s."

We have to face the challenges of globalisation, we have to do what the best countries in the world are doing and we have to invest in people and their skills. To my mind, it is a great tragedy and a shame on the nation that in this day and age we have young people who are not in employment, education or training. We need an initiative to

tackle that. I am very pleased that John McClelland has been made the chair of the new merged funding councils for lifelong learning and further and higher education. That gives out an important signal about the central role of the private sector in working with the further and higher education sectors. I would like there to be a major initiative in that area.

The fifth and final issue is that of cutting bureaucracy and red tape. As well as positively encouraging investment, we need to get out of business's way. Regulation must be balanced and fair and must avoid gold plating. I intend to be the champion of business in cutting red tape, bureaucracy and overregulation, not just within the Enterprise and Lifelong Learning Department but right across the Executive and also in the representations that I will make to the United Kingdom Government and the European Union.

Our economy underpins all that we do as a nation. If we are to thrive as a nation, we need the skilled, successful people who can create and develop successful enterprises. We have world-class life sciences, information technology, informatics and energy opportunities. Our research, our teaching and our ability to commercialise are improving all the time. If I can help to support that work in any way possible, I will do so. Our programmes have to do more. I am determined to deliver real action and real progress on these issues. As members have seen this week, the work has already begun.

15:06

**Jim Mather (Highlands and Islands) (SNP):** I welcome the Minister for Enterprise and Lifelong Learning to his new role and look forward to his personal and party views permeating the Executive's economic policy. I also look forward to a new era of more positive engagement.

The Scottish National Party's major disagreement with the Executive now relates to timing. We believe that Scotland's needs are urgent and that Scotland does not have nine lives. We also believe that collateral damage—at national, corporate and individual levels—will continue to accumulate from any further delay or procrastination in giving Scotland the powers that it needs.

Poll after poll tells us that the people know that that is the case and that they can see the link between the lack of powers and the lack of economic performance. The SNP will keep up the pressure on the need for more powers. We will also continue to take our message to the boardrooms and committee rooms of Scotland. In so doing, we will advocate that Scottish economic management should have worthy aims, such as

raising living standards across the board; achieving genuine population growth; building a healthier demographic balance; and attaining convergence with the higher average life expectancy that is enjoyed in every other country in Europe.

We want Scotland to be free to perform in the way that Norway and Ireland can perform. Norway has more than doubled its population in 100 years and Ireland is on track to double its population in 50 years. Meanwhile, Scotland flatlines: the Government actuaries forecast that Scotland's population of 5 million, which has been the figure for all my lifetime, will drop to 3.6 million by 2073. Over the same timeframe, the figure of 3 million Scots of working age—who generate the country's economic growth—will drop to 2 million.

We want a Scotland that moves forward and confronts the numbers; a country that is not undermined by a lack of powers and targets or, indeed, by Westminster's delivery of policies that lead to the destructive and unchecked gravitational pull of wealth and talent to London and the south-east. Indeed, Westminster recently delivered a pensions policy that will allow people to put residential properties into their personal pensions. The policy will have perverse outcomes for Scotland; it could clear rural Scotland of young people and price other young people out of housing markets in all areas of Scotland.

We want a Scotland that faces reality, capitalises on all its advantages and is enabled to compete. We do not want a Scotland that is built on the First Minister's questionable assertions of yesterday, which included:

"Scotland's employment rate is now the best in the UK and among the highest in Europe".

That is simply not true. In making such utterances, the First Minister is being reckless with his reputation and damaging to Scotland. He is ignoring the 630,000 economically inactive people who represent 20.5 per cent of our potential workforce, 180,000 of whom would like to work. The First Minister created a false figure of labour participation and a false understatement of unemployment.

The First Minister also said that he wants Scotland's performance

"to be judged by indicators on a global scale."—*Official Report*, 6 September 2005, c 18780.]

That is fine provided that the data are not manipulated in the way that can be seen in the new tendency to understate low pay by ignoring the earnings of part-time and low-paid employees, or by crazily building and augmenting a false deficit into the process outlined in "Government Expenditure and Revenue in Scotland". Under the GERS process, Scotland is ranked 55<sup>th</sup> out of 60

in terms of national viability at a time when we are trying to build a strong financial services sector.

**Ms Wendy Alexander (Paisley North) (Lab):** It is in a spirit of generosity that I would like to help the member out. The Eurostat tables for August 2005, comparing the employment rates in the 25 countries of the European Union, make it clear that the United Kingdom is third out of 25—after Denmark and the Netherlands—and, indeed, Scotland is doing better than that. I hope that the member is not questioning the reliability of Eurostat in establishing comparable figures.

**Jim Mather:** I am not; I am questioning the reliability of this Government when it comes to providing data to Eurostat. In a monetary and fiscal union, people migrate across borders to better jobs, and Scotland has 630,000 people of economically active age—one in five—who are not working. How is that for a badge of pride?

Global indicators matter to everyone in Scotland but the key global indicators are the ones that are left at the bottom of the crucible when all the dubious measures are evaporated away—for example what is happening to population and average life expectancy.

In relation to the programme for government, we welcome the belated move on business rates after six years of denial and the repeated rejection of logic, arithmetic and competitive need. Given the number of sheep dogs that have been after this sheep, we welcome the fact that the Executive has eventually gone through the gate. That is an important precedent and a signal that logic and persistence can force a volte-face on the part of Government. However, more logic and persistence will need to be applied because, although the step that has been taken is in the right direction, it does not, by any means, level the UK playing field. We are 35<sup>th</sup> out of 60 countries in terms of competitiveness while the UK is 22<sup>nd</sup>. How far does the proposal go towards closing a gap of about 16 per cent? Not a lot. It will not narrow the growth-rate gap, it will not allow us to converge, it will not solve our endemic social and economic problems and it will not do enough to create major Scottish-based companies. According to the Royal Bank of Scotland, with the exception of Cairn Energy, we have not created a major company in Scotland in 40 years apart from those that were created as a result of privatisation and deregulation.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Could Mr Mather clarify the SNP's policy on corporate takeovers? Earlier this afternoon, the SNP's deputy leader seemed to be suggesting that the SNP now supports some form of protectionism to defend Scottish Power when, of course, other successful companies, such as the Royal Bank of Scotland, have built up their capital

by taking over companies in other countries. Does he agree that there is a contradiction there?

**Jim Mather:** The Royal Bank of Scotland has built its success on an element of protectionism that was delivered by the Conservative Government. Back in 1980, it was valued at £457 million. Would that be a thieves' bargain? We have five major sectors in our economy and will have only four if we lose Scottish Power. That is no basis for recovery. That is an abnormal situation that needs an abnormal solution. That solution will not inhibit our pro-enterprise credentials, our competitive agenda or our desire to see Scotland rampant on the world stage, growing and acquiring and taking over businesses. We welcome the investment in renewables and in transport and other infrastructure and are particularly keen to ensure that broadband coverage is universal and pervasive in rural Scotland. The people who I see in rural Scotland need that back-up. Great folk have always gone to good places, but sometimes, the good places are a bit less accessible than other places and we need to service them.

Fresh talent is fine, but talented people are mobile. What we have heard about research and development in our universities is fine, but intellectual property rights and fledgling companies are mobile. Sorry about this, Wendy, but the unmentioned smart, successful Scotland strategy has not been dipped into the rooting compound of fiscal freedom, which is a big issue.

Specifically, I want to examine the VisitScotland target, which is viewed with grave disappointment in the area that I represent. The target of a 50 per cent upgrade in revenue in a decade is meagre and shabby, given that we have a great international brand and we are in a new era in which Scotland's international profile has been raised. That Executive target could be achieved with 2 per cent inflation plus single-digit growth.

We want to see a better approach from the minister. We are encouraging him to be extremely brave. Three of the four former ministers with responsibility for enterprise now want more power for the Scottish Parliament. I know the minister's private view on that matter. In May, he said that we should have a more substantial tax-raising responsibility in Scotland. That was one of the flaws of the devolution settlement in 1999. It is time that we moved on and we are all waiting for the minister to do so.

15:14

**Murdo Fraser (Mid Scotland and Fife) (Con):** I welcome Nicol Stephen to his first debate in the position of Deputy First Minister and Minister for Enterprise and Lifelong Learning. I am sure that we all wish him well and look forward to him

making good the various promises that he made during his election campaign.

This section of the debate is about growth and prosperity for all. I am sure that that is an aspiration with which we can all agree. We all want Scotland to be a prosperous and successful country, with a growing and vibrant economy. We want a Scotland in which our young people have great opportunities, to the extent that they do not need to leave the country and to seek to advance their careers elsewhere. We want a Scotland in which those who are currently disengaged from work find meaningful employment and can make a contribution to the economy. We want a Scotland that leads the United Kingdom in economic growth.

Sadly, as we know too well, that is not the position that we are in today, after six years of the Executive being in office. Our economic growth rates lag behind those of the rest of the United Kingdom, and there is no sign in recent data of that situation being reversed. We continue to suffer the loss of our bright young people as they go elsewhere to further their careers. Although employment rates are high, we face the problem of hidden unemployment, with people on disability benefit making up one in 10 of the workforce and others not appearing in official statistics.

We have a low level of entrepreneurial activity compared with the rest of the UK. We have a particular problem in manufacturing. In 1999, when the coalition came into office, there were 336,000 manufacturing jobs in Scotland. Today there are 282,000. Sad to say, Scotland is not going forward under the Executive—it is going backwards.

We have the recurring problem of the size of the public sector, which is now estimated at between 52 and 54 per cent of gross domestic product. There is virtual unanimity among commentators that that level of public sector activity is crowding out the private sector and stifling economic growth. Despite words from the First Minister on that topic yesterday, there is little sign of the situation being reversed.

On numerous occasions in the chamber, I have set out what Conservative members believe needs to be done to reverse the situation. Scottish businesses are overregulated, with a large public sector contributing to the burden on their activity. For the past six years, Scottish businesses have paid higher business rates than businesses in the rest of the UK—a direct legacy of Jack McConnell's time as Minister for Finance. We still suffer from a poor transport infrastructure, which, given Scotland's geography, puts business at a particular disadvantage.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** Given the record investment that is being made in public transport, IT and other infrastructure in Scotland, and the ability of the private sector to tender for and carry out that work, how is public sector investment crowding out some of the key sectors of the economy?

**Murdo Fraser:** We could have a very interesting debate, which could go on all afternoon, about how the size of the public sector can crowd out private sector activity. There are a large number of well-paid, attractive jobs with good pensions in the public sector. The concern is that the size of the public sector can skew the decision making of young Scots who are seeking a career and looking to make decisions about how they lead their lives and whether to become entrepreneurs, to take risks and to set up businesses. That is a serious issue, and I am sorry that the member is trying to diminish it. However, he should listen to what I am about to say, because he may be encouraged.

I think that there is hope. We have a new Minister for Enterprise and Lifelong Learning, which may mean a change of policy. On 29 May, Nicol Stephen told the *Sunday Herald*:

"My instincts are for lower taxation for business, less of a grants culture and more of an investment culture. Scotland's got to change dramatically if we're going to have the sort of economy that will allow us to compete internationally. We have to move away from the focus on the public sector and increase the number of well paid private sector jobs."

Hear, hear—that is exactly what Conservative members have been saying for the past six years. Does it mean that we now have a blue-tinted Minister for Enterprise and Lifelong Learning, who is preparing to pursue a Conservative agenda?

The initial signs have been encouraging. The Executive has indicated that it is prepared to reverse its existing policy on business rates, which is extremely welcome and long overdue. We have been calling for a change in that policy for the past six years. For six years, the Deputy First Minister and his predecessors as Minister for Enterprise and Lifelong Learning—including Mr Wallace, who, sadly, is not with us this afternoon—told us how wrong we were and that there was no competitive disadvantage for Scotland, as we had claimed for so long. In the biggest U-turn since the Liberal Democrats decided that local income tax might not be such a good idea after all, there is now to be a reduction in rates to the English level. The reduction may even go further in certain cases. It gladdened my heart to hear Executive members on the benches behind the ministers queueing up to praise this wonderful new policy that they had so recently denounced.

**Nicol Stephen:** I thank Murdo Fraser for his kind and positive words. He spoke about the long-

term growth rate of the Scottish economy and focused on the year 1999, but perhaps he should reflect on the fact that a Conservative Government was in charge of the United Kingdom and Scotland from 1979. One of the problems that we face in Scotland is our long-term growth rate, which has been exceedingly poor; it was certainly poor for the 18 years during which the Conservatives were in office. I invite him to reflect on the fact that, in seven out of the past eight years, that long-term growth rate has been better than it was during the Conservative years. He mentioned how many manufacturing jobs there were in Scotland in 1999, but can he tell us what the figure was when the Conservatives came to power in 1979?

**Murdo Fraser:** As I am not a walking encyclopaedia, I do not have the exact figure at my fingertips. However, I have something to tell the minister, which I am sure that he will already know, because he is a clever man who will have done his research.

In the early 1990s, there were three years in which Scottish growth outstripped growth in the UK as a whole. That situation was virtually unique in the past 50 years. The growth in those three years was achieved under a Conservative Government because—if members can believe it—that Government took decisions about encouraging manufacturing in Scotland, to the extent that Scottish manufacturing exports in the early 1990s were at record levels. At that time, manufacturing was a key driver of the economy and, as members know, that was largely the result of the programme of inward investment that the Conservative Government pursued. We need no lessons from the Executive on how the economic record of the Conservatives in Government compares with the Executive's record over the past six years.

**Mr Swinney:** I will be brief. Mr Fraser is a clever man, just like Mr Stephen, but has he not worked out that if the Conservatives delivered growth in Scotland that was higher than growth in the UK as a whole for three out of 18 years, for the remaining 15 of those 18 years they delivered the same atrocious performance as the Executive has done? Surely that goes to prove that Labour, the Conservatives and the Liberals are all useless and that we should have the normal powers of a normal Scottish Parliament.

**Murdo Fraser:** We may live to see the day when we have a Scottish nationalist Administration—although I doubt that even I will live to see that day—and then we will find out how well it does.

Rather than a change of passport, which the nationalists advocate, we need a change of policy to create an environment that is more pro-competitive business. That is how to improve

economic underperformance. The Conservative Government of the 1990s proved that that could be done in three years, in spite of all the inherited problems of the Scottish economy at that time. The same can be done again with the right policies, not by pursuing the fantasy land of independence.

The new Minister for Enterprise and Lifelong Learning has a clear choice. He can carry on with the policies of his predecessor and maintain the coalition with his Labour colleagues that has led to high spending and centralising policies that have failed to improve public services, regenerate our communities or strengthen our economy, or he can turn his campaign pledges into action right now.

There is no mystery about what is required to make a successful economy—the evidence exists all around the world. Less Government interference, lower taxes and a solid infrastructure are what private companies need to allow them to compete. Those measures will deliver the economic growth that we all want to see. I believe that the minister knows what needs to be done; now it is time for him to deliver.

15:24

**Christine May (Central Fife) (Lab):** I start by reminding members of my registered interests as a board member of Community Enterprise in Strathclyde, which is an organisation that supports social businesses and gives grants and loans, and as a member of the Financial Services Skills Council's Scottish employers steering group.

I welcome the package of measures that the First Minister announced yesterday and I support him in seeking to find Scottish success through Scottish ambition. For too long, our search for the solutions to problems has led to the sort of negative comments that we have heard sometimes from our members, but more often from Opposition members. Law and order, improved health, safer communities, efficient transport, good education and real and meaningful training opportunities are as important to our economy and to the debate as are measures that might be considered to be more directly relevant to the business agenda.

The Bank of Scotland's latest employment survey, which was published last weekend, shows that the Scottish rate of employment is moving steadily upwards, with 257,000 more people employed now than were employed 20 years ago. That is an increase of 13 per cent; that is higher than the percentage increase for London, which is to be welcomed. I remind members, including Mr Fraser, that most of the increase has come about as a result of the successful economic policies that

Labour has adopted since 1997 and, here in Scotland, since 1999.

**Jim Mather:** Does the member accept that, in those 20 years, there has been a demographic change in the workforce? There has been a change in the number of women in the workplace and we have lost a lot of high-paid jobs and now have a lot of low-paid jobs in retail, wholesale, call centres and hospitality.

**Christine May:** I am grateful to Jim Mather for pointing out the blindingly obvious about women in the workforce. I do not accept his contention about low-paid jobs, because I know from experience that many jobs in financial services and the business support sector are well-paid jobs that are done by highly skilled people. I accept that a large number of low-paid jobs still exist and that we need to improve that situation, but I do not accept that jobs are low paid across the board just because they are in business support or call centre industries.

The minimum wage has dealt with the lowest-paid jobs. In spite of the scepticism of the Opposition, the policy has been a resounding success and has led to business growth and job creation rather than to job losses. The financial services sector now has 9.3 per cent of Scottish jobs—108,000 are directly in the sector and 90,000 are in related industries. The sector has grown by 36.5 per cent in the past five years and accounts for almost 6 per cent of Scottish gross domestic product. That shows that the Labour policy of targeting specific areas of the economy for help is working.

In considering how Labour and the Scottish coalition Government have targeted specific issues, I would like to consider taxation levels, especially corporation tax, which is a favourite shibboleth of the Opposition, particularly the SNP. Leaving aside Ireland for the moment—I will come back to it—let us look at corporation tax rates in some of the Opposition's favourite countries to cite. Finland's rate is 26 per cent, Austria's is 25 per cent, Norway's is 28 per cent, Belgium's is 34 per cent and Germany's is 38 per cent. Compare those figures to our rate of 30 per cent: our rate is high, but we can hold our own against any of those countries. Ireland's rate is low, but for a good reason. I recall the economic circumstances when I was growing up there, which meant that Ireland's economy needed to move from being agriculture based to being manufacturing and service based. The low rate was a deliberate policy; it worked, but the aim was to address levels of poverty that members have never encountered. I congratulate Ireland on achieving that.

As Professor Arthur Midwinter has pointed out to the Finance Committee, corporation tax is worth £700 million a year to the Scottish economy.

However, I have not heard any suggestion as to how, if the tax were to be cut to the Irish rate, the difference would be taken account of.

**Jim Mather:** I thank Christine May for generously taking a second intervention. I suggest that she reads our paper "Let Scotland Flourish: A Growth Strategy for Scotland", which talks about the virtuous circle that would come if we actually grew the cake, created a competitive Scotland, broke out of 30 years of bumping along the bottom at 1.6 per cent growth rate and set a target rate of around 4 per cent—the average for small countries in western Europe.

**Christine May:** I took that paper to bed with me, but I am sorry to say that I fell asleep.

Harmonisation of the business rate poundage is extremely welcome. It is especially good for manufacturing industry throughout Scotland. I cite the example of the paper-making industry in my constituency, for which business rates are a big element of costs because of the size of plant involved. The reduction in business rates will be very good news for those who seek to attract high-tech development into areas such as the energy park in Methil and other industrial areas in my colleagues' constituencies.

The proposal to give additional help to research and development intensive companies will also be welcomed by our universities and technology industries. I hold up as an example the collaboration that has taken place between the University of St Andrews and business and technology companies throughout Scotland, which has led to significant work being done on fuel cell technology.

Finally, I welcome the announcement that the Minister for Enterprise and Lifelong Learning made this morning on renewable marine energy, which will have implications for yards on the east coast. However, I remind the minister of the potential that exists for greening and cleaning up emissions from conventional power stations. I also urge him not to forget renewable sources such as biomass. I ask that he have urgent discussions with his colleagues in the Scottish Executive Environment and Rural Affairs Department on harmonising grant levels for growing energy crops, given that £1,000 per hectare is available in England whereas the equivalent figure in Scotland is still only £600 per hectare.

I conclude on that note, and I welcome the statement that the First Minister made yesterday.

15:31

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I apologise in advance to members because I will need to leave before the

end of the debate to attend to constituency business.

I, too, welcome Nicol Stephen to his new role, although I will miss the friendly exchanges that we had during his tenure of the transport portfolio. However, I am pleased to hear that he is now the self-proclaimed champion of tackling red tape and bureaucracy. I had not previously noticed the minister taking the courageous step of making such grand claims. Indeed, I had rather admired his former guile and caution. This seems to be a new bold Nicol—Nicol max, not Nicol lite—but we welcome him.

On a serious note, however, will the minister follow up his claim by producing specific proposals on which pieces of red tape he will consign to the new Nicol dustbin? For example, will he consign to the dustbin regulations that might have an impact on many small businesses in his patch and in mine? The regulations to which I refer will force people who have private water supplies to pay several hundred pounds more—perhaps even more than £1,000 more—for monitoring of that supply. Such supplies provide Scotland's water pure and sweet to many customers, none of whom seems to have died as a consequence of visiting bed and breakfasts that have such supplies throughout the land. Alternatively, will that red tape come into being like every other piece of red tape? Will we see Nicol Stephen as Rocky, or will we see business remain on the ropes?

Let me turn to fuel, which no one has mentioned so far. As Jamie Stone will know, the pump price reached £1.06 in Caithness this week. For people in many parts of Scotland—and for Sloane rangers in Chelsea, where people have more money than sense—£1 a litre has become the norm and is likely to remain so for several years to come. What will the Executive do about that? As Nicol Stephen knows and appreciates, people in industries such as farming—the National Farmers Union Scotland released a statement on the subject today—fishing, timber and, in particular, haulage are suffering severely because of those high prices.

At the start of the summer recess, I visited a haulier in the north-east who explained to me that the impact of fuel costs and the working time directive may force his company—as it has forced many other companies—out of business. Every week, haulage companies are forced into liquidation. They do not court publicity or headlines, but many are getting out before their overdraft gets too high. Who can blame them? Some companies, including one major company in the north of Scotland, are thinking of relocating to England because of the high transport costs. If they do so, that will be utterly tragic. We have already seen the closure of Norfrost Ltd. Sadly, Arjo Wiggins Ltd has decided that it will cease its

operations in Fort William; it cited transport costs as a significant factor—I do not say that it is the main or only factor—in its decision.

I wait to hear what the minister will do about the situation. It is clear, in any case, that something needs to be done. I hope that the minister will support the Road Haulage Association's call for a thoroughgoing inquiry into the freight industry. Some of the things that are being done are good, for example the training and recruitment of drivers, although more needs to be done in that respect, and I hope that Parliament will take that on board.

I am gravely concerned that Scotland, Europe's major producer of oil over the past three decades, also has the unfortunate distinction of paying the highest fuel tax in Europe. That seems to me to be nothing less than fiscal sadism.

Moving swiftly on to the topic of business rates, I enjoyed Murdo Fraser's version of the Tory Government's record in that regard. Before he administers too many more lectures to members of other parties, he should reflect on the fact that between 1979 and 1995—15 years out of 17 years of Tory Government—business rates in Scotland were higher than they were in England. Ian Lang stepped in to take measures to fix a national higher rate, taking power away from councils, but he did not do so until 1990. It was Craig Campbell of the Scottish Council for Development and Industry who calculated that the amount of overtaxation from 1990 to 1995 alone was £1.2 billion.

**The Deputy Presiding Officer (Trish Godman):** You have one minute left.

**Murdo Fraser** *rose*—

**Fergus Ewing:** Certainly.

**Mary Scanlon (Highlands and Islands) (Con):** He is in his last minute

**Murdo Fraser:** It seems that I am not allowed to intervene at this point.

**Fergus Ewing:** I tried. When Mr Fraser gives lectures about Jack McConnell overtaxing business by £800 million, he should reflect on the fact that his party was perhaps even worse. It is only in the past two years that we have had a so-called level playing field.

It was the current First Minister, Jack McConnell, who introduced the higher poundage. When he did so in 1999, I remember calling it "Jack's tax", after its author. It was Jack who brought the tax to life: it lived for six years, then he killed it. That is the first case that I can recall of fiscal infanticide.

I will finish by quoting Oscar Wilde. He said:

"Yet each man kills the thing he loves ...  
The brave man with a sword ...  
Some do it with a bitter look".

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** What are you on?

**Fergus Ewing:** I will sit down on that point.

15:37

**Ms Wendy Alexander (Paisley North) (Lab):** "Follow that," as one of my colleagues has just said. I will follow the trend and begin by adding my welcome for Nicol Stephen to his new post. I am rather glad to be here myself. Someone in the whip's office rather mischievously asked me whether I should not now be featuring in our debates on strong and healthy families, to which my response was, "Not yet."

Tempting as it is to counter some of the pessimism from the Jeremiahs on the Opposition benches, I will restrict myself to just the briefest of ripostes. We have more Scots in work today than in 23 of the other 25 nations in the European Union. Today, Scottish unemployment is below that of London, which was a pipe dream for so many years. This year, growth in Scotland is predicted to be higher than that of our major trading partners, France, Germany and the euro zone as a whole.

I will not fall into the trap of simply trading statistics. This debate is on a programme for government; it is about our response as politicians. Yesterday, the proper clarion call from the SNP's deputy leader was for a coherent programme. Who could disagree with that? Many of us on the Labour benches believe that that is just what we got, with a landmark decision on business rates, further modernisation of the justice system, reform of school meals and so on.

In the eyes of Her Majesty's principal Opposition, however, the search for a coherent programme apparently still goes on. I decided to take a look at the policy proposals—the foundations of any coherent programme—to have emerged over the last 70 days of recess from the SNP's 19 front-bench spokespeople. Here I personally exempt front-bench new boy John Swinney, who, I am delighted to see, has returned to grace the Opposition's front bench, albeit only two days ago. For the other 18, consider this: over the whole recess they managed less than one release each. Members should not fear, however: there was a handful of issues that were so pressing for Scotland—

**Christine Grahame (South of Scotland) (SNP):** The member must be joking; I make six releases a week.

**Ms Alexander:** If we count the releases on the SNP website, 17 issues were thought to be worthy of comment. We should listen up for that coherent programme.

**Mr Andrew Arbuckle (Mid Scotland and Fife) (LD)** *rose—*

**Ms Alexander:** I would be delighted.

**The Deputy Presiding Officer:** Mr Arbuckle, please speak into your microphone. No one can hear you if you turn your back to the microphone.

**Mr Arbuckle:** I was just wondering whether Ms Alexander was complaining about the lack of SNP releases or congratulating us on escaping from them.

**Ms Alexander:** The member should bear with me; I am simply inviting the chamber to reflect on whether the SNP has given us a coherent programme. There was the small matter of William Wallace; there was the constitutional status of the Faroe Islands; there was the size of the SNP's debt; there was which demonstration they were attending and there was condemnation of Scotland's profit-hungry power companies. That was from an allegedly pro-enterprise party, according to today's First Minister's question time. When the largest power company in Scotland is fighting for its future, it is being condemned as a profit-hungry power company.

Of course, it is easier to go back to the old ideas because they are always the best, so whenever there is a global crisis such as this summer's continuing conflict in the middle east or catastrophe in the southern United States, and whatever the immiseration that has been visited on the world's benighted people, when it leads to a spike in commodity prices, the SNP calls for the spoils, and suddenly it is "Scotland's oil" again.

The various bandwagons went like the summer sun, but a coherent programme was as elusive as the SNP's leader. Indeed—with the sole and honourable exception of education—having searched all 7,000 of the words of wisdom that came from the SNP's summer sun, it was hard to find a new idea.

I turn to Her Majesty's other loyal Opposition. It might be smaller than the SNP, but the Scottish Tory party has almost as many spokespeople as does the SNP. So what was its coherent programme this summer? What were the burning issues and priorities for Scotland for what we are assured is a resurgent Tory party? We discovered that they are still anti-Europe, anti-trade union, and against relocation of jobs. They are now even against Brazilian cows. Beside those really big issues, we have to wonder why, for nine long weeks, the fearless Tories had not a word to say on the economy or the health service and not even



a squeak on education when the schools went back. To be fair, the Tories did stick up for one cause this summer; Scotland's dairy cows. Perhaps they reckon that if the people of Scotland will not vote for them, the cows might.

In conclusion and in a spirit of genuine cross-party interests, I invite the Opposition parties, which are searching for that holy grail of a coherent programme, to follow where the Executive has led. As we on these benches have learned, and perhaps others have yet to discover, coherent programmes can come only from moving beyond the old slogans and beyond being agin everything and for nothing, to embracing the future with confidence and clarity. With that, I commend to Parliament the only coherent programme that is on offer, which comes from the Executive.

15:44

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

After that great comic turn, we should return to the debate, which I understand was supposed to be about prosperity for all, and who could disagree with that? I want to consider more closely what we mean by prosperity. Do we mean having more money in the bank or do we mean something a little bit deeper than that? Why do people want to become prosperous? Is it because they want more stuff, bigger houses or faster cars? Do they think that it will make them happier in spite of overwhelming evidence to the contrary?

Over the past 30 years, the economy has doubled in size, but as the graph of GDP climbs up and up, the graph of life satisfaction stubbornly refuses to move from the horizontal, yet the Government and the Executive maintain the illusion that people can spend their way to happiness, and the Opposition fails to challenge that orthodoxy and seeks to perpetuate that myth. It is becoming ever clearer that economic policies that are designed to boost our GDP are having the effect of eroding social and community programmes that enrich our lives. As we privatise services that were previously performed by families and communities, the fabric of our society becomes ever more threadbare, but GDP goes up and the Executive rejoices, and nobody bats an eyelid.

Successive Governments appear to be more beholden to the business community than to the people who elect them. People are so trapped in neo-liberal orthodoxy that they dare not speak out for fear of being labelled as extremists. Those are the depths to which our economic debate has sunk. The Green party is not against business. What we are opposed to, and what we will remain opposed to, is businesses that undermine social justice, environmental justice and trade justice. There is no place for business practices such as

that in a smart, successful and sustainable Scotland, and the sooner the Executive realises that, the better.

What is our vision for a prosperous Scotland? We seek a Scotland that generates and uses energy efficiently, that uses resources wisely and which does not have a throwaway mentality. A Scotland that saved energy and resources would also save money. We need to build a Scotland that lives within its means, that uses its vast array of natural resources and which provides opportunities for all our young people. We need to build a Scotland where every home is cheap and easy to heat, and where every home can contribute to our sustainability by generating at least part of its own power. If we take climate change seriously, we could scarcely do otherwise, and our reward will be job creation on a scale that has not been seen for many a long year.

We want a Scotland that does not expect its manufacturing industry to compete with businesses in the developing world that have pitiful social and environmental standards. We need to encourage business to grasp fully the massive opportunities that our new energy future offers them. If we have the vision, Scotland's businesses can become world leaders, but if that vision is lacking, our businesses will fall by the wayside. We welcome this morning's announcement about the marine renewables industry and we hope that the words are followed closely by action. I was really encouraged by the minister's words when he spoke of his commitment to marine renewables this afternoon.

There is no conflict between a healthy environment and a healthy economy, in spite of the nonsense that is spouted by some of the more ill-informed members of Parliament. We will never achieve a truly sustainable economy unless we take the environment seriously. Failure to address our addiction to the dwindling oil supply risks not only environmental, but economic devastation.

We need to build a Scotland that genuinely promotes sustainable development as a core philosophy, not as a bit of green thread or as an optional extra. Sadly, there are ministers in today's Executive who seem to think that sustainability and environmental protection are nothing to do with them. It is disappointing that the First Minister's statement yesterday made scarcely any mention of sustainable development. Every policy must be reassessed in the context of true sustainability. It need not be difficult or expensive to lead a sustainable lifestyle, but the ridiculous economics of modern life mean that it can often appear to be easier and cheaper for businesses and individuals to live and operate unsustainably. Until the Executive acts to reverse that ludicrous

equation, we will never achieve genuine prosperity for all.

15:49

**Mr David Davidson (North East Scotland) (Con):** I will give a little plaudit to Nicol Stephen and congratulate him on his election as leader of his party despite the fact that I declared in favour of him at a members' business debate. He got over that hurdle quite well.

Yesterday, the First Minister stated that his programme was one

"for growing economic prosperity for all Scotland to share".—[*Official Report*, 6 September 2005; c 18773.]

However, in the 24 pages of his statement, he mentioned transport only twice. First, he claimed:

"We are providing more new roads, more trains, and more new stations, resulting in more bus and rail journeys being made. New ... air routes to and from Scotland are making Scotland the first UK destination of choice"—[*Official Report*, 6 September 2005; c 18780.]

I am staggered by his attempt to take the credit for all that on his own shoulders when none of it would have happened without the private sector's participation and partnership.

The First Minister then admitted:

"Too many critical transport projects ... planned are taking too long to implement"—[*Official Report*, 6 September 2005; c 18782.]

but decided that introducing even more legislation would be the solution. I put it to him—and to Wendy Alexander—that if he is serious about wealth creation, he should address the issue of getting goods to market, which is a major concern of people who run businesses. Not once did he mention freight; however, he claimed that business success will take Scotland forward.

It would be very easy and cheap to list all the pinch points on the rail network that slow down more than passenger rail journeys. When it comes to timetabling, rail freight is the poor relation. Rail connections to our ports and harbours are poor and road access to industrial and commercial estates and harbours is not much better.

Last week, I had the honour of speaking at the northern maritime corridor international conference in Bodø in northern Norway. The nations that were present included the low countries, Denmark, Norway, Sweden, Finland, the Faroes and Iceland. The Orkney Islands Council, Highland Council, Aberdeen City Council and Aberdeenshire Council also attended. The next stage of that project, which has been running for three years, is a proposal for a motorway of the northern seas that will connect Scotland with its traditional northern trading partners.

At the conference, I stated that development was being held back by the road and rail infrastructure and connections to our north-east ports. The trans-European highway grinds to a halt at the Bridge of Dee—at least until 2010, when the Aberdeen western peripheral route is scheduled to open.

On that point, I say to the minister that we on the Conservative benches very much support that western peripheral route and believe that it is vital to the whole north-east of Scotland. However, today we received a delegation from the Camphill Village Trust. The First Minister commented yesterday that the programme is "for justice and respect" to

"ensure that no child is left behind or held back"—[*Official Report*, 6 September; c 18773.],

and that it is also "for health improvement". We urgently need a solution that not only gives the north-east the western peripheral route, but which mitigates the problems that face the Camphill and Myrtle site. That community must be able to continue to deliver its excellent system of support to people who are affected by autistic spectrum disorder.

When Nicol Stephen was the Minister for Transport, he said that he would partially improve the A90 to Aberdeen. Why does he not do so? When the Conservatives promised to deliver an A90 that would run all the way from the Forth bridge to Aberdeen, they did that on time and within cost. However, the A90 in the north-east needs to be dualled and the A96's links with the Inverness area must be improved.

The state of the transport infrastructure in the north-east, Gordon Brown's crippling fuel taxes—I remind Fergus Ewing that councils levied those high taxes in the past—and the intrusive effects of the European Union working time directive pose great risks to all. Despite the National Farmers Union of Scotland's claim today, all businesses in the north and north-east of Scotland are complaining about the costs of survival. Small freight companies are not going to survive and the larger ones are looking for alternatives.

I suggest that there is an alternative for the businesses that tell me that they must relocate their manufacturing capacity closer to their markets: we must look to the sea. We must improve our sea transport infrastructure and that opportunity for Scotland is there for the taking. However, we need an international container facility that is regularly fed by coastal routes and which is linked to all our major ports. If we rely totally on Rosyth, we will leave out the north-east and thereby damage a vibrant economy. Using the sea will also save the environment because it will

reduce the amount of traffic on our roads and the congestion on our rail routes.

I am convinced that there is a way forward for the northern maritime corridor project that has been talked about, but not if it is left only in the hands of regional authorities on the continent and here. It is time that senior politicians got involved in the project to decide what can be delivered, at what cost and to what benefit. The benefits for freight transport can be enormous. Frankly, it is something that cannot be ducked any longer.

Next week we have a debate on Caledonian MacBrayne, but I ask the minister in winding up to assure us that all companies that are bidding for the Northlink Orkney and Shetland ferries tender will have equal access to the information that is required for formulating a bid.

To me, a co-ordinated plan for the economy must be vertically integrated and in must include freight transport.

15:55

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I will depart from my script by referring to Fergus Ewing's earlier comments on the price of fuel in my constituency and other parts of the Highlands. We must remember at all times that taxation and VAT on fuel is reserved to Westminster. However, my colleague in Westminster, John Thurso, is of the opinion that a derogation of VAT is the best way to tackle fuel prices. He is taking that forward and discussing it with the Chancellor of the Exchequer. That is a practical move and it would be helpful if some of Mr Ewing's colleagues in Westminster were to support it and shift themselves on the issue. They have not done an awful lot to help.

In fairness to the Executive, when there was an inquiry by the then Enterprise and Lifelong Learning Committee into the price of fuel in 2001, the Executive said in its response that it would continue to work with the Scotland Office on the issue. I have no reason to doubt the truth of that. In welcoming the minister to his new job, I am sure that he will keep his eye on that in the future. The price of fuel is an issue in the Highlands and Fergus Ewing was right to refer to it.

I would like to turn to an issue that Wendy Alexander was perhaps hinting at when she referred to Brazilian cows, but I would like to talk about cattle in the Highlands. We have a problem that is relevant to this debate on growth and prosperity for all. I will read from a letter that I received several days ago from the Scottish Crofting Foundation:

"The flooding of the market with this cheap beef—

that is a reference principally to South American beef—

"is having a very detrimental effect on the supply chain throughout Scotland, but will have particularly serious economic impacts in fragile rural areas."

The letter continues:

"Crofting cattle are the first link in the chain, with the majority of animals sold from crofting areas going as stores, to be finished elsewhere. The concern of course is that where finishers are making losses as a result of being undercut by imported beef, they can afford to pay less for store cattle or will not buy at all and hence the bottom falls out of the store trade."

Again, in fairness to the Executive, it is doing what it can to help and encourage beef producers. For example, there is the beef national envelope and good agri-environmental incentives.

I am sure that my Green friends would say that cattle are good for the countryside and I would echo that view. Jenifer Cameron of the North West Cattle Producers Association has kindly furnished me with facts that members may not know. The historic decline in cattle numbers has had serious environmental impacts. Without cattle, the fertility of croft and farm land can deteriorate. Fewer trace elements are available and the variety of flowers, herbs, grasses, birds and other wildlife declines. Cattle graze differently from sheep and deer. The way they graze and trample—and their dung—can have a positive impact on the land.

There is clear evidence in the Highlands and many other parts of Scotland—and, indeed, in Ireland—that the spread of bracken is linked closely to the fact that sheep are replacing cattle on the ground. I draw members' attention to Sir John Lister-Kaye's publication of some years ago, "Ill Fares the Land", in which he argued cogently for increasing cattle numbers. I believe that the Executive is in full agreement with that view.

Another relevant factor is the production of winter feed such as hay and oats, which provide food and shelter for birds and other wildlife. Believe it or not, one cow produces an average of 4 tonnes of dung a year. That dung produces an insect population that is equivalent to a quarter of the cow's own body weight and which, of course, feeds birds and all sorts of other beasts.

I am sorry if I sound a bit like Stewart Stevenson on this—without in any way denigrating him. The point is that we have a problem here that could undermine a way of life that the Executive is deeply committed to backing up: crofting in the Highlands. We could lose those people who produce the wee beasts in the most fragile areas.

What can we do about it? The Executive cannot wave a magic wand and say, "Thou shalt buy Scottish beef." The North West Cattle Producers Association and the Scottish Crofting Foundation

have written to the supermarkets in the past few days, asking them to look again and using persuasive arguments. The answer, perhaps, is partly a notion that has come to me from the Rev Richard Frazer, the minister at Greyfriars Kirk in Edinburgh. We should appeal to people's higher judgment when they go shopping and point out—as the Greens have rightly done—that whole chunks of rainforest are being taken out to get a quick cash kill on cattle. We should point out that, in Brazil, they do not mind about foot-and-mouth disease, but just get on with it, and that, in traceability and the way in which livestock is looked after, we in this country are miles ahead in every single way. If, as well as appealing to the supermarkets to stock Scottish beef, we appeal to that instinct in the shopper, we might be able to do something.

It is about educating the consumer, which is why it is relevant to the minister's portfolio. Ultimately, as well as being about rural affairs and agriculture, this is about enterprise. It is something that we must continue to keep an eye on in the future. Some great things are being done, such as putting fresh fruit and vegetables into schools, and I believe that more work can be done.

I support the Executive's programme absolutely. The announcement on rates has caught the Opposition parties completely and utterly on the hop. Wendy Alexander wondered aloud what would be the holy grail for the Opposition parties. I would have thought that the answer would be half decent leadership.

16:02

**Mr John Home Robertson (East Lothian) (Lab):** I share a number of Jamie Stone's concerns about Scottish agriculture. Farmers in Scotland are looking to the Liberal Democrat Minister for Environment and Rural Development to do something about those problems.

The First Minister has set the right agenda for growth and prosperity. I especially like his commitment to move on from Scottish solutions to Scottish problems to Scottish success through Scottish ambition. We have been in this building for almost a year, which reminds some of us—including me and, I suspect, Jamie Stone—that the culture of doom and despondency is deeply engrained in the Scottish psyche and, in particular, in the psyche of the Scottish media. The achievement of ambitions and visions can be a fairly excruciating experience in that sort of environment.

We are, indeed, a great small country, but we have more than our fair share of small minds, which are always eager to pour scorn on the endeavours of entrepreneurs, football managers

and just about everybody else. Scotland has had some remarkable successes over the years, and the enthusiasm of 500,000 visitors to the Holyrood building has already confounded the prophets of doom who wanted this building to be a fiasco. There is a lesson to be learned from all that. It is time to dump the famous Scottish culture of doom and gloom and to take up the First Minister's theme of ambition and optimism.

The First Minister has, rightly, set high ambitions for growth and prosperity. He has said that, where we are already ahead, we should break further away. I cannot resist the invitation to remind colleagues that we have a very valuable industry in Scotland that is miles ahead in the vital task of generating electricity without emitting carbon dioxide. By all means, let us develop the potential of renewable sources of energy—I welcome the announcement that the minister has made today—but it would be sheer folly to sacrifice Scotland's share of Britain's base-load electricity industry. It is imperative that we begin the process of planning for new nuclear generators to replace old, fossil-fuel plant very soon. We must keep Scotland in front in that vital field, and I want to see plans for a Torness B power station sooner rather than later. I have said that before and I will probably say it again.

On the wider issue of planning, I agree with the First Minister that the existing situation is intolerable. My constituency is a development hotspot—which is a far better situation than being an area that is in economic decline. We have been there. We were there for a long time under a Tory Government—never again. We need a planning system that can protect and conserve where that is necessary and appropriate; however, we must create space for new enterprise and new jobs too. Above all, we need to provide affordable rented houses to meet the needs of local families. Important judgments need to be made about sites and designs.

**Jim Mather:** Does the member share my concern that the recent change to pension legislation to allow residential property to be put in personal pensions will disfranchise many young people and will create an even greater shortage of affordable housing?

**Mr Home Robertson:** That is a different issue; I am concentrating on planning right now. We must ensure that land is made available to meet the desperate need in many parts of Scotland.

We have examples of both extremes of planning problem in my constituency of East Lothian. On the one hand, we are besieged by speculative property developers who want to make big profits by building executive villas just about everywhere. On the other hand, we have at least one idiotic manifestation of planning blight. The former

Bellevue Hotel in Dunbar has been a burned-out, derelict shell for 16 years. It is a dreadful scar on the skyline of a beautiful seaside town, but it is a listed building and Historic Scotland says that it cannot be demolished. There must be better ways of dealing with such matters and I hope that the Executive's bill will create a new framework for sensible planning in future. I also agree that we need to deal with essential transport developments more efficiently.

The First Minister highlighted the progress that has been made towards the Executive's targets for employment and the reduction of poverty. We have come a long way, but I want to flag up my concerns about one group of workers who are still at risk. I have raised before the issue of foreign workers who are organised by gangmaster agencies. I remain worried about the situation at the Monaghan Mushrooms farm near Drem, where, I am advised, large numbers of people from eastern Europe might be expected to work excessive hours on terms that do not seem to comply with the Scottish Agricultural Wages Board order. Workers' wages might be subject to deductions that take their pay below the national minimum wage. It is difficult to get hard information in a situation in which frightened workers may be unable to speak English and employers' records may be kept somewhere in Ireland.

I repeat that I am worried that an increasing number of foreign workers in Scotland are in a twilight zone in which they can be exploited by unscrupulous employers—and there can be serious knock-on effects for local workers. I think that that is happening in my constituency and there are probably similar situations in the food-processing industry elsewhere in Scotland. I look to the Executive to help to tackle any such abuses. I know that Ross Finnie is aware of the matter because I had a meeting with him about it. The regulatory agencies should watch the sector carefully and I suggest that supermarkets that buy from such suppliers should take an interest in the employment conditions of workers in food production and processing. The exploitation of vulnerable workers is intolerable. Poverty is intolerable for Scots and it should be intolerable for people who come to Scotland to work as well.

I specifically welcome the fact that we will, at last, have some legislation on freshwater fisheries in Scotland. When I was at the Rural Affairs Department five long years ago, I set up the consultation process on promoting and protecting freshwater fisheries. Our rivers and lochs are a wonderful asset for our people and certainly for tourism. I hope that the legislation will take us in that direction.

In conclusion, the Executive's programme is a businesslike programme to promote growth and prosperity. The First Minister and the new Minister for Enterprise and Lifelong Learning deserve the Parliament's strong support in delivering that agenda.

16:09

**John Swinburne (Central Scotland) (SSCUP):**

As someone who has suffered this debate for seven hours and 45 minutes, I am pleased to be called. I apologise, but I will not take any interventions until I have got my major points across.

I was pleased to read the First Minister's statement on the legislative programme yesterday. About 90 per cent of it is superb and I would go along with it; unfortunately his spin doctors have failed to tell him that more than 20 per cent of the population are senior citizens. In that 32-page statement he had 19 words on the subject:

"Adults who are frail, elderly or vulnerable all deserve to live with dignity and to be treated with respect."—[*Official Report*, 6 September 2005; c 18780.]

Those are his words. The reality is that when someone is in that position the first person at their bedside is a social worker to help them sell their home to pay for their residential care.

I thought the situation was bad enough, but I received an e-mail yesterday that curdled my blood. The situation is affecting the next generation, because the children of people who are in homes are being challenged to come up with £600 a month or else. The e-mail is about South Lanarkshire Council and states:

"We are presently receiving intimidating letters from their legal department intimating that if we do not comply with their 'in-house' decision my mother's care could be terminated."

Who in the name of heaven are South Lanarkshire Council's legal advisers? Where are they getting that information from? The council is going to terminate the care of someone who is vulnerable and should be respected and treated with dignity, according to the First Minister.

South Lanarkshire Council is incapable of performing even a simple duty like collecting council tax. It has a deplorable record. Millions of pounds are outstanding. The council even pays an outside company to pursue poll tax payments, and we all know how long ago the poll tax was done away with.

The gentleman who sent the e-mail bought his mother's house 16 years ago. Her name is Mrs Cruikshank. Her husband served six years in Burma in the 14<sup>th</sup> army, which was known as the forgotten army. My goodness, those who went out

there and served have been forgotten. She did without his care and companionship for six long years. He had died by the time she reached the age of 80. Her son decided 16 years ago to buy the house and put it in her name, to save her rent and help her life to be a bit better. He was a good son doing something good for his surviving parent.

Eleven years ago, when she was over 80, she put her son's name on the missives and made him owner of the house, probably because over-80s get an additional pension of 25p a week. The extra affluence of five bob a week obviously made her think, "I can manage fine without the house," and she put the house in her son's name. He is now being pursued because she is in a nursing home and needs 24-hour care because she had a stroke last August. South Lanarkshire Council is attempting to obtain £600 per month, because it maintains that the house was sold as a ploy to stop the family paying for her eventual need.

Anyone who buys a home is fully entitled to keep that home and pass it on to those who follow on after them. Stewart Stevenson highlighted the fact that £44 million has been allocated to pay for those unfortunate people who were incarcerated and had to slop out. Has no one ever thought about means testing prisoners? Why must it happen to pensioners but not prisoners? Means test the prisoners and say, "It's cost £30,000 a year to keep you incarcerated. Oh, you have a claim for £8,000 for slopping out. Right, you owe us only 22 grand." The system that applies to students should apply to prisoners, so that when they are employed gainfully a percentage of their earnings is taken until they have repaid the nation the amount of money that it has cost us to keep them in three square meals a day with double glazing, central heating, television and all the other add-ons that they get in prison nowadays.

We are living in a society that is remote from that which was described by our First Minister when he said:

"Adults who are frail, elderly or vulnerable all deserve to live with dignity and to be treated with respect."—[*Official Report*, 6 September 2005; c 18780.]

There is no way that we, who sell people's homes, come anywhere close to respecting our elderly people. The Lib Dems tried—the Sutherland report was nearly implemented—but they drew back. It will cost £5.8 million, according to the best financial advice that we can get, to do away with that anomaly.

Please, let us get our priorities right and get better standing for this Parliament so that we can take the fear away from elderly people who are vulnerable, on their own and praying that they do not get ill. Thank God Andy Kerr is introducing more care in the community and more ancillary

services so that a lot of those people will be able to stay at home.

The best that this Parliament has managed to achieve is to say to elderly people, "Sign this document and we will not sell your house until you die and then we will sell it. We will get the first bite of the cherry and we'll take back every penny that you owe us for your residential care." Let us treat elderly people as well as we do those who are incarcerated and let us stop this pathetic nonsense about respect until we gain it from the elderly people in our communities.

16:16

**Christine Grahame (South of Scotland) (SNP):** I associate myself with many of the remarks about the elderly made by John Swinburne. I have found the debate disgraceful in parts with its knockabout humour. We are talking about prosperity for all when many Scots are caught in the poverty trap; for them, simply getting through the week is a huge ordeal.

When I was at school, I had a history teacher who tried to engage us in his lessons by making us do a compare and contrast exercise. He would give us two contemporary people of historic significance in order that the class could come to some deductive conclusions about their contributions to society.

I will do my own bit of comparing and contrasting using the coalition's legislative programme and the First Minister's statement versus real life. The programme for communities is quickly dealt with because there are only two contentious areas in planning law. Those are applications that are designated as being of national importance to be fast-tracked, which is a euphemism for dispensing with consultation, and third-party rights of appeal in planning, which are to be rejected.

As the coalition position is clear on both of those, the Communities Committee might as well fast-track the bill because, with the in-built Labour-Liberal majority, I can guarantee the stage 3 outcome now—apart from the tweaking of a few conjunctions and adverbs.

As for the First Minister's speech, here are some highlights—or were they lowlights? I will omit the most banal.

"We know that criminal behaviour in adulthood often has its origins in childhood and adolescence."—[*Official Report*, 6 September 2005; c 18776.]

Cure: more legislation.

"We want all children to become healthier, and to do that we are targeting resources",

and

"In 1999, one in three Scottish children were living in poverty. Now the figure is one in four".—[*Official Report*, 6 September 2005; c 18779-80.]

The target is to eliminate child poverty by 2020 and the First Minister applauds that as being an achievement, rather than as being shameful in an oil-rich, sophisticated, European nation.

"Some 35,000 young people in Scotland between 16 and 19 are not in education, employment or training."—[*Official Report*, 6 September 2005; c 18778.]

Cure: re-engage with those people. What on earth does that mean?

Let us contrast all that with the real world and not the world according to Jack. I bring in evidence production 1, the Scottish Executive publication, "Indicators of Sustainable Development for Scotland: Progress Report 2005". Indicator 18 is about home life. In 1992, 17 per cent of children were living in workless households. In 2004, 18 per cent of children were living in workless households. There was a marginal improvement in 2001-02, but the figure has worsened since Jack McConnell took over from Henry McLeish.

I quote from the publication:

"Making the most of our greatest resource—our people—means giving every child the best possible start in life. Poverty of income and of opportunity in childhood is more likely to lead to poverty of experience as a young person and adult."

There is no target for that.

I bring in evidence production 2. It is the "Employability Framework for Scotland: Report of the NEET Workstream". NEET is a euphemistic acronym for not in employment, education or training and refers to those 35,000 children between 16 and 19 that I mentioned—14 per cent of the age group. I quote from the NEET report:

"Research indicates that young people aged 16-19 who are NEET for a prolonged period are most likely to encounter persistent problems later in life."

For instance, they are:

- More than four times more likely to be out of work
- Three times more likely to have depression and mental health issues
- Five times more likely to have a criminal record
- Six times less likely to have any qualifications".

Ironically, the authors say on the front of the report:

"Publication is not an undertaking that the Scottish Executive will implement their recommendations."

The report describes a world that is very different from that of the knockabout debate that I have heard so much of today, on what Scotland is supposedly doing. This is not talking Scotland down. This is a reality check—a reality check that John Swinburne gave the chamber and that I am

now giving, too. And I remind John that we have been here not for one year but for six years. Six years and nothing has changed for children and unemployed young people in Scotland.

I will finish with a quote from a speech by the Rev Martin Johnstone on 5 March this year, when he addressed the annual general meeting of the Scottish League of Credit Unions. In his speech, he quoted Seebom Rowntree, who 100 years ago said:

"That in this land of abounding wealth, during a time of perhaps unexampled prosperity, probably more than one fourth of the population are living in poverty, is a fact which may well cause great searchings of the heart. There is surely need for a greater concentration of thought by the nation upon the wellbeing of its own people, for no civilisation can be sound or stable which has at its base this mass of stunted life. The suffering may be all but voiceless, and we all remain ignorant of its extent and severity, but when once we realise it we see that social questions of profound importance await solution."

The reverend then added:

"It is staggering, and depressing, that a hundred years later his words are still so clearly appropriate and accurate."

Just as they are, at this moment, in this chamber.

16:22

**Jackie Baillie (Dumbarton) (Lab):** Like many others, I welcome Nicol Stephen to his new post. He is not here at the moment, but I took the opportunity to remind him as he left the chamber that I expect his interest in infrastructure to continue. I will say more about that later.

Without doubt, and as highlighted by some of my colleagues, one of Labour's greatest achievements since being elected to Westminster in 1997 and to Holyrood in 1999 has been to create the conditions for a stable, strong and growing economy. I need only consider my own constituency to know the truth of that. There, and indeed across Scotland, youth unemployment is down—often by a staggering 70 per cent. Long-term unemployment is down by more than 50 per cent in many areas. The numbers in work are up and at an all-time high, and are among the highest in Europe. Mortgages are at their lowest level for more than 40 years.

Like many members of the Opposition, I am always interested in statistics and comparisons. However, although "it is better there than it is here" is a mantra that we always hear, I believe and my constituents believe, because of the evidence that we see every day, that Scotland has a strong and growing economy. For many people in our communities, that growth has been characterised by their access to employment, sometimes for the first time; for others, it has been characterised by their having more disposable income.

Yes, we have further to go. I am not complacent; I do not think that we should rest on our record. However, unlike the SNP, we do not just carp about the problem and argue for more spending without any idea of how we will pay for it. Also, we did not sleep through the legislation giving low-paid workers a minimum wage.

We need to develop a strong economy to deliver a strong society. I agree with much of what Christine Grahame said; I have long believed that support for growing our economy and achieving social justice are but different sides of the same coin.

In that spirit, and with such an outcome in mind, I welcome the reduction in the business rate poundage and the further reduction for companies engaged in research and development. Those reductions have already been warmly welcomed by businesses in my part of the world—in particular by the small businesses, which sometimes operate at marginal profit levels. The local business profile in my patch is mainly made up of small-scale employers. Those employers often employ fewer than 25 members of staff; indeed, 75 per cent of them employ fewer than 10 members of staff. So the announcement is significant: as well as making Scotland more competitive, it will enable employers to invest, ensure stability and create growth.

One of the key employment sectors in my constituency is tourism. We are fortunate to have the international brand that is Loch Lomond in Scotland's first national park. I am pleased to hear of the legislation that will provide a secure foundation for VisitScotland. I have no doubt that, by bringing together local, national and international marketing efforts, we can truly maximise the very real resonance that Scotland has in many parts of the world and so welcome back the extensive Scottish diaspora and many new visitors too. The De Vere Cameron House Hotel on the banks of Loch Lomond and the prestigious Loch Lomond Golf Club, which are two of the largest tourism-related employers in our patch, are increasing staffing levels at a rate that is higher than the national average. The marketing effort is working.

Scottish Enterprise Dunbartonshire is keen to push the boundaries further. It is working on destination:Loch Lomond, a project that aims to ensure that we maximise the economic benefits of the national park, not only for the one or two larger businesses that I mentioned but for all businesses in the patch. I hope that the Minister for Enterprise and Lifelong Learning will be supportive of the initiative.

From his previous transport portfolio, the minister will know that I am eager to improve the infrastructure for the increasing tourism interest.

The minister is not in the chamber to hear what I have to say, but I will ensure that I tell him. I will remind him of the strategic importance of the A82—the key tourism road in the west of Scotland—which is badly in need of investment and improvement. I trust that he will use his influence with Tavish Scott, the new Minister for Transport and Telecommunications, to ensure that the right infrastructure is put in place to support our growing economy.

Neither minister will be surprised if I mention another transport project. Like the First Minister, I believe passionately in Scottish success. To achieve that, we need to be ambitious—ambitious for our people, communities, businesses and country. The First Minister clearly stated that there would be no limit on the ambition of the coalition and that, where appropriate, we would exceed the terms of the partnership agreement. I agree with him.

Let me offer the Deputy First Minister a suggestion; it is an idea that is shared by my colleagues Trish Godman and Des McNulty, all the local authorities in the west of Scotland including West Dunbartonshire Council, Renfrewshire Council, Argyll and Bute Council and Glasgow City Council. Indeed, it is shared by Scottish Enterprise Dunbartonshire, the Dunbartonshire Chamber of Commerce—in short, it is shared by everybody in my local area. The suggestion is a simple one: to scrap the tolls on the Erskine bridge. We need no more talk, minister; let us have some action. We want action for the one-person business that spends £3,000 a year on bridge tolls; action for the more substantial global business that spends £70,000 per year on bridge tolls; and action for the unemployed person who cannot afford the cost of travel in order to get to employment.

**Mr Home Robertson:** Jackie Baillie is on to a good point. We have scrapped the tolls on the Skye bridge, let us scrap the tolls on the Forth bridge too. What is sauce for the goose is sauce for the gander.

**Jackie Baillie:** I will leave it to members from the respective areas to make that point. The member will forgive me if I press ahead with my point on the Erskine bridge. What follows thereafter is a matter for the Executive.

I look forward to the Executive removing barriers to employment and those that hold back local businesses. I also look forward to it making a concerted and focused effort to help the economy of the west of Scotland. Scrapping the tolls on the Erskine bridge would also help to ease congestion on the main road crossings on the Clyde. Come on, minister; let us just scrap the tolls.

If I may, Deputy Presiding Officer, I will look to the future and tell the chamber briefly about the



encouraging dynamic global entrepreneurs programme, which is supported by the Executive. The EDGE programme brought together 48 students from Dunbartonshire schools, the University of Glasgow and Columbia University in New York. It was a tremendous experience; the young people came together to learn about business and entrepreneurship through business growth consultation. In coming together, they learned much more than simple entrepreneurship; they learned how to be global citizens. The results were positive, not only for the American students but for the students from Scotland. They emerged confident, dynamic people who will possibly be the entrepreneurs of the future. They deserve our support. By investing in people like them—not only in my constituency but across Scotland—we invest in Scottish success in the future.

16:30

**Mr Andrew Arbuckle (Mid Scotland and Fife) (LD):** Last night, a local, small-scale, independent shopkeeper, who has previously expressed to me his worries about the amount of money that he was paying in business rates, complimented me on the business rates proposals in the Scottish Executive's programme. He reckoned that the announcement was tremendous, especially as I had only been an MSP for a short time. Given that I was simply purchasing a few goods, it was not the best time to explain that the move was not due directly to my presence in Holyrood, but the man's words underlined to me just how much the measure means to small-scale business people.

Thanks to the Liberal Democrats' introduction of rates relief for small businesses, some two thirds of companies and retail businesses were never exposed to the higher rates in Scotland. That was especially important in rural areas, which can hardly be mentioned these days without the adjective "fragile". However, now that the rate poundage is moving towards what it is south of the border, all those who are involved in wealth creation and the economy will benefit. Rates are but one of the financial hurdles that businesses have to face and the move towards a unified rate will help during the difficult trading times that it seems lie ahead of us. Recent upward surges in the price of fuel and the many oil-based products that are part of our lives underline the necessity of helping the Scottish business community as much as possible.

The proposal to provide a special reduction in rates to companies that are involved in research and development is a sensible and sound move for a country that has, in the past three centuries, provided far more than its fair share of groundbreaking scientific work. It is an investment for the future not only of Scotland, but, we hope, of the wider world.

In his speech this afternoon, the Deputy First Minister, Nicol Stephen, concentrated on a major new renewable energy initiative that will widen the range of options that this country can use to secure its future. With announcements such as the one that the Deputy First Minister made today, I have no doubt that Scotland will be generating one fifth of its energy from renewable sources by the end of this decade and that, once that level is reached, we can improve on it.

We have heard the Deputy First Minister state that it is his ambition that Scotland should lead the way in renewable energy. As well as bringing economic benefits, that position would place us on the moral high ground in relation to our commitment to tackling climate change.

Fergus Ewing, who has had to leave, talked about fuel costs. That issue is not all bad news, as high oil prices increase the economic viability of many of the oil fields in the North sea. They also give an added thrust to the economics of renewables, a point that will not be lost on the open mind of the new Minister for Enterprise and Lifelong Learning.

I fully agree with Christine May's plea for woodland grant scheme support in Scotland to be raised to the English level. That, and the rising price of oil, will allow a major biomass project in Fife to go ahead. The rising price of oil will also bring into the sphere of discussion the creation of biodiesel in Scotland. Currently, we have the absurdity of set-aside land on which nothing but weeds are grown. However, if we were sensible, we would recognise that this country has an opportunity to move into the biodiesel area.

Murdo Fraser expressed his concern about the loss of young talent. He is uniquely placed to make such a comment, as the only area in which I see truth in his statement is in the Conservative party. However, I am glad that he spent most of his speech reading out Liberal Democrat policies.

I congratulate Wendy Alexander on her political contribution this afternoon and on her projected contribution to the Scottish population. I must warn her that she can expect a card from the SNP, which is seemingly obsessed with the Scottish population. That comes with its use of Norway as a model economy. The SNP has missed the fact that there are now more than 1 million economic migrants in the UK and that Scotland has its share of that number. There is now a fluidity in the European Union labour market that never existed previously. With the Scottish Executive putting in place benign business conditions—the new Minister for Enterprise and Lifelong Learning has promised to cut red tape—the required workforce is available.

John Home Robertson expressed worries about the other side of that coin—the possibility that young people may be abused as a result. However, many of the young people who are already here are earning well above the minimum wage rate. By all means, let us sort out the bad mushrooms in the bag, but we must not smother business with more regulation.

The Liberal Democrats welcome the proposed tourism bill in the Scottish Executive programme because it emphasises the importance of the tourism industry to the economy. Scotland has moved from its previous manufacturing and primary industry base towards the service sector. The more money-spending tourists whom we can persuade to visit the country, the more financially successful we will be.

The reform of the planning system that is included in the Scottish Executive's programme is also overdue, as lengthy delays in the planning process are preventing major capital works from being carried out within set timescales. I agree with John Home Robertson that, in any reform, a delicate balance must be struck and that local democracy must not be steamrollered by state priorities. We must watch that issue when considering the proposed planning bill.

Although there is not a single croft in the Mid Scotland and Fife area, I welcome the coming crofting reform bill, which is the last piece of the land legislation jigsaw. The first session of the Parliament achieved considerable reform of agricultural legislation.

The Scottish Executive programme has been heavily influenced by the Liberal Democrat manifesto, which is to the betterment of Scotland. I welcome the programme, especially those parts of it that will fire up the country's economic engine-room.

16:37

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

This has been an interesting and wide-ranging debate. I look forward to hearing Malcolm Chisholm championing enterprise in Scotland in his summing up.

As Andrew Arbuckle said, many excellent speeches have been made today, along with some that were not so excellent. In particular, I praise my colleague Murdo Fraser for his excellent speech. I also want to put on record officially that that young Turk officially enters middle age this weekend.

The Scottish Conservatives believe that, ultimately, a dynamic and competitive economy is the only means of creating wealth and, therefore, of improving living standards and raising the

quality of our public services. We were delighted yesterday to hear the good news on business rates, which followed Tory demands. We hope that the proposed planning bill will be as helpful in supporting business development, enterprise and housing development—an issue that is regularly raised by our colleague John Home Robertson. It must also ensure that there are fair and meaningful consultations.

I want to concentrate on the part of the legislative programme that falls within the remit of the Communities Committee, of which I am a member. We support the proposal for local authorities to be statutorily required to update development plans every five years. However, we need to know from the minister what sanctions local authorities will face if they do not keep their plans up to date. In the past, we have seen that the spirit in which the Parliament understands legislation is not always the same as that in which local councils implement it. I do not agree with everything that John Swinburne said today, but he was right to point out that much of what we understood to be included in the Community Care and Health (Scotland) Act 2002 is not being implemented.

A previous Audit Scotland report showed that, of 32 local authorities, only two achieved the Executive's target of deciding on 80 per cent of planning applications within two months. What is being done to address delays in the planning system? If 30 out of 32 local authorities ignore the objective of having up-to-date local plans, what will happen to them? Already, 30 out of 32 local authorities ignore the Government targets on planning applications.

There are too many deviations from local plans. In members' weekly surgeries, people constantly contrast the local plan with the proposals that they face. Our newest MSP, Derek Brownlee, has said that planning applications are one of the main problems that he has had to deal with in his surgeries since becoming an MSP. A recent example of the problem is the situation that confronts the Dalfaber action group, which is responding to the latest application to build houses on the outskirts of Aviemore. I understand that the proposal to build 650 houses there in the near future deviates considerably from the agreed local plan.

Planning is always a controversial issue, but nowhere is that more true than in the Highlands and Islands at the moment, where there is a proliferation of wind farm applications, as well as the proposal to upgrade the national grid transmission line from Beaully to Denny. Although some of the proposed developments have the backing and support of communities, there is no doubt that many do not. The blight of wind farms

and megapylons that is affecting the landscape is a huge issue. The Executive, Highland Council and the island councils will need to work closely with communities in discussing not only the route of the Beauly to Denny transmission line, but the impact that each pylon will have in the highly sensitive areas south of Beauly and in the Cairngorms national park.

Although people in urban areas will be consulted on development plans for the designation of land, I hope that the review of, and consultation on, renewable energy will include the designation of land for wind farm development so that communities will be involved in the consultation process before applications are made rather than have to respond to myriad applications once they have been submitted.

In our legislative programme, it is important that we listen to people and respond to them. As many members have said both yesterday and today, the Parliament should be judged on the quality rather than on the quantity of the bills that it deals with.

This week, Arneil Johnston's "Evaluation of the Single Survey Pilot" was published. I am sorry that some of my Communities Committee colleagues are not here today, because the single survey has become one of my hobby-horses. The report contains some interesting conclusions. Seventy-four single surveys were carried out—that total is only 1,926 short of the original target of 2,000.

Let us listen to what a public sector housing consultancy firm tells us in its evaluation. One purpose of the single survey was to improve the marketability of a property. It is interesting to read that

"from the limited evaluation possible it would appear that the existence of a Single Survey is not considered by sellers to improve the marketability of properties".

Another purpose of the single survey was to ensure that more maintenance and repair would be done prior to selling, but the evaluation states:

"it appears that generally sellers carry out only minor/general repairs or improvements and respondents indicated they would have done this regardless of the Single Survey".

On successful purchasers, the report says:

"given the very limited sample it is impossible to say anything authoritatively about the experiences of successful purchasers".

On non-purchasers, it is stated:

"it was inconclusive whether the Single Survey influenced the decision of a potential purchaser whether or not to bid".

In the opinion of selling agents,

"purchasers were more interested in the valuation ... and ... it was inconclusive as to whether the Single Survey product had a positive impact on the transaction time".

The majority of surveyors who took part in the evaluation said that they strongly believed that

"the Single Survey will **not** have a positive impact on improving the condition and energy efficiency of private sector housing in Scotland",

but that was the main reason for having a single survey. I hope that the minister will listen to the evaluation and consultation and to his own consultants when we do further work on the Housing (Scotland) Bill.

16:45

**Mr John Swinney (North Tayside) (SNP):** The debate has been about growth and prosperity for all. I begin my remarks in concluding for the Scottish National Party with some points about what I think are genuine impediments to growth and prosperity for all within my constituency. I will concentrate on three issues.

We cannot overestimate the significance of Scottish Water as an impediment to economic growth in our communities. In countless communities in my constituency, nothing can happen unless Scottish Water's infrastructure is improved. I know that an investment programme is coming, but ministers must accelerate the pace of improvement to give us some prospect of economic growth.

There has been a wee bit of hilarity today about the situation in Scotland's agriculture sector, but whichever part of the agriculture sector we consider, whether cereals, beef or milk production, we will find that it is faced with the prospect of serious economic difficulties. I hope that, for once in his life, Mr Ross Finnie is on top of the situation and aware of the extent of the difficulties that the sector faces.

The third impediment to economic growth and prosperity for all in my constituency is the situation with transport improvements. I know that the Deputy First Minister has now been relieved of his responsibilities for transport, but the same transport improvements that the Executive delayed, slowed up and did not progress under the term of office of Mr Stephen are still slow and not progressing under the tenure of Tavish Scott. Whoever is running the Scottish Development Department, if that is what it is called, must improve its performance if we are to deliver for our country's communities. In that respect, not a stitch of legislation is required to make that happen; civil servants just have to get on with the job and ministers have to ensure that they do it.

To turn to the major part of the debate, the heart of the criticism that was levelled at the Scottish National Party by Wendy Alexander—I am delighted that she is back in the chamber today—was about the coherence of our position. Her

concern was our charge that the Government has proposed an incoherent programme. The centrepiece of the Government programme that was announced yesterday is, undeniably, the reduction in business rates. It should not be a surprise to members that I warmly welcome that step. However, on 23 September 2004—hardly an age ago—the First Minister said:

“Businesses in Scotland do not pay a higher rate of business rates than businesses south of the border pay.”—[*Official Report*, 23 September 2004; c 10544.]

I ask members not to attack my party for a lack of coherence when the need for the central part of the Government's economic programme was being denied in reality by the First Minister on 23 September 2004.

Mr McMahon shakes his head, so I will give him another quote, back from the realms of 1999. On 15 December of that year, Mr McConnell stated:

“It is rubbish to suggest that any Scottish business will pay more than any equivalent business south of the border”.—[*Official Report*, 15 December 1999; c 1500.]

It was denial then and it was denial last September.

**Michael McMahon (Hamilton North and Bellshill) (Lab)** rose—

**Mr Swinney:** The First Minister has had to do the U-turn of his life and I am glad that Mr McMahon is going to explain it.

**Michael McMahon:** The explanation is very simple: Scotland's businesses were not disadvantaged in 2004 and they will be greatly advantaged by the reduction now.

**Mr Swinney:** So the denial goes on. Mr McMahon should read the First Minister's statement. He should accept that Scottish businesses were being penalised and that the First Minister has righted the wrong that he created.

On the coherence of the Government's programme, I am not the only person to have had it whispered in my ear in the past 24 hours that the initiative on business rates was not some great planned escapade, but was agreed 24 hours before the Government announced it in the Parliament.

**Fergus Ewing:** It was on the back of a fag packet.

**Mr Swinney:** I do not think that we are allowed back-of-the-fag-packet calculations any more—much to my pleasure, I must say—but it certainly feels as though the policy was made on the back of a fag packet or an envelope.

In this afternoon's debate, several important points have been made, but let me concentrate on

two that relate to the economic health of our country. Jim Mather highlighted the fact that 20.5 per cent of our potential workforce is economically inactive. Christine Grahame—in a very fine speech—made some important comments about the proportion of our young people who are not engaged in training, employment or economic activity. Although those statistics were airbrushed out of the debate as if my two distinguished colleagues had just invented them, they are facts that we ignore at our peril. Unless we tackle those problems, we will never tackle the underlying economic ill health of our country. In answer to Shiona Baird's question about why we focus so much on economic growth, we do so because 20.5 per cent of our working population is economically inactive. Such people are unable to work and, therefore, unable to obtain the esteem that all of us are privileged to achieve from our working life.

Another important point arose from the altercation about Scottish Power during First Minister's question time. Given Mr Fraser's continuation of that discussion in this afternoon's debate, let me say that I believe that it is important that companies such as Scottish Power remain headquartered in Scotland and that we do not lose such facilities. Our experience from every previous takeover is that we haemorrhage big, good, attractive jobs—the well-paid jobs—if the headquarters do not remain in Scotland. We ignore that threat at our peril. I want to ensure that we have broadly based employment opportunities for everyone. We need well-paid jobs and other jobs for people in our society.

We have also had a great debate about economic performance. Yesterday, the First Minister told us that he is no longer interested in comparisons with the rest of the United Kingdom, but he is probably not interested in that because Scotland's economic performance continues to trail that of the rest of the UK. That is not a whinge but a fact. Other countries such as Finland, Sweden, Norway and Ireland—all of which are small independent European countries—have been able to deliver economic performance that is superior to that of our country under devolution.

The First Minister's mantra yesterday was that he wants us to focus on Scottish success based on Scottish ambition. I have spent my entire adult life trying to focus on that aspiration so that we can ensure that our country is able to take the decisions that will create the opportunities to tackle both the economic isolation to which Christine Grahame referred and the problems of economic inactivity that Jim Mather highlighted. However, we will achieve that only when this Parliament has the financial powers to deliver on the expectations of the people.

16:53

**The Minister for Communities (Malcolm Chisholm):** This has been a good and wide-ranging debate. Nicol Stephen started by outlining some of what we have achieved so far and how we will take action to maintain and build on that momentum by promoting renewables, capital investment and investment in people and skills and by cutting bureaucracy and red tape.

First and foremost, I want to talk about how we connect economic growth with the prosperity and well-being of everyone, especially those who may be left behind because of who they are or where they live. It is vital that we have growth and prosperity so that we can close the opportunity gap. Providing routes out of poverty and ensuring equal opportunities can contribute, in turn, to further growth and prosperity. We have made good progress in tackling low-income poverty in Scotland in partnership with the UK Government. For example, 100,000 children and 100,000 pensioners have been lifted out of relative poverty. Of course, there is much more to do—we need to tackle poverty in its widest sense.

Our approach of closing the opportunity gap focuses on where we can make the biggest difference to poverty and deprivation within our devolved powers. That means that we bring together our efforts to improve people's health: ensuring that children have a good start in life; supporting young people to help them to achieve everything that they can at school and to assist them in the transition to adult life; and ensuring that everyone has access to the financial services that they need to avoid unmanageable debt. That also drives us to ensure that we have strong, regenerated communities with access to good-quality housing that is warm and affordable.

For many people, the route out of poverty means increasing their chances of sustained employment, perhaps through boosting their skills and confidence or through other kinds of support to overcome health problems, to find flexible and affordable child care or to manage household finances in the transition to employment. We are working on all those issues and starting to see good results, for example through our working for families programme, which supports parents with child care so that they can improve their position at work or get extra training and qualifications. That shows how our aims for the economy and our aspirations to close the opportunity gap for individuals go hand in hand.

**Fergus Ewing:** On a point of order, Presiding Officer. I seek your guidance under the standing orders, in particular under the rule requiring respect towards other members. When a minister is closing a debate and is supposed to be responding to arguments that have been made

during that debate, is it consistent with the duty to which I have referred that a minister simply reads out from a pre-prepared text?

**The Presiding Officer (Mr George Reid):** The minister is perfectly in order.

**Malcolm Chisholm:** I point out to Fergus Ewing that I have never before read out from a pre-prepared text for a closing speech. This is a slightly different kind of debate, in which I have to add extra dimensions from my portfolio, emphasising that the debate is about growth for a purpose and growth and prosperity for all.

We are completing an employability framework for Scotland, which deals with the issue of economic activity, which Jim Mather highlighted, and with the not in education, employment or training group—the NEET group—which Christine Grahame highlighted. I am also driving forward an important piece of work on race equality and employment to tackle the inequalities that exist for ethnic minorities in the Scottish labour market.

Our approach is all about creating the conditions in which economic opportunities can be realised and exploited to generate growth. It is also about ensuring that such opportunities deliver real benefits for the most deprived neighbourhoods in Scotland, joining up opportunity and need. If we are to succeed in that, we must work to tackle the multiple needs of the most disadvantaged neighbourhoods so that they are better able to take advantage of opportunity and participate in growth.

One key way of achieving that is through the community regeneration fund—a single integrated fund worth more than £318 million—which will support strategic and sustained intervention in the most disadvantaged communities. Over the next month or so, I hope to complete the process of approving outcome agreements for the three years to 2008 for every community planning partnership in Scotland. In the autumn, we intend to publish a wide-ranging policy statement on regeneration to stimulate a broad debate on the way ahead.

In our partnership agreement, we promised to reform the planning system to strengthen the involvement of communities, to speed up decisions, to better reflect local views and to allow quicker investment decisions. The ambitious and wide-ranging package of reforms that we have put forward in the white paper, "Modernising the Planning System", will achieve that and more. We will deliver a planning system that is fit for the 21<sup>st</sup> century and that is better, fairer and more balanced.

I have already said in the Parliament that it is our intention to reform the planning system, not tinker with it. We want a plan-led system that really works. That means a system that delivers the right

kind of growth: smart and sustainable growth, bringing investment and jobs, together with essential infrastructure, housing, schools and hospitals. It means a system that regenerates communities and listens to what local people say about the impact on their lives and environment. That is why we are proposing a planning system with a new hierarchy headed by an enhanced national planning framework, with a range of measures to improve the efficiency of the planning system and the effectiveness of enforcement; radical initiatives to ensure that all interests, including those of local people, are properly included in planning decisions; and an approach that emphasises that development must be sustainable, as Shiona Baird rightly emphasised, in social, environmental and economic terms.

Do I have one or two minutes left, Presiding Officer?

**The Presiding Officer:** Three.

**Malcolm Chisholm:** That is even better.

The efficiencies that planning reforms can deliver will have a positive effect on the delivery of new housing, which John Home Robertson emphasised. That includes affordable housing to help build our communities and maintain a strong, prosperous Scotland. Improved development plans, together with good-quality, up-to-date local housing strategies, should ensure that councils use the planning system effectively to meet housing need successfully over the longer term. John Swinney reminded us of the water constraint that has bedevilled housing development in recent years, but that has of course been dealt with by the announcement before the summer of a massive investment programme.

We are undertaking a range of actions to help meet the aspirations in our communities. Many people aspire to be homeowners, and I know how difficult it can be for first-time buyers to get on to the property ladder. Earlier this year, we announced the homestake scheme to ease access into home ownership for those who aspire to own, but find that market prices are often beyond their reach. We are now almost halfway through the first year of the Executive's improved three-year investment programme for affordable housing. That will provide more than 16,500 homes for affordable rent and nearly 5,000 homes for low-cost home ownership by 2008.

We have seen some of the key political dividing lines in today's debate. First the Tories, through Murdo Fraser, restated their obsession with slashing the public sector rather than releasing cash savings in the public sector to reinvest in the front line as we are doing. John Swinney reminded us of the Tories' dismal record on growth in the 1980s and 1990s, which contrasts with growth

today; Scotland is outstripping France, Germany and the euro zone, as Wendy Alexander reminded us, and more people are in work in Scotland today than in 23 of the 25 European countries.

As for the SNP, again we saw Jim Mather being obsessed with more powers for this Parliament rather than with doing the right and best thing with the powers that we have. That is what we are doing to achieve growth with a purpose and enhance prosperity for all. That is what we are doing throughout the legislative programme, and I commend it to the chamber.

**The Presiding Officer:** There being no questions to be put as a result of today's business, we move straight to members' business.

## Paisley Choral Festival

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

The final item of business is a debate on motion S2M-3148, in the name of Miss Annabel Goldie, on Paisley choral festival. All members who want to take part in the debate should press their request-to-speak buttons now. I am sorry, I should have said both members; there is scope for others to join the debate.

### *Motion debated,*

That the Parliament notes the recent launch by Voices in Paisley of the Paisley Choral Festival to be held between 30 September and 15 October 2005; congratulates the organisers on their commitment and vision; acknowledges the valuable support and encouragement given by Renfrewshire Council and other local bodies and organisations, and commends this initiative, not only for both harnessing and nurturing musical ability within the area, but also for being a contributor to the wider economic, social and cultural regeneration of Paisley.

17:03

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

**(Con):** It is with much pleasure that I speak to the motion in my name. As a first assurance, I give the chamber my undertaking that I will not break into song—either as a solo or in a duet—because I have no wish to prejudice the cause of Voices in Paisley.

It is often the case in life that some of our most enjoyable journeys have improbable starting points. In March last year, when I got an invitation to attend a choral evening on a Friday night in the Wynd Centre in Paisley, my interest was not immediately aroused. However, no one who underwent their primary and secondary schooling in the Renfrewshire and Inverclyde areas is unfamiliar with or immune to the pleasure of music. Both those areas have a very strong musical tradition, so I decided that I would go along to the concert; I was not disappointed, because musical talent from Paisley and the surrounding area was abundant. If that talent was exciting, no less refreshing was the enthusiasm of the participants.

At the end of the concert, I was approached by the organisers to see what I had thought of the evening. They also wanted to seek my views on a plan to have a choral festival in the following October, with a view to making that festival a cultural highlight for Paisley and putting Paisley on the cultural map of Scotland. I paused, but only momentarily, because it seemed to me that the talent and the focus and enthusiasm that I had just witnessed demonstrated that that idea was not only brilliant but sustainable.

Indeed, that first foot in the festival water in October last year made a very big splash. One of

my pleasures was to attend the schools concert part of the programme that had received great support from Renfrewshire Council. Some members might remember that the Renfrewshire children's choir under Christine Badger was a star turn at an Edinburgh carol service in which MSPs participated a couple of years ago. The same indefatigable Mrs Badger was to be found at that schools concert in Paisley. The display of young musical talent was breathtaking.

Voices in Paisley had organised other impressive events for that week and, building on that strength, the group decided to try to take things forward on a more structured basis. In January this year, it was my pleasure to chair a conference on proposals for the formation of a Paisley festival company. All of us who were there were startled at just how many people attended, and the obvious feature of that attendance was the breadth of appeal that the festival seems to hold and the breadth of interest in taking it forward. That has brought us to where we are now, with the prospect of an exciting and expanded choral festival being held between 30 September and 15 October, offering a wide diversity of rich musical entertainment. Perhaps equally important, the festival offers an opportunity to people of all ages and backgrounds to participate, either musically or as audience members.

My reasons for bringing this evening's motion before the Parliament are threefold. First, I wanted to pay tribute to the spirit and determination of the musicians who created an exciting addition to the cultural calendar not just of Renfrewshire but of Scotland. It may be invidious to single out people, but the chairman of the organising committee, Tom Wright, and his lieutenant, Fred Hay, have been two doughty ambassadors.

Secondly, I wanted to acknowledge the vital support and encouragement that has been given by local organisations, led by Renfrewshire Council. The foreword in last year's programme, by Provost Ronnie Burns, said it all. It is right that we pay tribute to what local organisations have offered in support.

Thirdly, I wanted the Parliament to recognise that the festival, which had its origins in the celebration of music, has become a flagship for Paisley. We all know that Paisley has been buffeted by many challenges, and some would argue that it has had an unfair share of adversity, but the festival is providing a renaissance—a new banner of hope—and relaying a message that is positive and exciting. The festival has become bigger than a musical convention; it is putting Paisley back on the map. My message to the Parliament and those beyond is, "Let's hear it for Paisley and wish the choral festival organisers huge success in October."

I thank those MSPs who have supported the motion and those who are taking part in the debate. There is a great deal that we can do as ambassadors for the festival. I also thank the Minister for Tourism, Culture and Sport for attending and I ask her to note that, although I have not come with begging bowl in hand, I ask the Scottish Executive to acknowledge the tremendous amount of work that has been done by volunteers to make the festival happen. If there is any small gesture that the Executive might feel able to make to encourage a fantastic local effort, I urge her to consider that. If the minister's diary permits, I am sure that she would be very welcome at one of the festival events. I thank members for their attention and I look forward to hearing the other speeches.

**The Deputy Presiding Officer:** I now have a much healthier five members on my screen. I call Wendy Alexander.

17:08

**Ms Wendy Alexander (Paisley North) (Lab):** I begin by congratulating Annabel Goldie. In fact, I might go as far as to say that I did not disagree with a word that she said. This may be the only time for a number of years that I can make that statement and I am only sorry that I am no more competent to sing it than she suggests that she may be.

As Annabel Goldie indicated, the organisers—first Voices in Paisley and then the dedicated group that has been set up to run the choral festival—deserve congratulations and praise from all of us for their vision and ambition. It is now clear that after only one year, and on the threshold of a second festival, the festival will grow into a regular event not only in the town's calendar but across Scotland. Astonishingly, it is the only choral festival in Scotland and it is well on its way to becoming an event of national cultural significance.

In some ways it is terribly surprising that that should happen in just two short years. I recall a particularly wet Monday evening last November, when some of the diligent organisers whom Annabel Goldie mentioned came to see me saying, "Tell me what local businesses you think might be best for us to look to for sponsorship." I was impressed then, as I have been for the rest of the year, with their tenacity and willingness to cast the net widely in seeking to support Scotland's cultural life. We in the chamber sometimes rather lightly pronounce on the need for local leadership; in this case, we have seen such leadership in action.

We should acknowledge that, in only the festival's second year, public agencies have

stepped in to make it happen. EventScotland, which the Executive set up a number of years ago, has used its regional budget to support the festival and the University of Paisley, Reid Kerr College, Renfrewshire Council, Scottish Enterprise Renfrewshire and Making Music, the voluntary organisation for choral societies, have all done their bit. Now that the festival is established, I hope that a number of us can do our bit to attract the local business sponsorship that will be so important in the years ahead.

As for the festival itself, I have a story similar to Annabel Goldie's to relate about the experience of hearing music. About a year ago, I attended a concert of the Paisley philharmonic choir in Paisley Town Hall. On that Sunday evening in early summer, an event that I had gone to with a sinking heart, fearing that it would be another duty and wondering why I had accepted an engagement on a Sunday evening, turned out to be a complete pleasure. Since that time, I have learned a lot more about the choral tradition in Renfrewshire over many years.

I want to share with the minister and the chamber the way in which the festival—which, as I have said, is only in its second year—is attracting not only local choirs but choirs of national importance. This year, it is to be graced by the London community gospel choir. I must own up and say that I have heard the choir sing before; that was in the London Jazz Café on a Christmas eve more than a decade ago. I expect the choir to be every bit as impressive in Paisley Town Hall in a couple of weeks' time.

Looking through the festival's imaginative programme, I think that, in a week in which people's thoughts have inevitably turned so often to Louisiana and the southern states of America, the very presence of the Aberdeen chorus of Sweet Adelines International, who sing in a barber-shop style, will remind festival goers of music's place in bridging international divides and helping people through the ages to overcome pain and loss. Perhaps that is why the choral tradition is so important.

I should also bring to the chamber's attention the other highlights of the festival. An a cappella choir will sing from the works of Scotland's foremost contemporary composer, James MacMillan. Of course, as Annabel Goldie has pointed out, the backbone of the festival is the local choral tradition of the Ralston singers, the Barrhead philharmonic choir, the Paisley philharmonic choir, the Thomas Coates memorial society and many other groups.

Sometimes in the chamber there has been a bit of controversy about support for professional singers in Scotland. I think that, whatever stance we might have taken on that issue, we can unite in the fact that it becomes all the more important to



support our outstanding amateur singers. After all, they are amateur only in the sense that they are unpaid; they are professional in every other aspect, especially in their love of music, their respect for the choral tradition and, frankly, the pleasure that they bring to the rest of us.

I urge everyone, particularly west of Scotland MSPs, to consider joining us at one of the festival events. The festival lasts for two weeks from Friday 30 September, which, as more observant members will have noticed, means that its second week coincides with the first week of our recess. It is all the more reason why we should look forward to seeing some members there.

17:14

**Mr David Davidson (North East Scotland) (Con):** First, I should apologise to the chamber, because I might have to leave before the end of the debate.

I have a connection with Paisley—I used to own a pharmacy just opposite the abbey. I do not recall whether any of the staff sang very often and most of my clients tended to be rather ill. However, I whole-heartedly encourage this sort of cultural development, particularly because of its community aspects.

For example, I recently attended the Johnshaven fish festival. I realise that Johnshaven, which is a small Aberdeenshire village, has almost nothing in common with Paisley, apart from the fact that it occasionally rains there. However, at the festival, there was an amateur Norwegian choir from a fishing port that used to send across a product for processing in the village. The whole day was wonderful, with good weather and lots of stalls and events. However, when the choir started to sing, even the open-air pub went quiet. People moved closer to hear the wonderful harmonies. The choir sang Scottish and Norwegian songs and all sorts of things. When the singers finished their session, the audience called for more and they agreed to come back and do something later on.

That example shows that there is an appeal in good, well-sung music. The human voice is a wonderful thing—although in these days of pop songs and so on one sometimes wonders whether the voice is involved at all—and there are some wonderful singers around. It is good when they can be brought together, as happened at the Aberdeen international youth festival recently, at which I was pleased to be a guest of an oil company. There were fantastic foreign choirs and choirs from different parts of the country came together, rehearsed for an hour and did three fantastic pieces in the Music Hall in Aberdeen.

Such events can happen, but someone must organise them. There must be encouragement for

singers and for those who train them and encouragement at home. If the Paisley festival is to become the Eisteddfod of Scotland and be an alternative to the Mòd, I am all for that. The issue is about accessibility to the quality aspects of music as well as to the comfort and solidarity that some people feel and some communities use.

It is important that the Executive, local authorities and the enterprise agencies understand the importance of a small investment for choirs, which might be tiny. For example, it might be a hall in which they can practise for free or for only a couple of bob in the meter—although that might go up as there was an announcement recently that power prices were going up. That said, it is important that communities that manage to pull together an event as vital as the Paisley festival, in such a short time, get support.

Other issues are involved in such events. People must volunteer to give accommodation to those who have to travel to the event. Wendy Alexander referred to business sponsorship. It is amazing how many small local companies will sponsor in some kind or another. Scotland's large businesses are keen to get involved in such exercises. It comes under the term nowadays of social and whatever responsibility. The businesses willingly give money to good, productive events, often just to pump-prime them to get them started.

I congratulate Annabel Goldie on bringing this cultural note to the chamber. I was surprised that she did not try to sing, but perhaps there is a message behind that. It is important to recognise that people in communities get off their bottoms, come together and work hard to put on events such as the Paisley festival. I wish it every success.

17:18

**Michael Matheson (Central Scotland) (SNP):** I congratulate Annabel Goldie on securing time for the debate. Although I do not have personal experience of the festival in Paisley, it is clear from those who have participated in the events that have occurred there in the past year or so that it has been worth while.

Such festivals have an important part to play in our cultural calendar. Last year, the Enterprise and Culture Committee conducted an inquiry into arts in the community and one of the clear lessons that came out is that the vast majority of people's experience of participating in a cultural event is at a local level. That is why festivals such as the one in Paisley play an important role within communities.

Such festivals can also often bring wider communities together. We have heard that choirs from different parts of Scotland will be travelling to

Paisley to participate in the event there. We only have to look at the experience of other festivals in Scotland to see how they can develop and become bigger and more important within our cultural calendar. For example, for the past six years in Falkirk, there has been the big in Falkirk event, which now attracts over 100,000 people each year. The local council estimates that the events that take place over the period of the festival inject approximately £1 million into the local economy. It has got to the point at which the festival has attracted some of the major bands that are now playing in the UK, from Snow Patrol to Bob Geldof. This year, we even had Tony Christie, who very kindly gave me his autograph.

The big in Falkirk event brings the community together not only through the council's involvement, but because commercial businesses are interested in getting involved in it. One of the biggest companies in the area—BP at Grangemouth—is now one of the festival's major sponsors. Alongside that, this year there was interest from France. A number of organisations and groups came across from France to participate in the various events that took place. Such festivals have an important part to play in giving people an opportunity to participate in cultural activities, and I wish the one in Paisley all the best. I hope that, as it develops as the big in Falkirk event has developed, it will continue to play an important part in our cultural calendar.

It is important that such festivals do not become parochial, but broaden out what they are trying to do. In doing so, they will attract more people to them, who will come along for different reasons, because they want to participate in different types of event. I hope that the festival in Paisley will seek to open up even wider, to bring in many other organisations that I am sure would like to participate in it in the years to come.

17:21

**Chris Ballance (South of Scotland) (Green):** I, too, congratulate Annabel Goldie on securing the debate. It is important that we celebrate local festivals, artists and volunteers. I will follow the tradition of not singing in the debate, although I should perhaps reveal that I gained my Equity card through a contract with Scottish Opera. However, my card was secured, I think, solely because the interview did not include an audition and my interviewers did not get to hear me sing until after I joined the company. I will not comment any further on Scottish Opera, in the interests of keeping the debate consensual and focused on the local and volunteer aspects of the motion.

I will not presume to comment on any specific aspects of Paisley, as Wendy Alexander and Annabel Goldie have much greater knowledge of

the area and have covered the subject very well. However, we are well aware—factually, through statistics, surveys and such studies from the 1990s as François Matarasso's "Use or ornament?"—that the arts and the voluntary arts make clearly proven contributions to confidence, self-esteem, social contact, job skills, enterprise skills and people's sense of belonging in a community. The arts benefit those who take part in them as well as their audiences and they are absolutely crucial for developing healthy, strong people and communities.

More than that, the arts are about uplifting the spirit. They feed the soul of people, which is so important in a world in which we hear so much about soulless communities. The arts, and enterprises such as the Paisley choral festival, can really make a difference. As Annabel Goldie said, such events are a flagship for the places where they take place. We need arts for art's sake, not just because of the perceived social benefits; we need arts because we are human and because art is an expression of who we are.

I very much support the call for cultural rights for all, which we have heard from our First Minister. I hope that we will see those rights put into place. We should remember that "all" includes those in old people's homes, those in hospital, particularly those in long-stay hospitals and mental patients, and those who are incarcerated in prison. That is what cultural rights for all means.

Finally, I congratulate the Voluntary Arts Network on its work. It is the body that helps and supports the hundreds and thousands of people who are involved in cultural activities in Scotland. I have organised an event on Monday as a chance for arts organisations to respond to the Cultural Commission's report. One of the keynote speakers will be from the Voluntary Arts Network. I will pass the transcript of what is said at the event to the minister, in the hope that she will keep the wishes and desires of the Voluntary Arts Network of Scotland close to her heart when she is formulating policy over the next couple of years.

17:26

**Donald Gorrie (Central Scotland) (LD):** The Paisley choral festival is an unusual and excellent subject for a debate and Annabel Goldie deserves credit for—

**The Deputy Presiding Officer:** Mr Gorrie, could you lift your microphone stalk a little? It is bent down.

**Donald Gorrie:** It is suffering from end-of-season decay. I beg your pardon.

I always enjoy visiting Paisley abbey, which is one of the finest buildings in Scotland. I am sure

that it still has a good reputation, but I remember that a good many years ago—in the days of my youth—the organist George McPhee and the choir were famous. It is a great place.

Michael Matheson made a lot of the points that I wanted to make about the importance of local music festivals. I might come back to that issue briefly, but first I am proud to say that the Liberal Democrats greatly support choral singing. There are a number of reasons for that. First, choral singing mirrors a Liberal concept of life, because everyone is singing from the same hymn sheet; they all sing different tunes, but they meld together into marvellous harmony. That is a good concept of a Liberal society.

Secondly, although I am not an artistic person at all, playing in an orchestra or singing in a choir at a big choral event is the nearest that I have got to creating something artistic. When one does that, one feels a small part of the fire that Leonardo or Rabbie Burns had in abundance. Recently, I attended a do-it-yourself Verdi "Requiem" at the Usher Hall in Edinburgh. I think that there were 1,300 singers, most of whom were people from choirs, like the people who will appear at the Paisley choral festival. One of the lessons that I learned—which is relevant to politics—is that although it does not much matter what note we sing, we must keep up; we must get the rhythm right or we are in big trouble, whereas in the general hubbub we can sing the wrong note and nobody will notice.

Choral societies are an important part of the fabric of society and festivals such as the Paisley choral festival are also important. I hope that the minister, in wrestling with the Cultural Commission's proposals and the things that stem from that, will discuss the matter with us and help to create a system for encouraging the festival in Paisley and other local ventures without stifling them and making things bureaucratic. We do not want a tsar for local festivals, but some people could do with help. As others have mentioned, people can learn from one another. A small group in Aberdeenshire may learn from people in Paisley how to do things better next time. We can learn from one another and create real, local, collective cultural activity.

There is a whole range of choral singing, from Verdi to barber-shop and lots more besides, so all tastes can be satisfied. Most people can sing after a fashion, whereas playing an instrument requires a skill. Perhaps we can become an all-singing nation. We are not as good at that as the Welsh or the Estonians, who sang themselves to independence. However, if we develop more Scottish singing, we will get over our inhibitions and lack of self-esteem. Organisations such as the one in Paisley are important and we should

thoroughly support them. I will see whether I can get to the festival, but I do not promise.

17:30

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** I am delighted to have the opportunity to endorse the Paisley choral festival 2005. Like colleagues, I congratulate Annabel Goldie on securing the debate. I also congratulate her on setting the tone for the evening and putting down a marker that this would not be a participative singing event. I once chaired a debate in the chamber on Robert Burns at which members sang—it has been remarked to me on a number of occasions since that it is surprising that my enthusiasm for Burns is still as strong as ever.

Launched by Voices in Paisley, the festival will do much to support the attempts by Paisley to claim the title of Scotland's choir town and it promises to be a nationally prominent event. Paisley will resound to performances by prestigious, internationally recognised professional choirs and by local choirs with wide-ranging experience and abilities.

In Scotland today, there is a real buzz in our music industry, particularly in our traditional music. We know that we all enjoy music, whether listening to it or taking part in it. I agree with Chris Ballance that the enriching experience that we get from music makes it paramount that we provide the right atmosphere for music to flourish.

I am not quite the right person to judge whether Donald Gorrie is correct in saying that choral singing is a particularly Liberal Democrat undertaking, although I think that the writers of the "Little Red Songbook" might have had something to say about that.

An example of how we help to support singing and other musical initiatives to flourish is our youth music initiative, through which we have invested £17.5 million over three years. The core aim of the initiative is to ensure that by 2006 all schoolchildren should have had access to one year's free music tuition by the time they reach primary 6. Of course, that includes vocal tuition. The initiative is a tremendous undertaking. I am pleased to say that we have invested another £10 million a year for the next three years in youth music.

The Scottish Executive, through its funding of the Scottish Arts Council, is committed to making music accessible to all. Indeed, the SAC allocates around a third of its budget to nationally significant organisations and festivals. As the lottery distributor in Scotland for the arts, the SAC has provided funding to Voices in Paisley through the awards for all programme. As Wendy Alexander indicated, the festival has also been supported

through EventScotland's regional events programme and was awarded a total of £7,750 to help it to develop and grow.

Of course, it is not just the Scottish Executive and the SAC that provide support to our musicians and artists. Local authorities and the voluntary and private sectors are also important in that respect. Indeed, it is estimated that local authorities provide more than half of public sector arts funding in Scotland. The difference that an enthusiastic and supportive local authority can make to cultural provision in its area is immense, as is demonstrated through the depth and breadth of local arts organisations in Renfrewshire. Due to extensive upgrading and an attractive townscape, Paisley now has a collection of good venues for an event such as the choral festival.

As Annabel Goldie indicated, it is important to remember that a great deal of cultural activity in Scotland is undertaken by the voluntary sector. The voluntary sector is a source of tremendous experience, energy and talent and voluntary groups such as Voices in Paisley are ideally placed to help to ensure the broadest possible access to cultural activity in Scotland.

I am pleased to note that the private sector has played a key role in the provision of business sponsorship to the Paisley choral festival. I firmly believe that a joined-up approach across the sectors and at national and local levels, providing seamless support, has to be the way forward if we are to make our mark internationally.

The Paisley choral festival is also a good example of how cultural activity can be the springboard for other activities. The Paisley Festival Company now promotes a range of concerts by visiting and local choirs, together with educational and training activities and events for community participation. The company aims to build on the strong musical tradition in the area and I am sure that it will also do much for the wider economic, social and cultural regeneration of Paisley and the surrounding area.

As Ms Goldie will know, we aim for Scotland to become a major events destination by 2015. However, we do not wish to attract just major events from outwith our shores; we also want to encourage local festivals and events to flourish. In that context it is particularly encouraging to hear that Renfrewshire Council and its partners are proposing to develop an events strategy for the region and are aiming to draw in external funding to support cultural networks.

It is important that Voices in Paisley and the Paisley Festival Company ensure that all other viable sources of funding are being utilised and that as much community engagement as possible is built into the festival. That will broaden the

festival's appeal, draw in audiences and participants to the world of choral singing and, we hope, inspire young people to get involved, too.

Chris Ballance spoke about the benefits that he saw in the arts and culture; I believe that those benefits are beyond doubt. The Executive's response to the Cultural Commission's report will be underpinned by our belief in the absolute necessity of providing all our citizens with access to cultural provision and by a commitment to recognise and nurture excellence. We and our partners in local government and the voluntary and private sectors all need to work together to support our festivals as they face the challenge of adapting to the future cultural needs of our country.

Scotland is now world renowned as a country of festivals and I am delighted that the Paisley choral festival will continue to contribute to our blossoming festival reputation at home and abroad. We should all take every opportunity to thank and congratulate those performers who raise the profile of Scotland around the world and contribute to the richness of our musical life. Indeed, I look forward to having the opportunity to thank the Paisley choral festival organisers when I attend the celestial voices concert on 9 October. Like Ms Goldie, I hope to see many members on that or other evenings.

*Meeting closed at 17:37.*

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