

# **MEETING OF THE PARLIAMENT**

Thursday 1 December 2005

Session 2

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2005.

Applications for reproduction should be made in writing to the Licensing Division,  
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ  
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate  
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by Astron.

---

# CONTENTS

Thursday 1 December 2005

## Debates

Col.

<b>SCHOOLS</b> .....	21285
<i>Motion moved—[Peter Peacock].</i>	
<i>Amendment moved—[Fiona Hyslop].</i>	
<i>Amendment moved—[Lord James Douglas-Hamilton].</i>	
The Minister for Education and Young People (Peter Peacock) .....	21285
Fiona Hyslop (Lothians) (SNP) .....	21291
Lord James Douglas-Hamilton (Lothians) (Con) .....	21295
Iain Smith (North East Fife) (LD) .....	21297
Robin Harper (Lothians) (Green) .....	21301
Mr Frank McAveety (Glasgow Shettleston) (Lab) .....	21304
Mr Kenny MacAskill (Lothians) (SNP) .....	21307
Ms Rosemary Byrne (South of Scotland) (SSP) .....	21310
Mr Kenneth Macintosh (Eastwood) (Lab) .....	21312
Alex Johnstone (North East Scotland) (Con) .....	21314
Gordon Jackson (Glasgow Govan) (Lab) .....	21316
Donald Gorrie (Central Scotland) (LD) .....	21318
Rob Gibson (Highlands and Islands) (SNP) .....	21320
Margo MacDonald (Lothians) (Ind) .....	21322
Bill Butler (Glasgow Anniesland) (Lab) .....	21324
Dr Elaine Murray (Dumfries) (Lab) .....	21326
Murdo Fraser (Mid Scotland and Fife) (Con) .....	21328
Mr Adam Ingram (South of Scotland) (SNP) .....	21330
The Deputy Minister for Education and Young People (Robert Brown) .....	21333
<b>QUESTION TIME</b> .....	21337
<b>FIRST MINISTER'S QUESTION TIME</b> .....	21345
<b>QUESTION TIME</b> .....	21357
<b>FISHERIES</b> .....	21373
<i>Motion moved—[Ross Finnie].</i>	
<i>Amendment moved—[Richard Lochhead].</i>	
<i>Amendment moved—[Mr Ted Brocklebank].</i>	
<i>Amendment moved—[Eleanor Scott].</i>	
The Minister for Environment and Rural Development (Ross Finnie) .....	21373
Richard Lochhead (North East Scotland) (SNP) .....	21377
Mr Ted Brocklebank (Mid Scotland and Fife) (Con) .....	21380
Eleanor Scott (Highlands and Islands) (Green) .....	21383
Richard Baker (North East Scotland) (Lab) .....	21386
Mr Jim Wallace (Orkney) (LD) .....	21388
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP) .....	21390
Phil Gallie (South of Scotland) (Con) .....	21392
Euan Robson (Roxburgh and Berwickshire) (LD) .....	21394
Tommy Sheridan (Glasgow) (SSP) .....	21395
Mr Alasdair Morrison (Western Isles) (Lab) .....	21397
Rob Gibson (Highlands and Islands) (SNP) .....	21399
Iain Smith (North East Fife) (LD) .....	21401
Robin Harper (Lothians) (Green) .....	21403
Mr Jamie McGrigor (Highlands and Islands) (Con) .....	21406
Stewart Stevenson (Banff and Buchan) (SNP) .....	21408
Ross Finnie .....	21410
<b>PARLIAMENTARY BUREAU MOTION</b> .....	21416
<i>Motion moved—[Ms Margaret Curran].</i>	
<b>DECISION TIME</b> .....	21417
<b>COUNCIL TAX</b>	
(VERY SHELTERED HOUSING) .....	21432

*Motion debated—[Alex Neil].*

Alex Neil (Central Scotland) (SNP).....	21432
Karen Whitefield (Airdrie and Shotts) (Lab).....	21434
John Swinburne (Central Scotland) (SSCUP).....	21435
Elaine Smith (Coatbridge and Chryston) (Lab) .....	21436
Derek Brownlee (South of Scotland) (Con) .....	21438
Christine Grahame (South of Scotland) (SNP).....	21439
The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon) .	21441

## **Oral Answers**

**Col.**

<b>SCOTTISH EXECUTIVE</b> .....	21337
<b>GENERAL QUESTIONS</b> .....	21337
Bus Services (Scottish Borders).....	21337
Care of the Elderly .....	21339
Free Concessionary Travel (Publicity) .....	21340
National Health Service (Self-management) .....	21340
Roads (Haudagain Roundabout Upgrade).....	21342
Scottish Water (Brownfield Developments).....	21343
Ship-to-ship Oil Transfers (Firth of Forth).....	21338
Traffic-flow Monitoring (South of Scotland) .....	21341
<b>FIRST MINISTER'S QUESTION TIME</b> .....	21345
AIDS .....	21355
Army Recruitment.....	21351
Cabinet (Meetings) .....	21345
Prime Minister (Meetings).....	21347
Secretary of State for Scotland (Meetings) .....	21350
Water and Sewerage Infrastructure .....	21354
<b>SCOTTISH EXECUTIVE</b> .....	21357
<b>FINANCE AND PUBLIC SERVICES AND COMMUNITIES</b> .....	21357
Council Tax.....	21362
Digital Inclusion.....	21358
Efficient Government Targets .....	21364
Grant-aided Expenditure (Funding Formula).....	21362
Local Government (Equal Pay) .....	21359
Non-departmental Public Bodies .....	21363
Public Services (Environmental Impact).....	21357
<b>EDUCATION AND YOUNG PEOPLE, TOURISM, CULTURE AND SPORT</b> .....	21365
Class Sizes .....	21366
Curriculum (History).....	21365
Curriculum (History).....	21371
Rural School Closures.....	21370
Safe Play .....	21366
Sex Education (Parental Consultation) .....	21370
Teachers (Abuse Allegations) .....	21369

---

# Scottish Parliament

Thursday 1 December 2005

[THE PRESIDING OFFICER *opened the meeting at 09:15*]

## Schools

**The Presiding Officer (Mr George Reid):** Good morning. The first item of business is a debate on motion S2M-3658, in the name of Peter Peacock, on “ambitious, excellent schools”, one year on.

09:15

**The Minister for Education and Young People (Peter Peacock):** As the title of the debate reveals, it is just over a year since I launched the document “ambitious, excellent schools: our agenda for action”, which set out the most comprehensive modernisation programme in our schools for a generation. That package of reforms spelled out our agenda to have heightened expectations, stronger leadership and ambition in our schools; more freedom for teachers and schools; greater choice and opportunity for pupils; better support for learning; and tough and intelligent accountabilities that are built round our school system.

Our agenda acknowledges that, although we have a lot of strength in our schools in Scotland, a number of challenges still must be addressed. I have explained before to the Parliament that Scotland is in the premier league of international education. By the time our young people reach the age of 15, their performance is among the best in the world. According to a major Organisation for Economic Co-operation and Development study, only three other countries in the world significantly outperform us in the key measures of maths, science and literacy.

Other countries look to Scotland to learn from our approaches to education. We are held up as pioneers for leading the world in our commitment to continuing professional development for teachers and in our approach to teacher induction, whereby we introduce into the teaching profession graduates straight from university. Other countries also look to us for inspiration about assessment—in particular, they turn to our assessment is for learning programme—and for guidance on the provision of support for children with additional support needs because of the pioneering legislation that the Parliament recently approved. Self-evaluation, inspection and enterprise education are examples of the many other areas in which Scotland is at the leading edge of what is happening in world education.

I regularly meet ministers from other parts of Europe. We can always learn from other nations, but it is clear that Scotland is in the vanguard of educational development in Europe. We sit in the main stream of contemporary thinking in Europe about how to deliver effectively for our young people. We can be proud of what our young people and their teachers achieve in Scottish schools. The fact that attainment levels in primary schools have increased by an average of 9 per cent over the past five years is a clear indication that our investment in free nursery education—which is now universally available—in early intervention and in smaller class sizes is beginning to pay dividends in the outcomes that we achieve for our young people. This year, exam pass rates increased at all levels and half of all school leavers now proceed into further or higher education.

**Bill Butler (Glasgow Anniesland) (Lab):** Would the minister care to comment on some of the reports in the press over the past fortnight, which have sought to argue that so-called league tables truly reflect achievement, especially for primary schools?

**Peter Peacock:** I have made my position on that clear all along. No Scottish Government of any complexion has ever published league tables. We reckon that league tables give a narrow and one-dimensional interpretation of schools’ performance, which can be wholly misleading to parents. That is why we prefer to have a much more rounded approach and have set up a website that is designed specifically to give parents access to the information that they may desire about their children’s schools.

No one should interpret my recognition of the strengths of Scottish education as complacency. I am not complacent—we need to, and we can, do better. Too many young people still leave school with too little. We must rise to meet a number of challenges from outside Scotland, such as the globalising of the economy, which is accompanied by the globalising of human resources. That means that our young people will have to compete for jobs in ways that none of us had to in the past. We have an obligation to ensure that our education system makes our young people fit and able to compete for jobs on the international stage.

Other factors that are relevant to the development of our education system are technological change, which will have a huge impact on learning and teaching, and the demographic changes that are taking place in this country. The fact that there will be fewer young people and more elderly people means that there will be a smaller economically active population to sustain the remainder of the population, so we must utilise every piece of human potential that we have. We cannot afford to write off any individual,

not just for the sake of their future, but for the sake of the interests of society as a whole. We must increase our endeavours to ensure that we reach and improve the performance of those young people who are underperforming in the system.

We also face challenges inside the Scottish education system. Our inspectors of schools tell us that 15 per cent of the leaders in our schools are regarded as weak. That has profound implications for how staff are managed and, in turn, for how pupils are motivated to learn. We know, too, that the performance of the bottom 20 per cent of young people has remained static for the last number of years. That group contains a significant number of looked-after children whose educational outcomes are far below what they ought to be. We must address those issues. The young people whose performance is in the bottom 20 per cent are concentrated in the most deprived communities in Scotland. Too many young people—boys especially—disengage from learning at secondary 1 and secondary 2 because they find that their lessons are not sufficiently stimulating or challenging and do not have enough pace or relevance for them.

We must ensure that our young people are more creative if they are to compete effectively for jobs on the world stage.

**Fiona Hyslop (Lothians) (SNP):** The minister made an important point about the concentration in deprived areas of those young people whose performance is in the bottom 20 per cent. Does he acknowledge that some schools in those areas achieve successes and that, although we must target the schools that are underperforming and underachieving, we must recognise that there are success stories out there?

**Peter Peacock:** I agree whole-heartedly. The other day, I saw some statistics that demonstrated that some of the best-performing schools in our poorest areas are outperforming some schools in our least poor, or most affluent, areas. That illustrates that it is possible to get high performance if high standards and expectations are set and a variety of devices are employed to support learning.

The “ambitious, excellent schools” document set out our agenda for building on our successes and systematically tackling the challenges that I have described. The ambition and sheer scale of that agenda is recognised and appreciated by those who are in the know. When I addressed the Headteachers Association of Scotland recently, its general secretary said that he felt both joy and trepidation when he heard me speak. I should tell members that it was mostly joy that he experienced, although there was some trepidation. The ambition of our vision made him feel joyful, but the sheer scale of the challenge that we are

setting for our education system gave rise to his trepidation. That is a far cry from the uninformed claims that our education system in Scotland lacks ambition or vision.

The schools white paper that was published down south in the past few weeks identifies almost exactly the same challenges as we identified a year ago. England has different traditions and education structures and it is debating its own solutions. We have always had a distinctive and successful education system in Scotland and it is increasingly clear that our thinking chimes with that of those European nations that are enjoying most success.

There were 69 separate commitments in “ambitious, excellent schools”. Just one year on, we have achieved 38 of those and are well on the way to achieving the other 31. Although I do not have time to go through all the progress that we are making, I will update the Parliament on progress on some of our key reforms.

We promised a new excellence standard to encourage all schools to aim higher. We have delivered that excellence standard as part of a new six-point scale that is now being used in all school inspections. We promised a schools of ambition programme for those schools that had the vision and drive to transform themselves and we said that there would be 20 schools on the programme by 2007. We have delivered on that promise—we have already put 20 schools on the programme, each of which receives additional investment of at least £100,000 a year—and we will invite more schools to join the programme during 2006 and beyond.

We promised to abolish the age-and-stage regulations, which restrict when pupils can sit exams. We have abolished those regulations and have issued new guidance to schools so that pupils can sit exams when the time is right for them to do so. We promised to repeal the outdated Schools (Scotland) Code 1956 so that primary teachers could work in secondary schools. The fact that we have repealed that code means that more of those pupils who struggle to make the move from primary school to secondary school will get the extra support that they need.

We promised to devolve more power to head teachers so that they would have greater control over their budgets and a greater say over how their school was staffed. We have agreed new guidelines on devolved school management, in which we make it clear that we expect head teachers to have three-year budgets, which will give them the stability that they need to plan ahead and the authority to make decisions on staffing structures. The guidelines also help to redefine the relationship between councils and schools.

We are delivering on our promises to introduce new skills for work courses; to have better school and college links; to put in place more rigorous selection procedures for head teachers to strengthen leadership development; and to improve the involvement of parents in school life. Those achievements offer just a snapshot of our significant progress over the past year. They also demonstrate the breadth and ambition of our reform programme.

I will dwell on just one more commitment that we made in “ambitious, excellent schools” on which we are making progress and which will underpin much of the work that we do in future to tackle poor attainment, disengagement and indiscipline. In “ambitious, excellent schools”, we promise to accept in full the document “a curriculum for excellence”, the report on the first phase of the curriculum review.

We have also undertaken to provide, for the first time, a seamless curriculum from ages three to 18. The curriculum will spell out what young people should become: successful learners, confident individuals, responsible citizens—which I have to say embraces knowledge of history—and effective contributors to our society. The curriculum will increase choice and opportunity for young people; ensure that literacy and numeracy remain at the heart of learning; allow pupils to study subjects in depth and to experience greater challenges; and give more time for music, drama, physical education, sport and work-related learning.

Since we made that undertaking, a systematic review of curricular areas has been taking place with the aim of simplifying, prioritising and updating existing guidelines. Much more is still to be done, but those radical reforms will ensure that the curriculum can indeed be made more interesting and exciting for our young people. It will increase their engagement in and motivation for learning and, as a consequence, achieve better results for them. Early next year, the curriculum review team will publish a broad rationale for change across the whole curriculum. Arising from the work on the curriculum is new thinking on the future arrangements for assessment and qualifications to support the values, purposes and principles that are outlined in “a curriculum for excellence”.

When I launched “ambitious, excellent schools”, I made it clear that we would review the link between standard grade and the new national qualifications in order to simplify the structure, widen opportunities and improve progression. We wanted to build on the best of our current arrangements for standard grade and national qualifications and to see young people building up a profile of all their achievements, particularly as they work their way through secondary school. We

have begun to explore the various options for future qualifications, but that thinking is in its early stages.

I make it clear that I am not signalling a fundamental, root-and-branch review of the qualifications system, which has great strength already; rather, I am signalling that some change will be not only necessary but inevitable as a consequence of changes to the curriculum. No decisions have yet been made, nor will they be made until we have thoroughly engaged with the education community and others.

We also need to support and involve parents more and recognise the role that they can play in raising ambition and supporting learning. We know that, where parents are successfully involved, schools and children’s learning are stronger as a result. In “ambitious, excellent schools”, we promised to improve parental representation and involvement. The recently introduced Scottish Schools (Parental Involvement) Bill will do just that. It aims to remove the current narrow, prescriptive rules that cover parental representation. The bill, along with our wider parental agenda, is about enabling parents to do what they can in their circumstances to support their children. Among the changes that were made to the proposals in the bill following consultation is a new requirement on head teachers to provide an annual report to the new parent council on school performance, in which the ambitions for the school for the period ahead will also be set out. Parents want information about their school and about their child. They have a right to that information; the bill will strengthen that right.

At its heart, our agenda is about taking a strong education system and making it even stronger. It is about raising ambition and achieving the best, so that we can address not only the global changes that mean that we must do better, but the domestic challenges that limit the performance of too many. We need to break the unwritten rules and expectations that have limited the system for too long; we need to ensure that schools are striving for excellence and to help them in whatever way we can. We also need to put in place the right leaders and invest in the infrastructure that makes change possible. That is what we set out a year ago in “ambitious, excellent schools” and it is what will deliver even more success for Scotland. I commend the motion in my name.

I move,

That the Parliament recognises that young people are one of Scotland’s greatest resources; believes that every child is entitled to the opportunity to fulfil his or her full potential; notes the significant progress made over the last year by the Scottish Executive on the most comprehensive programme of modernisation in Scottish schools for a generation or more; supports the objectives set out in

Ambitious, Excellent Schools; welcomes the emphasis on heightened expectations, stronger leadership, greater freedom for teachers and schools, increased choice and opportunity for pupils, better support for learning and more appropriate accountability, and supports the Executive's ongoing modernisation of Scotland's schools.

09:29

**Fiona Hyslop (Lothians) (SNP):** Scotland is at a crossroads in relation to its sense of identity and purpose. We want a progressive Scotland for the 21<sup>st</sup> century—a country that has a belief system and is confident about the future—but how do we know where we are going if we do not know where we have been and how will we know whether we have got there if our cultural compass is lost or confused?

The situation is serious. Why otherwise would 500 writers and 500 of their peers have presented a petition that calls for Scottish culture, heritage and history to be embedded in our curriculum for primary, secondary and tertiary education? Alarm is the response to the minister's confused message on history and the teaching of history and to a leadership that sees the grass-roots evolution of the curriculum as a reason to abdicate leadership and drive in the championing of the interests of Scottish culture, heritage and history.

High up on a wall above the rostrum in the main hall of Ayr Academy—the school that I went to—engraved in gold on marble, a biblical quote is cited:

"Wisdom is the principal thing; therefore get wisdom: and with all thy getting get understanding."

I admit that some of us are still getting. Nonetheless, we have to reflect on what we want our children to get from their education. The debate is not just about knowledge, content and detail, but about understanding and wisdom.

Much of the thinking behind the Executive's education policy comes from the national education debate. Of course, the Parliament's Education Committee had its own purposes of education inquiry. The point on which we all agree is that, in a changing world where detail and content can be accessed at the flick of a switch, we must strive for knowledge, wisdom and understanding. Connections, context, consistency and coherence are essential if pupils are to create their own world view.

The Scottish National Party's contention is that, after generations of neglect, the time is right to promote a Scottish world view in our education system. For example, in languages, we should promote the French-Scottish enlightenment; in science, we should promote our past and current inventors; and in literature, we should promote our wealth of talent, past and present.

The Executive motion smacks of "Groundhog Day"—it is a mechanistic motion about delivery one year on. I worry that the Executive has decided to have such annual or regular debates at a time when issues such as domestic abuse and criminal justice need to be debated. Will our Parliament just become a matter of annual debates in years 2, 3, 4 or 5 of any number of subject reviews?

The Executive's message is about the mechanics of driving forward the leadership and ethos perspectives in schools. That is fine in detail and of itself, but targeting 20 schools out of 400 is hardly ambitious. We have to remember that, at one point, the programme was about targeting schools that needed support and not about stretching excellence. However, it is right that the programme should be about exploring and discovering excellence and I have no doubt that the schools of ambition will do that.

It is interesting to note, in the bids for national funding under the scheme, how many schools decided to choose a cultural route to explore self-esteem and leadership issues. I congratulate the schools and wish them well. However, perhaps the message that the Executive should take is that nine of the 20 schools decided to choose cultural connections as their vehicle for expressing excellence and ambition—and this at a time when the Executive seems to be drifting on its cultural policy and curriculum development.

I agree that the grass-roots, bottom-up, evolutionary approach to the curriculum has merit, but it can also lead to a reinforcement of the same. I also agree that it is absolutely essential for teachers to grasp the opportunity to take the lead in ensuring that cultural, historical and heritage perspectives are built into the curriculum. If that does not happen, teachers will wait a gey long time for the Executive to grasp the thistle and ensure that a Scottish world view is on offer to our children.

The talk in the 21<sup>st</sup> century is of the need for creative and confident Scots. How can someone build a sense of self and self-esteem if their national consciousness is shaped and informed by perspectives that may not be about their country's experience? How can someone know something, let alone understand it or gain wisdom from an understanding of it, if they were not taught it?

In a world in which the importance of emotional intelligence is recognised, a sense of self becomes increasingly critical, as does an appreciation of the prism of understanding through which one's identity is shaped. The debate is about Scotland's window on the world; it is about a bridge to an international identity, understanding and wisdom that can judge the merit and demerit



of huge world decisions such as whether our country should go to war.

**Peter Peacock:** I concur with a lot of what Fiona Hyslop has said, although by no means all of it. When Alex Salmond and Nicola Sturgeon put forward their manifesto to become leaders of the SNP, did they say that the only subject that should be taught in schools should be not Scottish history but Scottish industrial history and nothing else?

**Fiona Hyslop:** As someone who was a student of economic history, I can say that it is quite something for a member of a unionist party to give a member of a nationalist party a perspective on Scottish history. The SNP has consistently called for Scottish history to be the bedrock of our curriculum.

A key concern of Labour and the Tories is the language of choice—for them, choice is all. However, flexibility and an extended range of choice can dilute the content of a curriculum and make it strong on range but light on depth. They want consumer choice in education and to motivate pupils by choice rather than content, but is that choice at any price? Is it flexibility that loses focus? Is it teach everything but teach nothing? Flexibility and choice may lead to inconsistency, incoherence and a lack of understanding. We should remember that most other countries teach history to the age of 16.

**The Deputy Minister for Education and Young People (Robert Brown):** Will Fiona Hyslop clarify which areas the SNP wants to take out of the curriculum and thus reduce choice, which is what she seems to be arguing for?

**Fiona Hyslop:** I am not arguing that. I am arguing about making the connections and ensuring that history can be taught as a discrete subject in S1 and S2. As the Minister for Education and Young People walks from the chamber—

**Peter Peacock:** I am not.

**Fiona Hyslop:** The minister may want to reflect that he has yet to confirm that he believes that history should be taught as a discrete subject in S1 and S2.

Shonaig Macpherson, chair of the National Trust for Scotland, said this week:

“By celebrating Scotland’s past we can build a better future”.

However, we have to know what we want to celebrate in the first place. I am not talking about culture, history and heritage as entertainment; I am talking about fulfilling people’s potential.

The minister caused alarm when he retracted a statement that he had made. He said:

“I believe history will always be taught in secondary school, and rightly so.”

He also said:

“I am quite clear that history, as a distinct discipline, has a hugely important role to play.”

Which years was he talking about—S1 and S2 or S3? Will he tell us—because Scotland wants to know—whether our children will learn about their history in S1 and S2 as a discrete subject?

**Peter Peacock:** This is all complete nonsense. When asked by a history teacher whether I would make history a thing of the past—which is a rather curious way of putting it—I said, “Absolutely not.” If Fiona Hyslop took the trouble to read the curriculum review that we published a year ago, she would see that at its centre is a statement about creating

“responsible citizens with ... respect for others”,

who have a

“commitment to participate responsibly in political, economic, social and cultural life and”

are

“able to ... develop knowledge and understanding of the world and Scotland’s place in it”.

That encapsulates in a few words what she has been trying to say for the best part of 10 minutes without much success.

**Fiona Hyslop:** The minister has not convinced the 500 of our writers who e-petitioned the Parliament, or the academics and everyone else. We have to suspend our disbelief when listening to him.

In the spirit of making constructive suggestions, I will tell the minister about the SNP’s five-point plan, which could be taken up and delivered. We should use the curriculum review to embed Scottish history, culture and heritage in the curriculum. We should engage the experts. We have a wealth of talent in the academic, cultural and heritage fields to help to develop appropriate materials to inspire pupils. We should build Scottish education’s academic spine. Robert Brown asked where we can do that. We can do it in science, languages, mathematics and a range of subjects. Other countries have developed their own national view of the world. We want a Scottish world view.

We should support the providers. We need specialist history teachers teaching in our classrooms. We must ensure—the minister will have to do this with the curriculum review—that initial teacher training addresses the issues. Continuous professional development, the McCrone opportunities and non-contact time also open up huge possibilities for delivery.

We must move from studies to qualifications, which means that appropriate exam options must be available to those who have studied. The Scottish Qualifications Authority must develop a range of options, including stand-alone Scottish history exams and the inclusion of Scottish history papers in other history exams.

One day on from this year's St Andrew's day, the Parliament can vote to ensure that, one year on from this year's St Andrew's day, Scotland will have moved on decisively from the crossroads at which it finds itself in determining how our culture, history and education are embedded in the curriculum. The mediocrity of the Executive means that it is not making history. I appeal to the minister not to make history history.

I move amendment S2M-3658.1, to leave out from "the significant progress" to end and insert:

"that all schools should be Schools of Ambition; notes the objectives set out in Ambitious, Excellent Schools and, in particular, the cultural emphasis of a number of the successful bids for schools of ambition status but, in doing so, notes the general concern that Scotland's culture, history and heritage lack national support from the Scottish Executive in the education system; notes with serious concern the proposals by the Executive to make history history in S1 and S2; asserts the importance of children in Scotland having a firm understanding and appreciation of Scottish heritage, culture and history; recognises and supports creative ways to weave this into every subject in the curriculum providing a Scottish perspective; rejects, however, any attempt to remove the stand-alone subject of history from S1 and S2 in schools in Scotland, and regrets any suggestion of this by any Scottish minister, reflecting that such a move would not be even countenanced in other countries who have a pride in promoting their nation's history."

09:40

**Lord James Douglas-Hamilton (Lothians) (Con):** With the indiscriminate praise of a proud parent, the Scottish Executive has presented us with the annual report card of its brainchild "ambitious, excellent schools", but I will be glad to scrutinise the performance of the initiative with a degree of careful examination.

The first 20 schools of ambition are to operate with maximum autonomy. The new funds for the schools—about £100,000 per school—are to be under the full control of the head teacher. We are told that schools will be able to access the full range of enhanced devolved school management, but the implementation of existing devolved school management has been somewhat patchy and there is little to suggest that the new guidance or a new initiative will remedy that. We fully support diversity, but extending a small degree of autonomy to 20 schools represents only a small step in the right direction—it does not go far enough. Until head teachers have the authority to hire and fire staff and to expel violent and

disruptive pupils, and until parents and not local authorities shape the education system, there will be limited scope for schools to achieve their ambitions of excellence.

Leadership and innovation are vital to a school's success, but they are the very qualities that are suffocated by some central targets. Head teachers are prevented from spending where they see the greatest need, because DSM procedures do not allow for maximum flexibility to transfer between budget headings or for discretion in carrying forward surplus budgets. According to the estimates from the Chartered Institute of Public Finance and Accountancy in Scotland for 2004-05, Clackmannanshire Council and Fife Council devolved just over 50 per cent of education spending to head teachers. The Scottish average is 68 per cent. There is little point in training heads in leadership skills if they are not to be fully trusted with the freedom to lead.

Jordanhill School in Glasgow and Daldorh House School in Ayrshire, both of which are independently run but publicly funded, were nominated in the prestigious annual SQA awards for school of the year and centre of the year respectively. They are glowing examples of what schools can do if they are allowed the freedom to innovate.

South of the border, the Labour Government is considering a dynamic reform programme. The Prime Minister has gone beyond the Scottish Executive with the Blair proposals, but we would go beyond Blair. He said:

"Parent choice can be a powerful driver of improved standards."

However, where the proposals in the education white paper "Higher Standards, Better Schools For All" fall short of real reform, we would give all schools genuine autonomy and would support them in using their freedoms more.

We argue for and support greater flexibility in the curriculum. The relaxation of the age-and-stage regulations will enable more able pupils to sit exams early if they wish, allowing them to gain more qualifications and preventing them from becoming bored or disengaged. However, if the Executive is to meet the aspirations outlined in "ambitious, excellent schools", such as pupil-centred assessment for learning, smaller class sizes and greater curriculum flexibility, there must be a sufficiency of highly qualified teachers.

We urge ministers to explore all avenues for supporting schools in providing the broadest range of subjects to stimulate the broad range of our children's aptitudes and interests. Subsuming the teaching of history into modern studies limits schools' autonomy and therefore limits the scope of our young people to realise their potential. In

any case, the minister should take great pride in Scotland's heritage, from William Wallace to Flora MacDonald and Elsie Inglis, who founded the hospital that is hardly a stone's throw from here. She was a Scots lady of whom Sir Winston Churchill said:

"Elsie Inglis and her nurses will shine in history".

However, it appears that there will be no shining if the minister has his way.

Prime Minister Tony Blair said:

"We want every school to be able quickly and easily to become a self-governing independent state school—an opportunity not just open to a small number of schools, but to all who want it."

Alan Milburn called the education white paper

"a critical test of New Labour's ability to set the future agenda."

He continued:

"If the education white paper learns from the Swedish school reforms and the American charter school reforms and so gives parents—particularly the poorest—the power to choose then we will pass that test."

In my view, it is high time that the Scottish Executive put itself to the test by learning from the dynamic reforms being proposed south of the border, which go a long way towards meeting our policy of standards, choice and opportunity. Such a policy would enable Scotland's education system to be second to none and the very best in the world.

I move amendment S2M-3658.2, to leave out from "recognises" to end and insert:

"acknowledges the aims of the Scottish Executive's agenda in Ambitious, Excellent Schools; believes, however, that in order for each child to have the opportunity to reach his or her potential, the Executive must explore all avenues for supporting schools in providing the broadest range of subjects to stimulate the broad range of our children's aptitude and interest; notes that the Executive's schools modernisation programme, set out in *The 21st Century School, Building Our Future: Scotland's School Estate*, is leading to many valued rural primary schools being closed or amalgamated with other schools on new sites in the name of rationalisation; acknowledges that in order to achieve its professed aim of emphasising strong leadership and greater freedom for teachers, schools must be granted more genuine autonomy, and urges the Executive to consider education reforms of the sort being contemplated at Westminster, so that every school will be able to become a self-governing independent state school to give genuine choice and opportunity to all pupils."

09:45

**Iain Smith (North East Fife) (LD):** I am delighted to speak in the debate, and I hope to raise the issue of how the Scottish Executive is delivering excellence in education, rather than taking the narrow approach that the SNP and the Conservatives have adopted this morning.

When "ambitious, excellent schools: our agenda for action" was published last year, the agenda included heightened expectations, stronger leadership and ambition, more freedom for teachers and schools, greater choice and opportunities for pupils, better support for learning and tougher, intelligent accountabilities. That is what the Scottish Executive, with the Liberal Democrats and the Labour party together, is trying to deliver in our schools.

Leadership is extremely important in our schools. Nobody can overestimate the value of a good-quality head teacher in improving the standards in a school. It is important that we get that right, and it is right that the Executive has focused on the leadership agenda in our schools, with its consultation papers on leadership and its efforts to improve the standards of headship in our schools. That is the central plank in ensuring that it is not just 20 schools in Scotland that achieve excellence, but every school in Scotland. That is our ambition, which is not limited to dealing with a few schools that in England would be called failing. Our ambition is to deal with every school in Scotland to ensure that every child in Scotland gets an excellent education and excellent opportunities.

Leadership is crucial to that ambition and so, too, is the teaching profession. The number of teachers is an important issue; that is why the Executive has a commitment to increase the number of teachers in our schools to 53,000, targeted first of all at reducing class sizes in primary 1 and in maths and English classes in S1 and S2. We want to ensure that there is breadth in our education system and that we have more specialist teachers who can visit primary schools to teach subjects such as physical education, music and drama. Teaching is central to the quality of education in our classrooms; that is why we are investing in more teachers.

**Fiona Hyslop:** Does Iain Smith acknowledge the concern that those experts are being brought in precisely to allow non-contact time and that they will teach their subjects without the class teacher being present? Class teachers are frustrated that they cannot then take up the issues that come up in PE or drama with the class for the rest of the week.

**Iain Smith:** I am not entirely sure what alternative Fiona Hyslop is suggesting with regard to the importance of non-class contact time for continuous professional development. Teachers must have the time that they need to plan what they do in the classrooms and quality education can be delivered by specialist visiting teachers. I am sure that all schools will operate in a way that ensures that there is co-ordination between the work of the classroom teacher and the work of the

visiting specialists. That is part of the importance of leadership and the quality of our teaching profession in schools.

The role of pupils and parents is important. We must ensure not only that parents have rights, but that they recognise their responsibilities. Parents have a responsibility to work with schools to ensure that their children get the best from their schools; they also have a responsibility to deal with discipline and bullying, which have still to be fully addressed in many of our communities. Those important issues can be dealt with only in partnership with parents and pupils.

Curriculum development is essential; I shall return to that in a moment when I talk about the SNP's amendment. The proposal for a three-to-18 curriculum will allow us to look specifically at the difficult periods when children are in transition between one stage of the education system and another. We need to look particularly at the transition from nursery to primary and at how we deal with children in P1. We also need to look at the important transition from primary to secondary, when many of our children go backwards because they do not engage with the secondary curriculum. That is why it is important that we develop the curriculum so that it delivers results for our children and does not demotivate them, and that is why I am disappointed by the SNP's amendment.

History will show that the SNP has a paucity of ambition for the education of children in Scotland. The SNP looks only at one minor topic in the curriculum review. It believes all the reports that it reads in the papers, but does not look at the wider review. It is important that Scottish history is part of the bedrock of our curriculum, as the SNP has suggested, but that means that it must be taught not just as a standalone subject but as part of learning to read, as part of science and as part of social and environmental education, as happens in our primary schools. Those are important ways of ensuring that history is taught across a wide range of subject areas. If we go into our primary schools, we can see history being taught in projects across the school in a way that ensures the quality of that learning.

**Margo MacDonald (Lothians) (Ind):** Does Iain Smith believe that those who undergo teacher training, particularly primary specialists, have a deep enough education themselves in the aspects of Scottish culture that he, and I, would like to see taught naturally through the other subjects?

**Iain Smith:** The quality of our teacher education in Scotland is high and Margo MacDonald's question touches on some important aspects of it. It is important that the curriculum materials and support that are available to schools, through head teachers and education authorities, help teachers to get their hands on the resources that they need

to teach in those areas. I have seen good practice in such teaching in the primary schools in my constituency.

The Conservative amendment is even more disappointing. In essence, it tries to say that what is happening in England would be appropriate here in Scotland. I think that the English education reforms that are proposed in the white paper are not even appropriate for England, and they are certainly not appropriate for Scotland. Let us not imagine that the English education system is doing particularly well. Thirty-one per cent of England's 17-year-olds are not in full-time education or workplace learning, and only 51 per cent of its 11-year-old boys reach the required levels in reading, writing and maths.

The English system is tied up with the issue of national testing, with which there are serious problems. A recent report, "Teaching Approaches to Promote Consistent Level 4 Performance in Key Stage 2 English and Mathematics", produced by academics at Durham University for the Department for Education and Skills, stated:

"Intensive preparation for and practice of national curriculum tests appeared to be seen in all schools as a natural thing to do ... Without question national tests dominated classroom teaching of both subjects in these schools for a large part of Year 6."

It also stated:

"Targets are a factor, in the tendency in Year 6, to focus teaching on the requirements of the National Curriculum Tests ... It is likely to have contributed to the increase in pupils achieving level 4"—

the standard that is expected of 11-year-olds—

"since the introduction of national testing. Whether it leads to sustainable learning is another matter".

In Scotland, we are moving away from that type of national testing, because we recognise that cramming and focusing on national testing is not the way to ensure breadth and quality of education.

**Fiona Hyslop:** Will Iain Smith give way?

**Iain Smith:** How much time have I got left, Presiding Officer?

**The Presiding Officer:** About a minute and a half.

**Iain Smith:** I am sorry, but I cannot give way to Fiona Hyslop. I need to conclude my speech.

There are already problems with the approach that is taken in England, but the white paper takes that approach further and will cause further damage to English education. It is not ambitious for education. The 30 city academies in England—the DFES plans to increase the number to 60—are causing problems. City academies, such as the Unity City Academy in Middlesbrough, which were

built to replace failing schools, are now themselves seen as failing.

Other aspects of the proposals in England—for example, the admissions policy—also give cause for serious concern. If we were to follow the proposals in Lord James Douglas-Hamilton's amendment, we could end up with similar problems in Scotland. Studies have shown that the chance of a child in a poor postcode area attending a high-quality local school is low, but if their local school is of low quality they have a good chance of attending it. That is a strange way of improving quality. Two leading children's services have warned recently that the white paper would lead to the creation of sink schools and encourage a predatory atmosphere of competition in the brightest and best-supported schools.

When one reads the proposals in the white paper, one appreciates that the approach that is suggested is wholly inappropriate for Scotland. For example, one proposal is to provide free transport for secondary school pupils to any of three secondary schools within a 6-mile radius. I come from a little village called Gateside and the secondary school that was closest to me was 13 miles away. How on earth I could have been expected to attend a school within a 6-mile radius I do not know; it would have been impossible. Such a proposal does not make any sense in Scotland. It may be a London-based approach, but it is not an approach for Scotland. I reject the English white paper's proposals as damaging to Scotland, and recommend that we continue with the Scottish Executive's plans for ambitious, excellent schools.

09:54

**Robin Harper (Lothians) (Green):** I will respond to some of the points that have been made by other members before I launch into my usual comments—not much has changed in some of these areas in the past six years. I shall support Fiona Hyslop's amendment.

The Deputy Minister for Education and Young People mentioned the squeezing of subjects. It is perfectly possible, in a senior secondary school, to accommodate successfully history, modern studies and geography in second year by a sophisticated rotation of those subjects—once agreement has been reached between those sometimes warring departments, which all want to stake out their command of teachers and to ensure that they do not get squeezed.

I recommend that the minister does not consider combining history and modern studies. When modern studies was first introduced in the early 1960s, there was confusion because it was taught by geography teachers and history teachers and it was seen as an amalgam of those subjects for

non-academic pupils. Modern studies is now a separate, clearly defined discipline that is about political issues and how politics and the constitution of our country work. The subject is clearly defined—indeed, we have done a lot of work on that, over many years—and combining modern studies and history would be ill advised. I speak as someone who no longer has an interest, as I will not return to teaching now that I am 65.

**Margo MacDonald:** The member might have to return to teaching.

**Robin Harper:** Yes, I might have to.

Modern studies has so much to offer, yet only a third of Scottish secondary schools have separate modern studies departments. I think that every school in the country should have a separate modern studies department, because the subject addresses all the things that people complain about, such as pupils not being interested in politics and not knowing anything about politics, and concerns about citizenship. Modern studies is one side of teaching citizenship, but if we want pupils to learn citizenship in schools, we must consider the fact that they learn citizenship through volunteering and participation in vibrant and real school councils that have regular elections and real budgets. I have addressed that theme before. Pupils learn citizenship through experience.

I turn to the subject of the debate. I am impressed by the progress that has been made, especially by the movement away from the old-fashioned concentration on teaching to tests, which Iain Smith mentioned. Getting away from a national test curriculum and freeing things up will allow pupils to be taught and to learn in far more interesting ways. I have referred before to Howard Gardner's nine intelligences that should be developed in all our children, but I do not have enough time to develop that theme fully today. The Executive is making room for that development, but I would be more impressed if I saw real commitment to art, music, drama and the other arts coming through the Executive's policy. The minister made passing mention of those subjects, but I would like to see proof that they are getting the place in the curriculum and the attention that they deserve.

The main theme that I want to address is sustainability in education. The United Nations decade of education for sustainable development begins on 15 December, and I hope that the Executive will make a contribution to that. What has the Executive done so far? It will probably tell us, with some pride, about the success of the eco-schools programme. However, let us take a look at what is happening with that programme. It has been spectacularly successful, but it needs more support if it is to achieve the objectives that the

Executive should be setting. Every school in Scotland should be on the eco-schools programme; therefore, the programme needs more support. It also needs to be reviewed in the immediate future. When one visits schools in which the programme is run, one finds that it is rarely run throughout the school unless perhaps for a week. The programme is driven by small groups of wonderfully dedicated young people, and the next step in the programme should be to see how it can be further embedded.

Nevertheless, there does not seem to have been any movement to embed sustainability issues within the curriculum. I would welcome a response from the Executive, after 15 December, on how it plans to embed sustainability in the curriculum.

**Peter Peacock:** I agree with Robin Harper that we need to increase our investment in the eco-schools programme. I think—I can confirm this subsequently—that both Ross Finnie and I have increased the amount of money that will be invested in that programme in the coming year, because we want to expand it.

I refer Robin Harper to the Executive's curriculum review document, "a curriculum for excellence", which is the most important document in our thinking about the future development of education. In the section on how we will help to create responsible citizens in our society, the document refers to young people being able to

"evaluate environmental, scientific and technological issues"

and to

"develop informed, ethical views of complex issues".

That is all about sustainability. We are trying to embed sustainability at the heart of what we do in schools to ensure that young people have those capacities.

**Robin Harper:** That is a good mission statement. We have yet to see how it will be rolled out, but I welcome it as a statement.

We need to embed high-quality environmental design into our schools. We do not want pupils to learn about sustainability and then to look around at the school buildings and say to themselves, "These buildings are not sustainable and are not being managed sustainably." There are fine examples of the way forward, such as the planned primary school in Acharacle, in the Highlands. Not only is Highland Council committed to producing a building of high sustainable quality, but through the work of Howard Liddell, it is involving the children in the design of the school. We could do that in our secondary schools as well. Young people have important things to say about design: they have wonderful ideas. In fact, the younger they are, the more likely they are—with minds that

are uncluttered by the views of adults—to come up with something useful and good.

The minister is well aware that we need to issue clearer instructions or advice to councils about the roll-out of public-private partnership schools. There is clear evidence that we are losing green space that will never be recovered. It is not enough to say that that green space is being replaced, in many cases, by high-quality hard sports pitches, as those are not the same as green land that the community can access. We are losing community-accessible green land.

That brings me to my final point. The Executive has made a clear commitment to the development of sport in schools. I believe that there are now about 600 school sports co-ordinators and assistants throughout the country. In contrast, we have only 60 arts co-ordinators. I would not ask for those figures to be reversed, but let us have 600 arts co-ordinators as well.

10:04

**Mr Frank McAveety (Glasgow Shettleston (Lab):** It is with trepidation that I follow the minister; however, I hope that, by the end of my speech, I will have added slightly more joy than the minister may feel that he did in his speech.

I disagree profoundly with the narrow perspective of the SNP and Conservative amendments. If we contrast today's debate with the kind of debate that we would have had between the mid-to-late 1980s and the mid-1990s—when there was much curriculum unrest in schools, as well as much uncertainty about the finances of reorganisation—we can see that we have moved on considerably. We no longer have the significant unrest that was a feature of too many schools across Scotland. We have moved away markedly from what could be seen as the anglicisation of Scottish education. That is evident even in the tone of today's debate, although the Conservatives, regrettably, have made a faint attempt to suggest that their amendment is in sympathy with the UK Administration. I am sure that education will be a real test for the Westminster Government in the next few years.

For many of us who served time in local government, the reality of the 1990s was that we had to look at school rationalisation on financial rather than educational grounds. That was not an edifying experience.

The minister identified some positive points, which have not been reflected by some of the Opposition speeches so far. We are one of the best performers among the OECD nations. Contrary to some of what has been said, the comprehensive model of education that was introduced in Scotland from the early 1970s has

been a marked success across all social classes. That is not to mask the substantial challenges that face many communities in disadvantaged areas of Scotland to overcome poverty and lack of family aspiration for educational attainment. However, I would certainly defend the comprehensive system as a model for the provision of education. That is why I disagree with the direction that Westminster is taking. Of course, that is why we have devolution.

**Margo MacDonald:** I agree with the notion of comprehensive education, but I had always seen its objective as being to break down social barriers. The member says that comprehensive education as it happened in Scotland was a proven success, but what are his measurements of success?

**Mr McAveety:** Research that was done in the mid-1990s by the Scottish Centre for Research in Education showed that if the grammar school system—or secondary modern system, as it was then called—was compared with the comprehensive education system, there was a marked improvement in the comprehensive system, even for those social classes that would have gone to either the junior or senior secondary. I do not agree with the member's starting premise, although I know that that debate about comprehensive education took place in the 1960s and 1970s. My argument is that if we do not create more comprehensive neighbourhoods, we will not be able to transform the challenging statistics about which Margo MacDonald and I have concerns.

What should be central to today's debate are the four or five priorities that the minister touched on, although I do not mean to diminish the concerns about the curriculum content, particularly those that are about the history of our nation, our culture and our understanding of who we are. The central point should be about raising expectations across the board. How do we encourage leadership in schools at all stages—pre-five, primary and secondary—and encourage within families the concept that education can be the way in which to transform life opportunities? How do we ensure that more parents are involved in their child's school experience and in the wider role that the school can play in the community?

There has been broad and welcome consensus in the Scottish Parliament that we should try to achieve stability in schools. We recognise that there will be changes to the curriculum, which will throw up some complex and difficult questions. We must invest in the school estate, which will mean taking some difficult but necessary decisions about the future of schools in different neighbourhoods throughout the country. Those decisions need to be made on sound educational

grounds, as well as on the grounds of improving the quality of schools and the experience that children have in their schools.

About 10 years ago, Glasgow was looking at primary school rationalisation and a shambles emerged in the year that we tried to do that. I remember going into one meeting at which 23 primary schools were up for rationalisation and emerging with a final decision on two and a bit schools. That is not the best way in which to organise change in schools.

Difficult decisions are being made at the moment in my home city about primary school rationalisation, but the principle behind that is the desire to improve the quality of the existing stock and to create some new neighbourhood schools. The substantial difference between now and 10 years ago is that that would not have been achievable without the levels of grant settlement and the commitments that have been given to local authorities during the past few years through the capital programme.

Much of the concern in recent months has arisen from statistics and, unfortunately, Glasgow has again featured negatively in some portrayals of the figures. However, if we look at the figures since 1997 for primary 7 reading levels, writing and mathematics, we will see that there has been a year-on-year improvement in Glasgow schools. For example, the percentage of pupils achieving primary reading level D increased from 62 per cent in 1999 to 72 per cent, and in mathematics there has been an increase from 59 to 69 per cent. Progress has been made even in some very difficult circumstances and that has happened because of the commitment to put schools at the centre of local authority and national commitments.

Glasgow faces such challenges because of its economic and social history, and that is one of the interesting parallels to the debate on history. In the recent Fraser of Allander series, with which Wendy Alexander was involved, Ed Glaeser concluded that

"successful cities should be skilled cities"

and that their future is to

"maintain, attract and create a skilled workforce".

If we are talking about the fundamentals of improving schools, that is the agenda about which we should be concerned today.

Points have been made about history and culture in the curriculum. I do not know whether he experienced pleasure or trepidation when I handed in my essays, but I had the pleasure and privilege of having Tom Devine as one of my lecturers at the University of Strathclyde. He is on record as saying that the level of understanding in

Scottish schools of Scottish history and culture is markedly better than it was in his and my day when someone could navigate a Scottish school or arts curriculum without encountering any core issues of Scottish history and culture. We should all be committed to dealing with that, but there is already a range of options for pupils at standard grade or in the advanced higher courses. There is a legitimate debate to be had and it is to be hoped that the minister is engaging in that debate with Tom Devine and other senior figures in the field of Scottish history.

The curriculum is important, and we have to get it right. Investment is important, and we are making progress on that. Stability is central, and we have made remarkable progress in access to and assessment of education. More importantly, the leadership that has been made possible through the Executive's commitment is making the difference and it needs to be matched by the commitment of local authorities and schools across Scotland.

10:13

**Mr Kenny MacAskill (Lothians) (SNP):** In supporting Fiona Hyslop's amendment, I make it quite clear that the aim of having ambitious, excellent schools that nurture, foster and give life to the ambitions and talents of our young people is clearly laudable. That aim will be supported uniformly around the chamber, as it should be. However, the fundamental question is how to achieve that aim and what we do when we construct the schools and create the curriculum that has been mentioned.

I believe that the precursor for achieving that aim is a population of young people who have hope, faith, vision and a fundamental belief in themselves. The basis of taking chances and opportunity is self-belief and confidence that we can be all that we seek to be, that we can fulfil all our hopes and dreams, and that we can be all we can be. The tragedy of Scotland is that many people do not believe that they can realise their talents, that they can fulfil their dreams and that they can achieve so much more of what they see on television and in the media. They have no faith or confidence in themselves and if we do not address that fundamental failing, the problem will continue throughout the generations.

I agreed with many of the points that Mr McAveety made, apart from those about Scottish history. As a child of the 1960s, I feel eternally grateful for the health service into which I was born and which nurtured and cared for me, for the free education system and for the opportunity to go to university with a grant and without having to pay tuition fees. I and others were able to achieve our aspirations only through those facilities.

Over the past year, I have had the fortunate privilege of interviewing many expatriate Scots; when asked what Scotland gave them, they uniformly replied, "An education." That is the fundamental thing that we have given people who have left their native land and they are eternally grateful for it. We should be proud of that. Indeed, those people will testify to the benefits of the comprehensive system, although it could be argued that any such benefits were limited to them and a few others rather than to everyone. On the downside, it became apparent that Scotland did not give those expatriate Scots any self-confidence or knowledge of their own history. We must address that failure.

I am not putting forward any conspiracy theories or suggesting that all that was done deliberately. The situation has simply arisen. However, it must be addressed. No one can deny that areas of Scotland suffer from a huge lack of self-worth and self-belief and from a culture of nihilism that manifests itself in antisocial behaviour, self-harm and other types of violence.

In fact, I suggest that even more educated people in Scotland aspire to go only so far. Not only is there a glass ceiling for women in this country, but there is also a glass ceiling for Scots in general. We need a system that allows us to address the lack of self-confidence and to target the lack of understanding of Scottish history and who the Scots people are. To its credit, the Executive has acknowledged that there is a problem with people's confidence.

**Robert Brown:** The member suggests that there is a glass ceiling for Scots. However, the Westminster Government is dominated by Scots. The chairman of the British Medical Association is almost always a Scot. Scots hold an astounding number of leading positions throughout the United Kingdom and around the world. Surely the member's comment is total rubbish.

**Mr MacAskill:** As I was about to say, the Executive has quite correctly supported Carol Craig's centre of confidence and well-being. Robert Brown might well think that what I have suggested is rubbish; indeed, I have argued with people in my own party who think that this lack of self-confidence is some alien manifestation and can be cured by independence. However, it exists. Robert Brown might be criticising the First Minister for supporting Carol Craig's approach. After all, if he feels that there is no problem because of Gordon Brown's position in the UK Government and the fact that Tony Blair attended Fettes College when Frank McAveety and I were attending state schools, he must also feel that there is clearly no requirement to take the direction that I believe Ms Craig is quite correctly taking.



However, I repeat that, notwithstanding Scots' individual successes in the UK Government or elsewhere, there is a problem that must be addressed. If the minister denies that, he nullifies Ms Craig's correct analysis of the current situation. As a result, his intervention was fatuous and is based on a false premise.

On the teaching of Scottish history, Ms Hyslop was correct to focus on how we address certain external matters. However, we must also address Scotland's current social problems, including sectarianism and anglophobia, by giving people knowledge of who they are. One could call it the braveheart effect—Dr Murray might well chortle at that—but people in Scotland fail to understand the effect of the 1745 rebellion or do not even know who fought at the battle of Culloden. If we took a vox pop on the question, many people would probably think that the battle of Culloden was not part of a civil war but a doing-down of the flower of Scotland by English forces. In fact, more people died in that battle at the hands of the Black Watch than died at the hands of the Duke of Cumberland. Again, we have to address that problem.

Moreover, as west of Scotland members will certainly be aware, one element of the orange and green divide is the perception that the Catholic church in Scotland is some alien church that came from Ireland and that the natural church in Scotland is the reformed church. In fact, the Catholic church in Scotland predates the reformed church; to be more precise, the reformed church came from the Catholic church, whose unique history goes back to the declaration of Arbroath. That declaration and the papal bull made it quite clear that the Scottish Catholic church was to be a separate church in a separate nation. For that reason, the Scottish Catholic church is the only non-national church that the Vatican recognises. The Catholic church in Québec is recognised only as part of the Catholic church in Canada, just as the Catholic church in Bavaria is recognised only as part of the German Catholic church. All those aspects testify to the Scottish Catholic church's unique history. If we are to address the current problem of equating Catholicism with Irishness or whatever else manifests itself in trouble at old firm games, we need to give people a fundamental understanding of their history. It is not just how people act outwith—

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

**Mr MacAskill:** For those reasons, we must support the SNP amendment and address the issue of the Scottish people's lack of self-confidence and knowledge of their own history.

10:20

**Ms Rosemary Byrne (South of Scotland) (SSP):** Debates on Executive documents such as "ambitious, excellent schools: one year on" do nothing but seek to pat the Executive on the back. They do not examine what is going on in our schools, open up a wide debate or allow us to listen to professionals who work day after day at the chalkface. I am concerned about the real importance of such debates to the teachers who have to stand in front of classes, the parents of pupils and, indeed, the pupils themselves.

What are the ingredients for an ambitious, excellent school? Many good schools certainly exist. For example, last Friday, I had a fantastic time at Girvan Academy's modern studies day. Indeed, I enjoyed the day so much that I felt that I should go back to teaching. I enjoyed meeting the young people and being shown a long-running project involving the community. The project had been set up by motivated second-year pupils, who were doing what we want all pupils to do: getting involved with the issues that affect society; speaking in public; making banners and posters; and learning about politics.

However, although such excellent examples can be seen throughout the country, we as MSPs also see the other side of things. People often come to our surgeries to tell us about problems that centre not so much on a whole school but on their child's individual education. Everything is not rosy. For example, we know that 70 per cent of young people in Polmont have poor literacy and numeracy skills; we know the number of dyslexics in prison; we know that looked-after children are failing in school; we know that some schools are almost no-go areas; and we know that teachers are struggling with discipline in schools. What is the Executive doing to resolve those problems? We simply need to strike a balance and understand the whole situation.

The debate comes at a time when many issues are not being addressed. For example, there is a growing call for smaller class sizes. Rural schools are being closed, which is extremely worrying for the communities affected. Moreover, there have been announcements of hit squads being sent into schools to eradicate illiteracy and poor numeracy skills and proposals to stop the teaching of history in S1 and S2. Meanwhile, the Executive has yet again sought to give itself a pat on the back. Where are the increased choices and opportunities? Where is the better support for learning?

I realise that it is still early days with regard to the Education (Additional Support for Learning) (Scotland) Act 2004. However, its provisions will not give pupils the right equipment if the local authority is not moving at the right pace. My case

load highlights issues such as dyslexic pupils being denied access to technology. The minister touched on such access in his opening speech, but young people cannot get the right technology. In some schools, even a laptop is a treasure.

Another problem not only for dyslexic children but for many children with additional support needs is assessment and key planning. They are not being given the proper planning opportunities.

**Bill Butler:** Given the tenor of her speech so far, does Ms Byrne think that the Executive is doing anything right?

**Ms Byrne:** At the beginning of my speech, I said that there are many good schools. However, we are not getting to the nub of the problem and dealing with the difficulties that exist in many of our schools. That is the crux of the matter. If Bill Butler had listened, he would have picked up that point.

If we are to plan and to put into place the correct kind of opportunities for pupils with additional support needs, we must involve parents. The Scottish Schools (Parental Involvement) Bill is before the Parliament, but where is consideration being given to that issue? We must sit down with the young people, parents and key staff involved—it is not rocket science. After a plan has been agreed, it should be reviewed and monitored—it is as simple as that. If the plan says that the child needs a laptop, that laptop should be provided. If it says that the child needs a classroom assistant, that classroom assistant should be available—not someone who has not been trained to deal with the needs of the young person, but someone who knows what they are doing with them. Classroom assistants should not be removed and replaced because a local authority does not want to give them a permanent contract. We must address such issues. I have raised them repeatedly and I will continue to do so, because they are important for every child. If even one child is failing, we are not doing our job properly. We must meet children's needs and ensure that there is communication. It is not acceptable that children should be denied appropriate classroom assistants.

The other issue that I want to discuss is class sizes. We hear teachers saying that they cannot cope, because they have 30 children in their class, including two special needs children, as well as a classroom assistant whom they must manage. If we want to meet the needs of children with additional support needs, the solution is simple. We must reduce class sizes to no more than 20—15 for composite classes. The Educational Institute of Scotland is promoting that policy. Academics such as Brian Boyd tell us that we need to reduce class sizes. Across the board, the professionals are putting out that message. It is

not good enough for the minister to tell me that the average class size has fallen and that the Executive is reducing class sizes in S1 and S2 for maths and English and in primary 1 to 3. The reality is very different. The minister has given head teachers the power to make arrangements, which is not working. The children in primary 1 to 3 need a better start—they need classes of no more than 20. We all know that, so let us grasp the nettle, take on board the need for smaller class sizes and examine the issue with great thoroughness.

There is much more that I would like to say. I could speak for ages on the subject. I wish that we could have a proper debate that allowed longer speeches and an in-depth look at our system. Let us stop patting ourselves on the back and let us deal with reality.

My final point relates to our school estate. A police investigation of public-private partnership schools is under way in North Ayrshire. We need to look at that issue.

10:28

**Mr Kenneth Macintosh (Eastwood) (Lab):** One of the first schools to qualify for the extra funding that is available under the schools of ambition programme was Barrhead High School in my constituency. There can be no more apt description of what has already been achieved by Barrhead High and the task that the head has set her staff and pupils than raising the ambitions of the school. It is chastening to think that, only 10 years ago, pupils attending the school were denied the opportunity to sit more than four highers in one year. The limitations of the curriculum that was offered to pupils—perhaps reflecting the expectations that were placed on families from an industrial background—effectively capped the aspirations of the school's students. Far from being stretched, pupils were schooled to expect and achieve less. It is little wonder that some families voted with their feet and applied to send their children to nearby Paisley Grammar School.

The situation has been transformed. No one is opting out in order to go elsewhere—far from it. Placing requests are now coming in from people who want to study at Barrhead's schools. Part of the £100,000 of extra funding that is available from the Executive has been used to establish drama classes at the high school, to engage the pupils in creative as well as academic study. When I visited the school just before the summer, the pupils were sending paper buddies—on their own initiative—to the leaders of the countries from around the world who were gathered for the G8 summit, to highlight the need for young people, regardless of their circumstances, to be able to attend school. This

year, the school has paired up with a small town just outside Nairobi in Kenya, so that young people in both communities can learn from one another's educational experience. The school is looking outwards, is challenging its pupils, has raised its sights and is saying to its students that there is no limit to what they can achieve. What a difference a decade can make. What a difference a Government that supports local comprehensive schools, backs up its support with investment, does not regard such schools as second best and expects nothing but the best from them can make.

**Fiona Hyslop:** I understand that Barrhead High School is one of those schools that is using the creative industries and culture to drive forward ambition. The member referred to the schools of ambition budget of £100,000. Does he think that it is appropriate for that money to be used to employ additional teachers? I understand that at Barrhead it is used to fund an additional English teacher and an additional drama teacher. If there are shortages of teachers generally to pursue excellence, why do schools have to bid for money from the schools of ambition fund? Should the issue not be dealt with as part of the regular management of education?

**Mr Macintosh:** The point of the policy is to allow schools the freedom to do what gets the best out of their pupils. If they choose to spend the money on drama where drama has been denied, that is very much to be encouraged. Both Fiona Hyslop and Robin Harper highlighted the importance of teaching drama and culture in our schools. For her now to decry that and to decry the Executive for funding it is illogical, to put it mildly.

Barrhead High School sits in an education authority that expects the best of all its citizens. Some members may have heard or seen coverage of an initiative that East Renfrewshire Council ran to provide school meals to families out of term time. The idea arose when the authority became aware that one young boy had been caught stealing sandwiches during the school holidays. On further inquiry, it soon became apparent that, in the absence of the school lunch and the breakfast club, the boy and his siblings were not eating properly. The director of education, with the support of the council, established a programme to continue school meals over the holiday period and to structure around it activities that would engage the young people.

The assessment of the programme has been overwhelmingly positive. Not only does it provide stability to somewhat chaotic families, but there has been improved attainment and even reduced antisocial behaviour. I hope that, as has been reported, the minister is looking at the scheme with a view to rolling it out in other areas, as I am sure that the experience of some families in East

Renfrewshire is echoed elsewhere. When the scheme was first mooted, I wrote to the Executive requesting financial support for it, which was not forthcoming. However, the Labour-led authority pressed ahead in any event and chose to fund the programme. For that, it should not just be commended: funding schemes should reward such initiatives and the go-ahead local authorities that are clearly delivering on our shared objectives.

One of the most exciting initiatives in East Renfrewshire at the moment is in sport. Using the funding that is available through the active schools programme and for school sports co-ordinators, every primary school in the area is benefiting from a programme of activity in football, hockey, netball, tennis, basketball and rugby. Such short programmes are not just about teaching children—the specialists involved are passing on their skills and knowledge to teachers, so that the sport can be sustained. At an earlier age—in primary 1 to 3—the activ8 after-school sports club is giving some of our youngest children the opportunity to engage in a range of sports and other exercise. I am sure that no member needs to be alerted to the long-term benefits of developing active lifestyles and healthy habits, but there are also immediate gains, in improved levels of concentration and engagement.

I do not pretend that there are not still concerns or problems with which we must grapple. I hope that our additional support for learning reforms will be among our most worthwhile legislative changes and achievements. We need to continue to resource those reforms as they are implemented, to ensure that we have a truly inclusive system. Although we have made huge strides in the number of students accessing further and higher education, we have much more to do to narrow the gap between the attainment of those from the most prosperous and those from the most deprived backgrounds. We need to build on the work that we have done on and the investment that we have made in early years education—more family centres and more and stable investment in successful programmes such as bookstart.

We have been in office for less than 10 years, but already we have shown the difference that a Government that has confidence in our schools can make to our young people. There is no more curtailed ambition—the notion of state schools as second best is not for us. Our goal is excellence and ambition for all and we are delivering it.

10:34

**Alex Johnstone (North East Scotland) (Con):** The Conservative amendment has been criticised by a number of speakers for being drafted in terms

that are rather too narrow. We must remember that, whereas the Executive has the luxury of being able to draft a motion that allows it to invite Labour and Liberal Democrat members to praise its record, we have to address our concerns with a great deal more urgency.

Not the least of our concerns is what appears to be happening to many of Scotland's rural schools. Although I take great pleasure in criticising SNP councils for what they have done to rural schools in areas such as Angus, I admit that the problem is not specific to one particular type of council. Throughout Scotland, councils of different political perspectives are forced to make radical decisions about the provision of education in our most rural areas. My concern is to ensure that it is not the Scottish Executive and the minister who dictate a set of policies that drive that decision-making process.

I am not the only member who can claim to have started his education in a small rural school. My experience of such schools has done much to colour my personal and cultural perspective over many years. My experience of being educated in larger composite classes does not appear to have done me any particular damage. In fact, having seen my own children go through the same schools, I believe that it is more important to retain the schools than it is to prioritise specific minimum class sizes or end composite classes. As an MSP, I am regularly sent Her Majesty's Inspectorate of Education reports on schools in our cities, towns and rural areas. I find that some of our rural schools are among the best schools anywhere in the country.

**Fiona Hyslop:** The member talks about rural schools and composite classes and it is clear that education is delivered well in that way. The problem is that when the Executive cut primary class sizes from 32 to 30 pupils a few years ago, there was a mushrooming of composite classes, but the teachers were not trained in how to deal with such classes in an urban context. Even now at Jordhill, student teachers are not being taught how to develop fully composite teaching in an urban as opposed to a rural setting, where it is par for the course.

**Alex Johnstone:** Indeed, that is part of the problem that we need to address.

There are a number of other reasons why smaller rural schools are worthy of additional support and, in particular, the effort of the minister to ensure that they are preserved. When young people from a rural background begin their education, they benefit from going into smaller schools and avoiding the large school environment that they will inevitably experience when they travel to secondary school. It allows them to develop educationally, personally and culturally

within a protected environment. It is not unacceptable to suggest that it is important that we retain small rural schools for that reason.

It is interesting that the Greens, for example, raise the environmental issues that relate to schools. I suppose that it is a reasonable argument that busing children over greater distances at an earlier age has an environmental as well as an emotional impact.

I have to ensure that the minister understands what we are asking for. We want to ensure that the move towards devolved school management delivers some protection for rural schools. We need to continue to argue for choice, as we have always done, but we must stipulate that that also means that parents in rural areas have the choice of sending their children to small rural schools. Conservative members and others have asked on many occasions for the minister to make a commitment to a presumption against closure. I would like him to address that subject in his closing remarks and to tell us whether there is any prospect of moving down that road.

I said at the outset that we were accused of being too narrow. The concerns of many people in many local authority areas about the future of their successful and vibrant local schools are not only to do with education; they are to do with the cultural traditions of their area and the nature of their communities. If there is one subject that I have had to address time and again from the moment that I became an MSP, it is the threat of school closures. Will the minister take the opportunity today to give some solace to those who are most concerned?

10:40

**Gordon Jackson (Glasgow Govan) (Lab):** This is a big subject and, like everyone else, I will focus on one or two specific issues—the importance of pre-school and early primary education.

In the past, I confess that I tended to think of pre-school provision as childminding, which is no doubt a generational thing. However, I now have an entirely different perspective and realise that that is simply not so. A great deal of up-to-date research demonstrates why education—I use the word advisedly—at that stage is so important.

We learn best in our very early years. Anyone who looks at small children knows that. On a daily basis, ideas are taken in and laid down in the mind. For example, literacy at the age of seven is hugely improved by pre-school education. More important, that is true whatever the parental background. Regardless of what the child's background is, pre-schooling will improve their literacy by the time they reach later primary years.

The risk of having a special educational need is substantially reduced by good pre-schooling. That foundation has a huge effect that will be felt over many years. It affects how well children learn when they go to school. Research suggests—and I take it to be right—that even such important matters as teenage crime are affected by that early foundation of attitude and learning. Put simply, the foundation of good pre-schooling, when properly done, has a huge lasting effect.

We need to establish our policy accordingly and we have done so to some extent. The Chancellor of the Exchequer said recently:

“While the 19th century was distinguished by the introduction of primary education for all and the 20th century by the introduction of secondary education for all, so the early part of the 21st century should be marked by the introduction of pre-school provision for the under-fives and childcare available to all”.

Already, the result of that thinking has been a huge rise in the past eight years in the number of children who attend pre-school education—up from about 50 per cent to almost 90 per cent today. Funding has greatly increased, although I say to the minister that sometimes the complexity of the funding process for those at the chalkface almost makes them tear their hair out.

As always, those of us on the back benches ask what more should be done. I have two suggestions. First, there should be an increase in funding. I know that we always say that, that it is not always the answer and that it is never the whole answer, but if we really believe that pre-school education is as valuable as the research suggests, we should accept that we do not properly focus our spend on those years that have the highest returns. I know that a balance must be struck and that we will never spend as much per head on pre-schooling as we do on university education—I do not suggest that we should, but the balance might need to be looked at again.

**Fiona Hyslop:** On the point about increased funding, would the member support an extension of the hours that three and four-year-olds experience in early education from the average of one and a half hours a day in order that they can benefit in the very way that he suggests?

**Gordon Jackson:** I do not disagree entirely but, oddly enough, research suggests that it does not matter whether pre-schooling is part-time or full-time for the advantages in later literacy that I described to be gained. There is a certain number of hours of pre-schooling after which the benefits do not increase. I do not want to debate the number of hours of pre-schooling; some people think that the more hours there are, the better, but somehow that does not seem to be the case in the young mind.

Another improvement that is required is in staffing, and I am not talking simply about the numbers. I take nothing at all away from the dedication and quality of those who work with young children, but the level of qualification and training is not always present. It has been suggested that there should be an entirely new profession—and I confess that I have stolen this directly from a speech by Wendy Alexander—of what are called “early-childhood educators”. It would be a graduate profession of highly qualified people. Put simply, there should be some shared level of qualification between those teaching pre-school children and those teaching primary school children, so that the process is much more continuous.

I had wanted to say something about primary schools, but time does not allow. The provision of better training for teachers is the key; in the whole subject of education, I believe strongly that good teachers are the key. We talk about class sizes, funding and buildings, all of which are important, but nothing matters as much as good teachers. Schools improve when good teachers improve them. Those of us who were educated well in Scotland think back to teachers who gave us an interest in subjects that has lasted all our adult life. Such inspiration is harder to measure than money and class size, but it is very important.

The Executive is doing good things. Comparing teaching now with teaching 15 years ago is like comparing day with night. We used to argue about the lack of morale in schools and it would be false to say that the situation has not improved. We now have better development, proper incentives, good rewards and better training, which is to be welcomed. We will provide ambitious and excellent schools only through ambitious and excellent teachers.

10:46

**Donald Gorrie (Central Scotland) (LD):** Iain Smith has covered—and I am sure that Robert Brown will cover—very efficiently what we might call the mainstream part of the argument from the Liberal Democrats’ point of view. I want to approach the topic from a slightly different angle—that of a young person.

A lot of education takes place outwith schools. Today we are debating schools but we cannot debate them as if they exist in a vacuum. If there is much better informal education, and youth work and activities for young people in communities, that will spill over into schools. The attitude of the young people will improve; they will become interested in things that they will then go to school to study; and their behaviour will improve.

We must remedy the defect in what used to be called community education. I know that the present Executive has made efforts in the right direction, which I welcome, but community education, youth work and so on suffered a disastrous decline when the regional councils were abolished and have never really recovered. There must be more emphasis on the education of young people outwith schools.

As one or two other members have said, we must listen to young people more. When we give them a chance to speak, they often have remarkably intelligent ideas that adults have not thought of. Obviously, we cannot give them complete control—if we did, they would not go to maths classes if they did not like maths—but they could have much more say in things that affect them, such as the provision of facilities and activities either in school or outwith school. Young people could also have much more say in what happens. If we help them to start their own youth clubs and put them in charge—letting them make the decisions while giving them a bit of support, guidance and money—they will learn through experience and through taking responsibility. We must involve young people more in community planning, in physical planning and in the arrangements for better youth activities.

We must stimulate young people's imagination. There has been improvement in arts education and so on, but much more work is needed. Most classes are dead boring; the ones that I used to conduct certainly were. We must spark the imagination and put far more effort into teaching the arts and into getting young people interested in imaginative activities.

Sport is an imaginative activity—although there is certainly a lack of imagination in the Scottish football team at the moment. We must give young people activities that will really stimulate them and in which they can succeed. We hear a lot of managementspeak about having small goals that people can achieve before they go on to the next goal. That should apply to children, too. If a child did not previously spell a word correctly and now does, we have got somewhere. We must give children goals that they can achieve.

We have to concentrate on what has an impact on young people—things such as visiting plays. I am sure that all members have attended primary schools that have had visits, for example from Scottish Opera, to help the school to put on their own show, or performances by 7:84, which recently put on a really excellent play for schools. It was extremely anti-Bush but none the worse for that, and it provoked really good discussion in schools.

Visits to galleries are also important, as is outdoor education—things that stimulate the child

to get out of the ordinary routine. That is what I remember from my schooling; I am sure that others do, too.

It is good that the current education ministers are trying to reduce the importance of league tables and tick-box examinations, but they should look into the marking of exams. Teachers have told me that they were appalled by seminars on the marking of exams; they thought that the whole thing was complete rubbish. There is a feeling that an exam is a sort of MOT—an absolutely scientific test of whether the motor car goes or does not go. Exams should not be like that.

About 35 years ago, I wrote an article in a Liberal pamphlet that nobody read, saying "Down with exams." I still think that. As a teacher, I used to teach people to get through exams. That is not what teaching should be about. I ask the ministers to consider that.

Above all, ministers should consider things through the eyes of young people. There is huge talent out there—possibly greater than ever before—and if we stimulate it and point it in the right direction, Scotland will whizz ahead and we will all be proud of ourselves.

10:52

**Rob Gibson (Highlands and Islands) (SNP):**

The idea of ambitious and excellent comprehensive education in schools is, I believe, supported by the vast majority of members of the Parliament, and rightly so. I am a former teacher of modern studies and I benefited from an education that could have been improved had we had better training for teachers. As Gordon Jackson said, we must consider training. I have spoken of its importance to the minister before.

The minister's idea of delivering ambitious and excellent schools seems to be about effective delivery, encouraging creativity and proud comparisons with our neighbours on how we are performing. However, that is rather a technocratic approach to the running of education. I am sure that educational organisations will be happy with that and will be happy to deal with the minister, but it does not make the best educational sense of what a curriculum can deliver for young people in Scotland.

There have been hints that our bringing of primary teachers' skills into secondary schools is good. However, it is also convenient, because the minister cannot get enough people trained to be teachers and so needs to have primary teachers coming into secondary schools.

The minister is reported as having said at a recent conference:

"We have got to question why we force young people to study subjects they hate, which they know they hate and which we know they hate."

If that is the case, why are we putting more into maths and English? Choice for children has to include core values. The SNP's amendment suggests that more subjects than just maths and English need attention in the curriculum. Young children need to have knowledge and wisdom to understand the country in which they are growing up and in which they hope to live. Our amendment aims not to deprecate the objective of having ambitious, excellent schools, but to challenge the technocracy that the minister represents and which has no heart for the country in which we live.

We must consider the evidence that is before us. Because new Labour is so keen on choice, it wants to ensure that everybody else makes the choices. Teachers can choose what they teach and schools in different parts of the country can focus on their pieces of history and ignore the rest. We need an idea of the cultural and historical orientation that children in our country should have.

The choice of history topics is all-important. However, that is not the minister's suggestion in a written answer to me on the question whether children are taught about the 1820 uprising. It states:

"The National Guidelines on Environmental Studies 5-14 advise that an understanding of the past should be developed through studies that include attention to Scottish, British, European and global contexts but they are not specific about the precise aspects of Scottish history to be studied."—[*Official Report, Written Answers*, 1 September 2005; S2W-18516.]

All Scottish children should have knowledge of some parts of Scottish history.

**Cathy Peattie (Falkirk East) (Lab):** Is the SNP arguing for a national curriculum?

**Rob Gibson:** If the question is about a national curriculum in the English sense, the answer is no. However, if the member is talking about the core values of a national curriculum in a Scottish context, we can discuss that. The Executive offers a spurious choice; it says that people must have certain skills and then puts extra effort into mathematics and English but not into other subjects. The minister is hiding the fact that he cannot deliver because he does not have sufficient troops to do so. He can raise his eyebrows if he likes, but he should listen to the experts.

**Peter Peacock:** Will the member take an intervention?

**Rob Gibson:** No, thank you. My time is short, and shorter than it should have been because of the length of some of the other speeches.

An assessment of the curriculum is central if Scottish topics are to be included in it. Professor Gifford, who was the university representative on the Scottish Examination Board panel that introduced the compulsory question on Scottish literature—it was then dropped in 1999—has said:

"It remains the case that the vast majority of teachers of English do not have the confidence to teach Scottish literature".

Unless we include Scottish literature as a core part of teacher training and of the curriculum, we will not give people a broad understanding of what their country is like and who they are. The same could be said for several aspects of history. The written answer that I read shows that the minister would like such issues to be included, but he has not provided guidelines about what should be known.

There are far too many examples for me to go into in the time that I have left, so I will simply ask the minister to consider an analysis of what our schools produce by a moderator of the General Assembly of the Church of Scotland in 1966 or thereabouts. The Very Rev Archie Watt gave a warning that our system encouraged the material advantages of education, but not the quality of the men and women that our schools and colleges produce. He said:

"Should the light of their minds be made artificial by the fake promises of an irresponsible affluence and distorted in a ruthless rat-race for selfish aggrandisement, then we shall be producing a generation which may be clever but not cultured, and a leadership which is neither educated in the best sense of the term, nor responsible."

We ask the minister to provide a responsible education that lets children know where they come from and where they can go.

10:59

**Margo MacDonald (Lothians) (Ind):** Before I do my normal drum beating, I advise the minister that he should listen to the comments that the previous speaker made, some of which made sense. I share Rob Gibson's concern that although, according to Professor Devine, teacher training on Scottish literature and associated cultural aspects may have improved, it has not improved enough to make many teachers feel comfortable when teaching those subjects.

The minister said that more time will be given to subjects such as PE and music, following the curriculum review. He knows that I greatly approve of that, but I wonder which subjects will have to give up time. Page 10 of "ambitious, excellent schools" states:

"we know from the National Debate ... that parents and teachers worry about the volume and nature of assessment and about a cluttered curriculum".

I am a parent and a grandparent, and I worry about a cluttered curriculum, particularly in primary schools. Primary teachers are now asked to teach too many specific topics. I refer to Fiona Hyslop's comments on that—we have a common cause on that issue, although that is not the case for all her remarks. It is obvious when one talks to secondary teachers that children have to catch up in secondary school. However, it is not only secondary teachers who have to teach the subjects that are somewhat disparagingly referred to as the basics or the three Rs; universities have had to introduce catch-up courses in basic arithmetic for people who have ostensibly passed their highers and gained university entrance. We must consider how we deliver many of the objectives because, as members of all parties have said, some subjects that are now taught in primary school do not need to be taught there.

Despite the attempts to reintroduce the teaching of grammar in schools, the subject is not given enough time in teacher training and teachers in schools do not have time to teach it. I know that, occasionally, ministers can be misquoted in newspapers, so I will not punch out the minister for this, but he is reputed to have said that we should not teach children subjects that bore them rigid or that they do not like. Of course we should, because they have to learn wisdom and how to cope with boredom. They have to learn how to do things that they do not like, because they will have to do that when they become adults and are in the workplace. That is part of growing up and part of children's wider education. When the Deputy Minister for Children and Young People sums up, I would like to hear what plans there are to improve the teaching of grammar in schools.

Page 7 of "ambitious, excellent schools" discusses values and citizenship, which other members have mentioned. We need to take an almost collegiate approach to producing healthy and responsible citizens. The approach would encompass PE, aspects of home economics such as buying and preparing food and the social responsibility that must be imparted—I hesitate to say "morality", because that word has many interpretations. I know that the minister is considering such an approach. On world AIDS day, it is entirely relevant that we should accept that, as part of the health, physical and citizenship education that children receive almost by osmosis in school, we should include sex education. I do not see anything in the report on that.

To achieve all the objectives, we need more teachers. Although I respect the Executive's attempts, not enough PE teachers are in training to meet the objectives on PE in a reasonable timeframe. It is not enough to say that we now have oodles of sports co-ordinators, because they can co-ordinate only if the subject has been taught

and understood. On a recent visit to some primary schools, I observed dangerous practices by teachers who were teaching a subject in which they were not specifically qualified. When I questioned them, they admitted that they were doing it because they felt they had to, not because they felt they could do it properly.

I have concentrated on primary schools, but I have a quick comment on secondary schools. I am glad that many head teachers are now saying that they will place children according to their ability in specific subjects. We have known that we should stream for a long time; saying that we should not has simply confused the situation.

Frank McAveety might be right that Scottish teachers are now more confident in teaching Scottish matters than they were in the past, but there are still areas of ignorance and confusion. Kenny MacAskill talked about the history of sectarianism. It is true that there was religious division in churches, but in Lanarkshire and the west of Scotland there was social division, which was imported by colliery owners, some of whom were called Hamilton. It was not only religion but social and economic divisions that set people against each other. We could do a bit more work on our Scottish history.

11:05

**Bill Butler (Glasgow Anniesland) (Lab):** I rise to support the motion in the name of the minister. The document "ambitious, excellent schools", which was published in October last year, is a wide-ranging blueprint for the modernisation of Scottish education. I support the fact that it is based firmly on the comprehensive ideal. Rosemary Byrne of the Scottish Socialist Party said that the motion is self-congratulatory; I disagree. Last year's document correctly outlined a range of challenges that we must meet if we are to build a system of education in our country in which every child is able to fulfil his or her potential.

The Government's document acknowledges that "the performance of the lowest attaining 20% of pupils in S4 has remained flat in recent years and around 15% of 16-19 year olds are not in education, employment or training".

That is unacceptable. The minister referred to the fact that many boys are underperforming. That deficiency must be remedied. Major challenges remain in a small percentage of schools in which inspections have revealed weaknesses in leadership—leadership is important, so that cannot be allowed to continue.

The task of the Executive and the Parliament is to face those challenges in a manner that allows us to create in all our schools a system flexible and imaginative enough to allow every young



person to achieve their potential. The Executive's approach is not uncritical; the education system is not and has never been perfect and improvements are required. To do that we must analyse the reality to the best of our ability. I accept that the Scottish National Party's concern is sincere. I also accept what Fiona Hyslop says about education being about understanding and wisdom—in other words, it is about the cognitive and affective domains. National consciousness is important because that is how we achieve international consciousness and interact with other countries and other peoples.

I was encouraged when the minister said that history will not be a thing of the past. I was glad to hear the minister reject the most pernicious myth—as opposed to a real concern—peddled by some of the media, which is the so-called evidence from so-called league tables. The Executive is correctly committed to publishing data on the performance of five-to-14s in a new Scottish survey of achievement. That will tell us accurately about the performance of the system as a whole. Five-to-14 assessment results are not suitable for publication at school level because they are designed as a professional tool. Teachers know that. Individual teachers must interact with individual pupils to raise the level of achievement of those pupils. League tables encourage a drive towards testing; they do not encourage but instead narrow real learning. They do not take into account the affective domain; they ignore the social context. I am glad that the minister has rejected them.

**Fiona Hyslop:** Iain Smith and I have just returned from Finland, which has a top-performing education system. We were looked at askance when we talked about the testing that goes on, particularly at primary level.

**Bill Butler:** I can but agree, although testing that helps the individual child to progress is fine when it is at the appropriate time, and the teacher at the chalk face should decide when is the right time. That is part of the professionalism of a teacher.

Challenges are being faced and the trend is one of improvement. There is discernible and verifiable improvement in attainment throughout primary schools. Five-to-14 test data show that since 1997, in primary 7, attainment is up by 7 per cent in maths, by 10 per cent in reading and by 14 per cent in writing. In the early years, 89 per cent of primary 3s reached the expected level A or better, which is an 8 per cent increase from 1999. At secondary level, overall pass rates have risen at every level. For example, the number of pupils getting five or more standard grades at credit level or equivalent has risen by 9 per cent since 1999. More than half of our young people go on from school to higher education, either at university or

college. We should be proud of that. To express those facts and to describe a trend that is one of improvement is not to indulge in complacency; on the contrary, it is to ensure that the debate surrounding the present condition and future direction of Scottish education is balanced and is based on evidence.

I am encouraged that the Government is investing in education. As a former classroom teacher with 20 years' experience, 17 of them under the last—and I hope that it really was the last—Conservative Administration, I am glad that we now have more teachers, smaller classes, modern buildings, better information technology and free nursery places. I applaud the guarantee that every pupil will have the opportunity to learn a modern language in primary and to take one year's free music tuition by the time they reach primary 6. However, I also welcome the fact that we are talking about enterprise in education, and I hope that the minister will say something about the inclusion of co-operative and mutual principles in the teaching of economics and throughout the curriculum.

Scotland has a strong education system, but if we are to serve all our young people, there is still scope for improvement. I hope that that is to be found. I think that it will be found in the direction in which the Executive is going. I commend the motion.

11:11

**Dr Elaine Murray (Dumfries) (Lab):** I welcome the annual report on the progress of "ambitious, excellent schools". It is a pity that some Opposition speakers have not done any homework; indeed, some of them appear not to have been paying attention in class.

The SNP's contribution included a strange and woolly five-point plan. I had some difficulty working out where one point stopped and another started. Fiona Hyslop seemed to suggest that the imposition of a Scottish history exam would be a solution, not that I am necessarily opposed to that. Rob Gibson was oddly anti-choice. Indeed, the SNP seemed determined not to understand the minister's commitment to history, as did Rosemary Byrne. Well, read his lips: he said that he is committed to history in S1 and S2. As far as the Tories are concerned, I am sorry that Lord James Douglas-Hamilton will not be with us after the 2007 election. I will miss him when I return in May 2007. Lord James repeated the Tory education policies that were so unsuccessful with the Scottish electorate at the general election this year that it returned one Tory MP, at a cost of £1.3 million.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Money well spent.

**Dr Murray:** The member may think so—I could not possibly comment.

I cannot reconcile the Conservatives' commitment to a market-led model of self-governing schools with the retention of small, rural schools that cost far more per head of population. I am afraid that that does not compute. Alex Johnstone commented that the Executive was driving councils to close rural schools. That is not true. That is the excuse that many councils, some quite close to home as far as I am concerned, have tried to use in order to drive through closure of rural schools, but it is not the Executive that is forcing that on them.

To return to Scottish history and culture, I was interested in Frank McAveety's comment about Professor Tom Devine's views. Too often, middle-aged people judge today's education on the basis of what they received and not on the basis of what is being delivered today. What might be interesting—and might address some of the SNP's concerns—would be the grouping of subjects and themes in early secondary school. Bill Butler referred to the need for a national consciousness in order to have an international consciousness. In other words, if I understand where I am coming from, I will be able to understand and have pride in where someone else is coming from.

Children often have preconceived notions about subjects—based on what they are told by siblings, parents or friends—such as that history is boring or that science is difficult. It always amazes me that history and science programmes on television are extremely popular, but that people think that they will not enjoy such subjects in school. Perhaps in early secondary school we need thematic teaching, whereby subjects are grouped together. For example, we could have Scottish studies, but the teaching would still be delivered by specialist teachers. If subjects were grouped together for one term, the pupils could be told, "We are studying Scotland this term." If children studied Scottish history, culture and science at the same time, they might better engage with those subjects. They could then go on from studying Scottish history to want to learn about UK history or European history. How we present subjects in schools is important.

**Fiona Hyslop:** Will the member give way?

**Dr Murray:** Sorry, I am a bit short of time.

Such change might address some of the concerns that have been raised in the debate so far. Thematic teaching is already offered in primary school. All teaching was subject based when I was in primary school, but nobody would think of having subject-based teaching in primary

schools today. We need to move the argument on by grouping subjects in secondary school to see whether that will engage those children who are disengaged. Some children enjoy learning for its own sake, but many do not. The challenge is how we engage the 20 per cent of children who do not achieve. They are not engaged by our labelling subjects so that they seem to be academic exercises, rather than something relevant to their lives.

As might be expected, I want to say something about maths and science. I am pleased that, compared with other OECD countries, Scotland has some success in those extremely important areas, but I sometimes get slightly confused when we say that we want to put numeracy along with literacy at the heart of education. I do not disagree with that aim, but numeracy must not be narrowly defined as the ability to add or subtract or to deal with a problem that one has been told how to solve. In an economy that will be based on advanced technologies and quality economic development, it is important that we have skilled workers who have the problem-solving skills that are developed by the study of maths and science. Again, we need to consider how we present those subjects to our young people, who will be the skilled workforce of tomorrow, in a way that engages them and allows them to develop those extremely important problem-solving skills.

Let me end by saying that I am pleased that we have returned to the subject of "ambitious, excellent schools". Sometimes we have apple-pie debates that we could do without, but debates on annual reports on what progress the Executive is making on its policies are extremely important. I welcome today's debate and I welcome the advances that have been made towards achieving the goals that were set out a year ago.

11:17

**Murdo Fraser (Mid Scotland and Fife) (Con):** This has been a wide-ranging debate, with interesting contributions from all sides.

Let me start on a consensual note—it will not last—by welcoming this morning's announcement by the Minister for Transport and Telecommunications on the route for the Aberdeen western peripheral road. The route that has been chosen will mean that the future of the Camphill school in Aberdeen will not be threatened. Like many other members, I met some of the residents and teachers from that area when they came to the Parliament a few months ago. One cannot but be impressed by the quality of education that is offered in that setting, so the fact that today's announcement will safeguard the school's future is very much to be welcomed.

We support the principle of “ambitious, excellent schools”. We welcome the steps that the Executive has taken towards greater devolved school management and autonomy, modest though they may be. We also accept that, across the piece, the general standard of education in Scotland is good and that most of our children receive a good quality of education.

However, there are problems. As the minister acknowledged in his opening remarks, too many young people leave school with too little. The problem is that those who miss out, who do not have an education system that fits them for their future lives, tend to be those from less privileged backgrounds. In effect, the current system militates against such children accessing a better quality of education. We must do more for those groups.

On this side of the chamber, we believe that we need a more diverse system that provides more choice and more local decision making. We should not shy away from philanthropists who want to assist education in Scotland. Why do we not set up new types of schools? For example, why do we not have a city academy in Glasgow to give more opportunities to the youngsters in that city who are not fulfilling their potential? As James Douglas-Hamilton said, we should perhaps consider some of the interesting ideas that are being developed by the Labour Government south of the border and adopt those that work.

**Iain Smith:** How does the member reconcile his comments about the need to help those from disadvantaged backgrounds with the evidence that the so-called increase in choice of admissions policies in England militates against disadvantaged pupils getting into the better schools?

**Murdo Fraser:** That is an extraordinary intervention. All the evidence suggests that the city academies in the industrial centres are delivering a quality of education that is far above that which was delivered by the previous schools. Such academies are better for youngsters from disadvantaged backgrounds who receive a far better quality of education than was ever available to them in the past. Mr Smith should look at the facts.

On the subject of so-called league tables, which was raised by several speakers including Bill Butler, I think that it is, frankly, a bizarre idea that we should seek to withhold information from parents. Of course we all want better information, but surely even partial information is better than none. Why keep parents in the dark? Indeed, why assume that parents are daft? If one goes to any town or suburb of any large city in Scotland, one can stop people on the street and ask them what the schools in the area are like. From the

conversations that people have with their children, neighbours and others, people know exactly what their local schools are like. They know what the quality of education is, what the standards of discipline are and how the kids behave themselves inside and outside school. Everybody has that information, so the idea that we will achieve anything by seeking to withhold information is, frankly, rather daft.

An interesting debate has developed on the teaching of history in schools. I have some sympathy for the SNP amendment and, being a student of Scottish history, I enjoyed Mr MacAskill's tutorial on the subject. History is an important part of our national identity, so of course our youngsters need to know about Scottish history. However, history should not be restricted to Scottish history. We cannot afford to be insular and inward looking. We need to know about British history and world history, too.

I have a vision—or nightmare—that children in an SNP Scotland would be force-fed all the dismal parts of Scottish history. According to Mr Gibson—who sadly, is no longer in the chamber—certain parts of history must be taught to all children. My suspicion is that those will be the clearances, the collapse of the Darien scheme and the Hanoverian crushing of Highland culture after 1745. The SNP wants people to be taught all the negative aspects of Scottish history to perpetuate the idea of Scots as victims who are hard done by.

In teaching Scottish history, we should celebrate it. We should look at positive aspects such as the great Scots, and the many things that we have achieved over the centuries, such as our contribution to the development of the British empire. More than 100 years after he died, the great Scot David Livingstone is still celebrated in Africa for his humanity and his Christian concern for the people he met. Surely that would be a more responsible approach than the rather narrow-minded view that is put about by some SNP members.

In conclusion, if the Executive is serious about creating ambitious, excellent schools, it will have our support. We believe that a more diverse and open system with more school independence is required if we are to have an education system that meets the needs of Scotland's youngsters, especially those from disadvantaged backgrounds.

11:24

**Mr Adam Ingram (South of Scotland) (SNP):** This morning's debate has been interesting, as befits the importance of the subject matter. Let me make it clear that the SNP does not take great issue with the sentiments that are expressed in the Executive motion, although we question the

minister's claims of

"significant progress made over the last year".

It was interesting to witness how Lord James Douglas-Hamilton's advocacy of Tony Blair's reforms in English schools was so firmly rejected by the minister. However, we make no apologies for focusing our concerns on the fact that, six years into what is at least a measure of self-government for Scotland, little or no progress has been made in embedding Scottish history, heritage and culture within the school curriculum.

The minister himself has heightened that concern with his ill-judged remarks about history teaching in S1 and S2. Although we acknowledge his retraction, he has a long way to go to convince us that he is in any way committed to the reform that is being demanded by ordinary Scots and by the Scots academics and literati who presented their St Andrew's day petition to the Parliament yesterday. That is not a minor matter that can be dismissed as lightly as Iain Smith dismissed it.

For Iain Smith's benefit, and for that of his colleague Robert Brown, I emphasise the need to overcome the problem of the Scottish cringe. Indeed, Murdo Fraser was at it again in his speech. I refer to the notion that concentrating on anything Scottish is somehow parochial or inward looking, despite the fact that the Scots, of all people, can be regarded as among the first citizens of the world, and that, arguably, they have contributed more than any other nation—certainly of comparable size—to the development of the modern world.

**Murdo Fraser:** Will Mr Ingram give way?

**Mr Ingram:** No, thank you. The Liberal Democrats—and indeed Murdo Fraser—are clearly still part of that problem.

**Murdo Fraser:** Come on—Mr Ingram must give way.

**Mr Ingram:** No, I certainly shall not. I need to press on.

We agree with the minister when he says that changes to the school curriculum will be the key liberators in opening up the space for schools to innovate, inspire and drive up performance. We are convinced that, for young Scots to become effective contributors to society, successful learners, responsible citizens and confident individuals, they must be armed with the knowledge of who they are. As Tom Devine wrote,

"Historical study is a necessary part of the formation of citizens in modern democracies. It is the memory of society, teaching us to understand how we came to be the way we are"

and, therefore, how to shape and change our future.

As Kenny MacAskill eloquently stated, a lack of self-confidence and self-esteem is a feature of Scottish life, which must be addressed by our education system. Until now, however, our schools, far from addressing that problem, have been reinforcing it with their cursory treatment of the experience of being Scottish. Let us take the teaching of history, for example. The national story should be the academic spine that supports the consideration of European and world developments, yet many pupils can go through their school lives without being exposed to that story at all. I suggest that most of us here have learned more about Scottish history from books that we have read since school than we ever did at school. Even now, the guidelines for five to 14-year-olds stipulate that the teaching of one topic per year with a specific Scottish focus will satisfy the need to examine the Scottish context.

That disregard for the Scottish experience in history teaching is bad enough. Thanks to the St Andrew's day petition from our writers and poets, we are reminded that such disregard goes right across the curriculum. It is particularly pronounced in English language teaching. Why is it that no Scottish book is compulsory at any level until advanced higher? What kind of message does that send to our children? Does it tell them that Scottish achievements in literature are so inconsequential that they are not fit to be taught in our schools?

We believe that Scottish history and culture should be mandatory elements in the school curriculum up to the age of 16. No other European country would allow its children to be left in ignorance of their country as we do, and have done for many generations, much to our disadvantage. We are dismayed that the minister appears to have set his face against directing the curriculum review that way, and that he has instead been seduced by arguments for more pupil choice in schools. He seems to have missed the point about the damage done to subjects such as history because of that approach, and he has failed to recognise that the sort of direction that we are suggesting would offer a means to improve access to the curriculum for all and to equalise opportunities.

The minister might be content with the progress that he is making in modernising Scotland's schools, but we in the SNP beg to differ. The current curriculum review will be the key driver for change, but it is not radical enough, and it will not tackle the scandal that Scottish history, heritage and culture remain closed books in our schools. I urge Parliament to support our amendment.

11:30

**The Deputy Minister for Education and Young People (Robert Brown):** This has been an interesting debate, which has been shot through with insights from all sides of the chamber. As I think Adam Ingram indicated at the start of his closing speech, the truth is that there has been no substantial attack on the central themes of the Executive's education programme by any of the Opposition parties.

Presiding Officer, let me introduce you to Flat Stanley. This Flat Stanley in my hand belongs to Mark at Abbeyhill Primary School in Edinburgh, where I went on Tuesday to launch a global citizenship pack that has been developed by classroom teachers in association with the Scottish development education centre—Scotdec. At Abbeyhill, we were treated to musical performance of a high order, which had clearly been stimulated by the presence of a regular music specialist. Dare I point out to Fiona Hyslop that that has enhanced the activities of the ordinary teachers in that particular primary school? We were also entertained by dancing, stories and drama—in the best Scottish bardic tradition—from different classes.

**Rob Gibson:** I, too, took part in a Parliament outreach visit, to Hilton Primary School in Inverness, which is losing its drama teacher and its music teacher. Visiting teachers are also disappearing. That is because of the shortage of teachers. The school that the minister visited might be lucky, but the fact is that, although the youth music initiative is opening up experiences to kids, there are no teachers to follow it through. That is the problem.

**Robert Brown:** There will obviously be different positions around the country when it comes to the immediate availability of teachers but, having said that, there is no doubt about the general thrust, which is that there are increasing numbers of teachers. That is moving us towards our target of 53,000, not least in the subjects of drama, arts, music and PE, which we have been hearing about throughout the debate.

At the school that I visited—and this is echoed at many schools that both I and the Minister for Education and Young People have visited throughout Scotland—the children were clearly proud of their school. They were motivated, well-mannered and caring. They were a credit to themselves, to their parents and to their teachers.

Flat Stanleys—along with Horace the bear—were sent off by the schoolchildren to Africa, India and other parts of Asia, Australia, North America, South America and different parts of Europe. Flat Stanley met children in those countries there. Mark's Flat Stanley here, who is actually called

Ken, has come to the Scottish Parliament today having been to Toronto; he has also been scuba diving in Egypt. He came back with a new suit of clothes and photographs of his travels. Flat Stanleys offer a brilliant way to establish links with other countries and to develop some understanding of the lives of children there, as is happening in many schools in Scotland using increasingly innovative practices.

The SNP's position in the debate is substantially founded on myth. Every nationalist party has to have myth. The main myth today is that the Scottish Executive is about to abolish history as a separate discipline. Making history history would no doubt be a good soundbite for the party that was meant to be "free by 93". However, it is simply not true. What is true is that the curriculum review might well produce opportunities to consider how history, and indeed other subjects, are delivered, not least in S1 and S2, where most people agree that it is a challenge to continue to motivate and interest young people. That is what the curriculum review is about. It is not about trying to harness people to a narrow, nationalist approach; it is about having the widest possible curriculum for the future of Scotland's children.

This is not about a lack of knowledge of who we are. Young people in Scotland are not swallowing a particular view of Scotland's history and position. That is what is bothering the SNP.

Peter Peacock quoted the curriculum review document, describing how

"knowledge and understanding of the world and Scotland's place in it"

are central to our young people becoming

"successful learners, confident individuals, responsible citizens ... and effective contributors".

That clearly made the point about what the objectives are. Things are happening successfully across the system, as Frank McAveety told us. The curriculum is about engaging with people from throughout Scotland on the themes that I have been discussing. It is about significantly improving young people's experience so that they can succeed in life. It is about making space for arts, culture, drama, music and sport. Robin Harper was right to give significance to that point.

Young people are one of Scotland's greatest resources. As Peter Peacock said in opening the debate, we are in the top international education league for many of our young people, with all the significance that that has for the Executive's top priority of growing the economy. That did not happen by accident; it happened because of the dedicated, professional and highly motivated work of teachers and other staff in our schools and because of the work of the young people themselves.

That is in contrast to the position in the past, to which the Conservatives want to take us back, when teachers felt embittered, embattled, hard done to and hard done by. Those days are gone, thanks to our investment in the profession following the McCrone inquiry and thanks to the sense of purpose, the leadership, the investment in the school estate and the care that has gone into nurturing the best professional practice of innovation and motivation in schools.

In the visits that I and many members throughout the chamber make around Scotland, it is clear that the atmosphere in schools has changed dramatically. They are bright, exciting and dynamic places that are brimming with ideas and innovation. They are filled with enthusiastic staff: head teachers, teachers, classroom assistants and auxiliary personnel, of whom there are more. They are better—they are better trained than they have ever been—and they are proud to work in schools. The increased dynamism from the major increase in new young and enthusiastic teachers who are being trained and recruited into schools gives us the opportunity to provide a much-enriched experience by reducing class sizes, supplying specialist teachers and helping those with specific support needs.

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

**Robert Brown:** No—I am sorry; I have limited time.

A key part of our vision is to empower teachers to reach new heights of professional excellence. Hundreds of teachers and head teachers have been involved in early discussion on the curriculum review and thousands more will be involved as the review develops. An empowered profession that helps to shape the future for our schools—that is what devolved school management means.

We are sailing with a fair wind and teachers like what they have heard so far. They are being asked questions and they like being involved. Excitement is felt about the idea, which has not been mentioned today, of liberating science teachers to discuss what makes science interesting, thrilling and important in the world. Teachers in the expressive arts are captivated by the prospect of working creatively across the curriculum. Thinking about good learning and teaching is just as important as considering structures and guidelines, so our plan for the immediate future is to stimulate debate about why change is needed, the extent of that change and how it might happen.

We heard from the Conservatives the familiar mantra of support for the changes that the Labour Government in London proposes. Far be it from me to defend those changes; Iain Smith did a

good job on them and Frank McAveety also commented on them. The point is that the system in England is different. What is appropriate there may or may not be appropriate in the different Scottish context. It is slightly bizarre that the Conservative party's main contribution was to advocate adopting the approach of the Labour Government in London. That was undershot by Alex Johnstone's comments, which have been touched on, about the effects that those proposals might have on rural schools in Scotland.

Robin Harper was right to talk about modern studies. I share with him a commitment to the future of modern studies in our schools. The subject is available in almost every school, with only the occasional exception. It is important and is a separate discipline from history. There is no suggestion of amalgamating the subjects.

Iain Smith talked about the aim that every school in Scotland should achieve excellence. The Conservatives fall short on that, because they concentrate on some schools and forget the effect on other schools in the vicinity of such concentration. We want excellence for all schools and we are very much going along the lines of achieving that.

A report that we received from the Office for Standards in Education contained the interesting statistic that teaching in one in four schools in England was only satisfactory or poor, whereas the quality of teaching in Scotland was poor or unsatisfactory in only about one in 14 schools in the past seven years. That point is significant. We must deal with the schools that are not as successful as others, but there is a difference of kind between the position in Scotland and that in England.

Other interesting points were made by Gordon Jackson about the importance of pre-school provision; by Ken Macintosh about leadership, as emphasised by the position at Barrhead High School; and by Donald Gorrie about informal education against the background of the youth work strategy, which we will adopt shortly.

As I have said before, we have a great generation of children and young people who will do great things in the world and will make the world and their local communities better places for their presence. Our challenge, on which we are increasingly focused, is to ensure that all our young people have the opportunities, notwithstanding sometimes difficult family backgrounds, to develop their personalities, their talents and their abilities to their fullest potential, to realise their ambitions for themselves and Scotland and to contribute to Scotland's success in the challenging world of the 21<sup>st</sup> century. I urge support for the Executive's motion.

## Question Time

### SCOTTISH EXECUTIVE

#### General Questions

11:40

#### Bus Services (Scottish Borders)

**1. Christine Grahame (South of Scotland) (SNP):** To ask the Scottish Executive what concerns it has in respect of the provision of bus services in the Scottish Borders. (S2O-8285)

**The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon):** In the Scottish Borders, as in the rest of the country, my colleague Tavish Scott's concern is to see continuous improvement in bus services.

**Christine Grahame:** Is the minister aware that in many communities in the Borders there is next to no bus service and the oldest fleet is used? Those factors contribute to preventing people in the Borders, where the lowest wages in Scotland are paid, from breaking the cycle of social exclusion and finding work. Against that background and the recent derisory 2.9 per cent increase in grant-aided expenditure to Scottish Borders Council—1.9 per cent of which is earmarked for ring-fenced Scottish Executive commitments—where is the flexibility to improve public transport in the Borders and therefore social inclusion?

**George Lyon:** Christine Grahame will be aware that the Scottish Borders did well from the first phase of the bus route development fund and received three awards that were worth £1.182 million. We have provided funding, including through the bus route development grant, to support bus services in the Scottish Borders. I am very aware that local members lobbied hard to ensure that Scottish Borders Council succeeded in obtaining that money. As a result of that investment, several new services will come on stream.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** Is the minister aware that the new services will run in my constituency? They include not only the X95 from Hawick through to Gala and Edinburgh, but the 62 to Peebles, the new buses for which were received this past week. That will improve services in response to many complaints from my constituents in the past few years. Will he ensure that those new services are advertised widely to people in the Borders community, particularly people who do not use

buses and who should be attracted from their cars on to the improving bus services in the Borders?

**George Lyon:** As Mr Purvis is aware, the introduction of new low-floor buses and the increase in service frequency from hourly to half-hourly between Hawick and Edinburgh via the A7 corridor will be widely welcomed in the Borders. I am sure that the local council, in conjunction with the bus company, will do everything possible to ensure that constituents in those areas take advantage of the new investment by the Scottish Executive and the new bus service that is its result.

#### Ship-to-ship Oil Transfers (Firth of Forth)

**2. Tricia Marwick (Mid Scotland and Fife) (SNP):** To ask the Scottish Executive what plans it has to respond to Her Majesty's Government's consultation on ship-to-ship oil transfers in the Firth of Forth. (S2O-8250)

**The Deputy Minister for Environment and Rural Development (Rhona Brankin):** The Scottish Executive expects to respond to the consultation once it is available.

**Tricia Marwick:** Will the minister confirm that the consultation is about the adequacy of a plan to deal with potential oil spills and not about whether the proposals should proceed in the first place? Will the Executive's response to the Maritime and Coastguard Agency include advice from the Scottish Environment Protection Agency and Scottish Natural Heritage? Will the Executive stand with the local authorities and communities around the Forth to make it clear that protecting the sensitive natural habitats in the Forth, including two designated special protection areas, is of such importance that ship-to-ship oil transfers should be refused?

**Rhona Brankin:** I welcome the consultation and I am very aware of the concerns that various parties, including Scottish Natural Heritage, have expressed. The Executive will of course participate in the consultation. We have not seen the documentation yet. SNH will of course advise the Scottish ministers on the natural heritage implications of the application before responding to the consultation. For its part, the Executive will refrain from responding to the Maritime and Coastguard Agency until we have had the opportunity to consider advice from SNH. I urge everybody who has concerns about the application to respond to the consultation.

**Chris Ballance (South of Scotland) (Green):** I am sure that we will respond to the consultation on the Forth oil issue, but it will take place in the absence of statutory regulation of ship-to-ship oil transfers. The United Kingdom Department for Transport has now informed us that such

regulations will be the subject of a second consultation process in the new year. Why is a consultation on the proposed ship-to-ship transfers in the Forth being held now, when the national regulations are to be changed? What role will the Executive play in ensuring that the new regulations meet Scotland's responsibilities to safeguard areas that are protected under the habitats directive?

**Rhona Brankin:** The member must address his questions to the Maritime and Coastguard Agency, which has responsibility for that area. We will continue to take advice from SNH on the possible implications for natural heritage in Scotland.

### Care of the Elderly

**3. Mr Kenneth Macintosh (Eastwood) (Lab):** To ask the Scottish Executive what support it is putting in place to help deliver care for elderly people. (S2O-8309)

**The Deputy Minister for Health and Community Care (Lewis Macdonald):** The Executive is making provision for expenditure by local authorities on community care totalling £1.6 billion in the current financial year. Of that, around £1 billion will be spent on older people.

**Mr Macintosh:** Is the minister aware of the fact that, in spite of the record levels of funding, authorities such as East Renfrewshire Council are experiencing difficulties? Elderly people who have been assessed as needing care are having to wait for it, either in a hospital bed that they are taking up inappropriately, or at home, in which case their family often struggles desperately to cope. Does he share my belief that although it is the responsibility of local authorities to manage their own budgets, if it is clear that demand is outwith a local authority's control, the Executive should explore every avenue to assist that authority and thereby help to support our vulnerable elderly people when they are at their weakest?

**Lewis Macdonald:** When I published the latest delayed discharge figures yesterday, I said that I thought that it was important that health boards and local authorities continued to work together to address situations in which people who should really be able to leave hospital, either to enter a care home or to return home, are delayed in hospital. I recognise what Ken Macintosh said about people who have been assessed as needing personal or nursing care. We are keen to work with boards and local authorities to address situations in which they have encountered difficulties in delivering their responsibilities in that regard and we will continue to do so.

### Free Concessionary Travel (Publicity)

**4. Janis Hughes (Glasgow Rutherglen) (Lab):** To ask the Scottish Executive how it will publicise entitlement cards before 1 April 2006 to those eligible for free concessionary travel. (S2O-8300)

**The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon):** The first phase—the current phase—comprises local publicity and aims to encourage card holders to apply now for the new card, which they will need to access the Executive's Scotland-wide free bus travel scheme for older and disabled people. In the new year, there will be Scotland-wide publicity to encourage everyone who will be eligible for the scheme—card holders and non-card holders alike—to apply for a card.

**Janis Hughes:** It is vital that we do everything that we can to publicise entitlement cards as widely as possible before next year. Does the Executive have any plans to extend that facility in future, so that entitlement cards could be used for purposes other than travel?

**George Lyon:** The Executive will consider that proposal. As the member might be aware, we are developing proposals for a young people's scheme and we hope to make an announcement on that shortly.

**The Presiding Officer (Mr George Reid):** Question number 5 was not lodged.

### National Health Service (Self-management)

**6. Cathy Peattie (Falkirk East) (Lab):** To ask the Scottish Executive what steps have been taken to implement the Kerr report's recommendation "that the NHS in Scotland seeks to build on some of the success stories in Scotland (such as the Braveheart Project), and looks at what can be learned from the Department of Health's Expert Patient Project, with a view to developing a more systematic approach to self-management." (S2O-8319)

**The Minister for Health and Community Care (Mr Andy Kerr):** The Kerr report and our response, "Delivering for Health", recognise that innovative self-care initiatives are an increasingly important way of supporting people who have long-term conditions to maintain their independence and to enhance their well-being.

During 2006, we will assist with the establishment of a Scottish long-term conditions alliance, one of the main aims of which will be to support self-management. We will work with the alliance to ensure that patients and their carers have the skills and knowledge that they need and someone whom they can contact, if required; to develop mentors and expert patients to act as



advisers and role models; and to pilot home-based information technology to support self-management at home. I expect all NHS boards to be providing holistic care of that nature to the most vulnerable people with long-term conditions by the end of 2007.

**Cathy Peattie:** The minister will be aware that that is happening already in the Forth valley area, in the work of the Braveheart project. With the support of Forth Valley NHS Board and with a team of committed volunteers, the Braveheart project is working successfully with local people with heart conditions. It is involved in mentoring projects and in helping people to manage their illness and change their lifestyles. Will the Executive consider encouraging other health boards across Scotland to roll out projects like the Braveheart project?

**Mr Kerr:** Of course, the substance behind the pilot was to ensure that methodologies such as Braveheart work. I am pleased with the results from the project. Currently, it receives resources not only from the Executive but from the Big Lottery Fund. However, the future of the Braveheart project will, fairly soon, be the subject of discussion at the Forth Valley NHS Board. The project underpins what we want to achieve around self-management and the idea of bringing together patients, their carers and the community in order for us to manage long-term health conditions better.

On illnesses such as asthma and arthritis, it is also encouraging to note that we are developing similar models with organisations such as Arthritis Care. The Braveheart project is an excellent example of what can be achieved.

#### **Traffic-flow Monitoring (South of Scotland)**

**7. Derek Brownlee (South of Scotland) (Con):** To ask the Scottish Executive what plans it has to increase traffic-flow monitoring in the south of Scotland. (S2O-8248)

**The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon):** The Scottish Executive currently has no plans to increase traffic-flow measurement on trunk roads or motorways in the south of Scotland.

**Derek Brownlee:** The minister will be aware of concern right across the south of Scotland from Dumfries and Galloway to the Borders about the impact of increasing traffic volume on the adequacy of the road network. He will also be aware of the changing patterns of road use and the increased willingness of people to commute for longer distances than was the case in the past. Does he therefore feel that the current network of

traffic monitoring stations is adequate for the purpose for which it was put in place?

**George Lyon:** Clearly, the member will be aware of the substantial investment that the Executive is about to make in the Borders rail link. I have no doubt that he is very supportive of that. The project is aimed at reducing the amount of traffic on the roads in the south of Scotland. I think that the project will be welcomed by everyone across the chamber.

**Alasdair Morgan (South of Scotland) (SNP):** I remind the minister of my correspondence with the Minister for Transport and Telecommunications about the need for a pedestrian crossing on the A75 at Springholm. Does the minister accept that current traffic surveys and monitoring of traffic flows tend to ignore the real problem of the traffic peaks that coincide with ferry landings at Stranraer? Will he agree to ask his colleague, the Minister for Transport and Telecommunications, to revisit the issue as soon as possible?

**George Lyon:** I am certainly willing to pass the member's concerns on to my colleague Tavish Scott. I am aware of concerns that constituents in my own area have about pedestrian crossings.

#### **Roads (Haudagain Roundabout Upgrade)**

**8. Brian Adam (Aberdeen North) (SNP):** To ask the Scottish Executive what action is required to upgrade the Haudagain roundabout in Aberdeen. (S2O-8272)

**The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon):** The Executive and the north-east Scotland transport partnership have jointly funded a study into possible measures to reduce congestion at the Haudagain roundabout. Further detailed appraisal work is required and we are working closely with NESTRANS to produce that.

**Brian Adam:** In the light of the delay announced today to the Aberdeen western peripheral route, will the minister accept that responsibility for this vital part of the north-east transport infrastructure is with the Scottish Executive and will remain so at least until 2011? Can we have rather more action than studies?

**George Lyon:** I am astonished at Mr Adam's response in light of the view of my colleague Mr Tavish Scott, the Minister for Transport and Telecommunications, on the matter. This morning, he announced the new route for the Aberdeen western peripheral route. It will combine the Milltimber Brae section with the addition of a fast link from Stonehaven north that will take traffic from the already congested A90. I am sure that members across the chamber will welcome the coalition's commitment to tackling the transport challenges that face the north-east and will

recognise that this innovative solution will bring a further economic boost to the area as well as relieving the congestion at the roundabout that Mr Adam raised.

**Stewart Stevenson (Banff and Buchan) (SNP):** Very welcome as the announcement is that at last the peripheral route is moving forward, can the minister assure me that the two components to the announcement will not be so closely coupled as to delay the very real benefits that my constituents to the north of Aberdeen—who are without the benefit of access to railway—so desperately await?

**George Lyon:** I will ensure that Stewart Stevenson's concerns are passed on to the Minister for Transport and Telecommunications. I hope that, unlike his colleague Brian Adam, he will welcome today's announcement, because it will tackle the transport problems that face the north-east and, as I said, will provide a substantial economic boost to the area.

#### **Scottish Water (Brownfield Developments)**

**9. Mr Charlie Gordon (Glasgow Cathcart) (Lab):** To ask the Scottish Executive, further to the answer to question S20-8117 by Rhona Brankin on 17 November 2005, whether its Environment and Rural Affairs Department will ensure that full account is taken of other exceptional development costs on constrained sites, such as poor ground conditions and/or contaminated land, to avoid disincentives to the development of brownfield sites. (S20-8298)

**The Deputy Minister for Environment and Rural Development (Rhona Brankin):** Where Scottish Water is responsible for bearing the costs of work, either because it relates to strategic capacity or because it is part of its environmental programme, it will bear all the costs, even when they are exacerbated by poor ground conditions. Where the work is local infrastructure, the balance of the cost beyond Scottish Water's reasonable cost contribution will be for the developer or other appropriate authority to bear.

**Mr Gordon:** Is the minister aware of worries in urban regeneration circles that the introduction next year of charges to developers on sites where additional local sewerage capacity is required could indirectly increase development pressures on greenfield sites?

**Rhona Brankin:** I am aware of some concerns. The member will be aware that the Scottish Executive has just consulted on draft regulations to clarify the mechanisms for calculating the reasonable costs that Scottish Water is required to contribute towards new connections to its networks. The draft regulations clarify that Scottish Water will continue to make significant

contributions to development and that developers will pay costs above those contributions.

I am aware that Glasgow City Council responded to the consultation on the draft reasonable costs regulations, and I know that it highlighted the particular infrastructure needs in Glasgow and the high costs that ground conditions could lead to for developers. The council's response is being considered alongside all the other consultation responses.

**Alasdair Morgan (South of Scotland) (SNP):** On a point of order. Presiding Officer, would you care to comment on the fact that today four questions to do with transport—1, 4, 7 and 8—were down for answer, but the Minister for Transport and Telecommunications was not here to respond to them? I know that he has another engagement today, and that the Deputy Minister for Finance, Public Service Reform and Parliamentary Business stood in for him and did his best. However, for some other member of the Executive to flounder in giving answers is no substitute for questions being answered by the person who is in charge and responsible.

**The Presiding Officer:** You have made your point. There is collective responsibility in the Government. The issue is a matter for it.

I have to suspend for two minutes because we are out of questions. I ask colleagues to note that two questions were not lodged, which prevented members who could otherwise have put questions from doing so.

11:58

*Meeting suspended.*

12:00

*On resuming—*

## First Minister's Question Time

### 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-1956)

**The First Minister (Mr Jack McConnell):** The Cabinet will, as ever, discuss issues of importance to the people of Scotland.

**Nicola Sturgeon:** The First Minister has said that there will be no approval for new nuclear power stations in Scotland until the issue of waste disposal has been resolved. For clarity, is the unresolved issue of waste his only objection to new nuclear power stations, or does he—like me and, I think, like his coalition partners—think that there are other reasons to reject nuclear power?

**The First Minister:** A whole range of issues must be taken into account in the United Kingdom Government's energy review and in any consideration that we may give in Scotland, both during that energy review and afterwards, to the long-term decisions that are required. It is a fundamental point that waste issues need to be resolved in advance of any consideration of further development of nuclear power stations in Scotland, but I am sure that there are a number of other issues that we will also want to consider, not least of which is the financial implications.

**Nicola Sturgeon:** I am glad that the First Minister accepts that waste disposal, although very important, is only one factor in the debate about nuclear power. Does he realise that the Prime Minister's energy review—starting right now—will look at the other factors, including cost, safety and whether nuclear power is needed at all to meet our energy needs? Does not the Scottish Executive have a duty to take a view and to make a submission on those other issues as well? What are the First Minister's views on the cost effectiveness of, the safety of and, indeed, the necessity for new nuclear power stations?

**The First Minister:** There is a need for a reasoned and balanced debate on those issues. We cannot ignore the fact—it would be foolish to ignore it in the debate—that nearly 40 per cent of our electricity generation currently comes from nuclear power. We should, however, never ignore the fact that those nuclear power stations in Scotland produce waste for which there is, at the moment, no firm solution or resolution. It is therefore important not only that we examine the

issue of waste but that we take part in the wider debate. I know that that is not necessarily accepted by the Scottish National Party as a legitimate or adequate role for us, but Parliament and the Executive have significant powers over the development of any further nuclear or other electricity-generating stations in Scotland. We have significant powers over the planning conditions that might be imposed on any such developments, and we should use those powers reasonably, following a decent period of debate about all the issues.

**Nicola Sturgeon:** I did not ask the First Minister what the issues were; I asked him for his view on the issues. I know that he wants to sit on the fence on all those issues, but cannot he see that Tony Blair has this week kicked the fence down? Cost, safety and necessity are up for discussion right now—they cannot be ducked until some later stage.

Let me make my position clear to the First Minister. I think that nuclear power is costly, dangerous and—with the right investment in other clean technologies—completely unnecessary. Charles Kennedy has said that he cannot envisage the circumstances in which the Liberal Democrats would vote for new nuclear power stations. What is missing is the First Minister's view on all those issues, so I shall ask him again: what is his view on those central issues of cost, safety and necessity?

**The First Minister:** I think that there are issues that need to be looked at in terms of the historic costs of nuclear power in Scotland and elsewhere. I think that there are serious issues in relation to the disposal of waste from nuclear power, but I also think that there are serious issues about the long-term security of the energy supply in Scotland and the cost to customers. It may be adequate for the nationalists to have a simplistic solution for all of that, but when one is in Government one has to have a reasonable response that looks at all those issues.

We know that the SNP has difficulty in making even the simplest of hard decisions and that there are about 18 different policies on its back benches and front benches about wind farms, depending on the location of the individual wind farm or the lack or otherwise of a strategy. That is not good enough when one is in Government. One has to have a proper, thought-through policy that takes into account all the options and the reality of today's situation, and that is exactly what we will do.

**Nicola Sturgeon:** The First Minister misrepresented the SNP last week. Before his relationship with the facts becomes any more strained, I will make the SNP position clear. The following statement sums up our position. We

“support the development of alternative sources of energy”,  
but

“they need to be situated in the correct place.”

That was a quotation from Tony Blair when he objected to a wind farm in his constituency last year. If the First Minister has a problem with that sensible position, why does he not take the matter up with his boss? It is one of the biggest issues that the country faces. Should not the First Minister engage with the debate instead of hiding behind a form of words? Will the First Minister break the habit of a lifetime and show some leadership?

**The First Minister:** Look at the SNP. Let us talk about quotations—I have some great ones here. The SNP’s 2003 manifesto said that it wanted Scotland to become

“the green powerhouse of Europe”.

Rob Gibson has suggested that there should be a wind tax—a tax on renewable power. Roseanna Cunningham says that there should be

“a more time-limited suspension of applications”—[*Official Report*, 6 November 2003; c 3104.]

for onshore wind farms. Fergus Ewing says that wind farms are “visually obtrusive” and, therefore, not

“a truly green form of renewable energy”.

Richard Lochhead—who has had a few policies on this over the years—says that Scotland should aspire to be

“the world leader in renewable energy”,

whereas Angus MacNeil, in the Western Isles, has said:

“The wind will always be there and there is no need for a headlong rush into this without enough forethought.”

Never were so many policies held by so few.

When the Executive partnership discusses energy policy, we discuss it seriously. We will take a reasoned opinion for the long-term benefit of Scotland—for Scottish consumers and for the security of the Scottish energy supply. We will do so in relation to nuclear power only after the issue of waste disposal is resolved; however, we will take part in the national debate. We accept the responsibilities of Government, not the irresponsibility of Opposition.

## Prime Minister (Meetings)

**2. Miss Annabel Goldie (West of Scotland) (Con):** To ask the First Minister when he will next meet the Prime Minister and what issues he intends to discuss. (S2F-1957)

**The First Minister (Mr Jack McConnell):** I met the Prime Minister on Monday evening and we

discussed a range of issues that were interesting and, of course, important to the people of Scotland.

**Miss Goldie:** I ask the First Minister how many drug rehabilitation places there are in Scotland.

**The First Minister:** I do not have that number with me. However, the announcements that were made by the justice ministers this summer will secure a significant increase in the number of drug rehabilitation places in Scotland. In particular, there will be an increase in the number of places that encourage abstinence to enable people to withdraw from reliance on drugs and on forms of drug substitution in a way that helps them to rebuild their lives in the community. That is a specific commitment that the Executive gave when we launched the review of our drugs policy. It is a commitment that has been delivered with additional resources and clarity of direction in policy that has not always existed. We will ensure, through allocation of resources, that we deliver better services for drug users and—which is more important for Scotland—get more drug users off drugs completely and back into the community.

**Miss Goldie:** That response was McConnellspeak for, “I haven’t a clue.” That is not surprising; I have not got a clue either and, as previous parliamentary answers have disclosed, no one knows how many rehabilitation places there are in Scotland because the information is not held centrally. To help the First Minister, I will move to an area in which we have some facts.

According to a parliamentary answer that was given to me on 15 November, 411,399 methadone scripts were issued in Scotland during the year to March 2005. We know, from previous parliamentary answers, that the figure is increasing rapidly. The projection is that in 2012—only seven years away—we will be issuing more than a million such scripts a year. How can the First Minister possibly be content with that situation? Is he aware that, if we continue down that road, we will have to provide not only care for the elderly, but old people’s homes for methadone addicts, such as exist in Holland? Does the First Minister agree with Professor Neil McKeganey, of the University of Glasgow, that that is something

“that we should seek to avoid at all costs in Scotland”?

**The First Minister:** A variety of views have been expressed about Annabel Goldie’s recent expressions of policy on drugs, methadone and drug rehabilitation. Most of the views that I have read have been extremely critical and although I do not have them with me today, I would be very happy to ensure that they are passed on to Miss Goldie so that she can have a good look at them.

When we consider the issue, it is important that we take a serious and responsible attitude. I do

not want people in Scotland to be on drugs or on methadone, and I certainly do not want to see their numbers increasing. I also want to make sure that we take advice from experts. If it is the case that in some instances, as part of a rehabilitation programme—and I stress that—a move from drugs to methadone is a step on the right road for a drug addict, we should not ask them not to take that step.

We need more rehabilitation places. We have allocated the resources for those and they will be delivered. We need more places where drug addicts in Scotland can get off drugs completely and be supported not just in rehabilitation but when they are back in the community. We also need to provide several routes for people to make their way back into the community. To achieve that, methadone will sometimes be part of the solution. However, we should not rely on it for the long term.

We should not assume that the number of people in Scotland who use methadone will increase. I agree with what I think are the principles behind what Annabel Goldie has been saying about the issue, but I do not agree that we should adopt a simplistic approach to it.

**Miss Goldie:** If the First Minister had given that answer during the first six months of devolution, it might not have been acceptable, but it would have been understandable. Six years down the line, that answer is utterly intolerable. The fact is that we need a sea change in our attitude to drug abuse so that instead of managing drug addiction, we help addicts to become drug-free. Surely that must start with a new attitude towards the resources that are deployed for drugs rehabilitation places.

Will the First Minister give a very simple commitment? Will he find out what facilities exist in Scotland and, as has been done in England, set up a central directory so that addicts and their families can find out where the facilities are?

**The First Minister:** As I said earlier, I do not have the information with me but I would be happy to provide for Miss Goldie the detailed information that we have, as well as the recent announcements that were made to Parliament about the extension of resources that will allow for more rehabilitation places in more parts of Scotland in the years to come.

That is only part of the answer. Yes: we need more rehabilitation places and more of those places need to encourage an abstinence-based approach. More of those places also need to ensure that people are supported when they go back into the community. Some of those programmes will involve methadone and we should not deny that it is part of the solution.

We are doing a number of other things. The drugs courts, drug treatment and testing orders, and the new arrest referral and mandatory testing regime that we are bringing in will all ensure that we identify drug addicts earlier and that we are able to insist that they receive treatment and work towards rehabilitation. To suggest in any way that the issue is not being taken seriously is very misleading, and I hope that if I am able to provide Miss Goldie with all the information about all the activities and actions that are currently being pursued, she will be more reassured that our policies will be more effective in the future.

### **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-1969)

**The First Minister (Mr Jack McConnell):** I met the Secretary of State earlier this week and discussed a range of issues.

**Shiona Baird:** This week, the nations of the world are meeting in Montréal to discuss climate change. The message is loud and clear: Government leaders need to stop making climate-wrecking decisions and to move away from unsustainable development that is centred on burning more and more fossil fuels. How can the First Minister and his Liberal Democrat Minister for Transport and Telecommunications possibly justify this morning's decision on the Aberdeen western peripheral route? How can that decision be consistent with sustainable development?

**The First Minister:** I genuinely think that, in order to deliver sustainable development in Scotland, we must reduce congestion in our cities. One of the primary reasons for developing the new bypass in Aberdeen is to ensure that there is less congestion in the city centre. I hope that that will have a positive impact on the climate not just of Aberdeen but elsewhere.

**Shiona Baird:** All the evidence to date shows that road building generates more traffic and pollution. Indeed, the M74 inquiry proved that. It sounds as if the First Minister has made up his mind on the Aberdeen peripheral route. Given the way he swept aside the independent inquiry report on the M74, what confidence can anyone have that he will not do the same again after the proposals for the western peripheral route go through a costly publicly funded inquiry?

**The First Minister:** The minister with responsibility for transport and his predecessor were both involved in wide consultations on the route, and Tavish Scott has now come to a reasoned judgment on the route for the road. We made a firm commitment on the bypass in our

capital programme for transport improvements in Scotland over the next few years. I believe that the route is important for the north-east's economy and that it will reduce congestion in Aberdeen, thereby improving the environment and the quality of life of people who live and work in the city.

I disagree with the Green party on this matter. Sometimes its opposition to all road improvements and road building in Scotland runs counter to the environmental objectives that it claims to have. I make it clear that we will build roads in Scotland only where they are justified, where they will improve the economy and where they will be part of the sustainable development programme. I should also point out that this is all part of a wider integrated transport policy in which more money is being invested in rail and other forms of public transport than has been the case for a very long time.

### Army Recruitment

**4. Lord James Douglas-Hamilton (Lothians) (Con):** To ask the First Minister whether the Scottish Executive will make representations to the Secretary of State for Defence regarding the retention of hackles, in the interests of Army recruitment in Scotland. (S2F-1958)

**The First Minister (Mr Jack McConnell):** Lord James Douglas-Hamilton and other members know that, last year, we made a number of representations to the Ministry of Defence on that. The ministry took those representations into account in its final decisions, which were also announced last year.

On Tuesday, Lord James Douglas-Hamilton announced that he will retire from Parliament in 2007. If you will allow me to do so, Presiding Officer, I wish to take this opportunity to say publicly that he has been an outstanding member of this Scottish Parliament. I am delighted that he chose to serve here and wish him all the very best in serving in the House of Lords. [*Applause.*]

**Lord James Douglas-Hamilton:** I thank the First Minister very much for his reply, but I ask him to recall that on 28 October 2004 he said in the chamber:

"the identities of the six Scottish regiments should be preserved, because they are important for Scotland and for local communities throughout Scotland."—[*Official Report*, 28 October 2004; c 11304.]

Does he agree that, whatever modern operational requirements might be, to wipe out some of the last vestiges of Scottish identity will damage local recruiting and will lead to some severe murmurings among people like me, who once had the honour to wear the black hackle of the Cameronians along with—if I may say so—a great

many of the First Minister's constituents from Motherwell and Wishaw?

**The First Minister:** Last year, when the Ministry of Defence announced its decisions, I said that although I was pleased that some of the regiments' identities would be retained—I know that the current objective is to retain the hackle in combat dress—the outcome was disappointing because the affected regiments' original identities would not be retained completely.

However, I stick by another comment that I made last year. It is important that, once such decisions are made, the regiments are prepared for their duties and are able to move forward, regardless of what anyone on any side of the chamber feels about the decisions that should have been made. I hope that we can support the new Scottish regiment, whatever members feel about the decision to create it.

**Roseanna Cunningham (Perth) (SNP):** I am sure that I speak for the rest of the Scottish National Party group in associating myself with the First Minister's warm wishes to Lord James Douglas-Hamilton for his future.

I also want to associate myself with Lord James on the substance of his question to the First Minister on the regiments. In an exchange at First Minister's question time last year, the First Minister said:

"We will defend those identities strongly."—[*Official Report*, 28 October 2004; c 11305.]

In view of the recent announcement, has the First Minister seen the comments by Lieutenant General Sir Alistair Irwin, who drew up the blueprint for the merger and is now speaking of his "despair" and utmost "dismay" at the decision that has been announced. He makes the clear comment that, in effect, the distinctive nature of the regiments will be banished from the streets of Scotland. No more will Perthshire see the red hackle, because the Black Watch will not be permitted to use it in ceremonial dress. Does the First Minister believe that that decision in any way defends the distinctive nature of our historic regiments? If he does not, what will he say to the Secretary of State for Defence and to Westminster to get them to reverse the decision?

**The First Minister:** Representations were made last year during the debate on the issue. Those representations—not just from me, but from many other members—were crystal clear. This time last year, I expressed in the chamber our disappointment at the extent to which the identities of the historic regiments would be retained in the new regiment. However, I understand that the hackles will be worn when the soldiers are in combat gear, which they are for the majority of time that they spend both at home and on active

duty. The hackles will be used for dress in Scotland.

My final important point relates to the future of the regiment. Whatever any of us thought about the creation of the super-regiment and the retention of the Scottish regimental identities, the reality is that there will be one Scottish regiment. It is important that that regiment is successful, is able to recruit enough troops and is able to be effective for Scotland and the United Kingdom wherever it is asked to serve. It is not wise for us to continue the debate for much longer, because at the end of the day it is important that British Army regiments are able to serve their country effectively. I remind Parliament—as I did on occasion last year, if we want to hark back to those debates—that there would be no British Army regiments in Scotland if the Scottish nationalist party had its way, as it described this week.

**The Presiding Officer (Mr George Reid):** Roseanna Cunningham may ask a supplementary for clarification.

**Roseanna Cunningham:** Is the First Minister saying that Lieutenant General Sir Alistair Irwin is flat-out wrong when he writes that

“in the future when the Battalion parades ceremonially anywhere in your constituency the Red Hackle will not be worn”?

**The First Minister:** I do not want to be facetious, but I would expect the member of the Scottish Parliament for Perth to know that, when soldiers are in Scotland, they are not just in ceremonial dress and that there are times when they are in combat dress. When they are in combat dress, they will wear the hackle.

I do not want to defend the decisions that have been made, because they are decisions that are not for me or for the Scottish Parliament. Last November I expressed my reservations about those decisions, but I do not want members of the Parliament to misrepresent those decisions. Whatever we thought in advance about the creation of the new regiment, I want us to get behind it and to support it. One way of not supporting it is to advocate the breaking up of the British Army and having no British Army regiments in Scotland, and to advocate that Scotland and Britain should pull out of NATO so that there would be no NATO or British Army bases in Scotland. The SNP cannot come here as the great defender of the British Army to talk about regiments. One day after it got into Government in alliance with the Trotskyists, it would break up Britain and have no British Army at all.

## Water and Sewerage Infrastructure

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

To ask the First Minister what the Scottish Executive's plans are for investment in water and sewerage infrastructure. (S2F-1962)

### The First Minister (Mr Jack McConnell):

Ministers announced ambitious objectives for Scottish Water on 9 February, including the connection of an estimated 15,000 homes a year to new infrastructure, in addition to those that will be connected to existing infrastructure. The Water Industry Commission announced yesterday that, in its view, all those objectives can be delivered in full without customer charges having to rise in real terms over the next four years.

**Mr Swinney:** In the light of the sharply differing estimates of the cost of the water and sewerage infrastructure programme from the Water Industry Commission for Scotland on one hand and Scottish Water on the other, what reassurance can the First Minister give Parliament that urgent steps to remove development constraints will not be delayed by that disagreement? Will the First Minister give Parliament a commitment that there will be sufficient flexibility in the investment framework to avoid the emergence of further development constraints in the lifetime of the programme, which would be a clear impediment to the supposed top priority of the Scottish Executive, which is the growth of the Scottish economy?

**The First Minister:** We gave a commitment last year to review the strategic objectives of Scottish Water and the long-term investment plans, and we have done that. We set clear objectives that are on target. The target for estimated additional housing outwith the existing areas where there is water infrastructure has been met.

The Water Industry Commission for Scotland has made it clear in its expert analysis that Scottish Water can deliver all the objectives with less-than-real-terms increases in water consumer charges in Scotland over the next few years. That is good news for the consumer, for Scottish business and for people who are waiting for homes in areas of Scotland where there is high demand and where there have been constraints in recent years.

If the constraints and development plans change over time, the objectives will be reviewed. However, we need to get on with the process now. If Scottish Water has concerns, there is a process that it can follow. There should be no reason why new developments are delayed.

### Ms Rosemary Byrne (South of Scotland)

**(SSP):** In the light of the reduction in the amount of sewage waste that is being used in land remediation and the subsequent backlog of sewage, will the First Minister say what funding

has been allocated to address the problem? Will that money be in addition to existing budgets?

**The First Minister:** I am happy for the appropriate minister to provide a written answer to that question.

## AIDS

**6. Des McNulty (Clydebank and Milngavie) (Lab):** To ask the First Minister how the Scottish Executive is helping to combat AIDS both at home and abroad. (S2F-1965)

**The First Minister (Mr Jack McConnell):** Ministers are supporting the HIV health promotion strategy with £9 million per year to prevent HIV and other blood-borne viruses. We have also provided an extra £15 million a year over the next three years to implement the national sexual health strategy, which aims to reduce the incidence of sexually transmitted infections, including HIV. Abroad, we provide financial and clinical support for a number of initiatives in Malawi and Zambia towards the G8 goal of universal access to treatment by 2010.

**Des McNulty:** On world AIDS day—the theme of which this year is “Stop AIDS. Keep the promise”—is there anything more the Executive can do in partnership with the authorities in Malawi to slow the spread of HIV/AIDS in that country and to improve access to treatment for people who have been infected, in line with the 3 by 5 campaign? Does the First Minister believe that the time has come in Scotland for a more proactive approach to health education and early diagnosis targeted at those who are most at risk from sexually transmitted disease, who are no longer just drug-injecting users, but are increasingly heterosexuals as well as homosexuals, women as well as men, and young people in particular?

**The First Minister:** First of all, our sexual health strategy and our other efforts at health promotion are designed for early identification and prevention. I hope that the increased resources and focus on the matter locally will have an impact.

Among the other things that we can do for Malawi, we will continue to discuss with the UK Government and the Department for International Development their roles. I noticed this morning that significant additional resources to tackle AIDS in Africa have been announced; we will ask how much of that might benefit our friends in Malawi.

Secondly, we will continue to raise with international organisations the efforts that they put into Malawi in relation to HIV/AIDS. Thirdly, here in Scotland there is expertise, enthusiasm and energy among professionals and volunteers to help with the growing problem of HIV/AIDS in Malawi and throughout Africa.

On Des McNulty's final question, we know that in Africa more than 50 per cent of people with HIV/AIDS are women or children. Younger women are being added most quickly to the list, which consists not just of the traditional and largely male groups that were perhaps publicised more in the United Kingdom and elsewhere back in the 1980s. The epidemic is spreading and is devastating communities across the whole of Africa. We in Scotland should do our bit to help, given our fantastic history in medical research and medical science.

**Mrs Margaret Ewing (Moray) (SNP):** I thank the First Minister for his response; it was very detailed and is in the context of a severe problem, as we all know well.

Do members realise that 2,400,000 people will die this year in Africa alone as a result of AIDS? That is 8,500 people every day. The efforts that are being made by Parliament are hugely appreciated in Malawi and beyond. Will the First Minister tap into the rich source of expertise in Scotland, especially in medicine? Through research and development, and with the backing of the pharmaceutical industry, which has a strong base in Scotland, there may be ways of finding alternatives and offering a generic derivation of some of the drugs that, at the moment, are way beyond the budgets of many of our colleagues in the African continent.

**The First Minister:** That is clearly a big issue and one that extends far more widely than Scotland and Malawi and our partnership. People internationally are making real efforts to reduce the cost of those vital drugs and to increase their availability. We are working with them where we can to ensure that access can be widened in Malawi in particular.

We in Scotland, given our history and the expertise that exists here, have a particular responsibility to the rest of the world in relation to medical science. I know that many people in the Scottish health service want to give of their time to make that contribution. We will continue to do all that we can to facilitate that.

12:32

*Meeting suspended until 14:15.*



14:15

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Finance and Public Services and Communities

##### Public Services (Environmental Impact)

**1. Euan Robson (Roxburgh and Berwickshire) (LD):** To ask the Scottish Executive how it encourages the managers of its departments, agencies and non-departmental public bodies to have regard to environmental impact in delivering public services. (S2O-8273)

**The Presiding Officer (Mr George Reid):** I call George Lyon.

**Mr John Swinney (North Tayside) (SNP):** I thought that Mr Lyon was the transport minister now.

**The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon):** The Scottish Executive's best-value arrangements require public service organisations to consider the environmental impact of their activities and decisions. Within the Executive, our greening government policy is driving improved environmental performance. My colleague Ross Finnie is leading a major Executive initiative to improve the environmental performance of public bodies.

**Euan Robson:** I thank the minister for his answer and I am glad that it has provoked mirth on the Scottish National Party benches, although I do not know why.

**The Minister for Education and Young People (Peter Peacock):** The SNP has little to laugh about.

**Euan Robson:** Indeed. Is progress being made on recycling and the reuse of capital equipment? Is the minister able to measure that and can he tell us how much progress is being made?

**George Lyon:** I assure the member that the Executive has set a number of challenging targets, including to reduce the CO<sub>2</sub> emissions caused by energy use in our buildings by 7 per cent from 2003-04 levels by 2011; to reduce the amount of office waste going to landfill by recycling 70 per cent of total waste by March 2006; and to reduce water consumption in our key buildings to 7m<sup>3</sup> per person by March 2006.

**Mark Ballard (Lothians) (Green):** Earlier this year the First Minister announced plans to

encourage Scottish public bodies to adopt fair trade practices with a view to Scotland becoming a fair trade nation, thereby delivering genuine social and environmental benefits. What progress has been made in increasing the sale, use and promotion of fair trade and fairly traded goods within and by the public bodies and agencies that Mr Robson mentioned?

**George Lyon:** We share some of the views that Mr Ballard has expressed. I would be happy to write to him to detail the progress that has been made since the First Minister made his commitment six months ago.

##### Digital Inclusion

**2. Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** To ask the Scottish Executive what progress it has made on digital inclusion. (S2O-8280)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** The connecting Scotland's people digital inclusion strategy was launched in 2001. Since then, the Scottish household survey has tracked internet usage. In the first quarter of 2001, the percentage of adults who used the internet for personal use was 29 per cent. That figure had increased to 51 per cent in the second quarter of 2005.

**Mr Stone:** My constituent Mrs Caroline McMorran, who lives in Strathbrora, up behind Brora, is having trouble because she cannot get broadband. Does the minister consider that a significant barrier to inclusion could be created by problems in getting broadband to rural areas? How will the Executive ensure that that important aim is not hampered and that broadband is available to every community in Scotland this year, including wee, out-of-the-way places such as Strathbrora?

**Mr McCabe:** As I understand it, our aim is to enable every exchange. Work has been done in some of our more challenging and remote communities. Argyll has received investment, as have communities such as Bellsmyre in West Dunbartonshire. I acknowledge fully the concerns that the member expressed. The strategy is, after all, to achieve the maximum possible levels of inclusion, which we will continue to strive for. I hope that, through those efforts, individuals such as the one whom Jamie Stone mentioned will, quite rightly, be able to access broadband and all that goes with it.

**Roseanna Cunningham (Perth) (SNP):** I apologise for my slightly breathless arrival. The minister will be aware of plans to establish a Gaelic digital television channel. I welcome the recent announcement of funds for that, but does he acknowledge that large swathes of Scotland

still cannot receive digital television cheaply or easily? What steps does he intend to take to ensure affordable access to a channel that is intended to start broadcasting next autumn, although digital switchover for much of Scotland, including large Gaelic-speaking areas, is not scheduled until 2009?

**Mr McCabe:** As I understand it, Digital UK is in discussions about those matters. As far as I can recall, the position was fairly fully explained in a recent debate in the chamber.

### Local Government (Equal Pay)

#### 3. Carolyn Leckie (Central Scotland) (SSP):

To ask the Scottish Executive whether it is satisfied that its local government finance settlement meets its obligations under existing equal pay legislation. (S2O-8243)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** Responsibility for the pay and conditions of local authority staff rests with local government, not the Executive. Those obligations include the implementation of the single status pay agreement that was negotiated between local government and the unions in 1999. I will, of course, consider any representations from the Convention of Scottish Local Authorities on the issue, but it is important to recognise that, since 1999, the Executive has increased its revenue funding to local government to record levels—an increase of over £3 billion by 2007-08.

**Carolyn Leckie:** I am sure that the minister is aware that, under existing legislation, without moving to the consultation on the gender duty, the Executive as a public body has a legal obligation to do all that it can to achieve equal pay. Glasgow is proposing more than 300 redundancies in order to fund an inadequate compensation settlement for equal pay, which amounts to less than a quarter of what women would be entitled to if they pursued the legal route.

Despite the fact that, over several years, the Executive has stated that equal pay must be a priority—for example, Johann Lamont said it in March this year and Malcolm Chisholm said it in November 2004—COSLA, the unions and the Equal Opportunities Commission have had to make representations about the fact that the funds to settle the equal pay claims do not exist. Can the minister reconcile the Executive's actions with its statements that the issue is a priority? I would like to ask him to respond—

**The Presiding Officer:** No, I think that that is about enough.

**Carolyn Leckie:** Ms Lamont has said that not achieving equal pay does not make economic sense. Will Mr McCabe therefore agree that his local government finance settlement does not

make economic sense, because it will not achieve equal pay for women?

**Mr McCabe:** In my original answer, I stressed the fact that, since 2000, the Executive has made record levels of funding—an increase of over £3 billion by 2007-08—available to local government. Of course we realise that we have a duty to ensure that equal pay requirements are fully met. However, we are talking about an agreement between local authorities and the individuals whom they employ. It is the Executive's duty to fund local government and it is local government's duty to decide how it uses the resources that are made available to it.

**Mr John Swinney (North Tayside) (SNP):** As well as providing record funding to local authorities, the Executive has produced record burdens for local authorities. Is the minister aware of the statement made by his deputy—who was, at the time, not acting as a transport minister—to the effect that it was likely that local authorities would deliver a council tax increase of above 4 per cent? Now that that information has been confirmed by a Government minister, will Mr McCabe consider whether additional steps need to be taken so that the local government finance settlement that he has already announced to the Parliament takes account of equal pay legislation?

**Mr McCabe:** It would only be fair to preface my remarks by saying that we do not regard record numbers of teachers or the delivery of record numbers of care services to the people in our communities who depend on them as being a burden. We regard such things as progress, as do, I am sure, the individuals who receive those services. I do not think that Mr Lyon said exactly what John Swinney said he did. I think that he said that there was an indication of what local authorities would do. Of course, each local authority is free to set its own level and we will know the levels that they decide to set only when that is done in March next year.

**4. Margo MacDonald (Lothians) (Ind):** To ask the Scottish Executive whether it will provide, if necessary, funding to help local authorities to meet the possible costs of equal pay claims. (S2O-8246)

**Mr McCabe:** It is for local authorities to consider the implications of agreements that they negotiate with any other party. If we receive representations from the Convention of Scottish Local Authorities, we will, of course, consider them.

**Margo MacDonald:** I would expect nothing less of the Minister for Finance and Public Service Reform. However, I wonder whether he is aware that, if the recent judgment in favour of female council employees costs the City of Edinburgh Council the £25 million that it estimates, that will

entail a 12.5 per cent increase in council tax in Edinburgh. The only way to avoid that is for the council to empty its reserves, which it says it will have to do. Will he urgently consider putting Edinburgh council tax payers' minds at rest? They are already concerned about the implications for council tax of the fact that the Executive has not paid the extra £3 million in costs that were incurred by the council for services provided at the G8 demonstrations, never mind the other wee matter that I wrote to him about.

**Mr McCabe:** There are some intimate pieces of correspondence that I do not want to share with Parliament. However, I hope to have some good news to announce in the near future about exactly how we will recompense not only the City of Edinburgh Council but local authorities throughout Scotland for the activities that they undertook in connection with the G8.

I hear what Ms MacDonald says about potential council tax rises in Edinburgh, but that is against a presumption that all things remain equal. It is for the council to decide how to construct the services that it delivers when it has responded to the equal pay claims that it requires to settle. It is also for the council to decide how to use the reserves that it has built up over the years. I said in a previous answer that the Executive has made record levels of finance available to local government since 2000 and I am encouraged to hear that local authorities have used part of that finance to build up reserves.

**Pauline McNeill (Glasgow Kelvin) (Lab):** I welcome the minister's comment that he will respond to any requests from local authorities to discuss the role that the Scottish Parliament should play in rectifying the wrong of unequal pay. Does he recognise the role of the trade unions and local authorities in attempting, in difficult times, to rectify decades of injustice against women? Will he ensure that, in any settlement, the right balance is struck between the Parliament's responsibility to women who are arguing for equal pay and the delivery of quality services by local government?

**Mr McCabe:** I am perfectly happy to offer those assurances. The debate about equal pay is important, as the member said, and it is critical that we provide the best terms and conditions for all those who work in local government. I have a long personal involvement with local government and, as I have said on many occasions, 99.99 per cent of the people whom I have come across in local government are there for absolutely the right reasons. They are committed to public service and we should reward them adequately. The general public and the trade unions in Scotland would agree with those sentiments, but they would also agree that we are obliged to ensure that, while we treat the people who provide public services as

well as we can, we also ensure that the services that we offer are of the best possible quality.

### Council Tax

**5. Bill Aitken (Glasgow) (Con):** To ask the Scottish Executive whether it is satisfied with current levels of council tax across Scotland. (S2O-8252)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** The setting of council tax levels is, of course, a matter for individual local authorities. I urge them to show restraint in setting their budgets for next year and to look at all possible ways of reducing the burden on local council tax payers.

**Bill Aitken:** I wonder whether the minister agrees with the comments of his colleague David Cairns MP, who recently told MPs of

"the terrible burden of living in constituencies controlled by the Liberal Democrats at council level."

He went on to note that the local authority in his area, Inverclyde, has

"the distinction ... of being the worst-performing council in all of Scotland since the Liberal Democrats took control."—*[Official Report, House of Commons, 15 November 2005; Vol 439, c 816.]*

If the minister agrees with Mr Cairns, will he tell us what action he will take to ensure that people who live in Liberal Democrat-controlled areas get a much better deal?

**Mr McCabe:** My friend and colleague Mr Cairns makes many informed comments and I am sure that he is aware of the actions that the coalition Executive has taken to ensure that the constituents whom he serves in Inverclyde are adequately served. The Accounts Commission and Audit Scotland gave their thoughts on the situation in that area and the Executive met the council leader and the then chief executive to discuss the situation. I wrote to the leader of the council only this week to stress the need for continued progress and to arrange dates to discuss further the situation. I am sure that communities throughout Scotland appreciate the representatives that they have elected, whether they be from the Labour Party, the Liberal Democrats or—rarely—the Conservative party.

### Grant-aided Expenditure (Funding Formula)

**6. Nora Radcliffe (Gordon) (LD):** To ask the Scottish Executive whether it will consider amending the funding formula for grant-aided expenditure. (S2O-8282)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** I have made it clear to local government on a number of occasions that I am more than willing to engage in such

discussions on amendments to the funding formula. We recognise the importance of ensuring that the formula is relevant to the needs of local authorities, which is why we work closely with the Convention of Scottish Local Authorities to review all aspects of the formula through a joint working group.

**Nora Radcliffe:** I am pleased with the minister's answer, but wonder whether he is aware of Aberdeenshire Council's spending on school transport—I am talking about the statutory minimum that is required, following a keen competitive tendering process. The actual cost of school transport is £11.4 million, but the GAE allocation is £3.8 million. Does he agree that such a huge gap between GAE allocation and actual costs indicates that the current system is not delivering proper outcomes?

**Mr McCabe:** I certainly agree that there are tensions and concerns relating to the funding formula in authorities in different parts of Scotland, which is why I have said openly—and why I said a few moments ago—that I am more than willing to enter into discussions with COSLA on how the formula is applied. Of course, we have always applied the formula on a consensual basis and sought agreement between the Executive and COSLA, but there is undoubtedly evidence that the formula is producing pressured situations in parts of Scotland. That said, I must point out that local authorities have the discretion to make decisions about the financial allocations that they make. Grant-aided expenditure involves guidelines only; authorities have the discretion to decide exactly how much money they spend in particular areas.

#### Non-departmental Public Bodies

**7. Paul Martin (Glasgow Springburn) (Lab):** To ask the Scottish Executive whether it has any plans to reduce the number of non-departmental public bodies. (S2O-8306)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** The continuing need for any non-departmental public body is regularly tested as part of the governance structure under which all NDPBs operate. Of course, a review of those bodies will also form an important part of the public sector reform agenda.

**Paul Martin:** My question to the minister concerns those who represent our non-departmental public bodies—otherwise known as quangos—in Scotland and it relates to two issues in particular. First, none of my constituents is represented on any public body in Scotland—I think that the same applies to constituents in most deprived constituencies in Scotland. Secondly, would it not be helpful if those who represent quangos in Scotland resided in Scotland? Three of

the five board members who represent the Water Industry Commission for Scotland live outside Scotland.

**Mr McCabe:** I would not make residence in Scotland an absolute condition, although I take the point about there being a more informed atmosphere if people resided here when they took important decisions about public services. I am not aware of the number of people from the member's area who have applied to the public bodies, but we work hard to try to ensure that representatives on the bodies come from a broad cross-section. Of course, the more we examine the public sector and reform the current models of governance, the more democratically elected individuals will have a say about the actions of those bodies in the future.

#### Efficient Government Targets

**8. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** To ask the Scottish Executive what progress has been made by local authorities in meeting efficient government targets. (S2O-8276)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** The Improvement Service is preparing its report on the levels of efficiency savings made in local government and on the efficient government national framework, which it is developing for local authorities to monitor efficiency savings on an output basis. We expect the report to be finalised in the next few weeks.

**Jeremy Purvis:** Will one of the monitored outputs be that local authority support for civil service relocations should be counted as part of the efficient government process? Is the minister aware that the highly successful relocation of the Scottish Public Pensions Agency to Tweedbank in my constituency has not only reduced costs, but has added stability and productivity to the public sector? Does he recall his visit to Walkerburn in my constituency, where that example could be replicated through a small-department relocation?

**Mr McCabe:** I certainly recall the visit that the member mentions, which I found extremely informative. I concur that the relocation of the Scottish Public Pensions Agency has been a success; it has given a tremendous boost to the area. We have set specific criteria for measuring our efficient government targets and have made the criteria clear in the documentation that we have produced.

## Education And Young People, Tourism, Culture And Sport

### Curriculum (History)

#### 1. Jim Mather (Highlands and Islands) (SNP):

To ask the Scottish Executive what plans it has to continue to teach history in secondary 1 and secondary 2 as a distinct subject, in the light of recent announcements and public concern. (S2O-8238)

**The Minister for Education and Young People (Peter Peacock):** As I have consistently made clear, history will always be taught in both primary and secondary schools. A clear part of becoming a responsible citizen is to have an understanding of the world and the events that have shaped it. Parliament can have absolute confidence that history in Scottish schools is safe in my hands.

**Jim Mather:** I thank the minister for his answer, but it did not address the specific point that I raised, nor will it dispel the concern and disbelief that are felt about the removal of history as a distinct subject in S1 and S2.

We have had word from home from Professor Tom Devine, who has called the proposal the thin end of the wedge. Here in the Parliament, Duncan Rice spoke eloquently last week at the Sabhal Mòr lecture in favour of history being a key component of the curriculum. Will the minister ensure that the current curriculum review addresses the teaching of history and other subjects in both a Scottish and world context such that pupils are made aware of the massive contribution made by Scots people in previous generations who played major roles in all spheres of academic endeavour, such as James Clerk Maxwell, John Napier and Alexander Fleming, and that that perspective becomes a defining attribute of the Scottish curriculum?

**Peter Peacock:** It is a pity that Mr Mather did not attend this morning's debate; if he had done so, he would recognise that what he suggests this afternoon perpetuates a myth. It would be right for people to exhibit an air of disbelief in relation to the suggestion that we would discontinue history in S1 and S2, because there is no proposal to discontinue history in S1 and S2 and there never has been.

In this morning's debate, the real threat to history in Scotland came from the SNP's clear perspective of a centrally driven view of history. The SNP would narrow down history to purely Scottish events—and only those events of which the SNP approves—and there would be a sort of nationalist indoctrination through our schools system. Pupils would not be allowed to study the second world war, what happened in European history or the impact of the Balkans on European history.

I am passionate about history in Scottish schools. I want history to be taught in Scottish schools, partly so that future generations can understand why, in this early part of the 21<sup>st</sup> century, nationalism went into decline and decay and why the SNP lost its way and fused its future with the Greens and the Trots. I want children to understand why the Greens—whose members have departed the chamber—relegated their environmental concerns and made them secondary to the constitution of this country. I want them to understand why it was important that nationalism declined. That is only one of the reasons why I support history in our schools.

### Safe Play

**2. Karen Whitefield (Airdrie and Shotts) (Lab):** To ask the Scottish Executive what steps it is taking to promote safe play for children in communities. (S2O-8321)

**The Deputy Minister for Education and Young People (Robert Brown):** The Executive supports safe play for children in communities in a variety of ways, including the provision of child care strategy funding to local authorities.

**Karen Whitefield:** I draw members' attention to my declaration in the register of members' interests as a non-remunerated director of the Petersburn Development Trust.

Does the minister agree that high-quality play facilities can ensure that young people engage in positive social and recreational activities, which can benefit the wider community? Will the minister join me in congratulating the Petersburn Development Trust on securing a highly commended award from the Scottish Urban Regeneration Forum for the development of a play area for teenagers in Petersburn?

**Robert Brown:** As well as having clear health benefits, play is crucial to children's social, emotional and physical development, and I am delighted to join Karen Whitefield in congratulating the Petersburn Development Trust. There must be something about that local area, because awards have also been made to parents action for safe play Kirkshaws, which my colleague Patricia Ferguson attended recently to make other awards.

Play is central to the matters that I have mentioned and is an important component of bringing up children.

### Class Sizes

**3. Mrs Mary Mulligan (Linlithgow) (Lab):** To ask the Scottish Executive what progress it is making in reducing class sizes. (S2O-8316)

**The Minister for Education and Young People (Peter Peacock):** Very good progress is being made in training the teachers who are required to meet our 2007 class size commitments by then.

**Mrs Mulligan:** I welcome the progress that the minister has outlined, but I am sure that he is aware that there are particular challenges for local authorities—such as West Lothian, which covers my constituency—in which school rolls are increasing and additional classes may be needed. What additional finance, over and above school fund moneys, has been provided for authorities that have increasing rolls? Will the minister confirm that sufficient resources have been provided for each such local authority to achieve class size reductions in good time?

**Peter Peacock:** We are in the process of concluding the discussions that we have been having with the Convention of Scottish Local Authorities. In fact, Tom McCabe referred to those discussions last week in his statement to the Parliament on the local government settlement. Part of the thinking behind that is to ensure that we have clear ideas about how many extra teachers each local authority needs to employ. We are working hard on a distribution mechanism that will support that and additional cash is sitting in my budget waiting to go out to local authorities to employ those teachers.

Mary Mulligan referred to a particular problem, which is the fact that, in areas of increasing population, it can take a couple of years before the grant-aided expenditure allocations catch up with the population growth. That remains a feature of the way in which resources are distributed, but we are examining ways in which we can ensure that all our class size commitments can be fulfilled throughout Scotland.

**Dennis Canavan (Falkirk West) (Ind):** How can the minister possibly claim that the Executive is making good progress towards hitting its targets of reducing S1 and S2 class sizes in maths and English by 2007 when the truth is that it does not even know the up-to-date number of classes that are above or below the target? Will the minister contact all local education authorities to ask for up-to-date figures? The last figures that the Executive published were for 2003.

**Peter Peacock:** An annual census of teacher numbers is taken, which reveals to us a lot of the detail to which Mr Canavan refers. The reason that I can claim that we are making progress is that we are making progress. There was a 45 per cent increase in the number of primary teachers coming into our schools in August 2005 from those who started training in 2004. There has been an 85 per cent increase in teaching graduates in maths and a 52 per cent increase in English in 2005. There has also been an increase of more

than 200 per cent in the number of chemistry teachers who have been recruited into our schools.

Beyond what we are doing to train our own teachers in universities, we are recruiting teachers from outside Scotland. That is why there has been a huge increase in the number of registered teachers coming to Scotland and registering here. Such registrations are up by more than 100 per cent in maths and, in English, they are up by more than 118 per cent.

That is real progress and we will hit our targets.

**Lord James Douglas-Hamilton (Lothians) (Con):** Does the minister agree that expanding the number of available teacher training places is not enough on its own to secure our next generation of teachers? Does he agree that there must be an adequate supply of high-quality school placements and mentors for trainee teachers and that those mentors must be properly supported so that they have enough time to mentor the large number of student teachers who are in their care?

**Peter Peacock:** Lord James makes a good point. One of the pressures that we are putting on the university sector because we are recruiting so many teachers is the difficulty—although the universities have solved the problem—of getting enough student placements. We are mindful of the impact that that has on schools. We have learned a huge amount in the past three years from how new probationer teachers are supported in their schools with proper mentoring and a reduction in class contact time. They get full, proper support to ease their transition into school.

We want to apply those lessons in turn to student teachers when they are training in schools before graduation. Much further thinking is being done on that, and we hope to make progress on it in due course.

**Fiona Hyslop (Lothians) (SNP):** Will the minister confirm that it is not the numbers of teachers in training or on the register that matter, but the numbers of teachers in the classrooms? The minister should bear in mind that head teachers told him that meeting the target of 20 pupils per class in S1 and S2 for English and maths is not achievable. Will the minister admit that that target is no longer a target but an aspiration—a welcome one, but an aspiration nonetheless? The minister cannot realistically hope to meet the target and he knows it.

**Peter Peacock:** No, I do not accept that. We are well on the way to meeting the target. As I have said many times in the chamber, we will provide the resources to local authorities to ensure that the targets can be met.

Equally, we have said to head teachers that we will provide an element of discretion at local level when head teachers judge that they can have class sizes even smaller than 20 if that can be done to the advantage of particular groups of pupils without disadvantage to the remainder. We will provide that flexibility.

Be in no doubt, however: we will put in place the resources to allow the targets that we set to be met—and met in full.

#### **Teachers (Abuse Allegations)**

**4. Kate Maclean (Dundee West) (Lab):** To ask the Scottish Executive whether it has any plans to issue national guidelines for dealing with allegations of abuse against teachers. (S2O-8304)

**The Deputy Minister for Education and Young People (Robert Brown):** “Safe and Well: Good practice in schools and education for keeping children safe and well”, which was issued by the Scottish Executive in August, contains clear guidelines about the processes that schools and authorities should follow in the event of allegations being made against a member of staff. The handbook provides information on how schools can create an environment in which their pupils and staff feel safe.

**Kate Maclean:** Is the minister aware that Dundee City Council has full guidelines in place to deal with complaints and allegations against teachers? The guidelines allow for cases to be dealt with thoroughly and timeously and are similar to guidelines that have been put in place in the rest of the United Kingdom. Will the Scottish Executive consider introducing similar procedures throughout Scotland to protect teachers and pupils?

**Robert Brown:** I am not aware of the arrangements that have been made in Dundee. However, as I indicated, the national handbook, which was issued as recently as August, lays down guidelines about the processes. It is up to local authorities to take on board the spirit and the processes involved. Those processes include, among other things, arrangements for what to do about confidentiality in cases of complaint and about having a communications strategy so that parents and pupils are well informed about the arrangements concerning rumours and gossip and actual events in their community.

**The Presiding Officer:** I call question 6, in the name of Mary Scanlon.

**Phil Gallie (South of Scotland) (Con):** On a point of order, Presiding Officer. I believe that I am next on the list.

**The Presiding Officer:** I am sorry, Mr Gallie. I skipped you in error.

#### **Sex Education (Parental Consultation)**

**5. Phil Gallie (South of Scotland) (Con):** A belated thank you, Presiding Officer.

To ask the Scottish Executive whether the contents of its leaflet for parents and carers describing their rights to be consulted in advance of sex education being delivered to their child meet the criteria that are laid out in circular 2/2001 from the Executive to directors of education. (S2O-8237)

**The Deputy Minister for Education and Young People (Robert Brown):** Yes.

**Phil Gallie:** Is it not the case that circular 2/2001 placed the onus on schools to consult parents? Is it not the case that the leaflet in relation to which the minister just answered, “yes” changes that onus and places it on parents? Why has that change been made? Were the notes of guidance changed?

**Robert Brown:** I am not aware of such a change. I read both the circular and the guidance leaflet before considering my response. It has been the case for a considerable time that the advice that is laid down in the guidance has been the approach that Scottish schools have taken.

I am not sure what point Mr Gallie is getting at in this regard, but I can tell him that there is an obligation on schools to make parents aware of the possibilities under this section and on parents, if they are so minded, to engage with a school about the detail and content of the sex education available in it.

#### **Rural School Closures**

**6. Mary Scanlon (Highlands and Islands) (Con):** To ask the Scottish Executive what criteria are used to determine whether rural primary schools should be closed. (S2O-8255)

**The Minister for Education and Young People (Peter Peacock):** We issued additional guidance to authorities on school estate matters, including school closures, in September 2004. In the guidance, we make clear our expectation that, in consulting and deciding on all school closure proposals, education authorities should take account of educational, financial, community, rural development and all other factors.

**Mary Scanlon:** Given the unanimous agreement by Moray councillors to support the Convention of Scottish Local Authorities and the Scottish Executive regarding the presumption against closure of primary schools, has the minister firmed up the guidance relating to the presumption against closure? If so, when will the new guidance be available? How can local authorities be supported in and advised on conducting consultations, whether formal or

informal, to ensure that they are genuinely open and objective and that they attract the confidence and respect of communities?

**Peter Peacock:** I have made it clear to the Parliament's Education Committee that I am thinking about a range of improvements that we can make to the guidance that we issued a year ago. We have learned some lessons from that and have had time to see it bed down. We are examining the guidance and will issue revisions to it once we have reached a full view on how it can be improved. For example, the current guidance applies to formal consultations, but we will try to catch informal consultations in future guidance. We want to do that partly because of the experience of Moray Council. In the revised guidance, we will stick to the position that each proposed school closure needs to be looked at on its merits and that there should not be a presumption either in favour of or against closing.

The member asked whether further guidance would be issued to local authorities on how to conduct such consultations. COSLA has set up a working group of its members that will consider the issue. We hope to pull together the most effective practice and to share it more widely across the Scottish local government community.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** Will the minister consider offering guidance to Conservative councillors in the Borders on taking decisions on their proposals to close schools across the region? One Tory councillor voted against closing every school, one voted in favour of doing so and all the other Tories voted a different way each time.

**Peter Peacock:** We are all accustomed to a high degree of confusion in the Tory ranks. We see it all the time in the chamber. I cannot comment on the local circumstances, but whenever I have offered guidance to the Conservatives in a constructive spirit of good will, they have not taken it.

### Curriculum (History)

**7. Richard Lochhead (North East Scotland) (SNP):** To ask the Scottish Executive what steps it will take to promote Scottish history in schools. (S2O-8270)

**The Minister for Education and Young People (Peter Peacock):** We want every young person to develop knowledge and understanding of the world and Scotland's place in it, and to have a clear sense of what shaped our present circumstances.

**Richard Lochhead:** When my colleague Jim Mather raised this issue, the minister's response was quite poor. When children in the late 21<sup>st</sup> century read about what happened in the early

21<sup>st</sup> century, they will learn that the electorate chucked out the Labour Government in 2007.

Is the minister embarrassed that, more than six years into devolution, the people of Scotland still have to campaign to get more Scottish history taught in their classrooms? What research has the minister done on comparing the access that children in other European countries have to the history of their nations with the lack of access that our children have in their classrooms to the history of their nation?

**Peter Peacock:** I am pleased that there is a debate about what ought to be contained in our curriculum. Part of the purpose of the curriculum reform document that the Executive published a year ago was to stimulate debate and discussion on what ought to be the content of our curriculum in the future, because it is not exactly as we want it to be. An important part of that discussion concerns history teaching in our schools.

However, it would be wrong to give the impression that there is no teaching of Scottish history in our schools. That is far from being the case. In fact, there is evidence that the teaching of Scottish history has improved over recent years. For example, in our five-to-14 environmental studies guidelines we clearly stress the importance of maintaining a focus on the Scottish context in history. There is an explanation that, both in primary school and during the first two years of secondary school, attention is to be given to events in Scottish history.

Our standard grade, higher and advanced higher history courses all offer options to study different periods in Scottish history. The standard grade course contains a mandatory unit on changing life in Scotland and Britain. There are three options of different periods for study. The higher course contains a mandatory unit on Scottish and British history, with options of different periods for study. The advanced higher course contains an option for study of northern Britain and the Romans to 1000 AD. Other options are "Scottish Independence: 1286 to 1329", "Georgians and Jacobites" and "Britain at War and Peace". In intermediate 1 and 2, there are opportunities to study Wallace; Robert the Bruce; the wars of independence; Mary, Queen of Scots and the reformation; the treaty of union; immigrants and exiles in Scotland from 1830 to 1930; and campaigning for social change in Scotland in the 1900s to 1979. Do not tell me there is nothing about Scottish history in the curriculum.



## Fisheries

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

The next item of business is a debate on motion S2M-3657, in the name of Ross Finnie, on sea fisheries.

14.56

**The Minister for Environment and Rural Development (Ross Finnie):** Before I begin, I apologise for the fact that I am not accompanied by the Deputy Minister for Environment and Rural Development, who unfortunately has had to attend a funeral.

The European Union fisheries council will meet on 20, 21 and 22 December to make its annual decisions on fishing opportunities for the year ahead. As always, it will be an important occasion for the fishing sector in Scotland. Therefore, I welcome the opportunity to set out the prospects for those negotiations and what we wish to achieve.

As many members know, yesterday the European Commission agreed the proposals that it will put forward to the council; in a technical sense, the detailed negotiations have begun. The council negotiations take place against the background of the EU-Norway negotiations, the second round of which started on Monday. I aim for an outcome that promotes sustainable fisheries. Without sustainability, there will be no fish and no fishing. I will also be fighting very hard for a fair deal for Scotland's fishermen and fishing communities.

It is important to see the negotiations in their wider context. Earlier this year, I set out clearly our vision for the future of the industry in "A Sustainable Framework for Scottish Sea Fisheries", which describes how the sector can have a sustainable, profitable and well-managed future. However, the main focus of today's debate is discussion of the negotiations in December, recognising that wider context. I welcome the Scottish Green Party's constructive amendment, which points out that we should not confine ourselves to the December negotiations but should look forward and take the wider picture into account.

As ever, the science is the starting point for the negotiations, which is how it should be. Sound fisheries management must be based on sound science. Through our excellent Fisheries Research Services, we in Scotland are at the forefront of formulating and promulgating such advice. I know that a number of members benefited from an FRS briefing yesterday.

### **Stewart Stevenson (Banff and Buchan)**

**(SNP):** I am sorry to intervene so early, but the minister took me slightly by surprise by referring to the Green party's amendment. Does that mean that he accepts the merit of bycatch quotas to address discards? If so, will he explain how that might work?

**Ross Finnie:** The merit of the Green amendment is that it properly points out that wider issues need to be addressed. However, no proposals on those matters will be discussed at the December council, and I intend to confine my remarks to advising and informing the chamber of where I propose to go with matters that will be discussed.

The science is a little bit of a mixed story. It is disappointing that, despite all that has been done on cod since 2002, there continues to be little firm evidence of recovery. The scientists are even less certain than in previous years about precise numbers. However, they are clear on one thing: the stock remains well below its safe biological limit. If anything, the situation is more precarious on the west coast than in the North sea. That has been the case for a while. The advice is not only that there should be zero catches, but that action should be taken on other fisheries to minimise bycatches.

The haddock stock remains healthy with a much reduced fishing mortality rate and a biomass above safe limits—although there has been a major downward revision of the biomass, which I will come back to. The stock remains dominated by the exceptional 1999 year class and catch opportunities will inevitably decline for the 2005 year class.

There is better news on our other stocks. Television camera surveys have provided clear evidence that the nephrop stock is abundant throughout the North sea and west of Scotland fisheries. Although there are warnings about the need to minimise the impact on cod and to avoid an increase in effort, the conclusion is that the stock could sustain significantly higher total allowable catches. On monkfish, scientific knowledge remains poor, but what we know supports the approach that we have advocated for some time—of a higher TAC and an extended scientific programme, accompanied by measures to ensure that effort will not increase.

The advice on mackerel shows that the prudent, precautionary approach adopted in recent years is bearing fruit. The decline in the biomass has been halted, giving the possibility of modest increases in the TAC.

How the science translates into council decisions depends, crucially, on the part played by the Commission. It is clear that the Commission

intends to continue with the task set by the council of securing, or attempting to secure, a recovery in cod. We will argue strongly that, if the science suggests that more needs to be done, the first priority should be to ensure that all member states implement in full the measures already agreed.

**Mrs Margaret Ewing (Moray) (SNP):** Does that mean that the minister wants equality across the member states? Will there be increased and enhanced policing of every vessel that is registered within the EU?

**Ross Finnie:** The issue is not only about increased policing; it is also about an improvement in the information that flows from member states to the Commission. We have been at great pains to increase the volume and quality of the information that we have supplied; that information has enabled our scientists to conclude that we have met our target of a 65 per cent reduction in effort. If there is a call for further reductions, my challenge to other member states will be to demonstrate that they have met the existing requirements; this country should not aim for further reductions before everyone has done that. We will proceed on that basis before our white-fish fleet is asked to accept any more cuts. As Margaret Ewing will have seen, there is a proposal for a further cut in effort on cod. We will accept the science, but we will not accept that measures should be applied to Scotland unless it can be proved that the measures are being applied equally elsewhere.

This time last year, there was much talk of unjustifiably large closed areas and of punitive restrictions on the transfers of days at sea. Both those proposals would have been damaging to our industry, and I am glad to say that no adequate science has been presented to support them. They do not now feature in this year's proposals.

I would be prepared to contemplate new measures for fleets other than the main white-fish boats. There can be no doubt about the impact of beam trawlers on cod. The impact on the nephrops fishery may have been overstated by some, but it is undoubtedly a factor. Any new measures on nephrops would have to be equitable and proportionate and would need to allow the important prawn fishery to continue to thrive. Perhaps most important, they would have to be accompanied by an increase in the TAC. Members in the chamber will have seen this morning's press release from the Commission. I am delighted that it has proposals for TAC increases of 30 per cent in the North sea and 39 per cent on the west coast. Of course, we will support that, because it was our Executive that pursued the matter with some diligence. The proposed increases are the culmination of some very hard work indeed. I take the opportunity to give particular thanks to those in

FRS who played their full part in that.

There are proposals for a reduction in effort, but we will again be negotiating on that. We believe that management measures could be put in place to offset the need for that reduction.

I am aware of the importance of monkfish to our fishermen, so it is disappointing that we are little further forward on that issue than we were last year. We have played our part, including through an extensive industry-scientist partnership, in improving our knowledge of the stock and we have proposed management measures to prevent an increase in effort. However, the Commission has so far failed to deliver the promised in-year quota increase. The Commission is aware of our disappointment, but it points to the uncertainty of the science. This year, we will press for either an immediate TAC increase or a firmer undertaking that, if the science shows that an increase is justified—as we believe will happen—it will be delivered early in 2006.

The scientific advice on haddock has a sting in the tail. The stock is crucial for our white-fish fleet and is reported to be healthy but, as I said earlier, a major downward revision of the biomass has been made. I cannot and will not accept the 41 per cent cut in the TAC, which stems not so much from a desire for sustainability, but from the rigid application of a pre-ordained management plan and a desire to make in one year all the adjustments that are required to respond to that substantial reassessment of the 1999 year class. We are in no doubt that such a cut would cause severe damage with no justification, and the science supports our view on that.

**Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** I am interested in the minister's comments on haddock. I assume that he will stress to the council in December the fact that, despite the reassessment of the 1999 haddock year class, we have encouraging signs that recruitment might be good in 2005.

**Ross Finnie:** We have already made that point. We will not necessarily have to make it at the council in December, because, as the member is aware, we manage the haddock stock jointly with Norway. Therefore, much of the determination of the recommendation will emerge from the talks between the EU and Norway to which I referred earlier. On the haddock class of 2005, the scientists and everyone else agree that the emerging class is encouraging, although that has not yet been confirmed. We expect it to be confirmed, but we should remember that the class will not become fishable for another two or three years. However, that will be important and will signify that the work that we have done to reduce effort has been effective.

The range of issues at the council will be as wide as ever and, as always, the result of the negotiations is to some extent uncertain. However, I am reassured by the fact that we have had early consultation with a wide sector of the Scottish industry. We have been fully involved with the scientists and with the regional advisory councils, which continue to play an improved and important role. We have carried out consultation with the industry and have driven forward the science. My team and I have led the discussions and negotiations on our priorities. I give members an absolute undertaking that we will do what the motion sets out: we will pursue the objective of sustainable fisheries, but try to ensure that we achieve a fair deal for our fishermen and fishing communities. I ask members to support the motion.

I move,

That the Parliament supports the Scottish Executive in its efforts to negotiate the best possible outcome from the EU Fisheries Council in December 2005, an outcome that delivers sustainable fisheries and a fair deal for Scotland's fishermen and fishing communities.

15:08

**Richard Lochhead (North East Scotland) (SNP):** The Scottish National Party welcomes the debate, which is on one of Scotland's proudest and most important industries. We are indebted to Scotland's fishermen for bringing food to our plates; in doing so, many of them have made the ultimate sacrifice. Despite some of the doom-and-gloom headlines in recent years, the industry remains vital to Scotland. We have fishermen who lead their fields internationally and world-class seafood companies. Many of our coastal and island communities remain fisheries dependent.

Every year since devolution, we have had the same debate in the run-up to the festive period. When most people in Scotland are looking forward to Christmas, our fishing communities face a period of uncertainty and anxiety. Many people and families throughout Scotland are wondering what next year holds for them, whether they will be able to pay their mortgages or go on holiday or whether they will have a job in the fishing industry. That includes deck-hands, people who work in fish-processing companies and in the harbour businesses that congregate around our ports and everyone else who is involved in the industry.

The Government keeps telling us that that is no way to run an industry and that we should achieve a sustainable fisheries management regime, yet here we are again, with the minister about to go off to Brussels, without much of a voice, facing a situation in which Scottish livelihoods will be traded among the 25 member states that are sitting around the table. The Government does not

care enough to change the way in which things are done, and Scotland has paid a heavy price for fisheries mismanagement down the decades. Fisheries-related employment in Scotland is down, many of our ports have become marinas, many vessels have been scrapped and we are dealing with a part-time fishery in the North sea and on the west coast of Scotland.

One skipper sent me a long, moving note for today's debate, in which he says:

"During the first week in October one of our fishing boats sailed from Kinlochbervie to fishing grounds fifty miles west of the Butt of Lewis where he saw one 50 metre French trawler. The Scottish trawler started fishing in that area and towed on a north east direction. The trawler towed approximately north easterly for 220 miles to a position 100 miles north of Shetland and during all those miles of fishing the skipper never saw another fishing boat."

Over recent decades, we have reached a position in which few boats are left fishing Scotland's waters. Nevertheless, we should bear it in mind that Scotland accounts for one quarter—127,000 square miles—of Europe's seas. This is a maritime nation.

**Ross Finnie:** Is the member seriously suggesting that the amount of sea coverage is the real factor? Scottish scientists have made it clear that the reason why we have difficulties in our fisheries is the state of the stocks.

**Richard Lochhead:** What I am pointing out to the minister is how ludicrous it is that a fishing nation should reach a position in which, despite massive seas and rich fishing stocks, few vessels are left. That is due to mismanagement of Scotland's fishing communities down the years by the union, the United Kingdom Government and this Government. Indeed, Scotland is responsible for two thirds of UK fish landings, and fishing is 20 times more important to this country than it is to the rest of the UK. The industry should be booming, not contracting.

**Phil Gallie (South of Scotland) (Con):** A few minutes ago, Mr Lochhead referred to the union. Will he clarify whether he meant the United Kingdom, or the European Union, which has done so much damage?

**Richard Lochhead:** Scotland's ills are due to the union with the Westminster Government, which has mismanaged Scotland's fishing communities, and to the fact that the Westminster Government has handed so many fishing powers to the common fisheries policy. We have the biggest marine resource in Europe and the biggest share of Europe's waters, yet we will have the least political power of any nation around the table later this month in Brussels. We have the biggest stake in this month's talks, but the least political influence.

Scotland's white-fish fleet has achieved its effort reduction targets. We have been told time and again that there is no gain without pain. Well, Scotland's fishing communities have suffered plenty of pain in recent years, and now—this month—it is time to get some of the gains. We must find out what the other states that fish the same waters as Scotland's fleets have achieved on effort reduction. I wrote to the European commissioner for fisheries, who was unable to tell me what the other states have achieved. We know that our fleet has bent over backwards, and we will hear in Brussels this month that the fleet faces even more cuts. We welcome the minister's assurance that he will stand up to those cuts, but he needs the power to achieve that, and we wish him well in persuading the UK Government to get on board.

Our fleet requires a reward for its sacrifices down the years. It needs access to healthy stocks, the time and space at sea to catch them and workable regulations, which do not tie the fleet up in knots. The fleets, the fishing communities and the onshore sector right around Scotland's coast need stability and the ability to plan ahead.

We have healthy stocks: scientists describe the haddock stocks as robust and healthy, yet we hear of 40 per cent cuts. Again, we welcome the minister's determination to stand up to that. We must remember how important haddock is to Scotland; we get 77 per cent of the EU's haddock quota. It was a great pity that Lib Dem MPs at Westminster recommended that sales outlets the length and breadth of the UK take haddock off their shelves. We must maintain consumer confidence and remind Scotland that those stocks are healthy. It is not the case that all stocks in the North sea are unhealthy.

The prawn stocks are also in a healthy state, and we must ensure that we secure a substantial increase in prawn quotas, particularly for west coast communities, which have been hit hard in recent years. We must ensure that there is no small print that will tie the fleet up in knots so that it cannot access the increased quota.

Likewise, monkfish is a valuable stock for which we must secure an increased quota, so we welcome the commitment that the minister has given. We need to ensure that we maintain Scotland's share of the pelagic stocks without getting bogged down with swaps that may do Scotland down or play off different Scottish sectors against each other.

To ensure that we do not crucify all our fishing communities on the back of cod, we need to separate the management of cod stocks from that of healthy stocks. We need to benefit from increased access to the healthier stocks in the North sea and west-coast waters. We must avoid

blanket measures, which are just a recipe for disaster, as the experience of previous years has shown. We should look to smart management such as seasonal closures and real-time closures.

If we are not to be ambushed at the December talks, we need to ensure that the negotiating team has an industry representative who can give advice to the minister. The fleet's requirement for profitability also means that we need help not only with meeting fuel costs but with accessing quota. The talks must address the slipper skipper situation, whereby people from the comfort of their living room lease out quota to active fishermen. Only active fishermen at sea should be given quota.

In conclusion, we wish the minister all the best in the December talks. We wish that he had the powers to negotiate on Scotland's behalf. It is preposterous that he will not lead the UK delegation at the talks, given Scotland's disproportionate reliance on fishing compared with that of the rest of the UK. Only an independent Scotland, negotiating with the full weight and authority of a member state, can deliver the best outcome for Scotland, by returning control of Scottish waters and the livelihoods of our fishing communities to Scotland, where such control belongs.

I move amendment S2M-3657.2, to insert at end:

"notes that Scotland has achieved its effort reduction target for cod mortality in the North Sea; believes that Scotland must now be rewarded for this disproportionate sacrifice and that any further cuts in key stocks must be resisted; calls for the level of effort reduction achieved by other national fleets that fish Scottish waters to be made available; urges the Scottish Executive to help our fishing communities cope with rising costs such as for fuel and leasing quota; urges the Minister to include representatives from the fishing industry in his negotiating team to provide advice, and calls for Scotland to lead the UK negotiating team in Europe later this month and beyond, until control over our fishing grounds is returned to the Scottish Parliament."

15:16

**Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** It gives me no particular pleasure to remind members that the Scottish white-fish fleet has been reduced by nearly 70 per cent over the past five years. In 2000, nearly 400 boats pursued the shoals of cod and haddock around Scotland's continental shelf. Today, that number is reduced to just over 100. Whereas once Scottish fishermen could decide where and when to fish and for what species, they are today limited to a tight number of days each month. It is little wonder that our remaining skippers too often find themselves in places where they should not be at the wrong time of the year and thereby put themselves and crew

members in dire peril.

**Ross Finnie:** I am disappointed that the member moved off the statistics. He omitted to mention the fact that the cod stock in the North sea is now below its safe biological limit. I would have thought that that might have been rather pertinent to the opening catalogue of issues that he read out.

**Mr Brocklebank:** As the minister is aware, the decline in cod stocks is in no way responsible for the demise of two thirds of our white-fish fleet. I will come on to that issue.

Fishermen are sensible and fair-minded people. No one understands better than they do that fisheries need to be sustainable. Equally, they believe that if they must undergo pain in suffering a reduction in catching power, such pain should be shared. Can the minister identify any other EU country that has undergone the massive downsizing that the Scottish demersal fleet has suffered in recent years?

As we know, sound Scottish vessels have been towed away to the breaker's yard while European funds were building up the fleets of the Spanish and the Irish. New-build funding was due to disappear at the end of this year, but it comes as no surprise to those of us who have observed the CFP's workings over the years that, now that the crunch has come, our fisheries partners do not want to give up their new-build moneys.

Limited days at sea have meant sharply diminished catches. The port of Peterhead, which was designed as the largest white-fish landing port in Europe, saw a day—3 March 2004—when not a single box of fish was landed. At the new fish market at Pittenweem, in my native north-east Fife, white fish have not been seen for years. Inevitably, as the economic fabric of our coastal communities has unravelled, so has their social fabric.

What is to be done? Like the music critic Jon Landau, who said

"I saw rock'n'roll's future and its name is Bruce Springsteen",

I have seen the future of the fishing industry and its name is the Faroe Islands or Iceland or Norway. All those states have had the good sense to retain national and local control of their successful fisheries. However, I concede that that argument must stay on hold until we have a UK Government that is prepared to negotiate our withdrawal from the CFP.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Will the member confirm what the position is of his future leader? As I understand it, David Cameron does not take the position that Ted Brocklebank has just outlined.

**Mr Brocklebank:** Mike Rumbles has the advantage over me if he knows who is to be our future leader. However, my understanding is that Mr Cameron has said that, as far as he is concerned, the CFP has not worked. We look forward to continuing to explain to him how we will get out of the CFP.

Realistically, we must wish Ross Finnie determination, stamina and good luck in his role as the back-up man to the UK fisheries minister in the brinksmanship that will take place towards the end of this month. The minister knows better than most the tightrope that he must walk between making concessions to our partners and ensuring a livelihood for what is left of the Scottish fleet. As he is well aware, fishery science is far from accurate. The International Council for the Exploration of the Sea claims that the cod recovery plan, to which the minister referred, is not working. It wants a total catching ban. That is simply not going to happen, and nor should it.

Cod is important, but we must stop treating it as an iconic species. Cod disappeared off the Canadian Grand banks more than a decade ago, and there has been absolutely no recovery. Instead, there is now a far more valuable shellfish industry, and the shellfish are no longer being predated by the cod.

Among all the gloomy news from the scientists, the one piece of good news is that nephrops stocks are in rude health off both the east and west coasts. That is perhaps because of the absence of cod. The minister's announcement on the nephrops quota proposals are very much to be welcomed. In the Forth, stocks of nephrops are at a 30-year high, and local boats take virtually no white-fish bycatch. Many other parts of Scotland are similarly placed. Nephrops are now a more valuable fishery than cod and haddock combined. Unless the proposed new quotas are to be accompanied by further catching restrictions, we warmly welcome them.

Also in prospect is a good year class of young haddock in 2005, which will hopefully top the record-breaking 1999 year class. We must resist at all cost the softening-up process that has been going on, according to which we should accept major cuts in the haddock quota.

Despite the quota changes last year, there is evidence that monkfish stocks are relatively healthy. I hear what the minister says, but the French still have a larger quota in west-coast waters than the Scottish fleet does. The minister really must address that anomaly. I hope that he will achieve similar quota increases for monkfish to those of last year. We must build on and encourage the success of our pelagic industry. By and large, herring and mackerel stocks are in excellent shape.

I will say a few words about the regional advisory councils. Some of us had limited expectations of those advisory bodies. Anecdotal evidence from both the demersal and pelagic sectors suggests that our worst fears are being realised. To have talking shops with no real powers discussing pelagic fisheries in the Bay of Biscay in the same breath as discussing west of Shetland pelagic fisheries was always going to be a recipe for bureaucratic buck passing. That appears to be how they are turning out.

That brings me back to the final part of the amendment in my name. The Conservatives on this side of the chamber have seen the future of the UK fishing industry, and it is certainly not within the CFP.

I move amendment S2M-3657.1, to leave out from "an outcome" to end and insert:

"urges the Minister for Environment and Rural Development to press for significantly increased quotas for nephrops and monkfish, coupled with no reduction in haddock total allowable catch and the confirmation of the proposed pelagic quotas to secure a sustainable future for our remaining fishermen and processors, as well as for our beleaguered coastal communities, but ultimately believes that the only solution for the Scottish fishing industry is to leave the discredited Common Fisheries Policy and to regain national and local control of UK waters."

15:22

**Eleanor Scott (Highlands and Islands) (Green):** I support the Executive motion because I, too, want sustainable fisheries and a fair deal for our fishermen. My amendment seeks to develop that theme and to explore ways in which we can secure a sustainable future for our seas and for our fishing communities.

I understand the sentiments behind the two other amendments that have been lodged, and I will comment on them briefly before speaking to my own amendment. Although I appreciate the desire to announce increased total allowable catches, I say to Ted Brocklebank that what we need is a sustainable future, rather than a breathing space for one year. I say to Richard Lochhead that fishermen's reports are part and parcel of scientific advice. The Scottish Fishermen's Federation has stated that it is

"formally committed to ever closer co-operation with the scientific community in sharing experience and knowledge".

I also say to Richard Lochhead that cod stocks are still in a dangerous state. While the suffering and efforts of the industry deserve acknowledgement, we still need—sadly—to be thinking about support rather than rewards.

To both Ted Brocklebank and Richard Lochhead, I say that we need to play an active part in the common fisheries policy. We cannot get away from the need to manage the seas on a

multinational basis.

**Richard Lochhead:** How has Norway's fishing industry managed to thrive despite the fact that, when Norway takes part in international agreements, it is not part of the common fisheries policy?

**Eleanor Scott:** In many ways, Norway is almost part of the CFP in all but name, as it is so heavily involved in negotiations with the European Union fisheries.

**Richard Lochhead:** On an equal footing?

**Eleanor Scott:** I need to move on.

To Ted Brocklebank and Richard Lochhead, I say that we need to play a part in the common fisheries policy—I maintain that we cannot get away from that. If we believed that pulling out of the CFP was possible, desirable or viable, we would advocate doing so because we believe in more regional management. The simple fact remains, however, that we cannot pull out of the CFP. We need to improve the CFP, not abandon it, and I would like Scotland to play a leading role in doing just that.

We know the process by which EU fisheries decisions are made. Research and assessment of stocks take place throughout the year, but we continue to end up with ministers arguing far into the night and with results that seem to be as much a reflection of ministers' stamina as of the application of sound science. Despite near-universal recognition of the need for a long-term approach to sea fisheries, and despite much hard work throughout the year by all interested parties, the future of fish stocks and of fishermen's livelihoods still hangs on the outcome of the December talks. There must be a better way.

We are still not managing fish stocks sustainably. The fishing industry has suffered much in recent years and if we seize too much on faint signs of recovery of key stocks, we could still push them over the edge. If we do that, the sacrifices that fishermen have made in recent years will all have been for nothing. The International Council for the Exploration of the Sea has consistently recommended a TAC of zero for cod. Its advice for this year is that a zero catch in all fisheries might just result in stocks recovering to the lower limit for future exploitation by 2007. That is a sign of recovery, but it still signals a stock that is in a dangerously weak condition rather than one that is ripe for harvesting.

**Mr Brocklebank:** Does the member accept that although ICES has given similar advice on cod stocks to places such as the Faroes and Iceland for the past decade, the highest biomass of cod anywhere in North sea waters is around the Faroes, which have studiously ignored the advice

of ICES for 10 years?

**Eleanor Scott:** We can learn lots from how Iceland and the Faroes have managed stocks. I will deal with that in discussing other measures that we can take.

A good year class in haddock in 1999 has been a lifeline, but it was due more to luck than to good management. Subsequent year classes have been nowhere near as good. There are signs that this year's class may be an improvement on that of the intervening years; perhaps that means that some of the decommissioning and slashed quotas and days at sea have served a purpose.

One element of the CFP that we particularly dislike is the phenomenon of discards—there is no good reason why we should throw perfectly good caught fish overboard. One aspect of an improved CFP that bears consideration is the development of bycatch quotas, to which my amendment refers.

I note that neither the minister nor the North sea regional advisory council objects in principle to closed areas, which have been proven tools for regeneration in Iceland's fisheries and others throughout the world. I acknowledge that they are not without difficulties, but I urge the minister to impress on the Commission the need for more progress on that.

I welcome the advice to maintain the North sea sand eel closure. We need to exercise the utmost caution with industrial fisheries and with deep water fisheries, which I do not have time to go into, unfortunately.

The scientific advice can be hard to take, but at least we have some good news along with the bad this year. We should not question the validity of the science, although we should accept that some of it involves uncertainty. I repeat the call that I and my colleagues have made in Parliament for a greater role for on-board observers—throughout the EU fleet, not just on Scottish boats—to monitor catching and to gather information.

Draconian cuts in TACs are never welcome and members will be tired of hearing Greens citing the collapse of the Grand banks cod fishery, so I have another example—the anchovy fishery in the Bay of Biscay, which has now collapsed. National interests prevailed over last year's advice to cut what was a 38,000-tonne TAC to 500 tonnes. A 30,000-tonne TAC was granted. This year, the fleet's best efforts managed to land no more than 200 tonnes of anchovy. If we get it wrong, nature will just cut the quota anyway, perhaps for ever. We must ensure the future of our fishing industry not for one year, but in perpetuity.

I move amendment S2M-3657.3, to insert at end:

“and calls on the Scottish Executive, beyond the

December Council, to press for changes to the operation of the Common Fisheries Policy to support healthier and more sustainable seas through a broad range of measures complementary or alternative to total allowable catches, including marine protected areas, regeneration zones and on-board observers, and to consider bycatch quotas to address discards and the innovative use of European fisheries funds to support profitability and sustainability.”

15:28

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

The key to recovery in our fishing industry that will allow it to have a sustainable and successful future will be a strategy that manages our fisheries effectively by protecting stocks while securing for the industry a more profitable future. Those goals must inform the quotas that are agreed under the CFP for the coming year.

Each year we wish the minister well in his negotiations in Brussels, and each year it is clear that the negotiations will be challenging. Despite that, the minister has had substantial success in advancing the case for the Scottish industry and in securing important agreements for Scottish fishermen's benefit, such as last year's increase in the haddock quota. There is no doubt that this year's negotiations will take place against the backdrop of difficult scientific advice, but I am confident that the minister will secure the best possible outcome.

That is, of course, vital for the north-east of Scotland not just from the point of view of the economic viability of the industry but because of its social impact. Nine of the 10 most deprived areas in Aberdeenshire are dependent on fisheries. Fish processors in the region and in Aberdeen city, which still face challenging market conditions, will also be looking keenly for ministers to achieve the right outcomes from the negotiations.

The minister was right to highlight that the Executive will not put viability of stocks at risk or support reductions on healthy stocks that would threaten the industry's viability. It is important that we heed the scientific advice, but I am pleased that the minister has made it clear that any major reduction in the haddock quota as a result of the reassessment of the 1999 year class will be resisted, because that would not be justifiable in sustaining the industry.

The SFF points out that five of the seven stocks that are central to the industry are currently assessed as being safe or healthy. We all want to see improvements in that, but quotas should reflect the condition of the stocks. It is also important to ensure that an adequate number of days at sea are allocated to fish quotas. It should be acknowledged in this year's negotiations that the Scottish fleet has already had to undergo substantial restriction of effort in the reduction of

days at sea.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** Does Richard Baker therefore agree that in order to ensure that any restrictions and conditions concerning days at sea are not unworkable, the fishing representatives from the SFF and other organisations should, in effect, be part of the negotiating team, so that no deal is ever agreed without their having been consulted fully about the small print?

**Richard Baker:** Ross Finnie's experience in leading for us in the negotiations is substantial and his track record is successful. I also know that the minister is in constant negotiation with organisations such as the Scottish Fishermen's Federation. I am sure that their points of view and opinions will be well represented by Mr Finnie in the negotiations and that they will be in close contact with Mr Finnie about the negotiations, which is right and welcome.

In general, whatever the final agreement for next year's quotas, it must be acknowledged that Scotland has already made a huge contribution in reduction of effort with regard to vital stocks such as cod. Priority should be given to ensuring that other member states are contributing at the same level. I very much welcome the minister's strong words on that issue.

As the Scottish Fishermen's Federation said in its briefing paper, after five difficult years, in recent months we have seen a degree of stability and cautious optimism in the industry. I hope that the minister is able to come back with agreements on quotas that will sustain that progress.

It is also important to plan for the longer term, in which the Executive is leading the way. The sustainable framework for Scottish sea fisheries is being implemented in collaboration with the industry and maps out a successful and sustainable future for it. The Executive is continuing to press for reform of the CFP, which I believe is the right strategy.

We have heard again calls for Scotland to pull out of the CFP, as if that were a panacea for the difficulties of the industry. Such calls are simply political opportunism; I do not feel that it serves the debate to return endlessly to such arguments. Of course we need reform of the CFP—the establishment of the regional advisory councils is a welcome development in creating the kind of localised management that we want. Given that they are just starting up, it is pre-emptive to be cynical about their progress.

**Mr Brocklebank:** Will Mr Baker be kind enough to discuss with his colleagues in Aberdeen and the north-east what they think of the meetings that have taken place with the regional advisory council? That is not my suggestion—it is from the

white-fish and pelagic fishermen.

**Richard Baker:** I am happy to speak to those people about that. With the establishment of the regional advisory councils we see the beginning of the progress that we want. They have only had their first meetings. Mr Brocklebank wants them to fail, which is why he makes those points.

It is ridiculous to pretend that we can rip up the CFP and renegotiate agreements and that, as a result, there will suddenly be more fish in the sea, so we will be able to completely ignore scientific advice. That is a recipe for destruction of the industry, not for its successful future. It is not simply that pulling out of the CFP is impossible without pulling out of the European Union; it would not benefit the industry to do so.

Reform of the CFP is the only way forward and the Executive is leading the way on that. In the short term, we need a good deal for the industry in this year's negotiations. The minister has delivered that before and I know that he will do all that he can to deliver it again. I hope that his efforts are successful and that we can look forward to a profitable and sustainable future for our fishing industry.

15:35

**Mr Jim Wallace (Orkney) (LD):** One of the pleasures of speaking from the back benches is the ability to take part in fisheries debates, which I did regularly in the House of Commons between 1983 and 1999. Trawling through the old debates, I discovered that, 17 years ago today—Thursday 1 December 1988—I opened my speech in a fisheries debate by saying:

"I welcome the opportunity of this debate in advance of the meeting of the Council of Ministers ... It will help the Minister to understand how anxious hon. Members on both sides of the House are about the drastic cuts in the total allowable catch, particularly those for cod and haddock."—*[Official Report, House of Commons, 1 December 1988; Vol 142, c 912.]*

Some things do not change, such as the Tories' and the SNP's idea that we need not bother about the science because we need only make some changes to the constitutional arrangements for the seas to be teeming with fish, all of which will have been educated as to where national boundaries lie.

The minister referred to the negotiations between the European Union and Norway, which will be fundamentally important, not least in terms of haddock stocks. Over many years, I have been concerned that those negotiations are carried out between officials and are not engaged in by ministers. Given just how fundamental the outcome of those negotiations will almost inevitably be, I wonder whether any effort has



been made to elevate the talks to ministerial level, even if it were the country that holds the presidency that negotiates on behalf of the EU in that circumstance.

I know that some concern has been expressed about the fact that, because the United Kingdom is holding the presidency during the coming negotiation, we will live up to our reputation as being the world's best umpire. It is not always easy for the holder of the presidency to stake out the national interest. However, I have fishermen in my constituency who tell me that when the Dutch held the presidency, they made sure that they got a good deal for their beam trawler fleet. The same has been said about other countries that have held the presidency. I hope that the minister will reassure us that the fact that we are in the chair does not mean that we will be pulling our punches in terms of trying to safeguard the interests of our fishing communities.

Inevitably, much is focused on haddock and the concern that there might be a double-digit percentage cut in the TAC. I have talked to representatives of the industry in my constituency, so I am aware of the view—which is shared by people in Shetland, too—that in spite of what the minister said about the downward revision, we still have relatively healthy stocks of haddock. The exceptional 1999 year class increased the spawning stock biomass and the 2005 spawning was good, as has been mentioned already. Anecdotally, fishermen are reporting that the size of some juvenile haddock indicates that they will be available for catching next year rather than in two or three years. The minister is right to say that he will not accept the proposed level of reduction in the TAC: he will fight that case with the strong support of members on the Liberal Democrat benches.

Among the big changes over the years have been changes in mesh size. How much of that has been reflected in the science? As I understand it, many scientists are still estimating a discard level of about 33 per cent. I agree with the Green party that none of us likes the waste that is implicit in the discard system, but the experience of many fishermen is that the discard level has come down quite significantly. The report on a boat in my constituency that had an analysis done over the course of 17 hauls showed that there was 67 per cent haddock, 2 per cent cod, 30 per cent other species and only 1 per cent discard. I believe that the discard level has come down and that that should be factored into the science.

Back in September, when the fisheries commissioner was visiting Scotland, the minister said:

“Scotland has provided clear, robust data to show that we have already exceeded the target for the main whitefish

fleet and the Commission has accepted this.

We want to see clear evidence that other Member States have made the same effort before the Commission brings forward any further recovery proposals in the run up to December's Fisheries Council.”

We would echo and support the minister's comments. Real efforts have been made and it is important that we have some feedback on what has been done by other countries. We need to know that our fleet will not be expected to take another hit simply because other countries have not lived up to what was expected of them.

The introduction of regional advisory committees is a welcome step on the road to regional management committees. We should not lose sight of the fact that the ultimate goal is committees that manage fisheries in particular regions rather than committees that simply provide advice. Nevertheless, the introduction of advisory committees is a welcome step.

The minister has strong cards when he puts forward the case that he made today. We have exceeded the agreed 65 per cent reduction in fishing for cod, our fleet has been restructured, and we have embraced technical conservation measures. We on the Executive benches are confident that the minister will negotiate to try to secure a deal that is in the best interests of our fishing communities and which recognises the future viability not only of the industry but of fish stocks; putting the viability of the stocks and the viability of the industry hand in hand will stand the minister in good stead as he negotiates for us in Brussels later this month.

15:41

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** Although I cannot claim the political longevity of Jim Wallace, I have endeavoured to speak in every debate on fishing in the past six years and, in doing so, I have always argued the case for the west coast in general and Mallaig in particular.

As Ted Brocklebank pointed out, nephrop is now our most valuable fishery stock and it forms a perhaps disproportionate part of Scotland's valuable export market because it is consumed throughout Europe as a delicacy. For the past six years, I have made pleas, on what I consider to be a valid scientific basis, for an increase in the total allowable catch for nephrops. I was therefore extremely pleased to discover this morning that the European Commission has proposed increases that are based on the scientific evidence, such as it is. It would be churlish of me not to congratulate all those who were involved, including the civil servants at Fisheries Research Services and the fisheries organisations. That includes, not least, John Hermse and John

MacAllister of the Mallaig and North West Fishermen's Association and Robert Stevenson of the West of Scotland Fish Producers Organisation. It is their solid work that brought us to a position at which, at long last, the Commission seems to accept the evidence that has always indicated that nephrops are not under pressure.

However, I say to the minister—I think he is well aware of this—that if there are to be conditions with regard to effort, it is essential that the representatives whom I mentioned be consulted about the impact of those conditions before a decision is made. When I made that point to Richard Baker, he replied fairly that the minister is in constant contact with those people. That is true, but it is not the point. It is not enough for there to be contact: it seems to me that there must also be input from the people who know exactly what the conditions will mean, otherwise we will end up with a nonsensical result such as we have seen recently, whereby effort restrictions in the North sea have meant that vessels did not have time to do any fishing because they used up their days and months simply by sailing to the appropriate fishing grounds.

That is why the SNP argues in its amendment that the fishing representatives should be a part of the team. I am confident, following discussion of the matter at the briefing yesterday, that some progress has been made. Perhaps the minister will say whether the representatives of the Scottish Fishermen's Federation, the Mallaig and North West Fishermen's Association and the Western Isles Fishermen's Association who wish to turn up at Brussels—under their own steam and at their own cost, of course—will be made welcome at Scotland House and kept fully informed by officials. There would be no breach because they would not be in the negotiating room, but they would be able to contribute, in a structured way, to the conclusions. I am fairly confident that that basic point has been accepted. Perhaps my Christmas is about to come early as I give way to the minister.

**Ross Finnie:** I would not necessarily wish to make the whole of the member's Christmas come early—that might disappoint other members of his family. However, I wonder whether the member agrees that what he suggests is, in fact, the proposal that I put to the fisherman. Facilities will be made available at Scotland House to enable them to engage in the negotiations. The member first heard of that offer from the fishermen themselves.

**Fergus Ewing:** This seems to be an extremely festive exchange. I am pleased that that is the case. The issue is difficult—it would be foolish of me to suggest that it is easy, particularly in the light of the bizarre negotiations that are

undertaken in the early hours of the morning. Nonetheless, no matter how difficult things are and how tense things may be, the voice of the fishermen must be heard and taken into account before any deal is struck. I am delighted to hear that progress seems to be being made towards that end.

The Green amendment mentions an apparent alternative, which has not been clearly canvassed. The Greens do not say whether they want TACs. They want on-board observers—I presume that every boat would have an observer—but goodness knows how much that would cost. They also want marine protected areas.

Two proposals have been made that I want to deal with briefly, one of which is the proposal for a marine national park for the west coast. That proposal—or half-baked idea—is opposed by virtually all the fishermen to whom I have spoken. They do not know what the idea means, other than that it will mean more regulation, more costs and more restrictions.

**Eleanor Scott:** Will the member take an intervention?

**Fergus Ewing:** I would take an intervention, but I am in my final minute and so cannot do so. I am sorry.

All but two out of 100 members of the Mallaig and North West Fishermen's Federation objected to and opposed the Highland regulating order that would introduce new levels of bureaucracy to the Highlands. I do not have time to canvass on that matter, but I urge the minister to say whether, when we seem to have received a good response for the west coast from the European Commission, we might start to see a new conservation bureaucracy and new green tape entering into the equation. That would truly be ironic and might have prevented the late Hugh Allen—who did so much to promote the cause of the west coast—from having that wee dram tonight if he were around.

15:47

**Phil Gallie (South of Scotland) (Con):** I have come to the chamber armed with six pages of arguments, which is unusual. I intended to make those arguments, but I realise that the minister has perhaps just outsmarted us a little with his announcement. That aside, I associate myself with the comments that Jim Wallace made. He said that this is December, so this must be another fisheries debate.

I remember wanting to get into the argument at Westminster about Maastricht, but I did not make my maiden speech on that because of the demand to speak. I ended up taking part in the fisheries

debate, in which I took great pride in promoting the views of the Clyde Fishermen's Association and particularly emphasised the prawn fisheries. Needless to say, even then, I also took the opportunity to have a go at Europe and the common fisheries policy.

**Ross Finnie:** Surprise, surprise.

**Phil Gallie:** Some things never change.

The minister talked about sound science. At that time, the Clyde fishermen and the scientists argued constantly about the state of the prawn stocks in the River Clyde and on the west coast in general. The argument continued year by year, in virtually every debate that took place. The Clyde fishermen took their own protective measures—they created a days-at-sea measure of their own and fished only from Monday to Friday. Nowadays, with fishing windows of 31 days, Clyde fishermen still impose that limit on themselves. Perhaps the fishermen were the best judges. They introduced their own preservation measures, which were important for the future of sustainable stocks. They did so not only on the basis of scientific evidence—which went contrary to their own beliefs—but because they wanted a reasonable industry and reasonable lifestyles in the future. They succeeded in that goal.

My objective today would have been to ask the minister to seek at least a 30 per cent increase in prawn quotas for the coming year, but the minister has gone further than that in stating his belief that a 39 per cent increase has been achieved in the TAC on the west coast and a 30 per cent increase has been achieved on the east coast. That is very welcome and it probably reflects the landings of prawns from waters not only around Scotland but in the wider European fishing areas.

I would like to take the unusual step of congratulating the Greens on one aspect—one aspect only—of their amendment. It is worth our while to refer to bycatch and discard. I think that we all want the issue to be addressed and perhaps not enough attention is paid to it. The minister disappointed me slightly in that he failed to respond to a question from Mr Stevenson, who asked for some detail on that issue after the minister had suggested that he would accept the Green amendment. The minister might not have the details today, but he should follow up on the matter and, in the not-too-distant future, reach a conclusion on it that totally stops the current discard practice, albeit that—as Jim Wallace said—the expansion in mesh sizes has perhaps acted as a limiting factor. I advise the minister to listen to what Ted Brocklebank said about the Faroes. The Faroes seem to have attacked and got in control of the discard situation. It would be welcome if we could apply a similar policy here in Scotland and perhaps in the EU overall.

I am extremely concerned about a wider environmental issue. The situation with respect to seabird populations this year is linked to the decline in fish stocks, and I cannot help but relate that to the problems that we have with sand eels and the Hoovering-up exercises in the North sea. I am well aware that in July this year the sand eel Hoovering-up exercises were brought to an end. Perhaps that came too late to address the current situation, but in the on-going discussions the minister could perhaps seek continuation of the moratorium on sand eel fishing.

I wish the minister well in his venture into Europe. I hope that, as other members have suggested, he has fishermen alongside him in his negotiations and I hope that the outcome, which is already successful to some extent, will be a really good one for Scotland in general, white-fish fishermen included.

15:53

**Euan Robson (Roxburgh and Berwickshire) (LD):** I am grateful to the minister for his opening remarks and his generally optimistic outlook on the negotiations ahead. I wish him well, as other members have done, at the fisheries council.

As the minister and Jim Wallace said, it is particularly important that other member states implement effort reduction in the way that has happened in Scotland and also that they abide by and implement regulations. It is a frustration among fishermen that the Scottish fleet always seems to be one that takes the reductions or implements the measures whereas others perhaps do not. His work on that matter would be particularly valuable.

Following his visit to Eyemouth in my constituency, the minister knows that our local fishery depends on haddock and prawns. Our 80 boats rely very much on sustainable stocks. My understanding from Eyemouth and St Abbs is that this year the prawn fishery has done well and that although the haddock fishery has been a little slower than had been hoped, it was still a good fishery. It is therefore very important that the work of the minister and the scientists to demonstrate the difference between the haddock and prawn fisheries and the cod fishery in the southern North sea is maintained. Clearly and obviously, to sustain that position we must continually present information on bycatch. It is very welcome that the TAC for prawns is to rise by 30 per cent in the North sea. However, it is clear that the 41 per cent cut in the haddock TAC is unjustified and well over the top. A quota cut must be justified to the fishing community.

The further difficult issue that needs to be discussed is the problem of the displacement that

will be brought about by an effort limitation and a reduction in TACs. For example, off the Northumberland coast, there is an important prawn fishery for boats from Eyemouth and St Abbs, but Irish quadruple-rigged, 90ft boats are fishing that area. If, as I am told, they are there because their quota has been used up, there ought to be some way of ensuring that that sort of thing does not happen.

I turn briefly in the final few moments available to me to the question of developing markets. A new and exciting idea is to have a live prawn fishery in which prawns and nephrops are caught to be sold alive.

**Richard Lochhead:** Does the member agree that it will not help the market for haddock for Lib Dem MPs to tell people to stop buying it?

**Euan Robson:** One Lib Dem MP may have gone off-message for a short while, but I contrast that with Richard Lochhead, who is off-message the whole time.

Developing new markets is important and I would be grateful if I could discuss with the minister at a later date the possibility of developing the live prawn fishery.

It is acceptable to talk about harbour facilities briefly because that is important in ensuring a sustainable fishery. This is my first chance in Parliament to record my thanks to the minister for his grant to Eyemouth Harbour Trust some months ago, which allowed the trust to pay off a substantial debt and which was much appreciated. However, there are continuing problems: we need help with the fuelling facility and with dredging the inner harbour. I may have lulled the minister into a false sense of security by not mentioning the ice plant recently, but it is still on the agenda, as he will hear in due course.

There are other issues: for example, the seal population in the North sea, particularly along the Berwickshire coastline, is causing difficulties. However, because of the measures that have been taken, the fishery is in a good state in general and it is important to keep it that way. I wish the minister every success in his negotiations and in ensuring the same success that he had last year and a viable and sustainable future for our industry in Berwickshire.

15:58

**Tommy Sheridan (Glasgow) (SSP):** In relation to the knowledge that some urban politicians, particularly those from Glasgow, have of the fishing industry, I am reminded of the story of the wee laddie in the Glasgow school who, when asked to name a fish beginning with "s", replied, "Single." I was very glad therefore to take up the

invitation of the cod crusaders to visit Peterhead and Fraserburgh a year ago and to witness for myself the devastation that those communities have suffered over the past five to 10 years from the decline in the fishing industry. I was also glad to witness the steely determination of those communities to continue with the often very dangerous work of going out to sea to catch the fish and bring it home to the rest of Scotland. The fishermen put their lives in danger and sometimes their families do not know whether their brothers or fathers will return home.

Therefore, I am sure that although those communities have suffered devastation, they will survive—they seem to have a determination to survive. However, they think that their concerns are being ignored, particularly by a European Union that seems to rely much more on scientific data than on the real data of the fishermen themselves. Far too many studies are open to question and are undermined by the reality of fish stocks compared with the predictions of scientists. We have to recognise that defending the ecosystem is a priority, but it is a twin priority along with defending the long-term viable future of the fishing industry for Scotland. If the fishing industry was as important to England as it is to Scotland, the UK ministers who sit at the table discussing the quotas in Europe would be fighting a damn sight harder for better deals for it.

**Robin Harper (Lothians) (Green):** Is the member telling us that we should ignore everything that ICES has said over the past 10 years? Does the member reject what ICES says about all the other stocks in the North sea, which is that they show no signs of recovery, their reproductive capacity is reduced, or their status is unknown? On what basis should we reject the scientific evidence?

**Tommy Sheridan:** Robin Harper will be aware that the latest ICES report gives the starkest warning yet that fishing pressure must be reduced to the lowest levels for many stocks and that the vicious circle of inaccurate fishing data and poor management must be broken.

The argument is twofold. Inaccurate fishing data have been used to fuel the quotas of the past five to 10 years. Unfortunately, it is the fishing communities of Scotland that have suffered the consequences of that inaccurate data. I am not for ignoring scientific advice, but it has to be taken with more balance in future. We have to listen to those who fish the seas and look to them for data about stocks and the sustainability of the industry.

The shadow of the European Union is cast across the whole fishing industry. The Tories say that they would withdraw from the common fisheries policy. The SNP may not want to withdraw from the policy, but it says that it wants

to renegotiate it. The difficulty that we have more and more with the European Union is that it is imposing restrictions on our country's ability to manage our natural resources in a way that we consider democratically fit.

The same applied to the Caledonian MacBrayne debate only a few months ago. We were told who will arrange contracts for ferry and fishing vessels and how those contracts will be arranged. The same applies to the European Union. It is time for the renegotiation of all the so-called agreements, and not just at UK level—I believe, as does Robin Harper, that that should be done by an independent Scotland.

In an independent Scotland I would hope that our arrangement with the European Union would be based not just on reference to the eco-system but on the sustainability of the fishing industry for Scottish communities. The decisions on how many fish can be caught and how many parts of the sea can be fished should be the democratic decisions of elected politicians here in Scotland, not the decisions of unelected bureaucrats in Brussels. The SNP needs seriously to reconsider its strategy for independence. Claiming to be genuinely independent while accepting the dictates of the European Union does not amount to real independence as far as democracy in Scotland is concerned.

I hope that the minister will fight tenaciously to ensure that the UK ministers do not sell Scottish short again.

16:05

**Mr Alasdair Morrison (Western Isles) (Lab):**

As I am sure you will appreciate, Presiding Officer, I am keen to ensure that a west coast perspective—especially a Western Isles perspective—should be a feature of this afternoon's debate. We have already had the Orcadian perspective, ably articulated by my friend Jim Wallace, who, as he reminded us, is a veteran of fishing debates both here and in another place.

Over the years, the Western Isles fishing industry has diversified in relation to the stock and marketing opportunities that are available. Our fleet of some 320 vessels, employing 700 at sea and a further 200 in the processing sector, is keenly awaiting the outcome of the talks that Ross Finnie will attend in Brussels later this month.

Our fishermen and processors welcome the minister's statement regarding quota and his determination to ensure an increase in prawn quota for the west coast. The requested increase is firmly based on sound scientific advice and evidence from new camera technology, not on the inane ravings of the nationalists. The increase requested and outlined by the minister would take

the total allowable catch in the Western Isles to more than 16,000 tonnes, which was the level prior to the reduction that was imposed years ago without any scientific justification. As Ross Finnie knows, the prawn fishery is of fundamental importance to the islands, where the three main processors, the 10 live prawn buyers and nearly 150 boats from Barra to Lewis are dependent on a fishery with first-hand landing values of £5.5 million last year. That is hugely significant. We want an increased quota, but there must be no increase in the effort exploiting it. The industry would welcome a prawn licence regime, if that could be introduced.

I am sure that Ross Finnie will factor into his negotiations the fact that the cod bycatch in the west coast of Scotland prawn fishery is negligible. It should not really feature in the discussion to determine the cod quota.

The minister is aware of the importance to the west coast trawl sector of the highly valued monkfish. I hope that he and his UK counterpart will secure a realistic increase in the TAC for that shared stock.

Many in the Western Isles welcomed the announcement that one of the first two inshore fisheries groups will be constituted there. I do not share Mr Brocklebank's analysis of the groups' effectiveness and of the role that they will play in future debates on our industry. For the first time in the history of the industry in the islands, the Western Isles inshore fisheries group will allow the industry to be at the centre of conservation-led development. I am sure that the group will be the tool for developing underexploited fisheries, such as those for cockles and razor-fish—two species for which there is growing demand across the European Union.

I hope that the group will take further action to protect scallop stocks, by insisting that we again amend the legislation governing inshore fisheries, to change the size of the bar that is used to tow scallop dredges. We are already reaping benefits from the radical change that we made two years ago. That legislative measure helped to protect stocks, jobs at sea and jobs in our factories. However, more is required, so that we will finally put an end to predatory displacement of fishing effort from other parts of Scotland. I sincerely hope that when we come to implement that industry-led amendment, on the advice of the Western Isles inshore fisheries group, the nationalists will support us. We will never forget their betrayal of Western Isles fishermen two years ago, when they opposed industry-led conservation measures because they insisted on taking instruction from London and from Mr Alex Salmond, who was and is interested only in portraying himself as the so-called saviour of the east coast fisheries. I am sure

that the Greens, too, will have repented, that they will have amended the position that they adopted two years ago and that they will support us when we come to implement the change.

We welcome the fact that, from January next year, product testing of scallops will be ended. That will result in no further area closures, which have caused severe disruption to both catching and processing sectors.

I turn to the issue of high fuel costs. There is no doubt that those are having a crippling effect on many in the industry. I ask the minister whether it is possible to secure a level playing field with the vessels of all other member states. Can the subsidy that is apparently being provided by the French Government be applied to UK vessels? I simply do not know the answer to that, but I hope that the minister will respond.

The European fisheries fund, which will replace the current FIG programme, will run from 2007 to 2013. Again, we appreciate that the islands have greatly benefited from the current regime. Stornoway pier and harbour, piers at Gravir, Benbecula, Kallin and Eriskay, the processing sector on Barra, Uist and Lewis and the important aquaculture sector have all benefited from European investment and intervention. We hope that that continues under the European fisheries fund and that we will see progress on infrastructural and port development. Hopefully, the minister and his team will pursue aggressively all those issues. I wish him and the UK team the best when they go to Brussels to raise the flag for those communities.

16:10

**Rob Gibson (Highlands and Islands) (SNP):**

Six years into devolution, where are our fish stocks and what is the future of the fishing communities that depend on their trade? Looking at the outcome of January's fisheries council, could we say that the present negotiation mechanism is the best way to deal with the future of Scotland's fishing industry? Could Scotland's stocks and fishing effort be improved if we were directly represented in Europe? Of course it could. The fisheries council is the minister's focus in this debate, but members have been looking at the fishing industry in general and at what happens between council meetings.

It is important to note that there may have been developments that might aid the fishing industry and the stocks. Beginning with Ted Brocklebank, several members have discussed the regional advisory council system. That is developing too slowly—it is only an advisory body. It is interesting that Alasdair Morrison, who appears to have left, mentioned Scottish inshore fishery advisory

groups, the first two of which will be set up in Berwickshire and the Western Isles in spring next year. We welcome that, and particularly what the minister said about them. He said:

“Local fishermen will now have more power to plan for and react to local circumstances and to develop new planning measures that suit their geographical conditions and the needs of their fisheries.”

If the inshore fisheries group can do that, why can we not have a convention for the future of Scotland's fishing communities? A Scottish fishing council comprising industry representatives could be established to discuss the issues locally and Scotland-wide each year. That SNP proposal would add to the logic of what the minister said about the inshore groups.

Discussion on scallops and several other stocks highlighted the problem with inshore and deeper-sea fishing. There are boats that can fish both. The idea of an overall Scottish policy in a convention for the future of Scotland's fishing communities can bring those two major sectors together. It is important that we make progress on that.

Although the Shetland box is not up for negotiation, it is important for many of us. It may not be the best conservation measure, but scientists are clear that retention is better than abolition. As far as I can see, our ministers will be debating such matters in Europe in the near future and it is important to state that the SNP believes in the retention, not the abolition, of the Shetland box. It is important that the minister gives us his views about that.

My colleague Richard Lochhead talked about the need to have active fishermen and coastal communities with the ability to catch. It cannot be the case that the current form of organisation can continue for much longer; too many people sit with their baffles on deciding what places should get the licences and where fishing should take place. That cannot be a good way of running any industry and I would like to see some progress.

We are glad that there is a degree of stability in haddock stocks and we hope that the minister will maintain our ability to catch haddock. However, there is conflicting advice on climate change. An article in *The Times* today reflects the current debate. Recent information has suggested that cod have been migrating further north because the seas are cooler there. However, future climate change could lead to a far colder area because of the north Atlantic drift and the weakening of the gulf stream. It could be that, in five or 10 years' time, we learn that it is not overfishing but climate change that is playing the major part in the reduction of stocks. Does the minister have any clear idea on the effects of climate change on the present settlements?

In the international agreements, it is interesting to consider one of the deep-sea species that is still in reasonable supply—although that comment is slightly qualified in the ICES report. ICES will advise that the current fishing pressure on blue whiting is too high and has to be reduced in line with the long-term management plan that was agreed for the stock by the EU, the Faroes, Iceland and Norway in 2002. There is no reason why Scotland, as one of the major catching countries, could not be directly involved in those kinds of negotiation. The fact that negotiation can involve several countries that are not in the EU suggests that Scotland should be at the top table.

The SNP raises the issue of the CFP in its amendment to the motion. The amendment

“calls for the level of effort reduction achieved by other national fleets that fish Scottish waters to be made available”.

That is fundamental. The minister goes to talks and we have to hear from him who is robbing Scotland of its fish.

**The Deputy Presiding Officer (Trish Godman):** I remind all members that mobile phones and Blackberries must be switched off. They may not be set to vibrate; they must be off because they are interfering with the sound system.

16:17

**Iain Smith (North East Fife) (LD):** As has been said before, the big wheel is up in Princes Street gardens and the ice rink has been laid down, so it must be time for the fishing debate. Unfortunately, a bit like the big wheel, the debate just keeps going round and round. Richard Lochhead in particular keeps coming up with the same old constitutional arguments and the same lack of understanding of how the EU fisheries council actually works. Year on year, we hear the same thing—that we should go in there on our own, with a separate Scottish minister, and so get a much better deal on fisheries. However, that does not show understanding of how the European Union operates. It is not one member, one vote; the larger countries have more votes and more clout in council meetings than the smaller countries. Scotland would have to persuade England to back its position before it is even at the same place in the negotiations as it is now. At the moment, we go into the negotiations with an agreed UK position that largely reflects what we want here in Scotland. We negotiate from that position of strength in the council.

**Richard Lochhead:** I am looking for an example. Can the member tell the chamber of any independent small country, with independent

member status in the European Union, that fails to protect its national interest?

**Iain Smith:** That is a completely fatuous and pointless comment. We protect our interests in the European Union from our position in the United Kingdom delegation. We do that effectively through our minister Ross Finnie, who participates not only in council meetings but in important bilaterals that take place around council meetings, where many of the decisions are made. That is what we do to try to get the best deal for Scotland.

We have heard a number of valuable contributions to the debate and, for once, I even agree with some of Phil Gallie's points. However, we must get away from the continuous and false debate on the common fisheries policy. Yes, the CFP has failed, and that is why my party has consistently argued for reform and why the Scottish Executive has fought for reform and is achieving it. However, we cannot just walk away from the common fisheries policy. It is not constitutionally possible to do that.

**Mr Brocklebank:** Iain Smith says that it is not constitutionally possible to withdraw from the CFP. Does he agree that the United Kingdom holds sovereignty over UK waters and that we have merely ceded control of fisheries management to the European Union, not given it away?

**Iain Smith:** We have signed the European Union treaty, part of which is that we cannot pick and choose which bits of the European Union we want. We must decide whether we are in the EU or out of it. Anyway, it was Mr Brocklebank's party's Government that signed the relevant treaty.

**Mr Brocklebank:** Jim Callaghan's Government signed away even more.

**Iain Smith:** It was a Conservative Government that signed the most recent treaty on the matter—it signed away any rights that we may have had over fisheries.

Even if we were out of the CFP, we would still have to conduct negotiations with the EU on fisheries, just as Norway has to do. Who is to say that we would get a better deal from being out of the CFP? I think that we get a better deal from being in it.

**Stewart Stevenson:** Norway gets a better deal.

**The Deputy Presiding Officer:** No comments from a sedentary position, please.

**Iain Smith:** In the short time that I have left, I will talk about issues that relate to my community in north-east Fife, where the nephrop fishery is important. I am delighted with the minister's announcement that the European Union proposes a 30 per cent increase in the North sea nephrop TAC. That is important for our communities, as it

will allow a sustainable level of catch for the nephrop fishermen. I hope that the minister will confirm that increase when he comes back from the council and that, if so, he will ensure that a fair allocation of the increased TAC will go to the under-10m sector, which is important for the Pittenweem fishermen. However, we do not want too large an increase in the TAC for nephrops in one year, because we must ensure that the market price is sustained so that our fishermen continue to get a fair return. My colleague Euan Robson made the important point that we must ensure that we do not have displacement from other fisheries. We do not want people to come in and scoop up the extra allowable catch so that it does not benefit the communities that have long been involved in the nephrop fishery.

I have long argued that the sand eel fishery should be closed, as it damages the environment and the important biodiversity of the sea. We must remember that we are not the only beings who eat fish; other animals, including other fish and seals, eat fish stocks, too. Sand eels are an important part of the marine food chain. If the sand eels are all gone, the animals that currently eat them will start eating our prized white-fish stocks, which is why the sand eel fishery must remain closed.

I have raised with the minister on several occasions the possibility of opening the sprat fishery in the Firth of Forth, which would allow fishermen in north-east Fife to diversify. It is important that that be reconsidered. We want decisions that are based on good science, so I have asked the minister to provide me with the scientific basis for FRS's decision that opening the sprat fishery would not be safe because of the potential bycatch of juvenile herring. I await the minister's response on that, but I would be grateful for an assurance that he will keep the matter under review. The ability to diversify into the sprat fishery would aid the long-term sustainability of fishing communities in my constituency.

16:23

**Robin Harper (Lothians) (Green):** The debate has been interesting and there have at least been signs of consensus on some issues. Many references to history have been used to call, understandably, for sympathy for the present fate of our fishermen, given the healthy industry in the past. I will start with an interesting piece of history: in 1700, the Dutch fleet of 300 to 400 boats, which provided employment for 8,000 people and made the Netherlands a rich country, harvested 50,000 tonnes of fish a year, which were marketed throughout Europe. Today, technological advances mean that one trawler that is manned by six people can lift the same tonnage of fish out of the North sea in one year. That is the impact that

our fisheries have, not just here, but worldwide. Surely, in everybody's minds and hearts, there is an increasing realisation that the problem is not just for the North sea, but for the world.

In the North sea, five stocks are healthy or nearly healthy; however, 13 are in a desperate condition, and on five of those ICES has recommended zero catch. In response to Tommy Sheridan's comment that the science is inaccurate, I should point out that ICES said that that was the case only with regard to monkfish; indeed, it recommended a precautionary quota for those stocks. However, on all other stocks, ICES has asserted strongly—and rightly—that the science is as accurate as it can possibly be.

I say to Ted Brocklebank that it is simply ludicrous and diversionary to suggest at any point in this debate that we could pull out of the CFP. That would mean a complete renegotiation of our entry into the EU, which is impossible.

**Mr Brocklebank** *indicated disagreement.*

**Robin Harper:** I see Ted Brocklebank shaking his head at that, but I assure him that what he suggests is not possible.

I agree with Richard Baker that we should press for CFP reform. Indeed, I commend the Executive for taking that very approach. As for RACs, I—and the Green party—agree that it is still early days. When they are working, we can perhaps progress to regional management; however, we must give them a chance to develop.

Jim Wallace referred to the Commission's proposed cuts in 1988. [*Interruption.*]

**The Deputy Presiding Officer:** One moment, Mr Harper. I ask SNP members to stop their conversation.

**Robin Harper:** Thank you, Presiding Officer.

If the cuts that Jim Wallace referred to had been implemented—I know that they were not—I wonder what cod and haddock stocks would be like now. The depredation started that long ago not because of the CFP or the Commission but because the fisheries ministers of European nations—including our own, I think—were not prepared to agree to those cuts.

I believe that Fergus Ewing and I now agree that the whole purpose of marine national parks is to give local people control over a local resource. Such parks have worked extremely well in other parts of the world. It might well be that some parks will decide to establish no-take or closed zones. We thoroughly recommend that, in some circumstances, such zones should be established, but any decision in that respect would be up to the park's management.

**Fergus Ewing:** Will the member give way?



**Robin Harper:** I want to address everyone's remarks. I will come back to the member if I have time.

Phil Gallie, who has left the chamber, pointed out that Clyde fishermen fish only five days a week. That provides a good example of how coming to an agreement can be a very positive step for fishermen.

I believe that Euan Robson agreed that a 41 per cent cut in the haddock TAC could not be justified. However, I hope that when the minister attends the fisheries council he will listen to the arguments for making some cuts if there is any doubt about recovery. After all, it is by no means certain that there has been the same recovery in the 2005 stock that we saw, happily, in the 1999 stock.

During the debate, several members agreed with the science when it allowed increases in quotas and disagreed with it when it did not. We must get away from that kind of approach. For example, Alasdair Morrison, who has also left the chamber, rubbished the science when it said that quotas should be cut, but said it was absolutely wonderful when it allowed a 16,000 tonne take.

I back Rob Gibson's call that we need details of the contribution that other European countries have made. Such information is absolutely essential if we are to be able to judge the validity of the assertions that Scotland has taken more than its fair share.

Iain Smith mentioned sand eels, which are very important indeed. From the evidence that we have received from RSPB Scotland, possibly the worst damage to the ecology of the North sea has been caused by the overfishing of sand eels. Such overfishing affects bird populations, including some populations that exist uniquely around the rim of the North sea.

I welcome the fact that the parliamentary briefing from the Scottish Fishermen's Federation accepts that

"Proper use of this natural resource is a national duty falling on the fishing industry and the administrations."

Indeed, the briefing's second bullet point confirms that the industry

"is acutely aware of its responsibilities ... in harvesting fish sustainably."

The third bullet point accepts that we need to improve the healthy stocks in the North sea.

**The Deputy Presiding Officer:** Mr Harper, you must wind up now.

**Robin Harper:** I give the minister my best wishes for the negotiations. I ask him to remember the words of Burns:

"... Man's dominion  
Has broken Nature's social union".

Those words apply to what has happened in the North sea. It is about time that the situation was repaired.

16:31

**Mr Jamie McGrigor (Highlands and Islands) (Con):** Although I wish the minister every success in Brussels in salvaging something for our hard-pressed Scottish fishing fleet and for the people in the north-east, the Shetlands and other parts of the country that rely on the fishing industry for their livelihoods, I have a sense of déjà vu that does not fill me with confidence. Frankly, that should not be the case.

The ICES report states that

"Haddock in the North Sea and Division IIIa"

were at "Full reproductive capacity" and that the haddock stocks were "Close to target" for

"Fishing mortality in relation to high long-term yield".

Given that the Scottish demersal fleet depends on haddock, the ICES report should be good news. Why, therefore, has ICES recommended that the quota be cut by 41 per cent—from the current 66,000 tonnes to 39,400 tonnes next year—despite the fact that, as Ted Brocklebank pointed out, the fleet has been cut from 400 boats to fewer than 130? We could face a drastic cut in the TAC for haddock, which is the main white-fish species on which the Scottish demersal fleet depends, despite the drastic decline in our haddock fleet.

I do not see how the Scottish fleet or, for that matter, the UK fleet—I agree with Tommy Sheridan on this—can be expected to kowtow to unelected European commissioners who clearly have no regard for the future livelihoods of people who continually risk their lives to bring fish to our tables. I hope that Mr Finnie—and Mr Bradshaw, too—will stand up for our fishermen. They must not simply accept Brussels diktats with a handshake and a smile.

The industry's leaders are shocked by the proposed cuts in haddock quota. George MacRae, who is the head of the Scottish White Fish Producers Association, has stated:

"There was no previous warning of this, no discussion with the industry and no consultation with those affected ... Everyone has regarded the haddock stocks as being in good condition. The catch reduction is not due to inadequate stocks of haddock".

The fishermen's feelings were put in a nutshell by Alex Flett, who is the skipper of the fishing vessel the "Courageous 3". He said:

"We fishermen never see ICES taking marine samples in our working areas of the North Sea, where it is clearly

evident that the cod stocks are in a far healthier state than the scientists claim ... Assessing the cod stock is one thing but to try to get them back to the level of the glory days is pure fantasy. With global warming and sea temperatures rising, and new species such as squid appearing in abundance in our waters, it is obvious that major environmental change is under way ... As the Gulf Stream continues to slow and sea temperatures gradually rise, the cod will naturally migrate slowly north, as they have been doing for many years. Cod stocks in Northern waters are big and at an all time high in Northern Norwegian waters”.

**Ross Finnie:** Does the member care to confirm whether that absolutely profound statement on climate change is a personal opinion or one that is backed by any scientist?

**Mr McGrigor:** There has been a great deal of discussion about it. I remind Mr Finnie that that was a quotation from a fisherman—and I would like to know who is listening to the fishermen.

Turning to the subject of prawns, I am obviously glad about the increase in the nephrop TAC, which has been promised to our fishermen for many years. Last year, a 12 per cent increase was achieved for the west coast, which brought us back to 1999 levels. A further increase of 30 to 40 per cent was within the TAC guidelines. The fishermen of the Western Isles, Mallaig, Oban and the Clyde estuary have continually been calling for such an increase for years—better late than never.

I turn to the situation in the area west of 4°. Scottish boats have been unable to fish for monkfish because of a lack of TAC and a lack of quota, despite the much-lauded 47 per cent increase last year. Hardly any of the deep-water fleet boats from Lochinver and Kinlochbervie have been fishing the area west of 4°, or area VIa, since April. That is because most of the 47 per cent increase went to area IVa.

Instead of fishing in their traditional areas, those boats have been forced to fish in areas 250 miles west of Ireland on the Porcupine bank, which is a highly dangerous area. When that fishery finished, they moved over to the North sea and fished for haddock. They could not fish their traditional Scottish waters for monkfish because of the lack of quota, and they were unable to take advantage of deep-sea species—particularly black scabbard, whose fishery ended in February, and blue whiting, whose fishery finished in March—because nearly all the quota for deep-water species was given away to other nations by Franz Fischler two years ago. It is galling for those Scottish fishermen to know that French boats are still fishing Scottish waters, particularly given that they are fishing valuable species such as monkfish. The French are monitored only once in every four landings at their home ports and, like the Spanish, they get a fuel subsidy; I do not think that they carry many on-board observers, either.

I note that the Green amendment calls for

“marine protected areas”. I have some sympathy with that, but I remind Eleanor Scott that the west of Scotland already has four areas that are partially closed. One is in the Clyde, and one is the so-called windsock between Scrabster and Lewis. There are also the Darwin mounds, north-west of Lewis, and there is a further area near Rockall. Those are all existing protected areas.

On stocks, I heard Euan Robson mention seals. I remember that the minister, Ross Finnie, mentioned the possibility of a seal commission about four years ago. Has anything happened on that? People sometimes blame fishermen for the depletion of stocks, but we should never forget that many more fish are taken from the sea by seals, cetaceans, fish-eating birds and other fish than are ever taken by fishermen.

Ted Brocklebank is right. Our fishermen are suffering because of the rules of the CFP. TACs and quotas work for pelagic stocks, but not for a mixed demersal-bottom fishery. The only way that we will get that changed is through a Conservative Government and, thank God, that will not be too long now.

16:39

**Stewart Stevenson (Banff and Buchan) (SNP):** I will begin by delineating a number of areas where there is fairly clear agreement. I can find something to agree with in each of the propositions that have been put forward by the various political parties. In particular, I highlight Ross Finnie's commendation of the FRS scientists. That illustrates something very important: that we have the skills, the talent and the ability to deploy research scientists for the benefit of the industry and of the natural environment. I will come back to that later.

Phil Gallie, unexpectedly, showed me that we have something very important in common. If I understood him correctly, our maiden speeches were both on fishing. I made my maiden speech 1,645 days ago on 14 June 2001. I worked that out during those parts of the debate that have been a little tedious. However, I have risen to the challenge and I intend to change the tone.

Ted Brocklebank's amendment is largely sensible, but he spoils it at the end by moving on to matters beyond the Parliament's remit—I am surprised that, as a unionist, he does that. The amendment talks about local control of UK waters, over which we have no influence whatever and over which SNP members do not particularly wish to have influence. That is a shame about the amendment, but there we are.

Now freed from the burdens of office, Jim Wallace made a particularly interesting contribution when he spoke of the crucial role of

the Norway-EU negotiations, which significantly determine our fishermen's access to the haddocks in the North sea. He may of course wish to consider that that perfectly illustrates the point that another model is available for how countries with significant fishing interests interact with the European Union in ensuring that their national interest is progressed.

On balance, we cannot support the Greens' amendment, but it nonetheless addresses a vital issue—discards. Frankly, that the European Union and countries in the common fisheries policy have failed meaningfully to engage on that issue over the years is a shame with which we are all tainted, because that involves a key distinction between how the European Union seeks to manage fish stocks through the common fisheries policy and the approach of the small nations to our north—Iceland and the Faroes. The Greens make a valid point by bringing discards to the debate, albeit in a context with which we disagree.

There is heartening news on something that I have, since I first spoke on fishing, banged on about, as have others—the industrial fisheries, which are prosecuted largely by the Danes. We are seeing some retrenchment from the predations of the more than 1 million tonnes that they had as a quota in the not too distant past to a situation in which the effect of their industrial fishery is felt so strongly that, at last, the food that cod and haddocks eat—sprats, sand eels and pouts—are protected because they are scarce. That is because the ecology of the North sea—like that of all seas—interacts at every point of action with other points. The relative withdrawal of the Danish industrials is a welcome development that I think will be commended throughout the chamber.

At the core of the debate is a difficult and fundamental clash, to which Tommy Sheridan referred, between science, the interests of science, the objectivity of scientists and communities' needs. Until we find a way to join communities' interests to scientists' discussions, we will probably have a more sterile debate than that which we must have if we are to act responsibly and create a sustainable future for our communities.

**Robin Harper:** The member mentioned the interests of scientists. What does he mean by that?

**Stewart Stevenson:** If I said that, I meant the objectivity of scientists—I am obliged if I used the wrong word—because objectivity is the point. Communities have an economic and emotional response to the problems—that is a proper interest—whereas scientists respond objectively. However, the science has a difficulty. We are like somebody prospecting for oil: we drill a few oil wells in the hope of discovering something about

what is at the bottom of the hole, but we never understand the whole system. We see only a very small amount of what is going on. Scientists are challengeable.

**Phil Gallie:** Would the member say that the evidence of fishermen in the Clyde over the past 10 years, and more recent evidence from fishermen in the North sea about haddock, has been much more reliable than the scientific evidence?

**Stewart Stevenson:** The voice of practitioners who are engaging with the ecology and the stock must be heard. That is precisely why we made the point that fishermen, with their experience and understanding, should be much closer to the decision-making process. We welcome the minister's response to a point that we have made repeatedly, as have others. We are grateful that we have had a response.

I turn to costs more generally. I have a note that shows that in December 2003 a litre of fuel was 15.7p, currently it is 28p and last month it was 32.1p. The Spaniards are over-subsidising by more than six pence a litre. They will be slapped down by the European Union and the Spanish Government will be fined, but the fishermen have had and will retain the economic advantage that has come from something that their Government should probably not be doing.

I will end with a quote from a fisherman, who said:

"This year will be remembered as the year when most white-fish boats improved their top line gross, but finished with less profit, no profit, or with the feeling that it's time to get out—and not because of lack of fish on the grounds. The ever-increasing price of fuel, and poor TACs that have been cut continually over the past year, have created the situation of buying quota, leasing quota and, unbelievably, buying days to work."

We need change now and we hope that the minister can move the game up the park.

16:47

**Ross Finnie:** In many ways this has been a good debate, although it has also been entirely predictable in many respects, given that the SNP, the Conservatives and the Scottish Socialist Party—an unusual combination—are opposed to the common fisheries policy in principle.

We must get the matter into perspective and distinguish between what the CFP says and the processes whereby we reach decisions. I draw to members' attention the simple fact, which Jim Wallace pointed out, that in the North sea fisheries—the fisheries in which we are engaged most actively—we are engaged with stocks that do not understand international waters. The only way to deal with that is to engage with the other

member states as they are. The SNP and others who are against the CFP seem to believe that it would be better if we had a range of independent negotiations. We will never manage the stocks successfully if we do not engage with not just the Norwegians, but the Swedes, Danes, Dutch, French and Belgians. All those nations have an interest. It is nonsense to suggest that we can get over that simply by declaring independence or by declaring that we are coming out of the CFP. The negotiations will have to take place.

**Mr Brocklebank:** Does the minister accept that North sea cod—that much vexed subject that we keep talking about—is of direct interest only to Scotland and Denmark and yet the voting on that species will be taken by a range of countries with no direct interest in it, including some countries that do not even have water around them?

**Ross Finnie:** I will address some of the myths about the process. I am not aware of any serious decision being taken at a European Council of Ministers meeting where a non-fishing nation has sought to use its influence or vote on those matters. That that happens is one of the myths.

I return to the process. It is, as someone said, about the politicians and the people. The North East Atlantic Fisheries Commission arrangements, the Norwegian discussions and the coastal states' discussions should all result in a better outcome. However, the record of politicians across Europe and outwith the EU in dealing with these matters at whatever level is not good. Simply declaring a different process is not necessarily going to produce the desired result.

**Stewart Stevenson:** Is the minister disagreeing with the call from his colleague, Jim Wallace, to have politicians running the negotiations between Norway and the EU instead of officials?

**Ross Finnie:** I will come back to that point.

The second point that I want to make is about my position. Again, people seem to be besotted by my having a seat at a European Council of Ministers meeting. Let us be clear about the fact that negotiations of substance on the stocks that are of particular importance to Scotland are dealt with largely at a technical level, in the Commission or between the Commission, the presidency and the relative representatives. I can assure Parliament that I have represented Scotland in those discussions for the past four years. I have not attended more than 30 council meetings without making my point extremely clear. I have the ability to do so with the backing of the UK Government.

I welcome the comments that Stewart Stevenson made about scientific advice. People have played ducks and drakes throughout this debate, particularly the Conservatives and, with

respect, the SNP, whose speakers seemed to be saying occasionally that they accepted that there was good science but that they wanted to distinguish between what bits of it they wanted—

**Stewart Stevenson:** We said that we have good scientists.

**Ross Finnie:** We have 350 scientists at FRS, the vast majority of whom are Scots and all of whom have good qualifications. They are internationally renowned as experts in a difficult field. We should be careful about knocking the scientists.

Ted Brocklebank said that the decline in cod stocks was not the reason for the position that we are in. That is to misunderstand totally the position of the cod stocks relative to the other white-fish stocks that we in Scotland prosecute. All those stocks share the same fishing grounds, which causes us great difficulties as we attempt to respond in a responsible way to the science that is before us.

I am grateful to the Greens and other members for broadening the debate and saying that we need to consider issues that seem to be moving slowly, such as that of discards, and that we need to consider alternative management arrangements. Our difficulty with closed areas is that we have not devoted enough scientific effort to getting to the bottom of whether that could be a recommended management arrangement in the North sea.

**Richard Lochhead:** Will the minister reject any cuts that are imposed on Scotland this month if it transpires that the other member states have not achieved their effort-reduction targets?

**Ross Finnie:** I have made it absolutely clear that we will not accept effort cuts unless we have that evidence. I cannot be clearer on that subject.

I welcomed Richard Baker's remarks about the importance of the social impact. That theme was picked up by others.

I welcomed Jim Wallace's speech. Alasdair Morrison called him a veteran; I could not possibly refer to my colleague in such derogatory terms. He mentioned the importance of changing the terms of the debate between the EU and Norway and the possibility of introducing more ministerial involvement in that. I share that view and we have made that point. I was fortunate enough to be in Brussels last night and, as the talks between the EU and Norway were progressing, I had the opportunity to speak to Commissioner Borg. However, I would welcome those meetings being conducted in a structured, rather than an ad hoc way.

On the UK presidency, we are not at the back of that at all. We will conduct our negotiations and I

hope that, because of the fact that the UK holds the presidency, we will be able to secure earlier understanding of the relevant issues.

Of course, scientists and the Commission are giving much more regard to the issues of discards, mesh sizes and square-mesh panels that are being advanced by the Scottish industry.

I am grateful to Fergus Ewing for our small festive exchange. I am sure that those who read the *Official Report* tomorrow will enjoy that. On the proposed marine national park, we should be clear that an area will not be closed to fishing just because it is an area of particular interest. That is not the intention. Sustainable development can still be pursued in a marine national park.

I suspect that the matter of the Highland regulating order should be taken up with Highland Council. My view is that regulating orders ought to reinforce local inshore fisheries groups' own regulations. As the minister, it is not for me to tell organisations whether they should apply for regulating orders, but it seems to me that such orders are more appropriate in a clearly defined fishing area where they can give good support to the prosecution of conservation.

As always, Phil Gallie made a robust contribution. At first, I was not sure whether Maastricht was in Aberdeen, but it appears that he got lost and ended up in a debate on fisheries.

Euan Robson raised interesting questions about effort limitation and, particularly, about displacement. He was not alone. We are conscious that, when we grant increases in TACs, as we undoubtedly will in relation to nephrops, we have to be clear that effort will not be dissipated and that there will not be displacement as a result.

To Tommy Sheridan, I can say only that, although we have to be informed by the science, we also have to be clear that we are trying to get the right balance between the imperative of the science, the economic interests of the fishermen and the impact on communities. That is what sustainable development is about and that is what the Executive is endeavouring to pursue.

I am grateful to Alasdair Morrison for his perspective from the Western Isles. He pointed out that the value of the measures is some £5.5 million. He was the first to mention the potential French and Spanish schemes for assisting with fuel costs. I hear what Stewart Stevenson says about that, but we have to leave the matter with the Commission, which is investigating it. Sadly, there has been no agreement between the member states on the proposed European fisheries fund.

**Phil Gallie:** The minister has not referred to industrial fishing for sand eels, which I regard as

an important environmental issue. Does he want to comment on that?

**The Presiding Officer (Mr George Reid):** Order. There is too much conversation.

**Ross Finnie:** I am absolutely clear that we support the continuation of the restriction on fishing for sand eels and that those fisheries should not re-open.

Rob Gibson said that RACs are not developing quickly enough. I was disappointed by Ted Brocklebank's remarks on the RACs. I was in Aberdeen on Monday as part of my consultation with the fisheries and I am bound to say that a lot of people there are keen on the development of the RACs. On the point that was made earlier about the Shetland box, the Commission has already accepted the proposal from the relevant RAC that the Shetland box should be retained. We are already seeing results from the RACs and, given the rate at which they are engaging with the Commission, we are hopeful that they will push the work forward.

Iain Smith, rightly, drew our attention to the importance of the nephrop fishery and its particular problems. I also assure him that we will continue to keep the sprat fishery under review and I will respond to his letter on that.

Robin Harper gave us a bit of history. It is important to note that the depredation of the fishery has been going on for a long time. I agree that politicians have played ducks and drakes with the science and that we have to get away from that if fishing is to have a future.

I say to Euan Robson that I am concerned about some of the issues that he raised, particularly the use of quadruple-rigged vessels. We do not support that practice and we want to end it. Doing so is important to the development of our inshore fisheries. He also talked about the development of a live shellfish fishery. Of course, such fisheries exist in some parts of Scotland, and they have been economically successful, as our fishermen have been able to obtain a premium for trading in those stocks.

Jamie McGrigor asked about the 41 per cent cut. I am amazed that he did not know the answer to his question—I would have thought that a fisheries spokesman would have known the content of the EU-Norway haddock management plan and that applying the mortality rate of 0.3 that is contained in that plan against the significant decrease in the biomass would result in the figure of 41 per cent. We simply do not know why he had to come to the chamber to ask that question.

**Mr McGrigor rose—**

**The Presiding Officer:** I am afraid that the minister is already out of time.

**Ross Finnie:** The forthcoming talks are merely the conclusion of further work. Of course, I acknowledge how the Commission has been pressed by the member states—and by Scotland, as part of the United Kingdom, in particular—to bring forward the details of the discussions so that we could actively engage with our fishermen at a much earlier point this year. The Scottish Executive and I, as the Minister for Environment and Rural Development, were able to start our consultations immediately after the summer and were therefore able to be much better prepared to deal with the proposals and to understand the science and what ICES has proposed. We have increased our level of engagement with the fishermen, they have increased their level of engagement with the science and we will engage with the fishermen in the talks in December. I can only repeat my undertaking that we will seek to respect the science, but also to get the best possible deal for Scottish fishermen and the communities that depend so much on them.

## Parliamentary Bureau Motion

17:02

**The Presiding Officer (Mr George Reid):** The next item of business is consideration of one Parliamentary Bureau motion. I ask Margaret Curran to move motion S2M-3665.

*Motion moved,*

That the Parliament agrees under Rule 9.6.3A that the Parliament shall consider the general principles of the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill on the third sitting day after the lead committee report is published.—[*Ms Margaret Curran.*]

**The Presiding Officer:** The question on the motion will be put at decision time.

## Decision Time

17:02

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

There are eight questions to be put as a result of today's business. The first question is, that amendment S2M-3658.1, in the name of Fiona Hyslop, which seeks to amend motion S2M-3658, in the name of Peter Peacock, on "ambitious, excellent schools", one year on, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### FOR

Adam, Brian (Aberdeen North) (SNP)  
 Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 White, Ms Sandra (Glasgow) (SNP)

### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)

Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

### ABSTENTIONS

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 36, Against 65, Abstentions 17.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S2M-3658.2, in the name of Lord James Douglas-Hamilton, which seeks to amend motion S2M-3658, in the name of Peter Peacock, on “ambitious, excellent schools”, one year on, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)

#### AGAINST

Adam, Brian (Aberdeen North) (SNP)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)

Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Campbell (West of Scotland) (Ind)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Wallace, Mr Jim (Orkney) (LD)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)



**The Presiding Officer:** The result of the division is: For 17, Against 101, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The third question is, that motion S2M-3658, in the name of Peter Peacock, on “ambitious, excellent schools”, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Lothian) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)

Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Maclean, Kate (Dundee West) (Lab)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)

#### ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 71, Against 18, Abstentions 30.

*Motion agreed to.*

That the Parliament recognises that young people are one of Scotland's greatest resources; believes that every child is entitled to the opportunity to fulfil his or her full potential; notes the significant progress made over the last year by the Scottish Executive on the most comprehensive programme of modernisation in Scottish schools for a generation or more; supports the objectives set out in Ambitious, Excellent Schools; welcomes the emphasis on heightened expectations, stronger leadership, greater freedom for teachers and schools, increased choice and opportunity for pupils, better support for learning and more appropriate accountability, and supports the Executive's ongoing modernisation of Scotland's schools.

**The Presiding Officer:** The fourth question is, that amendment S2M-3657.2, in the name of Richard Lochhead, which seeks to amend motion S2M-3657, in the name of Ross Finnie, on sea fisheries, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Adam, Brian (Aberdeen North) (SNP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)

Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Davidson, Mr David (North East Scotland) (Con)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)

Stephen, Nicol (Aberdeen South) (LD)  
 Tosh, Murray (West of Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Swinburne, John (Central Scotland) (SSCUP)

**The Presiding Officer:** The result of the division is: For 26, Against 92, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The fifth question is, that amendment S2M-3657.1, in the name of Ted Brocklebank, which seeks to amend motion S2M-3657, in the name of Ross Finnie, on sea fisheries, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)

Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Campbell (West of Scotland) (Ind)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)

Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 17, Against 78, Abstentions 24.

*Amendment disagreed to.*

**The Presiding Officer:** The sixth question is, that amendment S2M-3657.3, in the name of Eleanor Scott, which seeks to amend motion S2M-3657, in the name of Ross Finnie, on sea fisheries, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Campbell (West of Scotland) (Ind)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)

Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Adam, Brian (Aberdeen North) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Maclean, Kate (Dundee West) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 White, Ms Sandra (Glasgow) (SNP)

#### ABSTENTIONS

Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)

Fox, Colin (Lothians) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Sheridan, Tommy (Glasgow) (SSP)

**The Presiding Officer:** The result of the division is: For 70, Against 43, Abstentions 5.

*Amendment agreed to.*

**The Presiding Officer:** The seventh question is, that motion S2M-3657, in the name of Ross Finnie, on sea fisheries, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Alexander, Ms Wendy (Paisley North) (Lab)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Campbell (West of Scotland) (Ind)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)

Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)  
 Davidson, Mr David (North East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fox, Colin (Lothians) (SSP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Tosh, Murray (West of Scotland) (Con)

#### ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 74, Against 22, Abstentions 23.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament supports the Scottish Executive in its efforts to negotiate the best possible outcome from the EU Fisheries Council in December 2005, an outcome that delivers sustainable fisheries and a fair deal for Scotland's fishermen and fishing communities and calls on the Scottish Executive, beyond the December Council, to press for changes to the operation of the Common Fisheries Policy to support healthier and more sustainable seas through a broad range of measures complementary or alternative to total allowable catches, including marine protected areas, regeneration zones and on-board observers, and to consider bycatch quotas to address discards and the innovative use of European fisheries funds to support profitability and sustainability.

**The Presiding Officer:** The eighth question is, that motion S2M-3665, in the name of Margaret Curran, on rule 9.6.3A, be agreed to.

*Motion agreed to.*

That the Parliament agrees under Rule 9.6.3A that the Parliament shall consider the general principles of the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill on the third sitting day after the lead committee report is published.

## **Council Tax (Very Sheltered Housing)**

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

The final item of business is a members' business debate on motion S2M-3549, in the name of Alex Neil, on council tax and very sheltered housing. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament expresses astonishment and concern at the decision of the valuation boards in Renfrewshire and Lanarkshire to designate single rooms occupied by residents of very sheltered housing complexes, such as Abbeyfield Homes in Coatbridge, as being fully liable for council tax; furthermore notes that a review of this matter is currently being undertaken by the Scottish Executive; recognises that this injustice has to be rectified as a matter of urgency by redesignating each very sheltered housing complex as being liable for council tax as a whole rather than individual living units, and believes that any council tax payments made as a result of the current designation should be refunded.

17:12

**Alex Neil (Central Scotland) (SNP):** This debate is about dealing with the consequences of a loophole in the Regulation of Care (Scotland) Act 2001, which has created a difficult consequence for a small number of residents of very sheltered housing accommodation, particularly in Renfrewshire and Lanarkshire. It was not the intention of the Executive or the Parliament in passing the 2001 act that the current situation should arise, which is why I am calling for the Executive and the Parliament to act now to rectify the situation.

The problem is this. Prior to the 2001 act, very sheltered accommodation complexes, such as those run by the Abbeyfield Society charity in Coatbridge and Airdrie, were treated for the purposes of local taxation as one individual unit with one council tax liability. Alternatively, in some cases they were treated as businesses, but, if so, they received the charitable rebate on business rates. Since the 2001 act was passed, however, the assessors for two valuation boards—those in Lanarkshire and Renfrewshire—have interpreted the act to mean that each resident of very sheltered housing accommodation is liable to pay council tax, so old people who are living in such complexes and who were paying a share of council tax are now liable for council tax in its entirety—they are being made a unit for council tax purposes.

Further investigation into how people living in a sheltered housing complex become a council-tax-payable unit reveals the reason to be that they can lock the door. Under the anomalous legislation, if

they can lock the door, they are liable to pay the tax; if they cannot lock the door, they are not liable.

The 2001 act requires care homes to register with the Scottish Commission for the Regulation of Care. Care homes that register with the commission are treated for council tax purposes as one unit. However, very sheltered housing complexes are not care homes as defined in the act and so do not register with the commission—ergo, the assessors in Renfrewshire and Lanarkshire have deemed each person in them liable to pay full council tax.

**Robin Harper (Lothians) (Green):** Is it not the case that there is a concierge in those very sheltered housing complexes and that the concierge has the key to all the doors in the complex?

**Alex Neil:** I know that the concierge in the complex in Coatbridge has the key to each unit. I suspect that that is the case in the other units as well. The complexes are a concierge-type service, but not a care-type service. That, apparently, is an important distinction.

The consequences for the elderly people in those complexes who are on full benefit are somewhat muted, because the net impact on their income and charges is pretty well nothing. The problem arises for those who are not in receipt of full council tax rebate, who must pay the council tax either partially or entirely themselves. Many of those people have worked hard all their days. They have saved and have put enough by in a superannuation scheme or occupational pension. Now they are being made liable for full council tax payment, although they occupy only a room and share the facilities in a sheltered housing complex.

The sudden change in the application of the council tax liability has not only created dire financial consequences for many old and very frail people, but caused enormous distress and anxiety to them. In some cases, that distress has adversely affected their health.

**Alex Fergusson (Galloway and Upper Nithsdale) (Con):** The executive secretary of the Abbeyfield Stewartry Society informs me that Dumfries and Galloway Council has not yet charged council tax to individual residents of the Abbeyfield homes in its area, but that the very threat that the council might do so increases stress on people at a time when they can ill afford that. Does Alex Neil agree with those comments?

**Alex Neil:** Absolutely. It is fair to say that, had the Executive not commissioned a consultation and review of the matter, assessors throughout Scotland would already be imposing the same liability on the residents of very sheltered housing

complexes in their areas as are being imposed in Lanarkshire and Renfrewshire.

The Executive carried out a consultation between July and October. I believe that it is genuinely trying to find a solution to the problem—I hope that the minister up will update us on that consultation and enlighten us on the Executive's proposed way forward.

The important point is that the situation has arisen as a result of our mistake as a Parliament in the drafting of the 2001 act. We should not penalise elderly people because of poor legislative drafting either by the Executive or by the Parliament. We should be big enough to admit that we made a mistake. We should now rectify that mistake by amending the law to close the loophole and to make sure that the liability to pay council tax is no longer imposed.

My final plea is this: there is a second injustice that needs to be rectified. It is unfair that only the residents of Renfrewshire and Lanarkshire have had to pay the full council tax for this period. I hope that, when the Executive comes forward with proposals, those will include a commitment to provide a full refund of the additional council tax payment that the people in Lanarkshire and Renfrewshire have had to make. That is a fair, just and humane way in which to tackle the problem.

17:20

**Karen Whitefield (Airdrie and Shotts) (Lab):** Before I make my speech, I apologise to Alex Neil and the chamber for the fact that, due to a long-standing constituency commitment, I will have to leave before the conclusion of tonight's debate.

I am pleased to be able to debate this matter in the Parliament. As some members may know, I have raised the issue consistently with the minister over the past few months. I am glad that Alex Neil's comments tonight have been more consensual. I was not able to support the motion, because of the "astonishment" that it asks the Parliament to express at the decision of Lanarkshire valuation board. The board is only implementing the law as it stands. As Alex Neil rightly pointed out, it is the law that is wrong. We made that law, and we must ensure that the Scottish Executive addresses the issue now. That is why it is vital that the Executive take effective action to remedy the problem.

I share the concerns of my constituents in the Abbeyfield home in Airdrie, who are understandably bewildered that the introduction of the Regulation of Care (Scotland) Act 2001—which was designed to improve care standards—should lead them to face a new and substantial financial burden. One of my constituents now has a council tax bill of £93 per month for her one-

room accommodation, whereas before she paid nothing. In my view, that is clearly an unfair rise in her expenses. I cannot believe that it was ever the intention of the Executive or the Parliament for that to happen when the 2001 act was passed.

I call on the Scottish Executive to implement option 2 in its consultation document. I know that that is the preferred option of Abbeyfield Scotland. Abbeyfield has made a strong argument, saying that the residents of an Abbeyfield home live, in effect, as a family, with a shared kitchen, dining area and sitting room. Instead of each of the individuals in the home being charged, the home should be liable to one set of charges.

I know that there is some concern that Abbeyfield residents will be asked to pay council tax for previous years. Strangely enough, I have no problem with the principle of paying back money owed—it is just that in this case it is the wrong way round. I believe that those Abbeyfield residents who have already paid council tax should have it repaid to them. I have made that clear to the minister in numerous communications.

It is vital that the Executive move swiftly to resolve the situation and to remove the stress and uncertainty that Abbeyfield residents are enduring. I first lodged parliamentary questions on the matter in June; it is now time for the Executive to act.

I call on the minister to give my constituents and the residents of other Abbeyfield homes in Lanarkshire and Renfrewshire the Christmas present that they deserve. The minister should use the information that was gathered during the consultation period to amend the current legislation, so that this unfair charge can be removed and my constituents can be allowed to enjoy a merry and worry-free Christmas.

17:24

**John Swinburne (Central Scotland) (SSCUP):** I would like first to comment on the consultation document, which is badly flawed. When the Executive sends out a consultation document, it should be checked for accuracy. Point 5.2 of the document states:

“It could be argued that any person who is living in their own independent dwelling should pay towards the costs of local authority services, just like any other citizen.”

Who, in the name of goodness, believes that in the real world every other citizen pays council tax? Forty per cent of the electorate pay council tax. People have to be home owners to pay council tax. If they are the husband or wife of a home owner, they do not pay council tax; a child or adult living in the same home does not pay council tax. The document, which is supposed to be a consultation document, is flawed to begin with.

The document has some good bits, however. I congratulate Karen Whitefield on the explicit and forthright manner in which she put the case for doing away with the tax and going with option 2. I would like to thank Alex Neil for securing the debate. Thank goodness that somebody nailed the anomaly. I hope that the minister will get it sorted.

Point 5.1 of the consultation document states:

“The change in Care legislation was not intended to include additional individuals within the council tax system.”

That is more accurate than the other bit of fallacious rubbish that talks about

“just like any other citizen.”

Council tax is the most unfair method of raising funds for local councils—60 per cent of people in every council area do not pay council tax. The sooner we get back to having a local income tax, which is the correct way of raising such funds, the better.

I could say many things about the document, but I have a train to catch, and I intend to catch it by being as brief as possible. I thank again Alex Neil, for bringing his point to the chamber, and Karen Whitefield, who put her point across very well. Someone should get two of the belt for saying

“just like any other citizen.”

17:27

**Elaine Smith (Coatbridge and Chryston) (Lab):** I agree with many of the concerns that have been expressed so far, and I am pleased that we are debating the matter. I have been concerned about the issue since it was brought to my attention in April last year, when I took up a constituency case on it. I have been liaising with numerous agencies to resolve the situation, so I was pleased when the Executive recognised the need for investigation by instigating the consultation over the summer months.

The Regulation of Care (Scotland) Act 2001 brought many positive improvements and changes to the social care sector. It has been recognised that the act strengthened service provision. The type of sheltered housing that we are talking about is provided by not-for-profit organisations such as Abbeyfield and has been reclassified as a housing support service under the terms of the act and, subsequently, removed from some valuation rolls. That is an extremely unfortunate but unintended by-product of the legislation. Indeed, the minister and the Executive have stated that the change in care legislation was never intended to include additional individuals in the council tax system or to increase the local taxation liability of homes such as those run by Abbeyfield. We have a clear responsibility to remedy that mistake. In fact, it would be extremely poor parliamentary practice to



ignore the negative impact of that unintended legislative consequence on vulnerable people or to allow those negative consequences to continue.

In my constituency, Abbeyfield Coatbridge operates a home with 10 single rooms. Each resident has their own en suite facility, while all other areas are communal spaces. Since the legislation was enacted, it was decided that each room should be classed as a single dwelling and taxed accordingly. Frankly, as we heard earlier, that beggars belief. These are rooms, not dwelling-houses. The decision is unfair, unacceptable and has placed a considerable financial burden on a number of residents. Indeed, Abbeyfield has suggested that its newest resident might be liable for a council tax bill equivalent to the sum that she paid previously in her council house. The position is particularly flawed given that the majority of students are exempt from council tax. They live in similar circumstances, perhaps in halls of residence or houses in multiple occupation, and I am sure that they have locks on their doors. I do not see a precedent among other people who live in that type of shared accommodation for making the kind of financial demands that are being made. Young professionals and single people who share houses pay a single council tax bill, regardless of house size or resources.

In response to the Executive's consultation, Abbeyfield Coatbridge has requested that its house be reclassified as a non-domestic subject and brought back into the non-domestic rating regime. I support that position and hope that the Executive will rule in favour of that. Between its opening in 1994 and its reclassification in 2004, the house was included in the non-domestic rating regime because of its charitable status. Given that the system worked well during those years, that it was acceptable to residents and that the house was never intended to be considered for change under the Regulation of Care (Scotland) Act 2001, I hope that the Executive will see sense and return the house to that system.

The other option that is set out in the consultation, which is advocated by Alex Neil in his motion and by other members, is that local authorities should bill the organisation for the entire property and the cost should be shared among the residents, who would, I presume, pay less than they do currently. However, as my constituents point out in their response, some residents are eligible for exemptions and council tax rebates, so any increase in rent that resulted from taxation of the whole property could be unfair and work to their detriment. Nevertheless, although I support and prefer option 1, option 2 would at least be an improvement on the current system for the majority of residents. Whatever option is chosen—and I hope that it is chosen

soon—the reimbursement of the tax that my constituents have paid under the flawed system is vital and must happen.

I urge the Executive to make its decision as soon as possible. Abbeyfield and other such housing providers do sterling work in providing for our older citizens and we are likely to rely on them increasingly as our population ages. It is important that we allow them to focus on that job instead of having to undertake lengthy court battles in defence of their already vulnerable residents because of a mistake. Let us have action to rectify the situation.

17:31

**Derek Brownlee (South of Scotland) (Con):** I commend Alex Neil for securing the debate and for his clear summary of the issues. To most of us who are coming to the matter afresh, this is a relatively complex subject—a fact that was made clear in the consultation document. Alex Neil did a fantastic job of making the issues as clear as possible regarding certain aspects of the legislation. This is an important subject that has caused a lot of the most elderly and vulnerable people in society a great deal of worry, and it continues to do so. I hope that the minister will be able to offer those people some hope and to reassure us that the Executive is both willing to act and will act soon.

It is worrying that the levying of council tax on very sheltered housing has happened not because of an explicit policy decision that we have had the opportunity to debate and vote on, but because of confusion about the correct application of the law. It raises serious issues about the drafting and parliamentary scrutiny of legislation. Mistakes happen but, frankly, this should not have happened. We need to look carefully at how the issue was missed during the drafting process.

The most sensible way of dealing with the problem—I recognise that there are other options—would be to remove very sheltered accommodation from the council tax net and to reinstate what most people thought was the law. That does not seem an unreasonable way in which to tackle the problem. We have heard about the need for a decision to be made quickly. In response to a parliamentary question, the minister assured Karen Whitefield:

“we will seek to reach a conclusion as early as possible”.—[*Official Report, Written Answers*, 1 August 2005; S2W-17771.]

The consultation closed on 2 September, which is about three months ago. I hope that rapid progress is being made. So far, we do not even have an analysis of the responses, which the

minister has said will need to precede any conclusion.

In a subsequent parliamentary answer, the minister told me:

"Those who responded ... expressed differing views".—  
[*Official Report, Written Answers*, 15 November 2005; S2W-19935.]

I accept that—it would be standard in any consultation—but it is not a particularly good reason for not reaching a conclusion more swiftly.

What we need from the Executive—whichever way it falls on the issue—is some clarity for councils and residents on the tax status of very sheltered accommodation. At the moment, there is uncertainty about the correct treatment; there is inconsistency, as Alex Neil mentioned; and there is a great deal of worry among people who live in very sheltered accommodation. As Alex Fergusson said, that worry exists not just among those who are subject to council tax, but among those who fear that, at some point, the council in their area might apply the tax to them as well.

The issue is serious: people in very sheltered housing who have been charged council tax face a financial disadvantage—in some cases a severe financial disadvantage; those who have not have hanging over their heads the possibility that they might be hit by a tax bill for which they have not budgeted and which they might not be able to afford.

I accept that there are technical difficulties in resolving the issue. I do not agree entirely with John Swinburne about the quality of the consultation document, which I thought laid out the options relatively clearly. Any option that the Executive chooses will have difficulties, but the Executive does not normally shy away from dealing with complex legislation, so I hope it will deal with the issue as soon as possible.

My main request is for clarity from the minister. If he cannot give a commitment on which option the Executive is likely to choose or a commitment to remove these homes from the council tax net, it would be helpful if he at least gave a commitment to publish the Executive's proposals, perhaps before the parliamentary recess.

17:36

**Christine Grahame (South of Scotland) (SNP):** I congratulate Alex Neil on securing the debate, which is on a niche issue that is important nonetheless. As I speak late on in the debate, most of the wise and informed words have already been said and I suspect that I will not add many more.

I have taken great interest in what members have said, particularly Elaine Smith's comments

about the precedent of students in multiple occupancy homes or shared accommodation who have keys to their doors. It seems to be a strange legal interpretation that a different rule applies to people in very sheltered accommodation, who are in a similar situation. I am bewildered by the law on that point.

I am grateful for the clarification of the distinction between very sheltered accommodation, in which people have a room with shared facilities, and sheltered accommodation, in which people are in separate flats, even though a warden may be in situ. I concur with the point that unnecessary distress has been caused to many vulnerable elderly people and to the many people who feel that they may now be in the pipeline to pay council tax. I do not point the blame at the assessors, who applied the law as they thought appropriate, although I have in the past raised the issue of whether it should be the law.

To be frank, the problem is the law of unintended consequences. I hate to state it again, but the old saying is, "Legislate in haste and litigate at leisure." I agree with Derek Brownlee that the Executive tends to push through legislation without giving the Parliament a proper chance to consider what may happen down the line. We have just passed the Housing (Scotland) Bill and other bills that will impact greatly on people's lives. Perhaps we should build into our legislation a clause that allows us to review and amend it without going through the formal primary legislation amendment procedure that may be necessary in the case that we are discussing. Subject to any other legal finding, I do not see how the Executive can change the present situation other than by changing the law that is the source of the problem.

Given that I am left the scraps of the debate—although I by no means complain about that—I seek your permission, Presiding Officer, to broaden out my comments.

**The Deputy Presiding Officer:** You may presume the tolerance of the chair, to a certain extent.

**Christine Grahame:** I am obliged. The issue that I want to raise is not too far off the mark and is connected to the debate.

Many pensioners, including those in very sheltered accommodation, do not claim their council tax benefit—a third of those who are entitled to it simply do not claim it, which compounds the problem. Single pensioners have a pension of £82 a week. A third of eligible people do not claim the pension credit that takes them to £132 if they are married. On top of that, they do not claim their council tax benefit and they may suffer from fuel poverty.

We know the choices pensioners make: the first bill they pay is for rent and council tax; the second is for food; the final bill is for fuel, so they will have to cut back on that. The issue that we are discussing compounds the existing poverty among our pensioner population. I am most obliged to you, Presiding Officer, for giving me leeway to make that point.

I ask the minister to clarify whether the solution is to amend the primary legislation; to issue guidance on interpretation—although I doubt whether that can be done; or to challenge the basis on which the assessors, in good faith, reached their conclusions, given the precedent that was established with regard to students in houses in multiple occupation. Indeed, I think that that nails the argument. I will be pleased to hear what the minister says.

17:40

**The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon):** First, I acknowledge the concerns that members have expressed on this issue and sympathise with individuals faced with a council tax bill that they would not have previously received. I realise that such a situation might have caused confusion.

Before I go into the detail of our position, I want also to acknowledge the efforts members have made to raise the issue on their constituents' behalf. Elaine Smith, Karen Whitefield and Alex Neil have all written to me and my predecessors on this matter. I am sure that those who are affected will appreciate the genuine efforts that they have made.

As members know, following talks with key players on the right way forward, we recently issued a consultation. That consultation has now closed and we have been carefully considering the responses and the issues that they have raised.

I understand that some assessors have delayed making any changes in the taxation regime for the homes in question pending the findings of our consultation. As Alex Neil pointed out, that accounts for the differences in valuation practice across the valuation board areas.

However, as the Minister for Finance and Public Service Reform said in this Parliament, the issues are not straightforward. Indeed, Christine Grahame acknowledged that in her speech. For a start, the housing support service sector has expressed a different point of view on the matter and I am rather disappointed that no clear view on the right course of action emerged from the consultation.

Rushing into a decision without thinking through all the factors would be irresponsible and would not help the individuals we are discussing. It is imperative that whatever solution we devise to address the situation is fair, practical and appropriate for those who have been caught in it.

**Christine Grahame:** I appreciate that one of the protocols at work is that the minister is not allowed to share the legal advice that he has received. However, I presume that the Executive has taken senior counsel on the assessors' findings and decisions.

**George Lyon:** I am about to discuss the position with regard to the Regulation of Care (Scotland) Act 2001, which Christine Grahame alluded to in her speech.

Many factors are at play here. A housing support service enables people to live with dignity in their own home and to have a basic level of independence that most of us take for granted. Confusion seems to have arisen over the individuals we are talking about. They are not residents of care homes. Care homes lie within the non-domestic rating system and their residents are not charged local taxes.

Prior to the passing of the Regulation of Care (Scotland) Act 2001, there was uncertainty over the definition of a care home, but we now have a very clear definition: all homes are registered as providing either a "care home service" or providing a "housing support service" and are approved by the Commission for the Regulation of Care to ensure consistency of approach. The greater transparency of that system has brought this particular issue to our attention.

The types of homes that are under discussion are similar to standard sheltered homes, which have always properly sat within the council tax system. Unlike residents in care homes, residents in those homes—and in the ones under discussion—have tenancy agreements, which allow individuals to increase the amount of money they receive. In care homes, residents receive £16.50 a week, whereas those who live independently in their own homes receive £56 a week. However, as Alex Neil pointed out, that amount is subject to means testing. As a result, those who receive support are unaffected by the changes, whereas those who do not receive support are caught out by them. Having a tenancy agreement also allows individuals in receipt of the service to access benefits, which ensures that those who require financial assistance have access to it.

Because the council tax system will appear complex and even bewildering to many individuals in this situation, housing support service providers are required, as part of their responsibilities, to

ensure that their clients receive proper advice about the benefits to which they are entitled. I acknowledge that that does not deal with the question that Alex Neil and others have raised about people who have a nest-egg and therefore do not receive such entitlements.

I understand that the majority of individuals who live in these homes will have no council tax liability as they will qualify either for a full council tax exemption or for council tax benefit. The devolved Government of Scotland is committed to finding the right solution, which must be equitable and fair, but I stress that it is important that we get the matter right.

**Alex Neil:** I accept that it is important that the Executive take time to get the right solution, but the consultation has been finished for two months. Until such time as the Executive makes a decision, can the Executive at least request that the assessors and valuation boards in Renfrewshire and Lanarkshire adopt a position similar to that of other assessors? Can the enforcement of liability be suspended until a final decision on the matter has been reached?

**George Lyon:** I will take Mr Neil's suggestion away and give it some consideration.

In the meantime, I have asked for assurances that providers have the necessary information to advise their clients on the benefits to which they are entitled. I have also asked officials to look at how we can co-ordinate that work to ensure that everyone who is entitled to benefits receives the maximum benefits that are available to them.

From the consultation responses we received, it is clear that there is no agreement on the most appropriate way forward that will not result in further anomalies and compound the current situation. Therefore, we have asked officials to undertake further work to identify the correct way forward. We will announce to Parliament what that solution is as soon as that work is completed.

*Meeting closed at 17:46.*

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, Scottish Parliament, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

**Thursday 8 December 2005**

#### PRICES AND SUBSCRIPTION RATES

##### OFFICIAL REPORT daily editions

*Single copies: £5.00*

*Meetings of the Parliament annual subscriptions: £350.00*

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

##### WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

*Single copies: £3.75*

*Annual subscriptions: £150.00*

Standing orders will be accepted at Document Supply.

Published in Edinburgh by Astron and available from:

**Blackwell's Bookshop**  
53 South Bridge  
Edinburgh EH1 1YS  
0131 622 8222

**Blackwell's Bookshops:**  
243-244 High Holborn  
London WC1 7DZ  
Tel 020 7831 9501

All trade orders for Scottish Parliament documents should be placed through Blackwell's Edinburgh

**Blackwell's Scottish Parliament Documentation**  
Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

**Telephone orders and inquiries**  
0131 622 8283 or  
0131 622 8258

**Fax orders**  
0131 557 8149

**E-mail orders**  
business.edinburgh@blackwell.co.uk

**Subscriptions & Standing Orders**  
business.edinburgh@blackwell.co.uk

**RNID Typetalk calls welcome on**  
18001 0131 348 5412  
Textphone 0845 270 0152

sp.info@scottish.parliament.uk

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

**Accredited Agents**  
(see Yellow Pages)

and through good booksellers

Printed in Scotland by Astron