

MEETING OF THE PARLIAMENT

Wednesday 18 January 2006

Session 2

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2006.

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

Wednesday 18 January 2006

Debates

Col.

TIME FOR REFLECTION	22397
BUSINESS MOTION	22399
<i>Motion moved—[Ms Margaret Curran]—and agreed to.</i>	
INTERNATIONAL STRATEGY	22400
<i>Motion moved—[Mr Tom McCabe].</i>	
<i>Amendment moved—[Mr John Swinney].</i>	
<i>Amendment moved—[Derek Brownlee].</i>	
The Minister for Finance and Public Service Reform (Mr Tom McCabe).....	22400
Mr John Swinney (North Tayside) (SNP)	22404
Derek Brownlee (South of Scotland) (Con)	22407
Irene Oldfather (Cunninghame South) (Lab).....	22409
Patrick Harvie (Glasgow) (Green)	22411
Richard Lochhead (North East Scotland) (SNP)	22413
Donald Gorrie (Central Scotland) (LD)	22414
Dennis Canavan (Falkirk West) (Ind)	22416
Des McNulty (Clydebank and Milngavie) (Lab)	22417
Rosie Kane (Glasgow) (SSP)	22419
Phil Gallie (South of Scotland) (Con)	22420
Christine Grahame (South of Scotland) (SNP).....	22421
Mr John Home Robertson (East Lothian) (Lab)	22423
Margo MacDonald (Lothians) (Ind).....	22424
Karen Gillon (Clydesdale) (Lab)	22425
Bill Aitken (Glasgow) (Con)	22427
Stewart Stevenson (Banff and Buchan) (SNP)	22429
Mr McCabe	22430
STANDING ORDERS (CHANGES)	22433
<i>Motion moved—[Donald Gorrie].</i>	
Donald Gorrie (Central Scotland) (LD)	22433
Alasdair Morgan (South of Scotland) (SNP).....	22435
Alex Johnstone (North East Scotland) (Con)	22436
John Swinburne (Central Scotland) (SSCUP).....	22438
Cathie Craigie (Cumbernauld and Kilsyth) (Lab).....	22439
Bill Aitken (Glasgow) (Con)	22440
Phil Gallie (South of Scotland) (Con)	22441
Alex Neil (Central Scotland) (SNP).....	22442
The Minister for Parliamentary Business (Ms Margaret Curran)	22444
Karen Gillon (Clydesdale) (Lab)	22448
BUSINESS MOTIONS	22451
<i>Motions moved—[Ms Margaret Curran]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTION	22453
<i>Motion moved—[Ms Margaret Curran].</i>	
DECISION TIME	22454
SAFER COMMUNITIES AND NEIGHBOURHOODS	22463
<i>Motion debated—[Christine May].</i>	
Christine May (Central Fife) (Lab)	22463
Tricia Marwick (Mid Scotland and Fife) (SNP)	22466
Mr Ted Brocklebank (Mid Scotland and Fife) (Con).....	22467
Iain Smith (North East Fife) (LD)	22468
Mrs Mary Mulligan (Linlithgow) (Lab)	22470
Patrick Harvie (Glasgow) (Green)	22471
Trish Godman (West Renfrewshire) (Lab)	22473
The Deputy Minister for Justice (Hugh Henry)	22474

Scottish Parliament

Wednesday 18 January 2006

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. Our first item of business today, as it is every Wednesday, is time for reflection. Our time for reflection leader today is Mrs Carrie Varjavandi, who represents the Bahá'í Council for Scotland.

Mrs Carrie Varjavandi (Bahá'í Council for Scotland): Today I would like to tell you a little of one of the great untold stories of our time.

Baha'u'llah, the founder of the Bahá'í faith, was born into a noble family in Iran more than 180 years ago. He forsook his life of wealth and comfort for one of imprisonment, torture and exile in order to share with those around him his unique insights into the condition of the world. His life and teachings are the inspiration for the 5 million Bahá'ís in the world today.

Baha'u'llah did not bring an ideology or found a political movement; instead, his teachings transformed people's hearts. He also had much to say about society and about those who govern. I would like to share some of his insights with you.

Baha'u'llah linked the transformation of the individual to the development of society. He said:

"All men have been created to carry forward an ever-advancing civilisation".

He identified the present era as the time of the coming of age of humanity—a time that would be distinguished not only by unprecedented turmoil and difficulties, but by the promise of a much brighter future.

The world today faces apparently intractable problems, which governments and peoples are striving courageously to solve, such as climate change, poverty and religious fanaticism, to name but a few. Baha'u'llah identified the underlying cause of the world's sickness in these words:

"The well-being of mankind, its peace and security, are unattainable unless and until its unity is firmly established".

The experience of the Bahá'ís across the world, in their families, neighbourhoods and countries is that the first step in healing the world's ills is to establish unity. We humbly commend this principle to everyone.

While he was a prisoner of the Ottoman empire, Baha'u'llah wrote a series of letters to the kings

and rulers of his time. In his epistle to Queen Victoria, he praised Britain for its development of parliamentary democracy and expressed the hope that the members of its Parliament would endeavour, in his words,

"to be trustworthy among His servants, and to regard themselves as the representatives of all that dwell on earth."

Scotland has always been an outward-looking nation with a great tradition of helping others. Our contribution to the world is far out of proportion to our size. I hope that reflection on Baha'u'llah's words will help us all to continue that practice in ways that will help the world's people to transform our lives on this planet.

Business Motion

14:34

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-3832, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a revision to the business programme for this week.

Motion moved,

That the Parliament agrees the following revision to the programme of business for Wednesday 18 and Thursday 19 January 2006 as follows—

Wednesday 18 January 2006

after,

2.30 pm Time for Reflection – Mrs Carrie Varjavandi, representing the Bahá'i Council for Scotland

followed by Parliamentary Bureau Motions

delete,

followed by Ministerial Statement: The Cultural Commission

and insert,

followed by Executive Debate: International Strategy

Thursday 19 January 2006

after,

2.15 pm Themed Question Time

delete,

followed by Parliamentary Bureau Motions

2.55 pm Stage 3 Proceedings: Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill

and insert,

2.55 pm Ministerial Statement: The Cultural Commission

followed by Parliamentary Bureau Motions

followed by Stage 3 Proceedings: Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill—[Ms Margaret Curran.]

Motion agreed to.

International Strategy

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-3826, in the name of Mr Tom McCabe, on the international strategy.

14:35

The Minister for Finance and Public Service Reform (Mr Tom McCabe): In 2004, Parliament welcomed the publication of the Executive's first international strategy. Since then, we have redoubled our work to promote Scotland and its international interests. This is a good moment to review what has been achieved and to point to our future direction. Ministers have strengthened the Executive's efforts to ensure that Scotland makes the most of international opportunities. We have taken major steps to raise Scotland's profile around the world. Let me give a few examples.

We have initiated a major project on a 10-year timescale to enhance and redefine Scotland's international image. Our clear purpose is to promote Scotland as a great place to visit, live, learn, work and do business. We are actively encouraging bright, talented and hard-working people to come to Scotland to live and work and we are making it easier for them to do so. That strategy is working: in 2004, we had the highest levels of in-migration since records began in 1952.

We have increased Scotland's profile by opening and developing offices overseas to represent Scotland in key centres of influence. We have also worked with Whitehall, with regional partners and with Parliament to enhance our policy influence in Europe. Ministers have travelled overseas to increase Scotland's impact on major partners, including in Europe, North America and China.

We have worked with the United Kingdom Government to ensure that Scotland's success is promoted internationally as part and parcel of the UK's success. We have also made the most of major opportunities at home and overseas to showcase Scotland to an international audience.

Stewart Stevenson (Banff and Buchan) (SNP): Will the minister care to comment on an objective test of progress that I carried out 30 minutes before I came to the chamber? When I entered the words "Scotland", "England", "Wales" and "Ireland" into the Google search engine, I found that "Scotland" returned 20 million fewer results even than "Wales". Are we making the progress that the minister suggests?

Mr McCabe: If Mr Stevenson regards that as an objective assessment of progress, I must tell him

in all candour that that is why we are in Government and he is in opposition.

We have broken new ground by demonstrating how the Executive can support and encourage Scotland's contribution to international development, not least by renewing our long-standing relationship with Malawi. Many members will be aware of some specific activities that we have pursued under those initiatives, but I doubt that many will be conscious of the full range and extent of what we have been doing. It would take some time to go through the full list, so I will mention just three examples.

First, we have developed Scotland's engagement with China. Several ministers, including the First Minister, have visited China and we have welcomed senior Chinese visitors in return. Those include President Hu, whom the First Minister met during the G8 summit last year. They also include, more recently, the Chinese education minister—a man who, it has been estimated, is responsible for the education of one quarter of the world's pupils and students. We have worked with the Foreign and Commonwealth Office to open a new Scottish affairs office in Beijing and Scottish ministers will visit China again throughout 2006.

Secondly, we have developed for Scotland a brand that incorporates the saltire and we have produced marketing and promotional materials that have been used on every continent to highlight what contemporary Scotland has to offer. To date—Mr Stevenson will be interested in this figure—more than 0.25 million people around the world have visited our website scotlandistheplace.com to find out more about our great country. The tailored visits that we have organised for 75 representatives of the international media have resulted in features about Scotland appearing in major newspapers and magazines around the world. In addition, we have distributed packs of information and materials about Scotland to Foreign and Commonwealth Office posts overseas to help them to promote modern Scotland effectively.

Irene Oldfather (Cunninghame South) (Lab): The minister will recall that, ahead of the UK presidency of the European Union, the Opposition continually asked what Scotland's input to the UK presidency would be. Can the minister give us an idea of the input that Scotland and Scottish ministers had?

Mr McCabe: I am very happy to do so. I can confirm that more than 30 European presidency events were held in Scotland, and that they were deemed to be extremely successful. The people who visited our country appreciated our professionalism and the warmth of the welcome that they received. In fact, overall, the UK

presidency has been deemed to be extremely successful, although because of the carping of some sections of the media and some members on the nationalist benches, that has perhaps become apparent only in retrospect. A wide range of measures has been taken, including reform of the budget and the sugar regime, the opening of accession negotiations with Turkey and Croatia, endorsement of a new EU counterterrorism strategy and agreement on the data protection directive.

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

Mr McCabe: No—I need to make some progress.

As a result, in response to Irene Oldfather's very appropriate intervention, we can ably demonstrate that considerable progress was made during the UK presidency.

Some of our achievements in Scotland include the creation of an image bank of more than 300 compelling photographs of Scottish people and Scottish life, which are shared with our key partners including VisitScotland and Scottish Development International. Not only is that a good use of public sector resources, it enables us to demonstrate consistently that Scotland is a great country to visit, to live in, to learn in, to work in and to do business in.

We have secured prominent advertising sites at six major Scottish airports to extend a warm welcome to visitors and to leave the lasting impression that Scotland is an inviting and exciting country.

Finally, we are continuing to build our links in Europe. We co-operate informally with a number of different regions, and have useful co-operation agreements with Catalonia and Tuscany. Most recently, we have signed action plans with two of our closest partners in Europe, Bavaria and North Rhine-Westphalia.

Richard Lochhead: Will the minister give way?

Mr McCabe: No—I really need to make more progress. I have already taken a number of interventions.

Our plans, which cover areas such as planning, the environment, tourism, youth work, health improvement, enterprise and structural funding, set out a programme of tangible activity. I hope soon to make a return visit to North Rhine-Westphalia to meet my new ministerial counterpart and to discuss further options for co-operation.

As we move forward from this point, our international strategy needs to recognise some startling facts about global change. One bald fact is that in this century China has contributed more

growth to the world economy than all the G8 countries put together. There are now more internet users in India than in the UK and 95 per cent of the world's population growth is now absorbed by developing countries. Global change is not always comfortable, but the countries that prepare for it, embrace it and are open to the opportunities that it creates are the countries that benefit most from it. Openness to the opportunities that are presented by changing international circumstances should lie at the heart of Scotland's international strategy. For centuries, Scots have been among the pioneers of new ideas and technologies that have generated social, economic, and scientific progress. We have helped to drive change around the world and, indeed, we still do.

However, we also need to take advantage of what is happening elsewhere. In domestic legislation, we can learn from others' experiences, which is what we have done with our anti-smoking policy. In working internationally, we need to focus on working with the most important partners to get the maximum benefits.

Phil Gallie (South of Scotland) (Con): The minister referred to domestic policy. I am sure that he will recall with sadness the European report that painted Scotland as the most violent country in Europe. How does that help our international image?

Mr McCabe: It does not help, particularly given the entirely skewed interpretation of that report by some sections of the media. Anyone who assesses the report objectively will know that that conclusion was well and truly flawed.

Change in Scotland plays its part, too. Devolution has given Scotland huge opportunities to develop its international engagement, but we are also part of a United Kingdom that has global reach and influence and which is also working for Scotland's international interests. The devolved Government also has the scope to use its own activity to maximise Scotland's international impact. As we move forward, the Executive will build on important relationships that Scotland has already established and will work to establish new relationships that will benefit us in the future.

The Executive looks forward to working with partners throughout Scotland, and particularly with members of the Scottish Parliament, who I know share the vision of achieving the most that we can for Scotland by working openly in an international context.

I move,

That the Parliament welcomes the Scottish Executive's ambitions and activities to build international relationships that benefit Scotland and Scotland's interests throughout the world; supports its promotion of Scotland as an ideal

place to live, work, study and do business; commends the Executive's encouragement and support for Scottish contributions to international development and other challenges facing the international community; acknowledges the importance of working with the UK Government to achieve these aims, and underlines the importance of responding to changing international circumstances to ensure the greatest possible gains for Scotland in all sectors.

14:45

Mr John Swinney (North Tayside) (SNP): It is a pleasure to take part in the debate. We very much missed the Minister for Finance and Public Service Reform at the debate on local government finance last Thursday, but I think that I now understand why he was not here. He must have been brushing up on his numeracy skills so that he could debate internet statistics with Mr Stevenson—a rather daunting task. I reassure Mr McCabe that I intend to offer no internet statistics during my speech.

I welcome the debate and much of the content of the Government motion. We think that it is important that the Government has an international strategy and we welcome the fact that there has been intensification of activity to promote Scotland in other countries. It is also good that the Government is establishing bilateral relationships with other countries.

We are particularly pleased that the Government has chosen to involve itself in international development activity, which is beyond doubt a reserved policy area. The fact that the Government has chosen to be involved and has committed public expenditure to supporting that task is a welcome recognition that the countries that we seek to help—Malawi or any other country—are not in as fortunate a position as we are. We have a moral obligation to do what we can to assist, despite the fact that it is a reserved policy area.

It is a mark of the significant progress that has been made during the first six years of devolution that we now have a European strategy, an international strategy and an international development strategy. I commend the Government for its achievement, although I recognise that there has been a major turnaround in the Government's attitudes. In 1999, my party was vilified by the Labour Party for suggesting that the new Scottish Government should have an external affairs strategy and that there should be a minister responsible for it. In an excellent document that was published in February 1999, the Scottish National Party set out its policy, which included the following aims: to manage external relations with the European Community and European Council; to open offices in important markets in the world; to ensure that Parliament

has a strong voice on European affairs; to promote Scottish interests in Europe and the rest of the world; and to contribute to humanitarian work by supporting Scottish relief and development agencies.

I seem to remember that we were vilified by the slogan "Consulates, not clinics", but the Scottish Executive is now pursuing exactly our policy approach after all these years. Of course, that wise document from the SNP was prepared by none other than Mr George Reid, who was described by the Labour Party in 1999 as the SNP's minister for conflict. How wrong Labour members were then; I am glad that they have now seen the light.

The promotion of Scotland abroad was, into the bargain, the subject of a committee inquiry, which I had the privilege of chairing. A number of the recommendations that were made have yet to be acted on, so I hope that we shall hear from ministers about further responses to the recommendations of the European and External Relations Committee. The Government has undoubtedly made progress but, in the words of the popular slogan, "A lot done, a lot more to do".

I want Scotland to be a country that plays a full part in the international community, that works actively in the European Union to promote Scottish interests and which contributes to co-operation for the common good. I want Scotland to be able to exercise a strong voice on the major international issues of the day. In recent years, the conflict in Iraq has dominated the political agenda in this country and throughout the world, but the Executive has been only too keen to treat that major issue, which affects us all, as a reserved issue that the Westminster Government should deal with. The Executive's lack of willingness to take a stance on an issue that concerns Scots shows the limits of the international activity and perspective of the Government.

Recent concerns about rendition flights and the possibility that our land and airspace have been used to accommodate such flights have been met with unwillingness to probe the issue. Again, the Scottish Executive is happy to leave the issue to the United Kingdom Government and is not prepared to satisfy itself on a matter that is of deep concern to the people of Scotland. I hope that the Executive will take seriously the new information that has been published today by my Westminster colleague, Angus Robertson, which provides significant new information on the pattern of rendition flights and the impact that they might have had in Scotland. Credible information and evidence are now available, showing the planes that have been used, the dates on which the planes have been seen and the routes that the planes have taken. The Executive cannot ignore

the growing evidence about rendition flights and it must take a stand on behalf of the people of Scotland. An Executive with a strong international perspective should be prepared to reflect on such issues.

Mr McCabe: I am not sure whether we are hearing a signal of yet another new approach to policy by the SNP. Is Mr Swinney suggesting to Parliament that politicians should now instruct the police on what they should investigate and when? This country has a long tradition—rightly so—of the police being entirely independent. If the SNP or anyone else reported any evidence of wrongdoing to the police, the Executive would properly have faith in the professional judgment of the police on what they should investigate and when. I would appreciate clarity: does the SNP want us to depart from that policy?

Mr Swinney: If the minister studied the parliamentary debate on rendition flights before the Christmas recess, he would know that at no stage did any of my colleagues suggest that the police should be instructed to do anything. Of course the police must be independent and of course the Lord Advocate must be independent. We would support, continue, maintain and encourage those principles in the Scottish judicial system. However, we are talking about politics and policy. We want the Executive to express concern about the growing suspicion that rendition flights are using our airspace and our land. The Government should take a stand and make its voice heard clearly. There is a subtle difference between a political statement of concern—a concern that plenty of other countries are expressing—and the type of timidity that Mr McCabe has shown in the debate today.

The war in Iraq and the rendition flights are two examples of areas in which the Scottish Executive is not prepared to play an active part on the international stage. International affairs are not a pick-and-mix: we cannot pick the issues that suit us and avoid those which we find uncomfortable. If we are to play a full and active role in the international community, we must be prepared to address all such issues and to make our voice heard.

The Executive has made welcome efforts to promote Scotland abroad, to become more active in international development and to seek a role for Scotland in European discussions. We believe that Scotland's potential to play a part in the international community will be realised only when Scotland is an independent member of the international community. As we observe the constructive role that is played in Europe and the wider international community by a wide range of small countries—be they European countries or countries further afield—I am ever more convinced

that Scotland has a distinctive role to play. That is the challenge and the opportunity that lies ahead for Scotland. I look forward to achieving that vision. In that spirit, I move amendment S2M-3826.1, to leave out from “acknowledges” to end and insert:

“but regrets that on major issues of international policy, such as the war in Iraq or CIA rendition flights, the Executive is unable effectively to represent the views of the people of Scotland, and recognises that this will be possible only when Scotland plays a constructive role as an independent member of the international community.”

14:53

Derek Brownlee (South of Scotland) (Con): I thank the minister for his comments on the Executive's progress on what we would all acknowledge is an important part of its programme. Much discussion on the issue has taken place in the years prior to my arrival in Parliament, and I have had the privilege of working through a great number of debates and parliamentary reports on it since then.

Any debate on the Executive's international strategy has to have two parts: we have to consider carefully whether the strategy is correct, and we have to move on to the rather more difficult issue of implementation. Last year's report by the European and External Relations Committee on promoting Scotland abroad made a number of valid points on both those necessary parts of the debate, but those points have not been answered. I hope that what the minister says later today, and what we hear in any further communications from the Executive, will answer the points fully. That would be a helpful step for the Executive to take.

The minister mentioned changes in Scottish population figures. We all accept that, unless we reverse the decline in our population, the future will not be as bright as it could be.

Richard Lochhead: Will the member clarify Conservative policy? Is he suggesting that the Executive's policy is not ambitious enough for Scotland? The Conservatives did not want a Scottish Parliament in the first place; they believe that the Foreign and Commonwealth Office should be in charge of all foreign and overseas issues.

Derek Brownlee: It is not for me to comment on Conservative party policy on reserved matters. We believe, quite appropriately, that that should be done by our colleagues in Westminster. The Conservatives were opposed to the creation of this Parliament, but we moved on from that position some time ago—I had hoped that members on the nationalist benches might have noticed that.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The Conservatives were worried about their seats.

Derek Brownlee: Perhaps.

We need to ensure that there is sustained progress on population figures. There have been encouraging signs of late, but we need to make sure that there is definite progress.

I was encouraged by what the minister said about relations with China because it is important that the Scottish economy engage with the opportunities there. It would be remiss of us to ignore the scale of growth in China, India and many other parts of the world, so I am grateful to the minister for his comments on the matter. I will skip over his assessment that the UK presidency of the European Union was a success—I suspect that not many people would agree with that assessment, particularly in relation to the deal on the UK's contribution to the European Union budget.

The key thing that the Conservatives criticise the Executive for is not necessarily a lack of good intentions, but a lack of concrete milestones. We know that it is difficult to measure tangible progress in an area such as international relationships, and that it will take some time for progress to be made. The Executive seems to have many good intentions but says very little about how to measure progress against the objectives that it has set. If there is one thing that the Executive should redo in relation to its international strategy, it is to make it much more measurable and much more open to independent review.

The Executive motion rightly accepts the importance of working with the UK Government to achieve its aims: that is crucial and the minister will hear no criticism from the Conservatives on that score. However, we are entitled to ask just how successful previous efforts by the Executive to engage with the UK Government have been. Was the First Minister particularly successful in his representations to the Home Office on a protocol for dawn raids? Was he successful in obtaining full finance for the costs of policing the G8 summit? Was the Deputy First Minister and Minister for Enterprise and Lifelong Learning successful in the representations that he made on the supplementary corporation tax charge that was applied to the oil and gas industry in Scotland? I suspect that we know the answer to those questions. The Executive does not seem to have the influence with the UK Government that it should.

That is not, however, as the nationalists would have it, a justification for independence. When the nationalists come off with that line, they let the Executive off the hook by going into a constitutional argument. Why does the Executive not have the influence that we fairly expect it to have? Why are Scottish ministers' representations

apparently ignored so regularly? Why do Scottish ministers—including even the First Minister—carry so little weight with their UK counterparts? If Scottish ministers cannot influence the matters that I have mentioned, how can they influence the promotion of Scotland abroad? How can we have confidence that they have influence abroad? Those are the real questions that we should be asking.

Oil and gas are an example of where the Executive's lack of influence has sent a damaging signal about Scotland. The Executive can come up with all the strategies it wants, but until we ensure that Scotland is internationally competitive, they will not make a bit of difference.

I move amendment S2M-3826.2, to leave out from "welcomes" to end and insert:

"notes the Scottish Executive's efforts to promote Scotland's international image and to encourage Scottish contributions to international development; welcomes the work of Scottish Development International in building on the success of Locate in Scotland; is disappointed to note that no minister has participated in any Scottish Council for Development and Industry trade mission since 1999; believes that a more competitive economy and better public services are crucial to making Scotland a more attractive place in which to live and invest, and acknowledges that the Executive must work closely with Her Majesty's Government in order to improve the image of Scotland overseas."

The Presiding Officer: We move to open debate. This is a short debate, so speeches should be four minutes. There is little time for interventions.

14:58

Irene Oldfather (Cunninghame South) (Lab): This is a welcome opportunity to debate Scotland's place on the international stage. I begin by saying that devolution has given us, as Scots, a vehicle and impetus to express our renewed confidence and our inherent sense of internationalism. It is appropriate that we are having the debate in the week before the anniversary of the birth of one of our greatest Scots and the greatest internationalist in the rich history of Scotland. Members will expect me, an Ayrshire MSP, to mention the Ayrshire poet Robert Burns.

Hundreds of years after his death, Burns continues to contribute to the Scottish economy by virtue of a literary and cultural legacy that unites Scots at home and expatriate Scots around the globe this week in seeking out haggis and whisky and in joining together to celebrate a very distinctive part of our Scottish heritage. That promotes Scotland in a real and practical way—Burns represents the traditional image of Scotland that is vital to our tourist sector. We are a country that is rich in culture, steeped in history and

heritage and blessed with remarkable natural landscapes and countryside.

We are also a modern and dynamic, and I hope, welcoming Scotland that is open for business. We have first-class universities and a highly motivated workforce.

Richard Lochhead: I welcome the member's excellent reference to Rabbie Burns, our national bard. However, does she share my disappointment that, according to the Scottish Parliament information centre, the Foreign and Commonwealth Office and the British Council are doing little to promote Burns overseas?

Irene Oldfather: I am aware that the Executive is working with Scottish Enterprise on that and that Ayrshire is already looking to celebrate the year of homecoming. A great deal is being done to promote Burns in Scotland and around the globe.

The encouragement of Scottish companies to develop their international business sectors and assisting them to remain competitive in the global economy are priorities for Parliament, but they have also been key elements of the Executive's international strategy. The enlargement of the European Union has provided a market in excess of 400 million consumers, and the route development fund has allowed Scottish business unprecedented access to those markets.

For some time, the Welsh have been promoting their country in the vital North American market as a gateway to mainland Europe. The considerable increase in the routes from Scotland to Europe's capitals provides us with an opportunity to market Scotland in the United States as a starting point for two-centre holidays. That opportunity provides a direct gateway from Scotland to Europe. As someone who regularly hosts visits from North America, I can see real advantages in that approach. Americans are often nervous about the cultural and language challenges that they face in mainland Europe. They are also more sensitive these days about security. It is very attractive to them to bypass Heathrow and come straight to Scotland via Prestwick international airport and to use that as a base from which to move on to Prague, Rome and Paris. Those possibilities have been developed as a result of the route development fund.

Scotland has three niche markets, which I call the three Gs—golf, genealogy and green tourism. Those are attractive to North American and Australian tourists. We in North Ayrshire are looking to develop those markets and we have responded to the Scottish Enterprise call to identify strategic locations in Scotland for international development. That strategy aims to highlight locations for tourism and growth.

I came to the debate thinking that I would have to talk about the subject as though it were a challenge. However, I looked at the VisitScotland website before I came to the chamber, and I am most impressed with the work that has been done on linkages, genealogy, green tourism and golf since last we debated the international strategy. It is important that we give credit where it is due.

Presiding Officer, I realise that I am running out of time, so perhaps I can end by saying that when I taught at the University of Arizona, people would ask me whether we had electricity in Scotland. However, I now know that the small town of Sierra Vista, south of Tucson, has an annual Burns supper. The city of Tucson has a Gaelic Institute.

Scotland has found a new vibrancy, which has become contagious around the globe. Despite the difficulties of the construction of this building, we have a Parliament to be proud of and that we can showcase. I asked the minister about the UK presidency of the European Union because it gave us ample opportunity to showcase the Parliament and Scotland. I was proud to be Scottish during that time.

I support the motion.

15:04

Patrick Harvie (Glasgow) (Green): I welcome the Executive's international strategy. Devolution should be about more than introspection. Regrettably, however, I find the strategy rather focused on self-interest. There are two dominating concepts—promoting a positive image of Scotland overseas and internationally promoting Scottish devolved policy interests. The minister and John Swinney have been debating the last section of the motion, which highlights the relationship with and role of the UK Government, and perhaps it is understandable that a debate of this nature might become fixed on that subject. However, whatever our take on that, I share the aspiration for Scotland to have a future in speaking for itself on the international stage.

To those in the chamber who do not share that view, I say that there are other approaches, even within the confines of devolution. Over the past couple of years, through the cross-party group on sexual health, I have had the opportunity to get involved in a European network, the inter-European parliamentary forum on population and development—beat that for a snappy title. Through that involvement, I have had dealings with parliamentarians from across Europe, not only at member state level but at other tiers of government. At a recent conference in Barcelona, I saw a look of astonishment on people's faces when they realised that Scotland has no formal role in international development, aid or even

trade. Local and regional tiers of government in other European counties have such a role and people take it for granted that that should be the case. We need to transcend the limitations: whether we remain a devolved institution or whether Scotland is an independent country in the future, we will continue to face limitations, which we must transcend.

Irene Oldfather: Will the member take an intervention?

Patrick Harvie: I will take one intervention. I ask the member to be quick.

Irene Oldfather: Is the member aware that, although we are debating the Executive's international strategy, its international development strategy has also been published? That document covers some of the points to which the member has just referred.

Patrick Harvie: In a moment, I will address the small steps that we have taken.

The Executive talks about the concept of

"Promoting a positive image of Scotland overseas."

We need to get that aspect right. How do we come to know a country? How do we gain our perception of—let us pick a country at random—the United States of America? Is it by a slogan such as "the best big country in the world"? Of course not; we come to know a country by its actions. We know the USA by its actions in its own towns and cities, in Iraq, in the United Nations, in Guantanamo bay or in our air space.

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

Patrick Harvie: I am sorry, but I have taken one intervention. As I have only four minutes, I do not have time to take another.

John Swinney mentioned CIA flights, an issue on which the SNP and the Greens call on the Executive not to interfere with the police, but to show political will. The Executive has lent its political will to tackling human trafficking for exploitation, an area in which we wanted to see not instructions being given to the police but political will being shown to raise the issue up the agenda and make it clear that we expect change. Rendition flights should be treated in the same way and given the same level of political backing. The UK Government accepts the American assurances—the skilfully crafted ambiguity—and it is by its actions that we know the UK Government on the issue.

It is by Scotland's actions that the rest of the world will come to know us and that our dignity, stature and profile abroad will grow. When we take those actions for ourselves, our profile as a country in the world will be a great one.

15:08

Richard Lochhead (North East Scotland)

(SNP): There is much in the debate that members agree on. We all agree that we have to use the powers that are available to Scotland under devolution since the advent of the Scottish Parliament in 1999 to promote Scotland overseas. Internationally, there is a huge reservoir of good will for this small country that lies on the north-west periphery of Europe. We must tap into and harness that good will for Scotland's economic, social and cultural benefit. If we do so, there will be huge benefits for Scotland. I was delighted to hear even the Tories say that the Scottish Parliament should try to influence London on reserved matters. Clearly, there is much that we can agree on today.

As John Swinney said in opening for the SNP, there are areas on which we disagree. For example, the SNP believes that, to maximise Scotland's impact on the world, we need the trappings and powers of other independent countries. We are talking not only about what Scotland would gain from being on the international stage, but about what we could contribute to the rest of the world.

I will not be quite as generous as John Swinney was about the Executive's international strategy. I believe that international relations and the international strategy are a very low priority for the present Scottish Government. I agree that we have made inroads, and that things have improved since before devolution, but we could do a lot more.

It is always possible to tell from the glossiness of the document how low a priority the Executive, and the Parliament, puts on an issue. The Executive's international strategy document is badly written, and I remember that it was late in being published. There are poor black-and-white photos of the First Minister and the Deputy First Minister. The content is really bad; it does not say much, but it is all warm words as usual.

We need much more ambition and leadership from the minister. That is why the European and External Relations Committee called for a dedicated minister for European and external relations. We need direction, leadership and much more focus and ambition.

We must remember that today's debate was a last-minute filler. The Executive changed the business at the last moment and, when it thought about what it could come up with quickly to fill an hour and a half, decided that international affairs would do. The debate was not even planned, which is why documents were published late. International affairs are simply not a priority.

If we in the Scottish Parliament do not promote Scotland, no one else will do it for us. That is why it is important that we get our act together. The minister has much more work to do to persuade the Foreign Office in London and organisations such as the British Council to work for Scotland. They are massive organisations with a massive presence throughout the globe and they do very little—indeed, next to nothing—to promote Scotland. The Foreign Office has a budget of nearly £2 billion and 16,000 staff between London, Croydon and Milton Keynes, with 233 overseas posts. If the minister checks the British embassy websites or British Council websites from throughout the world, he will see very little reference to Scotland. I will give the minister an example from the British Council—another massive organisation, with 7,300 staff, a turnover of £430 million and a presence in 110 countries. Its job is to promote UK culture and education throughout the world, but the mindset in the British Council, like that in the Foreign Office, is a London mindset that virtually ignores Scotland.

If we look at the pages called "Governance in the UK" on the British Council China's website, we see no reference to Scotland and no mention of devolution. The "Parliament" section refers to the UK Parliament and the "Cabinet" section refers to the UK Cabinet. We can also look at the page called "What the Papers are Saying" to see how the British Council updates the international community on current affairs in the UK. I checked that page this morning and six months ago and found that exactly the same newspapers were quoted: the *Financial Times*, *The Independent*, the *Evening Standard*, *The Daily Telegraph* and the *Daily Mail*—all London editions.

Those web pages make no reference whatever to Scotland; that is the mindset that we are up against. The minister must acknowledge that there is a huge job of work to do to persuade the UK establishment even to remember that Scotland exists. Today, I contacted the Scottish Parliament information centre, which confirmed to me that the Foreign Office and the British Council are not referring at all to the national bard—Scotland's most internationally famous literary figure—a week before Burns day.

15:13

Donald Gorrie (Central Scotland) (LD): I am happy to support the motion in Tom McCabe's name, which sets out some sensible points. The Executive deserves support and congratulation for what it has done, but I will try to suggest a few things that we could do better.

It is a difficult task for us to seek real influence in the United Kingdom. Members might not like to admit it, and it gets a bit tedious when the

nationalists keep going on about it, but it is a fact that Scotland does not exist as far as a lot of those in Westminster, Whitehall, the London chattering classes and the London press are concerned. Somehow we must break through that, and we will all have problems—even with our own political colleagues—on that front. We must work really hard so that we are at the heart of the UK and so that we can make even better use of the UK facilities for promoting Scotland than we do at the moment.

Margo MacDonald: Does it help the overseas promotion of Scotland and knowledge of the country as a distinctive entity if we wrap ourselves in the union jack and promote all things British, as the Chancellor of the Exchequer has urged?

Donald Gorrie: I was going to come to that and deal with it positively. Personally, I cannot understand why we do not promote St Andrew's day more vigorously, including by having a holiday.

On the question of getting people to come here and attracting tourists, I think that the Executive has progressed a bit as far as transport is concerned, although we could still do a lot more.

On the matter of being welcoming, there are some very good parts of the Scottish tourist scene. There are some really good attractions, where the people are welcoming, the whole thing is well set out and everything is great. However, in other parts of tourism in Scotland, the personal welcome leaves a good deal to be desired. We must educate those people who need educating in the tourism industry to be more genuinely welcoming.

Rabbie Burns has had a good mention, but we could make a lot more use of him. A big anniversary is coming up, and we could build on him a lot. There are other Scottish writers on whom we could build more, including Sir Walter Scott and Robert Louis Stevenson. There are others, too. Almost everyone in the world, or at least a great many people, has heard of Sherlock Holmes or Peter Pan, but the authors thereof should get credit, too. We could do more to promote present-day writing and publishing in Scotland to give out a good picture of ourselves abroad.

We could make more effort at having regular reunions of people who have left Scotland to work abroad. We could have a massive old boys' and old girls' reunion—a former Scots' reunion.

We need to look outside, as well as getting people to come here. We have to build on the existing links and on the twinning approach, whether that relates to Europe, the Commonwealth or other countries. There is a great tradition of Scots in Europe, which we could study much more than we do at the moment, and

we could make people aware of our great contribution to history in Europe, as well as in the Commonwealth. Voluntary arts and sports links often provide the best ways of developing the attitude of Scots towards people abroad and vice versa. We could do a lot more in that respect that would be relatively cheap. Just a little bit of money creates a huge amount of good will.

It is slightly difficult to say this in a politically acceptable way, but I think that one of our great assets, which we can trade on, is the fact that we are not English. The English have a downside in many foreign countries' view. I do not know whether we deserve it, but the Scots have much more of an upside, and people do not blame us for the empire. Let us push our Scottishness.

15:17

Dennis Canavan (Falkirk West) (Ind): The Executive's motion mentions

"Scottish contributions to international development".

I support those efforts, despite the critics who say that international development is a matter reserved to Westminster and that it is therefore none of our business. The eradication of poverty most certainly is our business. As members of the human race, we all have a responsibility to play our part in the eradication of poverty, at home or abroad.

Hilary Benn, the Secretary of State for International Development, made it clear that he welcomed this Parliament's efforts to add value to the work of his department. Some critics try to discredit those efforts by claiming that a lot of the money that is meant for international development is not reaching the people in need, but is going into the coffers of corrupt politicians. Such allegations surfaced again at the time of last year's visit by the President of Malawi. I do not know for sure whether those allegations are true or false, but our tradition of justice is based on the presumption of innocence unless proven otherwise. Last year, I took part in the Commonwealth Parliamentary Association's delegation to Malawi. We uncovered no evidence of corruption.

If evidence of governmental corruption comes to light, whether in Malawi or anywhere else, that does not justify the stopping of assistance to people in need. Why should people who are in dire poverty be punished for the corrupt conduct of their Governments? Aid could still be channelled through non-governmental organisations, instead of through the Government. In Malawi, there is no shortage of NGOs; in fact, there is a considerable number of them, many of which have Scottish connections. They do excellent work in areas such as health and education, particularly in helping

people who suffer from AIDS and malnutrition. I hope that some of those NGOs will receive assistance from the Scottish Executive's international development fund to enable them to continue their good work in international development and help promote good international relations between Scotland and the rest of the world.

There is a need to promote good international relations here in Scotland, too. I welcome the fresh talent initiative to encourage people from other countries to live and work here, but the Government's treatment of asylum seekers and refugees is not consistent with that policy. About 12,000 asylum seekers and refugees live in Scotland. More than 20 per cent of them are university educated, but more than 90 per cent of them are denied the right to work. People are coming to Scotland—some of them are fugitives from some of the most oppressive regimes in the world and many of them have skills and talents that could be used to build a new Scotland—but instead of being welcomed with open arms, they find themselves denied the right to work. Some of them are locked up in places such as Dungavel and others live in constant fear of dawn raids by snatch squads from the immigration authorities.

We are supposed to be living in a 21st century, multicultural, multiethnic society. We should celebrate that diversity, instead of treating people from other countries like second-class citizens and trying to impose on them some kind of British uniformity, with the help of the union jack and a special day to celebrate British nationalism. For historical and other reasons, some ethnic groups find it difficult to identify with the union jack and I doubt very much whether support for a British national day would ever reach the figure of 75 per cent that was recorded by the MORI opinion poll in support of my bill to make St Andrew's day a national holiday.

If ministers are serious about promoting Scotland internationally, they should try to ensure that people here in Scotland are treated as equals irrespective of their ethnic origin. The Executive should support my St Andrew's Day Bank Holiday (Scotland) Bill, which would give the people of Scotland the opportunity to celebrate our national identity, our ethnic and cultural diversity and our membership of the international community.

The Deputy Presiding Officer (Trish Godman): I remind members that speeches should be four minutes. I am trying very hard to fit in all the back benchers.

15:22

Des McNulty (Clydebank and Milngavie) (Lab): The best spur for us to think internationally and develop our international strategy that I have

heard today is the range of voices and languages that I heard on the number 40 bus coming along Maryhill Road this morning. It is becoming increasingly noticeable how many migrants from other parts of the world are coming to Scotland to seek opportunities, work and a new life as a result of the prosperity and opportunities that exist here. Not too long ago, there was substantial net out-migration of Scots to other parts of the world. That net out-migration has been slowed considerably and there has been considerable in-migration of people from other parts of Europe and the rest of the world. People in Scotland should embrace that and see it as a mark of not just our economic success, but our increased cultural diversity and attractiveness as a nation.

Margo MacDonald: Does the member consider that the people who have been attracted to live in Scotland came here because we were distinctively Scottish or British?

Des McNulty: I do not think that that even entered their heads; I think that they came here because they thought that they could make a new life here and they embraced that opportunity.

Margo MacDonald makes an interesting point. One of the issues that I have with the SNP contributions is that it is not important that a separate Scottish statement is made from here or anywhere else. The issue is what we want to say to the world and who is going to listen to us. Those are the questions that we need to ask. It is interesting to put that in the context of some of the things that Gordon Brown said last week about Britishness. He picked out the ideas of liberty, collective or shared responsibility and fairness as distinctively British and as emblematic ideas that characterise Britishness. However, I would say that they are also ideas that characterise Scottishness. There is a clear linkage—an interconnectedness—between our value system and the value system of the rest of the world.

The fact that Gordon Brown—who is recognised as a significant statesman by any measure, whether we judge that in terms of Scotland, the United Kingdom or the rest of the world—is Scottish and is articulating the views of the UK Government while bringing with him a Scottish cultural tradition, values and identity, enriches Scotland and Britain and, I hope, produces a transmission of those ideas to other parts of the world.

I do not think that there is any problem in our putting forward Scottish ideas, British ideas and European ideas in the context of internationalism. The history of the past 100 years has been towards making nationalism, in its narrowest sense, less and less significant, relevant or sensible. We need to engage with the problems that exist in the world and ask what contribution

we can make as individuals to sorting them out. Global poverty is a huge issue. Do people in Malawi or anywhere else in Africa worry about whether a specifically Scottish approach is taken towards them or do they wonder about the sort of support that they are going to get and the intentions and integrity of the people who are behind that support?

I think that the influence of Scots, through the UK, coupled with the way in which we in the Scottish Parliament are contributing to the international development agenda, is highly commendable. I condemn the petty parochialism that often accompanies debates such as this one. If we want to listen to a Scottish voice with a chip on both shoulders—I refer to Richard Lochhead—that is fine, but I would far rather listen to Gordon Brown, Jack McConnell and the people who say sensible things.

15:27

Rosie Kane (Glasgow) (SSP): The issue that we are debating is extremely important for Scotland, now and in relation to our future. John Swinney was right to introduce the issues of rendition and the war on Iraq to this debate. The Prime Minister's friendship with the President of the United States of America has dragged this country on to a sinister international stage. We cannot be proud of that.

The motion in the name of Tom McCabe talks about promoting Scotland as

"an ideal place to live, work, study and do business".

It is a well-known fact that there are skills and population shortages in Scotland that, if they are not dealt with soon, will become a crisis. It is therefore imperative that we attract and welcome people to Scotland. It would seem that there are people throughout the world who see Scotland as an ideal place to live. They come here, hope to settle here and want to work and raise their children here. However, they are tossed aside, barred from contributing and exposed to danger. I refer, as did Dennis Canavan, to our asylum seeker community. Our international strategy makes no mention of our own international community. However, within that community lies the solution to many of our problems.

The motion also mentions

"the importance of responding to changing international circumstances".

I agree that that is important. We should respond to the horrific poverty, environmental disaster, civil war and intolerance of political and religious belief that cause people to flee in the first place. We should open our hearts and borders to those in need. That would be the compassionate and

humanitarian thing to do, but it would also help Scotland and would go some way towards securing our economic future. There are doctors, nurses, university lecturers and teachers living on the streets of Glasgow. They rely on the Red Cross for sleeping bags and Barnardo's street teams for food. They are often known as failed asylum seekers and many come from countries to which they cannot return. The response of the Home Office is to make them destitute. That makes no sense at all.

The minister might say that that is not a devolved matter. How can the Executive take that position when it is on the streets of Scotland—in our bus shelters and our doorways—that these poor souls have to sleep? We might have heard a peep from the front benches if a different party was in power at Westminster. Instead, however, there has been an eerie silence on the treatment of our international visitors. Attracting workers is one thing, but we need people to come here and have children. I have done my bit in that regard and I hear that the Chancellor of the Exchequer is doing his bit, too. If we are seriously to secure our economic future, the silence must end. We must welcome and support families in Scotland and we must support our new international citizens.

Sadly, Scotland is still beholden to Westminster and will therefore stay tied to war, brutality and domination on the international stage. Some are happy to strip Scotland of its assets and some are happy to sit around and let that happen. Luckily, ever-increasing numbers oppose both those positions, so perhaps, one day, Scotland will reach her full potential here and throughout the world.

15:30

Phil Gallie (South of Scotland) (Con): Scotland has made a head start on its international strategy. Patrick Harvie referred to Scotland's image and how the rest of the world sees us. The rest of the world already knows of Scotland's performance in the past in engineering and in pioneering into other countries where Scots assisted in building up agricultural industries, supporting organisations and building sound administration.

Scotland has a great reputation. Donald Gorrie talked about our reputation in London and the need to build Scotland into considerations. In London, we have a Prime Minister who claims Scottish heritage. The Scottish Chancellor of the Exchequer represents a Scottish constituency. We have Scottish former Foreign Secretaries, Secretaries of State for Transport, Home Secretaries and senior Home Office ministers. Scotland has a massive input into affairs south of the border. If ministers cannot register their Scottishness south of the border as Scottish

members of Parliament, goodness knows who can.

When I was involved in producing the European and External Relations Committee's report on international matters, I recognised that the international strategy that was presented to the committee was a little woolly and lacked detail. I recommend that we pick up Derek Brownlee's idea of creating milestones so that we can judge the success of the international strategy. Alan Wilson asked whether resources for international promotion were best used, whether value for money was achieved and whether everybody knew what was expected of them. He said that he did not know, but that, realistically, he thought the answer was no. That was said a couple of years ago. Perhaps the minister could consider the situation now and advise us of progress.

I differ little from what Irene Oldfather said about Robert Burns. However, in its evidence for the European and External Relations Committee's report, the Robert Burns World Federation was extremely critical of the Executive's stance, particularly on the 250th anniversary of Burns's birth, which is just three years away. I wonder what lessons have been learned from that and whether the minister has a strategy for picking up on that anniversary. However, I compliment the Executive and particularly Patricia Ferguson on involving the National Trust for Scotland in activities in Alloway, which should enhance Burns's birthplace.

What are the big issues on the international scene? Energy is perhaps the biggest, not only in relation to climate change, but in relation to security of supply. Scotland's nuclear power history is second to none. Scotland has a magnificent and safe history and a sound technical basis. If the minister promoted Scotland's nuclear record, he would do Scotland proud economically and internationally with respect to our branding.

It is a point of shame that, since 1997, we have dropped in the competitiveness league from being the fourth to the eighth most successful region in the UK. The same story applies to economic growth. The minister's motion does not refer to economic development or things economic. I suggest that he should look again at the international scene and see whether we can build on the points that I have mentioned.

15:34

Christine Grahame (South of Scotland) (SNP): A nation is known by its deeds, not by its words—and certainly not by its strategies. There is much to commend in the Government's good efforts in deprived areas of Africa, which it would be churlish not to recognise. However, against those efforts one must set our treatment of asylum

seekers who come to Scotland—who have already been mentioned—and our treatment of children who watch their parents being handcuffed and are forced forth of Scotland without having known any other place to live. Children who are deported from Scotland can even be investigated by the reporter to the children's panel and sent away with the very people who are abusing them. We let such things happen in Scotland's name. As a result, Scotland is hardly an ideal place in which to live and work. As members have said, such things fly in the face of the fresh talent initiative—they are total nonsense.

Issues have been raised from our previous debate on rendition flights, which are mentioned in our amendment. We will be known by our deeds. Who is doing what? Where are they doing it? Who is investigating? That Senator Dick Marty has already accused European countries of remaining silent about the issue is interesting. He said:

"all European countries should stop acting 'hypocritically' and decide whether or not to tolerate the dirty policies of Washington."

Irene Oldfather: Will the member take an intervention?

Christine Grahame: I am sorry, but I do not have enough time. I have only four minutes.

Senator Marty said:

"Since two, three years, the countries know what is happening. There are countries that have collaborated actively, and there are others who have tolerated. Others have simply looked the other way".

To use the words of the famous Ming the merciless, see no evil, hear no evil, but let the evil be done—I added that last part myself.

Senator Marty said that it is impossible for Washington to fly prisoners across Europe without anyone knowing what is going on, and that Governments throughout Europe are willingly being silent about camps in eastern European countries in which people are being tortured.

What inquiries are taking place? The Council of Europe, Spain, Sweden, Iceland and the head of police in Manchester, on behalf of the Association of Chief Police Officers in England, are conducting inquiries, but we are doing nothing in Scotland.

What is the definition of torture, which, according to Condoleezza Rice, is simply not taking place? For Colin Boyd, under Scots law, torture occurs when

"severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession".—[*Official Report, Written Answers*, 22 December 2005; S2W-21581.]

Of course, that is not the United States's definition. It has defined enhanced interrogation techniques as follows:

"Grab: the interrogator grabs a suspect's shirt front and shakes him ... Slap: an open-handed slap to produce fear and some pain ... Standing: Prisoners stand for 40 hours or more, shackled to the floor. Said to be effective, it also denies them sleep and is part of a process known as sensory deprivation ... Cold cell: a prisoner is made to stand naked in a cold, though not freezing, cell and doused with water ... Water Boarding: the prisoner is bound to a board with feet raised, and cellophane wrapped round his head. Water is poured onto his face and is said to produce a fear of drowning".

Would we not call such things torture?

I appreciate that most of the airports in Scotland are not subject to the Parliament's investigations, but two are—Inverness and Wick. Highlands and Islands airports fall within the Scottish Executive's remit. There have been five Central Intelligence Agency flights to Inverness and two to Wick—that information was obtained from the US Federal Aviation Administration under American freedom of information legislation. I suggest to the minister that he should investigate matters and start by looking at the logs for Inverness and Wick airports, over which he has jurisdiction. He should do so here and now and then report to the police.

15:38

Mr John Home Robertson (East Lothian) (Lab): The Executive's strategy is a sensible agenda for engagement by Scotland's devolved Parliament with the wider world. The relationship between Scotland and the wider world has a long history, some of it proud and some of it murky. For many centuries, Scots have travelled the world for all sorts of purposes, some of which we might not want to refer to in the debate.

Irene Oldfather and Phil Gallie were right to refer to the great Scottish poet who wrote movingly about the brotherhood of man, but we should also bear it in mind that Burns nearly went to Jamaica to work in an economy that was built on slavery. Perhaps we should not be too smug about our history. We should all strive to do better in the future.

Happily, Scotland has a good reputation abroad. I have come across people in the most unlikely places and circumstances who are aware of Scotland's distinct identity and who have a good impression of our people and our country. That reputation, combined with the Executive's strategy, should be a sound basis for us on which to learn, to contribute and to do business in the rest of the world in future. So it is rather tedious to have to listen to nationalist members going on in every debate about how everything would be fine if only Scotland was independent. I am sorry, but we do not believe that, and I do not think that they honestly believe that. The people out there are bored of constitutional fetishism.

As for the seriously disturbing issue of torture and rendition flights, the idea that Scotland could somehow have more influence over the CIA than the United Kingdom has is patently absurd. Torture is against international law. I am proud of the fact that General Pinochet was detained in Britain in 1997, and I sincerely hope that our independent police and prosecution authorities will apply exactly the same principle to any offender when there is evidence.

Within the devolution settlement, the Parliament and the Executive have wide-ranging rights and duties in relation to the European Union. There are important international dimensions to our responsibilities for enterprise, the environment, education, and culture and tourism, and we can play a valuable supporting role in relation to the deep concerns of our people about the victims of poverty, conflict and natural disasters overseas. The Executive's motion sets out the right way in which to approach those issues, in partnership with our colleagues at Westminster.

I will touch briefly on two specific issues. The first is the fresh talent initiative, to which members have referred and which I strongly support. The initiative is targeted at skilled workers, but there are a lot of foreign people doing unskilled work in Scotland. We know that some of them are subject to exploitation by unscrupulous employers and gangmasters. I have expressed concerns about foreign workers and local employees being displaced by low-paid foreigners at the Monaghan Mushrooms farm in East Lothian. I am still looking to the Scottish Agricultural Wages Board to get a grip on that situation.

Secondly, I will say a word about Scotland's contribution to overseas aid and disaster relief. I strongly support the initiatives that the Executive is promoting in Malawi, and I thank Scots for their generous support for victims of the earthquake in Kashmir. I have been involved in delivering a little bit of that aid. The need of homeless people above the snow line in the Himalayas is absolutely desperate. I hope to return to that area next month.

Scots have a long tradition of travelling the world to learn, to work and to develop business opportunities. We have been welcoming tourists and migrants for a long time, too. Our resurgent national identity in the Scottish Parliament affords a tremendous opportunity to develop even better links and even bigger opportunities. I strongly support the Executive's motion.

15:42

Margo MacDonald (Lothians) (Ind): I, too, support the Executive's intentions, which are excellent. The strategic objective is correct if it is

to promote the best interests of Scotland at home and abroad, which I think it is. Irene Oldfather echoed the Executive's motion. However, we then moved into a period of confusion, which ended with John Home Robertson talking about constitutional fetishism because of remarks that were made by SNP members, which one could infer suggested that we might act in a sovereign manner properly to promote the full range of Scotland's interests. I agree with that, too. In many respects, I wish that the SNP would talk of sovereignty, not independence—we would then have the idea of working in partnership with people in the United Kingdom.

The strategic objective says that, although we will obviously co-operate with partners in the United Kingdom, Scotland will be promoted as a distinctive entity. Does it help that, in the same week that the Executive's motion appears in the *Business Bulletin* here, the Chancellor of the Exchequer suggests that we should be British and celebrate Britishness? I believe that we are British, but the objectives that the chancellor has staked out as being worthy of promotion—such as the belief in tolerance, fair play and so on—are shared by people in Ireland. I think of myself as British, but as a citizen of the British isles. That unit of international and interregional co-operation makes much more sense than the narrow United Kingdom to which, unfortunately, my friend Phil Gallie referred.

Although one thing is written in the *Business Bulletin*, we have debated something quite different, and I wish that we would own up to that. If we are to promote Scotland as a distinctive identity in the 21st century, we will have to get over that faultline and do away with the Geiger counter that is run over every discussion in the chamber to look for elements of nationalism. The fetishism can be found all over, because friends and colleagues in one part of the chamber are immediately suspicious of an idea coming from the other part. If we consider propositions on their merit and logic, I suggest that we will come to very different conclusions and agree to support the Executive's motion, if it means what it says.

15:45

Karen Gillon (Clydesdale) (Lab): That was an interesting and thoughtful contribution from Margo MacDonald; Richard Lochhead could learn a lot from it.

John Home Robertson reflected on where the debate had taken us. I will pick up a couple of points, particularly those that were made by Mr Lochhead about the British Council. I am not here to apologise or stand up for the British Council; I am here as an MSP who has had considerable contact with that organisation through my

constituency, in my role as a member of a CPA delegation to Malawi and, subsequently, as a co-convenor of a cross-party group. I have found all of my contact with the British Council to be helpful and constructive in promoting Scotland abroad. I suggest to Mr Lochhead that he might want to visit the British Council offices next door—he could talk to the people there about what they are doing, and ask what he can do to help them and what they can do to help him. Clearly, there seems to be a limit to his understanding if he thinks that the best way to learn about an organisation is to visit its website. Visiting would be far more productive and it would help him to learn more about the British Council's work.

Richard Lochhead: I assure the member that I have probably had a lot more conversations with the British Council and its head than she has had recently, especially when I was convener of the European and External Relations Committee.

My argument is that Scotland does not get its fair share of the attention, time and resources of the British Council and the Foreign Office. There is plenty evidence to prove that. The member should check her facts.

Karen Gillon: It is typical of a man to want to focus on size rather than quality or content. I have had considerable contact with the British Council. I do not want to get into the mine's-is-bigger-than-yours debate with Richard Lochhead but, judging by the quality of his contribution to the debate, it is not apparent that he has had considerable conversation and dialogue with the British Council. If we are to have a balanced debate, the member should work on that.

I have been critical of the Executive's strategy, especially of the timing and the manner in which it was produced. However, we need to move on and consider the work that has been done since, particularly in relation to Malawi, on which my involvement has concentrated.

I am privileged to be taking part in a CPA delegation to Malawi in February. As a member of this Parliament, I will discuss with Malawians the contribution that the Executive's international development strategy has made, the changes it has brought about, and the progress that has been made and which needs to be made. That delegation will not be too shy to come back and report to the Parliament, and hold the Executive to account if the promises and commitments that were made in that strategy and subsequently, in developing the protocols with the Malawian Government, have not been carried through.

There is an interesting debate to have around the questions, "Who am I? Am I Scottish or am I British?" I suppose that I am both. I am proud to be Scottish and proud to be British. I should not

have to apologise for either. It is wrong to get into that debate in some of the ways that we have done today. I would welcome the opportunity to take part in a debate in the manner described by Margo MacDonald, in which we can best express our Scottishness within the context of the United Kingdom—

Margo MacDonald: No.

Karen Gillon: I understand that Margo MacDonald does not accept that; she was talking about the British isles. There are issues for us all to discuss.

When the minister makes his closing speech, I would be grateful to hear how he intends to report to Parliament on the progress of the international development strategy and how we can make progress together. As Hilary Benn said when he came to the Parliament, there is enough work for all of us to do. Instead of getting hung up on who is doing what, where and how, let us get on with it, promote Scotland abroad and help the most vulnerable members of the international community. I am proud to be an international socialist.

15:50

Bill Aitken (Glasgow) (Con): There have been some interesting speeches this afternoon, all no doubt very sincere, but some of them of fairly dubious relevance.

Since 1999, one of the most positive aspects of devolution has been the way in which Scotland's image has been projected on the international stage—with some measure of success, from which we can take a degree of satisfaction. It is questionable whether the Executive has been totally successful in what it has tried to achieve—the jury is firmly out on that. However, it cannot be stressed too much that one of the most important things that the Executive, the Parliament and the country must do is to project an image on the international stage that is acceptable and attractive. Of course we should be proud of our history. However, we should not manifest ourselves as some mist-shrouded Brigadoon, with no relevance to modern society. We must be seen as contemporary, positive and forward looking.

To a certain extent, we are achieving that, but an awful lot more could be done. Let us think what makes Scotland attractive to people, because nowadays tourism is an important fact. We have seen the way in which heavy industry has diminished over the past 30 or 40 years. We must recognise that, to a great extent, service industries are the way forward. However, is Scotland all that attractive? I was terribly depressed the other day when I saw in the *Evening Times* a story relating to the amount of graffiti and general disorder in

Glasgow, which is detracting from Glasgow's bid for the Commonwealth games. The Executive has failed to do anything about that.

I look in other directions. The minister was right to point out in his opening speech the effects of the new emerging economies of India and China. I am worried about the macroeconomic impact that the Chinese economy will have on western economies in the next 20 to 30 years. We must make our economy much more competitive. Our competitiveness must have an international dimension. Is the Executive making Scotland an attractive place in which to live and to earn a living? I cannot accept that it is, when the minister's Labour colleagues down south impose a bureaucracy burden on business that is unprecedented and we see taxation the like of which—

Mr Swinney: Will the member give way?

Bill Aitken: I do not have time to do so. I am sorry, but I have only four minutes. The member will agree that I am usually fairly generous.

Tax is impacting on oil investment as a result of Chancellor Brown's interventions. The Scottish Executive is failing to do anything about Scottish Water. Business rates are finally becoming more competitive with rates down south, but the decision to make the change has been postponed time and again and will not be implemented for another year. The Executive is not making Scotland an attractive place for business or attracting the sort of outward investment that we seek.

In an interesting, erudite speech, Des McNulty highlighted the fact that migration in may be greater than migration out. However, let us consider what is happening. As a result of the Executive's policies, we are losing more and more young graduates. We are attracting in people, many of whom have considerable skills, but most of whom have lesser skills. That is not a satisfactory state of affairs. There is a great deal to be done in that regard.

We recognise that much has been achieved, but we cannot sign up to a self-congratulatory motion of the sort that has been put before the Parliament. We must recognise that much needs to change. I am increasingly depressed by the anti-American rhetoric that comes to the fore time and again in the chamber. I have heard of cutting off one's nose to spite one's face, but when there is a massive potential tourism intake from the United States, does it really make sense for members repeatedly to insult America and Americans?

15:54

Stewart Stevenson (Banff and Buchan) (SNP): Perhaps our starting point ought to be knowing ourselves as well as we wish others to know us. I hope to illustrate that, in some ways, we are perhaps doing better than we understand and are saying less than we should.

I welcome that speech from Bill Aitken, who seems to have fallen into the category of those who trumpet our successes, understand our shortcomings and take responsibility for dealing with them into their own hands. Bill Aitken should know that he will be welcomed on to the nationalist benches whenever he wishes to join us.

The motion before us today starts off well. It states that the Parliament

"welcomes ... ambitions and activities to build international relationships that benefit Scotland and Scotland's interests throughout the world"

and

"supports its promotion of Scotland as an ideal place to live, work, study and do business".

That is great. If the full stop had come at that point, who knows? Perhaps the vote at decision time might have been rather different from what I expect it will be.

In passing, let me say that Karen Gillon takes nothing from my political philosophy by proclaiming that she has a shared identity, being both British and Scots. I am not threatened, nor even worried, by that, as it is entirely proper that she should do that.

We need to ensure that we trumpet what we are good at, so let me mention a couple of things from industry and commerce. Many of us come to the Parliament by travelling along the railway line that comes from Glasgow. As the train slows down as it approaches Haymarket station, we can see one of the most important parts of modern Scotland. I refer not to Murrayfield on the left nor to Tynecastle on the right but to Wolfson Microelectronics plc, whose offices sit by the side of the railway line.

As a company, Wolfson is beating the world. It will provide the intellectual drive for the next generation of Apple iPods and other high-technology consumer goods. However, Wolfson's products will be hidden on a little microchip inside those goods, so people will not know that Wolfson is a Scottish success story today unless we trumpet that success. Scotland has not only a history but a future.

Scotland also has the Royal Bank of Scotland, which is one of the biggest banks in the world. We should not be afraid of trumpeting its success either.

Diversity has an intrinsic value in the modern world, but that is why Scotland can make a unique and different contribution. The first law of epigenetics states that the more highly optimised an organism is for one environment, the more adversely it is affected by any change to that environment. Not only is there value to Scotland in being distinctive, but there is value to the world and to the wider community.

I assure Rosie Kane, Phil Gallie, Bill Aitken and others that I very much welcome friendships of whatever nature between our country and people in the States. Members may not know this but, on our first day in this chamber, a family of three Americans—the Shields family—sat in the distinguished visitors gallery at my invitation. I very much welcome personal friendships across borders, as such friendships help mutual understanding and aid world peace. Indeed, I say to John Home Robertson that I believe that we have a shared duty—which crosses borders, peoples and jurisdictions—to fight oppression, to promote openness and equality and to stand up, every one of us, for justice for everyone and with everyone.

We have heard a bit about strategies today, but let us remember that strategies are meaningless until they dissolve into work that promotes the delivery of something that is worth having. When the minister rises in a few seconds to close the debate, I hope that, rather than simply resort to "Holy Willie's Prayer", he will speak up for Scotland and recognise that, when Scotland speaks up for Scotland, we will be all the more effective.

16:00

Mr McCabe: Indeed we will, as usual, speak up for Scotland. That is not exactly what the SNP usually does, but if what Mr Stevenson has said represents a new approach, we more than welcome it.

There has been some recognition in the debate that political renewal is making Scotland a better place and is attracting overseas interests to the country. One very positive development is the establishment, since devolution, of nine consulates in Scotland. Political renewal is also having an impact on the way in which Scotland works with its international partners.

As Scots, we know that Scotland is a modern and enterprising country. Our cultural life has never been more vibrant; our quality of life is among the best in the world; and our educational institutions are world-class. However, our task is to get that message across to our partners not only in Europe but around the globe and to ensure that

they understand the potential benefits—for us and them—of engaging constructively with Scotland.

I will address some points that have been made in the debate. Patrick Harvie said that the strategy is based on self-interest. Well, I have to agree. It is based on the self-interest of the people in Scotland whom we represent and seeks to promote their interests; to open up opportunities for them in this country and around the world; and to ensure that people around the world are aware of the opportunities that exist in Scotland. As I say, we do so in the interests of the people who put us in this place. After all, that is exactly what we are here for.

However, in acknowledging that, we also agree with Dennis Canavan's sentiments. We can benefit from Scotland's diversity; indeed, we must embrace that diversity, those individuals and their contribution to the country. However, he then went a bit further and referred to his St Andrew's Day Bank Holiday (Scotland) Bill. I will not go there; I will simply say that his points about embracing people who can make a positive contribution to the country were well made.

Phil Gallie: Will the minister give way?

Mr McCabe: Not at the moment. I do not have much time.

Richard Lochhead said that we were not going far enough and then launched what amounted to an attack on the British Council. In that respect, Karen Gillon's comments were absolutely right. In my experience, the British Council has been enormously constructive. It has an office in Edinburgh and, in fact, manages the 22 students from six countries who are in our current international scholarships programme. Moreover, it has been invaluable to us in our work with Malawi. We have very good contacts with the organisation, which has done good work in Scotland, and it would be wrong to portray the position any differently.

In response to Karen Gillon's question about how we will report progress, I point out that we will maintain our current engagement with the European and External Relations Committee.

It would be remiss of me not to mention Margo MacDonald's thoughtful and incisive speech, which focused on the subject of this afternoon's debate. That is what should have happened this afternoon, and her speech was appreciated not only by me but by other members who heard it.

Bill Aitken is perfectly right to wonder whether we have been completely successful and to conclude that the jury is still out. I cannot say that we have been completely successful, because this work will never come to an end. We must be prepared to dig in for the long term in the interests

of the people whom we serve, and the Executive and I are perfectly happy for members of Opposition parties, the public and other people to hold us to account for our work and its success.

With the political renewal that we have experienced, we want—and are determined—to ensure that our country is in the best possible position to engage with the wider world and, indeed, to take advantage of the opportunities that are presented by a rapidly changing world. We will take help from all members to achieve those objectives in the interests of the people whom we serve.

Standing Orders (Changes)

The Deputy Presiding Officer (Murray Tosh):

The next item of business is a debate on motion S2M-3794, in the name of Donald Gorrie, on behalf of the Procedures Committee, on private bill committee assessors.

16:04

Donald Gorrie (Central Scotland) (LD): I draw members' attention to the standing orders that we are proposing to change, as that is the substance of what they will be voting on. The changes to standing orders would enable a private bill committee—dealing with a railway bill, for example—to appoint an assessor, if it so wished, to take over some of the duties that private bill committees currently perform.

We are doing this because the Executive approached the Procedures Committee to see whether we would agree to change standing orders in that way. The Parliament has discussed the issue before and the Procedures Committee has gone into the matter in great detail. The Executive has agreed to introduce a bill in future to make permanent the changes that we are discussing now. However, that will take effect only after the next election, and in the meantime there are three railway bills going through the Parliament and three more on the stocks that the Executive is keen to get through before the next election.

The Procedures Committee considered the issues carefully and agreed that the changes are desirable. The Executive was interested in its timetable, naturally enough. It is fair to say that committee members were slightly sceptical about how much good the changes would do to the timetable, but they felt that they would do a lot of good for the conduct of the railway bills. Everyone in the Parliament has felt for some time that for MSPs from distant areas—because nobody from anywhere near the proposed railway is allowed to have anything to do with it—to be conscripted and made to conduct a sort of court on the planning issues related to a railway is not a sensible way of dealing with such a bill. It does not give the objectors as fair a deal as they should get and it is increasingly difficult to find MSPs who are eligible to do the work, because the location of the three railways—the Glasgow rail link, the Edinburgh rail link and the Airdrie to Bathgate line—rules out almost all the members who represent constituencies across central Scotland.

We think that the public will get a better deal from our proposals. The objectors will get a fairer hearing and MSPs will be able to carry on with their normal duties. If the current arrangements

were to continue, there might be a serious problem in getting MSPs to serve on private bill committees. The recess period could be used for the assessor to take evidence, which might speed things up, but that is not, to our minds, a big issue.

What is being proposed is to change the standing orders so that the Parliament appoints a bill committee for a railway bill and the committee then meets and, if it wishes to, agrees that there should be an assessor, who will take evidence from the objectors and promoters on the detailed issues surrounding the bill—not the principles of the bill, which will be dealt with by the committee. The assessor will listen to the objections and will probe the objectors' arguments, and will report to the committee on his or her conclusions. The decisions will be made by the committee—that is a fundamental point—and they will be made on the basis of advice from the assessor. If the committee feels that it should take more evidence, it will do so. If it is satisfied with the evidence given to the assessor, it will proceed on that basis.

Phil Gallie (South of Scotland) (Con): When the Procedures Committee was taking evidence on the issue and arriving at that judgment, how many members of the committee had sat on private bill committees, and did they interview other members who had sat on such committees?

Donald Gorrie: If I remember rightly, Richard Baker was the only one who had served on a private bill committee, although I am open to correction on that. We had discussions with members who had experience of private bills—although not in formal evidence sessions—and listened to their views. Most of them felt that the present system was not good and had to be improved.

If a committee decides to use an assessor—and it will be up to the committee—it will then ask the Scottish Parliamentary Corporate Body to appoint one. The SPCB will have a system of using people from the Scottish Executive inquiry reporters unit—which deals with public inquiries—or other suitable people. A contract will set out the rules so that the choice of assessor is seen to be fair and open. The proceedings will then be similar to those of any major inquiry, with the assessor taking evidence, making notes and reporting to the committee.

The Procedures Committee spent a lot of time considering the legal issues, which were a main concern for us. As often happens on such occasions, we heard conflicting legal opinions. The Faculty of Advocates argued that it was not right to try to make this change by using standing orders, but a lot of other legal advice suggested otherwise. We probed the Faculty of Advocates on the issue and, on balance, we felt that—although one could never be sure that there would not be a

challenge—as long as it was clear that decisions would still be made by the committee, and as long as the rules on how fair the assessor had to be were set out clearly, the risk of challenge would be minimal. Therefore, we felt that the proposal should go ahead.

On behalf of the committee, I am happy to recommend the proposal as an interim measure. The Executive is still promising a bill before the next election to set out a permanent position.

Finally, I invite anyone who is interested in subjects of this sort to come to one of the two open-house sessions that the Procedures Committee will hold in the next three weeks. Those who attend will be able to give their views on all our standing orders.

I move,

That the Parliament notes the Procedures Committee's 1st Report, 2006 (Session 2), *Private Bill Committee assessors* (SP Paper 481), and agrees that the changes to Standing Orders set out in Annexe A to the report be made with effect from 19 January 2006.

16:12

Alasdair Morgan (South of Scotland) (SNP): I speak as someone who has served on a couple of private bill committees—the National Galleries of Scotland Bill Committee, which was fairly painless, and the Edinburgh Tram (Line Two) Bill Committee, which was the exact opposite.

It is always a pleasure to unpick some of the unintended consequences of the Scotland Bill, which I helped to pass, along with Donald Gorrie and John Home Robertson. The five lines of schedule 8 to the Scotland Bill that repealed the application of the Private Legislation Procedure (Scotland) Act 1936—thus quite rightly stopping Scottish bills from going to Westminster—gave us no clue to the amount of work that the change would generate for the Scottish Parliament and its private bill committees.

The explanatory notes for the schedule—which were published when the bill was first published—gave no clue to the impending purgatory that would hang over the heads of members of private bill committees. It all sounded so simple. We were told that the Scottish Parliament would be able to provide an alternative procedure for making private legislation in relation to devolved matters which might or might not be similar to the 1936 act. Everybody was taken in by those words, which were in among many others in a very thick document.

Unless the Westminster search engine is letting me down and giving me duff information, it seems that neither the House of Commons nor the House of Lords—and the latter is normally very good at these things—even debated this particular provision in the Scotland Bill.

Curiously, the explanatory notes point out that, if any provision in a private bill relates to reserved matters, the whole bill can still go down to Westminster where the procedures of the 1936 act would be followed. Perhaps what we should have done was to slip a reference to the Ministry of Defence into the Edinburgh Tram (Line Two) Bill. That would have solved our problems and Westminster could have dealt with the bill. But, of course, my party could not have allowed that to happen.

Change is clearly needed. A new procedure—introduced by primary legislation—that achieves the objectives of the 1936 act is clearly needed and needed pretty quickly.

Whatever the merits of the proposals in the many private bills that are coming forward, they are certainly worthy of efficient and smooth consideration. No one could accuse the current procedure of being either efficient or smooth. The Executive also needs to expedite the new legislation. The troublesome bills are private in the legislative sense, but they are all very public projects that are financed largely by public money. Therefore, the slow progress to date is a public problem.

I hope that the temporary changes that are suggested in the Procedures Committee's report might help us over the temporary logjam that faces us. Three bills will be coming before us—coming not so much out of the stocks, as Donald Gorrie said, but out of the sidings.

I share the Procedures Committee's reservations that the time gains may not be quite as great as the Executive hopes. Only time will tell. Executives always tend to have a rose-tinted view of the speed at which their legislation will make progress.

I also agree with the committee that the Parliament has the power to proceed according to the recommendations in the report. The committee is right when it says in paragraph 51 of its report that

“the Parliament has the power, through its own legislation, to do anything that is not expressly prohibited by the Act”.

The act in question is the Scotland Act 1998. I wish that less was prohibited by that act, but I believe that the recommendations in the Procedures Committee's report are not prohibited. We on the Scottish National Party benches will support the committee's proposals.

16:16

Alex Johnstone (North East Scotland) (Con): I have been lucky enough to avoid membership of a private bill committee, although the Procedures Committee has discussed the work of private bill committees at great length in recent months.

The Minister for Parliamentary Business (Ms Margaret Curran): Not for long.

Alex Johnstone: The minister suggests from a sedentary position that it will not be long until I experience a private bill committee, but I wonder whether I will ever get the chance. The restrictions on membership of private bill committees are so rigorous that I have not qualified to sit on any of them so far. My whip, who is sitting beside me, may have pencilled me in for one. I look forward with fear to what Alasdair Morgan described as “impending purgatory”.

The truth is that the work of private bill committees is essential to the work of the Parliament. Yet, as I have heard from so many colleagues, the demands that those committees make upon them are such that they question whether they are fully able to discharge their functions in the Parliament. If those who are committed to a private bill committee attend all the meetings that they are required to, there is a danger that that may impact on some of their other parliamentary duties. That is particularly the case when we take into account the difficulties of finding people who fulfil all the requirements.

It is difficult enough to find such people in the Conservative party, but it is even more difficult for the parties that supply Government ministers. Parliament has to be prepared to make the appropriate arrangements to allow those duties to be carried out properly, so it is reasonable that the Executive made the proposal that it did. Some of us in the committee might have been prepared to vote the proposal through at a much earlier stage. However, the committee found itself discussing the legal advice that it had received and whether the proposal might be open to challenge. As Donald Gorrie said, the committee took a great deal of evidence and came to a conclusion that appears to have found support across the Parliament. It believes that the Executive's proposal on private bill committees can be implemented without the risk of legal challenge. It remains to be seen how that will turn out.

The committee supports the proposal, although it fears that it may not deliver the time savings that the Executive suggests. However, it is a reasonable step to take to try to cut the workload of committees that have to deal with private bills.

I agree with Alasdair Morgan and others that it is essential that the Executive takes an early opportunity to deliver legislative solutions to the problems that private bill committees face. It has been indicated to us that such solutions are on the stocks. In the meantime, however, it is essential that the Parliament supports the proposed change so that private bill committees are not left with the burdensome responsibilities that have put so much pressure on parliamentary staff and

members. By doing that and by taking the opportunity to allow private bill assessors to take evidence and report back to committees, we should not only reduce that burden but perhaps increase the quality of the work on some of the bills.

We seek to streamline the bill committees' work, not to take any of their powers away. We simply propose that bill committees be empowered to consider evidence—and to reject it if necessary. The proposal is good for the Parliament.

16:20

John Swinburne (Central Scotland) (SSCUP):

I rise to speak briefly on a point of clarification. I realise that this proposed section of standing orders refers to private bill committee assessors. However, I have proposed a private member's bill on the abolition of the inclusion of a person's home in their financial assessment relative to their residential care. In a debate on the matter in October 2005, Duncan McNeil, speaking on behalf of the Scottish Parliamentary Corporate Body, assured me that if my bill failed to be completed before the end of this parliamentary session in 2007, it would hit the ground running in the next parliamentary session, which is from 2007 to 2011. The non-Executive bills unit has since contradicted that. Will someone please tell me whether Duncan McNeil or NEBU is correct?

Karen Gillon (Clydesdale) (Lab): Will the member give way?

John Swinburne: I will give way in a minute. Paragraph 2 of annex A to the committee's report sensibly states:

“Paragraph 7 of Rule 9A.5 provides for a new Private Bill Committee to be established where the number of members of the previous Committee falls below 2; and paragraph 9 provides protections for relevant persons in relation to the circumstances in which the new Committee can pick up where its predecessor left off, rather than going back to the beginning of the Stage.”

That is what they are doing for private bills, and I am all in favour of it, but I would like to have the same concession granted to my bill if we do not get it completed this parliamentary session.

Karen Gillon: I am not sure whether the member is seeking assurance, but the provisions for private bills are quite different from those that relate to private members' bills, particularly as regards private concerns and interests. I would like to put on record that I am sure that Duncan McNeil will look at the *Official Report* and respond to the member in due course with comments on the points that he has made.

John Swinburne: I have done all that I wanted, which was to raise the point. I realise that this is a private member's bill as opposed to a private

member's public bill. However, I wanted to get my point across.

The Deputy Presiding Officer: I am responding to a point of order that has not been made, but which is implicit. There seems to be some confusion: a member's bill is a member's bill. It is an error to call it a private member's bill—that is Westminster terminology creeping in. Members' bills are public bills, not private bills, and this debate is about private bill procedure. I am sure that the clerks will be able to give Mr Swinburne any further guidance that he requires on that.

16:23

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): On behalf of my fellow Procedures Committee members who are in the chamber, I would like to say that we take heart from the confidence that members show in us. They trust us to deal with the Parliament's procedures, which is shown by the fact that they do not need to bother to come to the debate or, in some cases, to read the reports. We are grateful for that support.

If the Parliament accepts the Procedures Committee's recommendations, as set out in its first report of 2006, to change standing orders, the committees that will be responsible for the next few private bills will have the option of appointing an assessor to hear and report on the evidence gathered at consideration stage. Donald Gorrie took members through the process that the Procedures Committee followed to bring the matter to the chamber this afternoon.

The recommendation is for the assessor to investigate all the factual issues and any objections to a proposal, after which he or she would report to the private bill committee. The assessor would not be expected to form a view on the policy or on whether the bill was good or bad. It would remain for the private bill committee to decide on those matters, taking account of the assessor's report, but not being bound by it.

Members of the Procedures Committee were easily convinced that the present private bill procedures cannot be sustained. We heard from bill promoters, professionals, objectors and members who had experience of serving on private bill committees. When they were at committee, those members were polite and factual in their evidence giving, but some of the statements that they made to me and other committee members outwith committee can neither be published nor said in the chamber today.

The message that the members who served on private bill committees gave the Procedures Committee was that the system is at breaking point. They said that it had let them down and,

probably more important, they also said that present procedures were not serving promoters, objectors or the public well and that they were not pleased by them. Indeed, as Alex Johnstone pointed out, the present system also gives business managers the problem of trying to provide members who do not have an interest in the subject matter of the private bill to serve on a committee.

The Parliament must act to ensure the smooth running of the important bills that will come before us in the next few months. I hope that members from all parties and from none will support the motion. As Donald Gorrie said, I look forward to the Scottish Executive bringing forward legislation that will put procedures in place to take the Parliament forward on the matter.

16:27

Bill Aitken (Glasgow) (Con): It may not be, as Alasdair Morgan implied, that a Westminster equivalent of Torquemada worked out the system for dealing with private bills that is set out in the Scotland Act 1998, but from time to time it has felt like that.

It is important to stress a number of things in this debate, which is on a purely administrative matter. The first is that we are not in the situation of MSPs seeking in any way to shirk their responsibilities. As a scarred and gnarled veteran of the Edinburgh Tram (Line Two) Bill Committee, I can say that how the members of that committee conducted themselves at meetings and how they carefully considered the evidence speaks volumes for their personal commitment, for which I was very grateful.

However, we must recognise that parliamentary time is finite. Basically, only two slots can be used for private bill committee meetings—namely, the Tuesday and Wednesday morning slots—both of which clash with meetings of other committees. As such, it was virtually impossible for the Edinburgh Tram (Line Two) Bill Committee to undertake its duties without impinging on its members' obvious wish to attend other committee meetings, which are both interesting and—perhaps more important—of great political significance to the people of Scotland.

Neither the promoters nor the members of the public who give evidence to private bill committees are best served when, for reasons of pressure of time and so forth, which are perfectly understandable and compelling as far as the committee is concerned, meetings have to be adjourned with evidence not taken. In our case, in a couple of instances, considerable costs were incurred for objectors and the promoter. However, the adjournments were unavoidable.

The Procedures Committee is not suggesting that its recommendation will make it compulsory for all private bill committees to have an assessor; it is simply making available an option that committees can use. Each private bill committee can accept or reject the proposal. Having heard the assessor's report, a committee can also decide that it prefers to hear the evidence.

It cannot be gainsaid that the existing system is cumbersome and could well become unworkable. The ludicrous levels of interest that disqualify members from involvement in some private bill committees—sometimes they are the most obscure of interests—are not acceptable and are making it exceptionally difficult to staff those committees.

Although I regret the lessening of an important weapon in a chief whip's armoury—the appointment of a member to a private bill committee—I think that the Procedures Committee's proposals are sensible provisions and I urge that the Parliament approve the report when decision time comes.

16:30

Phil Gallie (South of Scotland) (Con): Perhaps I have a slightly different perspective on the issue. As a member of the Edinburgh Tram (Line One) Bill Committee, I have to say that Alasdair Morgan and Bill Aitken are only part-timers when it comes to assessing the proposals. As Helen Eadie will acknowledge, the Edinburgh Tram (Line One) Bill Committee has regularly sat from 9.30 in the morning to 7 o'clock at night over the past 12 months to consider the bill. To be honest, it was a hard and grinding task, but I have found it one of the most interesting experiences of my time as an elected representative and I have enjoyed every minute of those meetings. The idea of those meetings might not be for MSPs to enjoy themselves, but it was a learning experience as well as one of enjoyment.

Karen Gillon: Does Phil Gallie agree that that is a good argument for a fantastic piece of European legislation: the working time directive?

Phil Gallie: One of my big arguments with the Edinburgh Tram (Line One) Bill Committee was that it repeatedly met on Tuesday afternoons, which meant that I could not attend meetings of the European and External Relations Committee. That was a matter of contention and deep regret for me. However, duty is duty and, at times, one has to put one's personal interests behind oneself and accept the responsibilities of being an MSP.

Private bills are serious parliamentary work. We say that Westminster offloaded its responsibilities for private bills, and I wonder how Westminster achieved what it must have achieved to clear private bills in the past.

Consideration stage meetings of the Edinburgh Tram (Line One) Bill Committee were enlightening to say the least. Members could take on board issues that objectors raised and that were extremely important to those objectors. Given the volumes of paperwork that we received at every stage, I found it much more achievable to learn and understand from hearing the direct input of the objectors and promoter.

However, I acknowledge the Procedures Committee's work and recognise that we must have confidence in that committee, as Cathie Craigie said. The committee has undoubtedly listened to other sides of the argument, particularly the Executive's view, and considered the queuing up of bills. However, the queuing up of bills is another issue, and I would not like it to be ended at the expense of quality and objector interest if we accept the recommendation for assessors. The saving grace of the proposal is that each private bill committee will make its own decision on whether to appoint an assessor. On that basis, I can accept the proposals that the Procedures Committee makes, but if my whip puts me on to a private bill committee in future, I would agree to an assessor's involvement only with the greatest reluctance. However, that matter would also be for other members of the committee to decide.

I will discuss one final element to the proposal: the cost of appointing assessors. We already meet the costs of MSPs. If we were to involve reporters, which I understand is the suggestion, I wonder how much added cost would be incurred. I recognise that reporters are already highly used, and that there is often a shortage of them. Their experience is undoubted. To a degree, the reporters' involvement leaves the professionals to scrutinise professionals. Perhaps the minister could enlighten me about cost. I would be grateful. I will accept the Procedures Committee's proposals principally because they leave the options open.

16:35

Alex Neil (Central Scotland) (SNP): I understand why Phil Gallie enjoys his private bill committee meetings. To anyone who follows Ayr United and who regularly has to attend matches at Somerset Park, I am sure that such committee meetings offer light relief. I have never been a member of a private bill committee. As Lyndon B Johnson said, "I do not seek and, if asked, I would not want to accept, nomination."

I reiterate what I think everybody has been saying about the Procedures Committee's proposals: they are eminently sensible, pending the introduction of primary legislation to deal with private bills. As well as attempting to make more efficient the process that is used for considering

private bills, we are trying to find ways to improve the quality of legislation. In some of the non-private bills that the Parliament has passed, it has been clear that we perhaps did not get the quality right. The Freedom of Information (Scotland) Act 2002 may well be a very good example.

The introduction of assessors by committees on a voluntary basis will, I hope, lead to an improvement in the quality of legislation, particularly when we are dealing with very technical matters. Phil Gallie was quite right to suggest that we should keep an eye on cost. However, I do not think that the issue is primarily one of cost; rather, it is one of value for money. If, as a result of using assessors, we improve the quality of the legislation, particularly in relation to very technical matters, value for money will be improved, provided that the cost is not sky-high. One of the main benefits of the system, if it is used, is that it will free up members so that they can do many of their other duties. It cannot be efficient to tie up so many members for such a long period on very technical matters that would be better delegated to a technical professor.

Phil Gallie: From my experience, it is not always technical decisions that are of concern to private bill committees. Many of the objections to private bills are based on how the issues relate to people. MSPs are there to help to look after individuals' personal interests.

Alex Neil: That is why, essentially, the assessors will be advisers, not decision makers. The MSPs will still be there. The advantage of the assessor's report is that the MSPs will be able quickly to zero in and focus on the controversial issues that, rightly, should be decided on by elected politicians. If the politicians receive the aid of a highly qualified assessor's technical advisory report, the quality of their decisions should be improved. Using assessors is to be a voluntary measure. It will not be compulsory for private bill committees to use the procedure if they do not think that it is necessary or desirable to do so.

If we consider the motion in Donald Gorrie's name carefully, we see that it contains two parts. The first, on which we have concentrated in the debate, relates to the introduction of assessors. However, the motion also mentions the consequential changes to standing orders that are outlined in annex A to the committee's report. Through the detail of some of those changes, we are incidentally improving the definition of a private bill and the criteria for the selection of members to sit on a private bill committee, for example. All in all, the Procedures Committee's proposals are very sensible and should be welcomed by members throughout the chamber. I hope that when we come to vote—perhaps before 5 o'clock—we will endorse them unanimously.

The Deputy Presiding Officer: I call Margaret Curran to close for the Executive. Minister, you could take 12 minutes.

16:40

The Minister for Parliamentary Business (Ms Margaret Curran): I am sure that you are waiting with bated breath for me to fill the whole 12 minutes talking about the private bill procedure, Presiding Officer. I do not know that I will take quite that long, but let me have a bash.

I thank Donald Gorrie, Karen Gillon and all the members of the Procedures Committee for the detailed work that they undertook in discharging their duties to Parliament. I also thank all the witnesses who came forward to help us to work our way through the process. I appreciate the constructive relationship that we established in coming up with a resolution.

The Executive welcomes and endorses the suggested changes to standing orders. I am grateful for Alasdair Morgan's insight into the passage of the Scotland Act 1998, Bill Aitken's insight into how he whips his group and Phil Gallie's enthusiasm for the whole procedure, which was a delight to witness—I am not experiencing such enthusiasm. Uniquely, I concur completely with Alex Neil—perhaps we will disagree another time.

I have had to come to terms with the issue of private bills in carrying out my ministerial responsibilities. As Alasdair Morgan said, slow progress produces a serious public problem. We have had considerable discussions on transport, which is at the heart of solving some of the problems that we face. I know that the Executive has other responsibilities in relation to future legislation, which I will go on to say a bit about.

The Executive is committed to a major programme of projects that will improve significantly Scotland's transport infrastructure. At present, a number of the projects in that programme can be delivered only by means of a private bill. There is general agreement—perhaps with the exception of Phil Gallie—that the situation is not ideal; most of us acknowledge that there is room for considerable improvement.

Most members would agree that the current procedures are not efficient or user friendly and are time consuming. As members have said, the management of MSPs' time is not the pre-eminent consideration. I pay tribute to the dedicated work that members have done. When they have been given the task of considering a private bill, they have certainly focused on it and produced good work. Nonetheless, we do not think that the current procedures are the most efficient way to manage time, given the other pressures on MSPs'

time. Alex Neil said that when MSPs hear oral evidence, they need assistance to interpret it and ensure that they have the technical facts right. It is right that we consider opportunities to support them in that work.

The Procedures Committee has considered the private bills procedure previously. Its fourth report of 2005 recommended a statutory solution to allow such major projects to be delivered by order made by the Executive and then approved by the Parliament, with which we agree. As I said, the Executive hopes to introduce a bill later this year to provide that long-term solution.

However, we have been clear with the Procedures Committee—it has accepted this—that our bill cannot be in place in time for the three forthcoming transport private bills: the Glasgow airport rail link bill, the Edinburgh airport rail link bill and the Airdrie to Bathgate railway bill. Those bills are of great significance and will deliver important new transport infrastructure projects, as I am sure members will acknowledge. It is therefore crucial that we do as much as we can to help Parliament to deal with them as efficiently as possible.

I take Alasdair Morgan's criticism that my aspirations for speed as we progress with the Executive's legislative programme are a bit rose-tinted. I am perhaps a bit more hopeful about time than other members have been, but the issue is one of quality as well as process. It is vital that we get the projects through, because of what they will achieve for the people of Scotland.

We are proposing an interim solution. We worked with the committee and proposed that standing orders should be amended to allow the option of appointing an assessor. I emphasise that that is an option; it is for the relevant committee to determine whether it deems that proper. None of us would wish quality to be sacrificed when the committee makes that decision. As Alex Neil argued, appointing an assessor could facilitate the making of quality decisions through the provision of analysis based on quality, particularly given that we are talking about appointing experts. As long as those experts are managed properly and are accountable to the committee, I am comfortable with the process that has been recommended.

The report therefore proposes that the private bill committee can appoint an assessor to hear and consider objections at the consideration stage of the private bill. That does not undermine any of the private bill committee's decision-making powers—the power and authority of the committee remain absolute. It simply means that its decision can be informed by a written report of evidence that is heard and considered by an assessor. As I said, that would not undermine the role of Parliament or reduce or weaken the opportunity of

promoters or objectors to make their case. That is vital.

Phil Gallie: In a light-hearted way, Karen Gillon asked me a question about the European working time directive. I have already committed to giving support to the recommendations on the basis that a private bill committee will have the choice whether to use the procedure. However, my mind could be changed if the minister were to suggest that the proposed changes have anything whatsoever to do with limiting MSPs' working time in line with the European working time directive. Will she comment on that?

Ms Curran: My colleagues in the Labour group can confirm that I am not one for encouraging them to work less. If anything, they complain that I am always trying to give them more work to do. I can give Phil Gallie all the reassurances that he needs.

It is important that we send a message to promoters and objectors that the new procedures will still support their roles and will not undermine the contribution that they want to make.

At one level, we will reduce the burden on MSPs, who currently have to deal with extremely complex and technical matters. I am not suggesting, of course, that MSPs cannot grasp such matters. However, the issue is one of effective time management and of ensuring that MSPs are properly focused on the issues that they should be focused on and can make clear decisions on the issues that they should be making decisions on. Essentially, we are talking about the efficient and effective management of evidence.

Alasdair Morgan: Since we are talking about the labour that members put into private bills, it is important to stress that our labour should produce something. Given that two of the bills that are coming to fruition relate to tramlines in Edinburgh, would the minister care to scotch the rumours that surface in the press from time to time that those projects might be at risk due to a lack of funding? Those of us who have laboured to produce the bills would be mightily displeased if, despite our work, the tramlines did not go ahead because of a lack of money.

Ms Curran: I have seen no press reports on the matter. Perhaps I have not been focused on that because of my own responsibilities. As the member knows, the Executive is extremely supportive of the transport infrastructure projects that it has brought forward. If Mr Morgan wants any more detail on that matter, I refer him to the Minister for Transport and Telecommunications.

Phil Gallie talked about the not-insignificant issue of cost. There must be a balance of costs. Alex Johnstone was right to talk about value for

money. Sometimes, the inefficiency of the process costs people their time; there are also the costs of the officials who have to support the process, especially if it runs over its time. Ultimately, however, the SPCB can recover costs from the promoter, which means that there might be no cost to the public purse. Further questions on that issue should be directed to the SPCB, but our view and the view of the committee was that that was a legitimate conclusion to reach in addressing issues relating to costs.

Donald Gorrie: The minister correctly notes that the cost related to the assessor could be met by the promoter. The committee also discussed the issue of the necessary support staff. Our report suggests that the costs of an external transcription service to help the assessor could also be recovered from the promoter, which means that the net cost of delivering this better service would not fall on the Parliament.

Ms Curran: I thank Donald Gorrie for that. If I am not careful, I will run over my time—I did not envisage that, but I am sure that members would be delighted if that happened.

I will clarify another matter that was raised. It is right for reasons of propriety that the SPCB rather than a committee should be responsible for selecting and appointing an assessor and for defining in the contract of engagement the functions that are to be performed. It is also right that the cost of any administrative support for the assessor, such as transcription services, should be met initially by the corporate body, which should recover it from the promoter.

If agreed to, the rule changes will allow assessors—with committees' agreement—to engage in scrutiny of the proposed Glasgow airport rail link bill, the Edinburgh airport rail link bill and the Airdrie to Bathgate railway bill. Those three bills constitute a challenging programme of work for the rest of the session, but the Executive thinks that it will be achievable if the new procedures are in place.

I understand that the Glasgow airport rail link bill is likely to be introduced later this month, that the Edinburgh airport rail link bill is likely to follow in March and that the Airdrie to Bathgate railway bill will appear before the summer recess. I hope that Labour members will not avoid me in order not to work on a committee for one of those bills.

I fully appreciate that resource constraints mean that only three private bills can be pursued at any time—we have an understanding on that with the Parliament. Therefore, using assessors is an interim measure that will help to maximise the time that is available to allow us to pursue those important projects in the time remaining in this parliamentary session.

As I said, the Executive will introduce a bill later this year to address the issue in the longer term. We accept that assessors are a short-term solution and I thank the Procedures Committee and the Parliament for their co-operation. That bill will allow major transport projects to be promoted by order, rather than by a private bill. Such an order would be made by a Scottish minister under a process that would provide for appropriate scrutiny by the Parliament and involve the wider public, as I said.

In the meantime, the committee's proposal will enable objections to be considered more efficiently, without compromising scrutiny, transparency, fairness or the primacy of the Parliament. I urge members to support the motion and thank members of the Procedures Committee for their constructive and thorough consideration of the issues.

The Deputy Presiding Officer: I call Karen Gillon to wind up for the committee. You have 11—sorry, seven minutes.

16:52

Karen Gillon (Clydesdale) (Lab): You nearly gave me a heart attack, Presiding Officer. Seven minutes will be more than adequate.

I am sure that members all want to thank the Procedures Committee for bringing another fun-filled debate to the chamber on a Wednesday afternoon. I ask those who think that a private bill committee is purgatory to join us on the Procedures Committee. I would say that private bills are a bonus.

I thank members for their thoughtful speeches, which were helpful and constructive. I also thank both the clerking team that worked with us and our legal team, which provided us with sage advice at difficult times in the inquiry.

The motion relates to the committee's second inquiry into private legislation. In the best traditions of the committee, why do one report when two would be enough? I blame the Executive, because if it had proposed its great idea six months ago, we would not have had to hold this wonderful debate. The minister will learn from that.

Donald Gorrie set out the context and the conclusions. It was interesting to hear from Alasdair Morgan some background to the discussion—or lack of it—in the House of Commons and the House of Lords about the relevant provision in the Scotland Act 1998. What we are not told is that Westminster shuffled such matters away to the Transport and Works Act 1992 but did not think to give us the same privileges.

When the Executive's proposed bill is introduced, it will be welcome and will be a step in

the right direction. However, in the interim, if we are serious about considering all that the committee has heard about from objectors, promoters, others involved, members and the Executive about the complexity of discussions, another step in the right direction—should a committee desire to take that step—will be to have somebody who is independent to consider the objections, listen to the evidence and give the committee the factual information.

Alex Johnstone and Cathie Craigie provided members with additional useful information about what the inquiry entailed and the wide variety of evidence that we received. Some 99.9 per cent of that evidence drove us in the direction of changing the legislation.

I reaffirm what Bill Aitken said about members not trying to absolve themselves of responsibility. I say to him that Phil Gallie made a good case for another private bill. His enthusiasm for the process was unadulterated. When the Conservatives are next selecting somebody to deal with a private bill, Phil Gallie will be first in the queue to take things forward. I am sure that he has learned a lot from the process.

I say to Bill Aitken that if he needs to check what he can have in his armoury as a chief whip, he should speak to Margaret Curran, who has a nice big whip that she keeps at the back of her office. I am sure that she will be prepared to share it with him.

Alex Neil referred to changes that came about as a result of the previous report, such as the definition of private bills and the criteria on who can sit on private bill committees. The changes have been welcome and have moved the process forward, but the changes that are being proposed today go somewhat further.

Chief whips are always looking for members to go on committees, and perhaps Alasdair Morgan was listening to the quotation that Alex Neil used with interest, because the last Alex who used that quote really meant, "Can I get the job anyway?" Alex Neil is perhaps really looking for a wee seat on a private bill committee. I say to Margaret Curran that I am not, and that I will declare an interest in every private bill that is coming up. I advise all Labour members to do likewise in the next few months.

I will be serious, as the issue is important. We are talking about transport links that will potentially bring huge benefits to communities throughout Scotland and to our tourism infrastructure, which will hugely benefit our links with the outside world—this debate, after all, follows our debate on international development. The Glasgow airport rail link bill and the Edinburgh airport rail link bill that are coming to the Parliament will enable us to

encourage and promote Scotland better abroad so that new tourists are brought to Scotland, and they will enable Scottish people to make the most of the opportunities in the world that present themselves. It is therefore important that they are considered during this parliamentary session and are given the appropriate parliamentary scrutiny. The new process will enable effective scrutiny, although it will ultimately be for each private bill committee to determine whether it wishes to take up the recommendations in the Procedures Committee's report and whether it thinks that they are useful and will aid the process. It will ultimately be for the private bill committee to decide whether it should conclude with the information that the assessor has presented to it or whether it wants to obtain more information. I say to Phil Gallie that the Parliament will ultimately take nothing away from private bill committees if the proposals are agreed to—I hope that that reassures him. Procedures will be enhanced and the changes will be welcome. In the light of the Executive's commitment to bringing forward an appropriate transport and works bill in this parliamentary session, I urge members to agree to the motion at decision time, which will take place shortly.

I am sure that members who have just joined the debate will be interested in what it is about. As they have just turned up, I will tell them a wee bit about it. A wee parliamentary committee called the Procedures Committee has produced a wee report about private bill assessors. Members can get the report from the Scottish Parliament information centre if they are interested in doing so; if they are not, they will vote on something that they have never even read—on their own heads be it. I hope that their voting without having listened to the debate confirms their trust in the Procedures Committee and in the Parliament's procedures. I know that we are all guilty of voting without having listened to debates in the past. Members will forgive me, but I must keep speaking for the next 20 seconds.

I commend the report, which has provided a thoughtful and eloquent contribution to the debate, and I hope that members will support it. However, I make a plea to the committee to stop giving me this slot at the end of Procedures Committee debates. Nobody is interested in what is being said. I sympathise with Executive ministers: now I understand what it feels like to stand here when members wander in, blethering about what they were discussing as they came up the corridor and not listening to a word that is being said.

I conclude on that note. I support Donald Gorrie's motion.

Business Motions

17:00

The Presiding Officer (Mr George Reid): The next item of business is consideration of three business motions, in the name of Margaret Curran, on behalf of the Parliamentary Bureau: S2M-3833, setting out a business programme; S2M-3828, setting out a timetable for legislation; and S2M-3829, setting out a timetable for legislation.

Motions moved,

That the Parliament agrees the following programme of business—

Wednesday 25 January 2006

2.30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Stage 1 Debate: Abolition of NHS Prescription Charges (Scotland) Bill
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 26 January 2006

9.15 am Parliamentary Bureau Motions
followed by Scottish Conservative and Unionist Party Business
 11.40 am General Question Time
 12 noon First Minister's Question Time
 2.15 pm Themed Question Time—
 Finance and Public Services and Communities;
 Education and Young People,
 Tourism, Culture and Sport
 2.55 pm Stage 1 Debate: Budget (Scotland) (No.3) Bill
followed by Ministerial Statement: Forestry
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 1 February 2006

2.15 pm Time for Reflection
followed by Scottish Parliamentary Corporate Body Question Time
followed by Parliamentary Bureau Motions
followed by Executive Business
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 2 February 2006

9.15 am Parliamentary Bureau Motions
followed by Executive Business
 11.40 am General Question Time
 12 noon First Minister's Question Time
 2.15 pm Themed Question Time—
 Health and Community Care;
 Environment and Rural Development
 2.55 pm Executive Business
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business.

That the Parliament agrees that consideration of the Planning etc. (Scotland) Bill at Stage 1 be completed by 19 May 2006.

That the Parliament agrees that consideration of the Local Electoral Administration and Registration Services (Scotland) Bill at Stage 1 be completed by 28 April 2006.—
 [Ms Margaret Curran.]

Motions agreed to.

Parliamentary Bureau Motion

17:01

The Presiding Officer (Mr George Reid): The next item of business is consideration of Parliamentary Bureau motion S2M-3827, in the name of Margaret Curran, on approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the draft Primary Medical Services (Scotland) Act 2004 (Modification of the National Health Service (Scotland) Act 1978) Order 2006 be approved.—[*Ms Margaret Curran.*]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

17:01

The Presiding Officer (Mr George Reid): There are five questions to be put as a result of today's business. The first question is, that amendment S2M-3826.1, in the name of John Swinney, which seeks to amend motion S2M-3826, in the name of Tom McCabe, on the international strategy, 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)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 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)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)

Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 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)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (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, John (Ayr) (Con)
 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)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

The Presiding Officer: The result of the division is: For 35, Against 79, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S2M-3826.2, in the name of Murdo Fraser, which seeks to amend motion S2M-3826, in the name of Tom McCabe, on the international strategy, 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)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Tosh, Murray (West of Scotland) (Con)

AGAINST

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)
 Brankin, Rhona (Midlothian) (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, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 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)
 Kane, Rosie (Glasgow) (SSP)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)

MacDonald, Margo (Lothians) (Ind)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (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)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (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)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (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)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 15, Against 79, Abstentions 21.

Amendment disagreed to.

The Presiding Officer: The third question is, that motion S2M-3826, in the name of Tom McCabe, on the international strategy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

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)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West) (Ind)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 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)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (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)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (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)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 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)
 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)
 Harvie, Patrick (Glasgow) (Green)
 Johnstone, Alex (North East Scotland) (Con)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, John (Ayr) (Con)
 Tosh, Murray (West of Scotland) (Con)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (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)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 69, Against 26, Abstentions 20.

Motion agreed to.

That the Parliament welcomes the Scottish Executive's ambitions and activities to build international relationships that benefit Scotland and Scotland's interests throughout the world; supports its promotion of Scotland as an ideal place to live, work, study and do business; commends the Executive's encouragement and support for Scottish contributions to international development and other challenges facing the international community; acknowledges the importance of working with the UK Government to achieve these aims, and underlines the importance of responding to changing international

circumstances to ensure the greatest possible gains for Scotland in all sectors.

The Presiding Officer: The fourth question is, that motion S2M-3794, in the name of Donald Gorrie, on private bill committee assessors, be agreed to.

Motion agreed to.

That the Parliament notes the Procedures Committee's 1st Report, 2006 (Session 2), *Private Bill Committee assessors* (SP Paper 481), and agrees that the changes to Standing Orders set out in Annex A to the report be made with effect from 19 January 2006.

The Presiding Officer: The fifth question is, that motion S2M-3827, in the name of Margaret Curran, on approval of a Scottish statutory instrument, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 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)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 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)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 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)

Johnstone, Alex (North East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (North East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 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)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Smith, Margaret (Edinburgh West) (LD)

ABSTENTIONS

Byrne, Ms Rosemary (South of Scotland) (SSP)
 Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)

Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)

The Presiding Officer: The result of the division is: For 108, Against 1, Abstentions 5.

Motion agreed to.

That the Parliament agrees that the draft Primary Medical Services (Scotland) Act 2004 (Modification of the National Health Service (Scotland) Act 1978) Order 2006 be approved.

Safer Communities and Neighbourhoods

The Deputy Presiding Officer (Murray Tosh):

The final item of business is a members' business debate on motion S2M-3744, in the name of Christine May, on safer communities and neighbourhoods. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises the many opportunities to improve community safety provided under the Antisocial Behaviour etc. (Scotland) Act 2004 and other initiatives, such as Safer Routes to School; congratulates community safety partnerships, such as that in Fife, for the innovative ways in which they have developed local schemes; notes that initiatives, such as Fife's Time2Act Safer Neighbourhoods campaign, cover a wide range of community safety matters such as safety of older people, women's personal safety, reduction in domestic violence, drink driving and drunk pedestrians, safety of children and young people, safer town centres and neighbourhoods and support for victims of crime and anti-social behaviour; acknowledges the work done by public sector staff, uniformed services and many members of local communities to develop and support such schemes; believes that there is further scope for developments in this area, and considers that all concerned should continue to work together to make Scotland's communities safer.

17:08

Christine May (Central Fife) (Lab): It gives me great pleasure to initiate this debate on the theme of building safer communities and neighbourhoods. I thank all those members who signed my motion and I am pleased to see those who are in the chamber this evening. I hope to hear from all of them about their views on the Fife campaign—if they are from Fife—and about what is being done throughout the country.

Contrary to the impression that we might get from the screaming headlines in some of the more sensationalist media outlets, our communities are, in general, lived in by individuals and families who not only take responsibility for their own behaviour and environment but play an active part in trying to make the environment and behaviour of those around them as good as it can be. Although there are those whose *raison d'être* is to make folk's lives a misery, we should remember that they are the minority. I wanted this evening's debate to celebrate the actions of the responsible majority.

As my theme, I have taken the time2act campaign of the Fife community safety partnership and I welcome the members of the partnership who are in the gallery for the debate. I also pay tribute to the Scottish Executive for the funding that it has provided and to the Fife Council community safety chairman, Councillor Andrew Keddie, and the members of his committee, who

have played such an important role in enabling what has been achieved.

This year, the partnership has a budget of £2 million plus from the Scottish Executive, Fife Council, NHS Fife and Fife constabulary. The partnership is implementing initiatives that range from the most comprehensive closed-circuit television system in Scotland outside city areas, which received capital funding from the Executive, to flashing signs at speeding black spots at the entrances to built-up areas, which have proved very successful in getting motorists to slow down. Community wardens are making a difference. The festive drink-driving campaign resulted in there being no injuries in Fife as a result of drink-related accidents for the first time in three years. There are strategies to tackle race crime, bad drivers, drunk drivers and pedestrians and, of course, drug dealers and career criminals. In recent weeks, I have seen reports of how the time2act campaign has resulted in the recovery of £4 million in drugs and drug-related assets in Fife. It led to a report in yesterday's *Daily Record* of Fife's finest skulking behind bushes and looking unobtrusive at discos—I would like to have seen that. The initiative was very successful and targeted action by all concerned has helped to reduce crime in Fife by 13 per cent this year.

Today's edition of *The Courier* includes a report on the success of the mobile CCTV vehicle that the Executive has funded in Buckhaven, in my constituency and that of Marilyn Livingstone. The vehicle has helped to enable the arrests of a number of individuals and resulted in a statement by local police and Chief Superintendent Jim Rodden, who is in the public gallery, that there was a marked downturn in incidents in the area on the following nights. That demonstrates the success of the initiative. I hope that the minister will say whether he is considering additional investment in flexible facilities of that sort. Will he come to Fife, to see for himself the way in which the unit is helping to cut crime in areas where fixed CCTV is not possible?

This evening, I want to highlight two areas of the campaign. The first is the "plan for your personal safety: a guide for women", which I have with me. I am happy to provide copies of the plan to anyone who wants them. It is a comprehensive guide that offers general tips and advice on how women can be safe and secure when out and about, at work and at home. Launched in November last year, it is being made generally available through clubs, pubs, doctors' surgeries and other outlets. The plan came about because of a women's safety conference that was held in Fife. After that, an awful lot of folk from an awful lot of agencies got together to produce the guide. So far, it has been extremely helpful. I hope that the idea can be taken up across the rest of Scotland.

Women's safety is an important element of the Fife domestic and sexual abuse partnership's action plan, as well as of the Scottish Executive's wider agenda on violence against women. We must make clear that the guide does not raise fears among women but seeks to give them practical advice on how to ensure that they can go to their work, be in their homes, have a good time and be safe. It was sponsored by Carlton Bingo Clubs, which shows the work that has been done to involve the private sector in Fife.

The second area that I want to highlight is the Fife cares initiative, which was developed to address older people's concerns about home safety, fire safety and security. Through partnership and making use of those who regularly visit people who are housebound or vulnerable, the initiative helps to identify areas where people feel vulnerable, so that they can be offered the appropriate advice or, indeed, a solution, which might involve an adaptation to their property to help them feel safer. There are no forms to complete. The initiative does not differentiate between home owners, council tenants and housing association tenants, and there is no financial cost to the client. Between March 2003 and October 2005, 7,500 households across Fife were visited and 5,000 smoke detectors were issued, in addition to those that the fire service has installed. Ten thousand Fife cares packs, including presentations, and 10,000 safelink bottles—bottles with a list of contacts and medication that people put in the fridge—have been issued, as well as security lights and personal alarms. The list is staggering.

Professional advice—the thought that someone cares enough to take on board the issues that make people afraid—is much more important than the fitting of aids and adaptations. The feedback that has been obtained from clients is quite staggering. For example, a woman who was too terrified to sleep in her bedroom—she slept in her clothes, with her mobile phone switched on—was able to sleep upstairs after she was given advice and some safety equipment. Another example is the young woman with children who was enabled to feel safer before her violent partner was due to be released from jail. The costs to the Fife partners of providing such advice are minimal, but the effect on clients is life changing.

Finally, I ask the Parliament to join me in recording our thanks not only to the police force and council staff throughout Scotland who work to ensure that our communities are safe but to the thousands of local residents who act not as nosey neighbours but as good and caring citizens by keeping an eye out for others in our streets, towns and villages. By reporting and patiently observing suspicious or illegal activities, they help to build up the evidence that is required for action to be taken.

Without their co-operation, the Parliament's ambitions for Scotland to be safer and more prosperous would not be realised.

17:16

Tricia Marwick (Mid Scotland and Fife) (SNP):

I congratulate Christine May on securing the debate. The motion is a timely reminder of the work that is being carried out by police and community safety partnerships not only in Fife but throughout Scotland. A lot of good work is being done.

Most of my remarks will concentrate on Fife. As Christine May highlighted, some of Fife's success stories need to be rolled out not just to the rest of Scotland but to other communities in Fife that have yet to benefit from them. In particular, many communities in Fife ask why they cannot be given CCTV. Its success in other communities has encouraged people to seek for their own community the same level of protection. Perhaps one of our biggest challenges in Fife is to meet the aspirations of all those who want CCTV in their area.

The time2act safer neighbourhoods campaign is trying to improve the quality of life in the kingdom by drawing attention to the on-going community partnership working in which Fife constabulary is involved and by using the period of the campaign to focus attention on causes for concern such as vandalism, antisocial behaviour, drink, drugs, drunk driving, drunk pedestrians and, as Christine May mentioned, women's safety. My only difficulty with the time2act campaign is its length, as it is due to end in January 2006. It would have been better if the campaign had been rolled out for a longer period so that those who need to know what Fife constabulary and community safety partnership are doing could have benefited from the extra time for local press coverage on the various aspects of the campaign.

I, too, congratulate all those who have come together in the community safety partnership. Only through such partnership working, involving the communities, the agencies and the police, will we be able to provide safer communities and neighbourhoods.

However, without wishing to disappoint Christine May too much, I feel that it would be remiss of me not to mention that, despite the money that the Executive has provided, Fife still has fewer police than its population requires. Much can be done through initiatives and partnership schemes but, frankly, there is no substitute for having sufficient police on the beat. That would help our communities to do even better. Christine May is absolutely right that a lot of good work is taking place, but that work is being done despite the fact

that we have insufficient policing in our Fife communities. When the minister responds to the debate, I would like to hear how he will ensure that we make Fife an even better and safer place in the future.

17:19

Mr Ted Brocklebank (Mid Scotland and Fife)

(Con): I congratulate Christine May on securing the debate. Indeed, it is perhaps appropriate that she has done so, because I understand that during her tenure as leader of Fife Council it passed more ASBOs than any other local authority in Scotland. I am not in a position to judge whether that apparent lack of good neighbourliness in the kingdom reflects the adage that it takes a long spoon to sup with a Fifer or whether it shows commendable zeal on the part of Christine May's former council.

Antisocial behaviour certainly represents a major amount of the complaints that I hear at surgeries and elsewhere. I still remember a young mother who came to one of my surgeries in Leven in Christine May's constituency. I shall call her Annabel, because she was feisty and articulate and had a sense of humour. That was remarkable, given the persecution that she and her family had been subjected to over five years by what is colloquially known as a family from hell. Annabel was a single young mother who was buying her own home through a local housing association. However, her house was in a scheme that was also occupied by council tenants and, despite the fact that antisocial behaviour orders were served, it took five long years to evict the offending family.

I should also point out that although we genuinely welcome the use of CCTV that Christine May referred to, the cameras that were erected outside Annabel's home lasted for precisely one day before they were ripped down. In fact, Annabel had to move away from her home for a year before the family in question was finally evicted.

I relate the story only because the tenor of the street in which Annabel lives has been transformed since the offending family left. I guess that the great pity is that it took five years to achieve such an outcome.

I agree with much of the detail of Christine May's motion, and we should congratulate the Fife campaign, the community safety partnerships and Fife's safer routes to school. However, we also endorse the part of her motion that suggests that there is scope for further improvements. For example, I see a lot of sense in the scheme proposed in Edinburgh to name and shame teenage thugs who have been found guilty of antisocial behaviour, even if they are only 14 or 15

years old. Last year, fewer than 90 youths were responsible for 1,000 crimes in the city. Why should the public not know who is causing those problems? Even if they are under 16, why should such troublemakers be afforded anonymity?

We hear a great deal about the deprivation that leads to people behaving in an antisocial manner. Of course, we all sympathise with such a situation. However, a balance must be struck and we believe that, at the moment, it has swung too far away from the victims.

Some members in the chamber have tried to promulgate the myth that the Conservatives opposed the introduction of ASBOs or that we voted against the Antisocial Behaviour etc (Scotland) Act 2004. Neither claim is true. We voted for the legislation at every stage. That said, despite the apparent success of the recent Mid Calder initiative, we remain concerned about dispersal orders. The ultimate success of the Mid Calder campaign will depend on how well it succeeds after the current major police presence is removed—which, of course, it will be.

The other point is that dispersal simply means dispersing the problem elsewhere. We do not need more laws to deal with this matter; instead, existing laws must be enforced. Furthermore, we must have more police on the ground. I understand that the Scottish Police Federation shares our judgment that the need for dispersal orders would disappear if more police were regularly on the local beat. As a result, I fully endorse Tricia Marwick's point that we need more police on the ground in Fife.

That said, I fully commend Christine May's motion and support her views.

17:24

Iain Smith (North East Fife) (LD): I, too, congratulate Christine May on securing the debate, which provides a useful opportunity to express concerns about, and to highlight, issues with regard to safer communities and neighbourhoods in Fife. In her speech, she mentioned some of the valuable projects that have been introduced in Fife to deal with those matters.

As Christine May pointed out, the vast majority of people are good neighbours who behave properly and want to make a positive impact. I do not just mean adults; the vast majority of children also want to make positive contributions to their communities. We often forget that when we discuss antisocial and yob behaviour, and we forget that only a small minority, to whom Ted Brocklebank referred, cause problems. We all want to tackle that small minority, but let us not at the same time demonise all young people.

We must ensure that we involve young people in developing community safety strategies and other programmes. I was interested in the mail-out that we all received today from Barnardo's Scotland about road safety projects such as the reduce speed now campaign. Sadly, that campaign did not take place in Fife, but it did take place in other parts of Scotland. Young people voiced their concern that, because of a lack of safe routes to school they are not walking to school, although they would like to. They also said that, because of the lack of safe places to play, they are not playing outdoors as much as they would like. Involving young people in determining such things and in considering those issues might make a difference at an early stage. We need to ensure that that happens across all our community safety strategies. There is a risk that we are demonising young people and not involving them and that, as a result, antisocial behaviour is not addressed across the piece.

It concerns me that we seem to want to judge councils' success in dealing with antisocial behaviour by how many antisocial behaviour orders they implement. It should be the other way round; we should be judging them by how few ASBOs they issue, because we should be trying to address the problem of antisocial behaviour at its roots. Rather than issue more and more ASBOs, we should try to minimise the need for them. I hope that that is examined in the round and that the minister will comment on the language that is sometimes used in debates on antisocial behaviour and on how young people can be involved in their own communities. We in Fife take a good approach to the issue. Perhaps we still need to involve young people more, but we take a positive approach to creating safer communities and neighbourhoods.

Christine May referred to closed-circuit television in Fife. I and other elected members were at Fife constabulary's headquarters on Monday to examine the command and control centre, including the CCTV unit, where footage from 94 different cameras comes into a massive suite for examination. The one that concerned me most was the one in Crossgate in Cupar, which seems to pan right on to the front of the Central Café, so the police will be able to judge how often I pop in there for chips after dealing with my constituency business—or perhaps that camera is there so that the police will know when the queue has gone down far enough and can get there quickly to buy chips. CCTV is an important part of dealing with antisocial behaviour and nipping it in the bud when problems arise, but we must be careful to ensure that people do not feel that they are being spied on or that the technology is being used in unreasonable ways.

Let us welcome and promote what has been done in Fife and across Scotland to promote safer communities, but let us also ensure that we involve the whole community. My particular plea is that we involve young people in developing safer community ideals.

17:28

Mrs Mary Mulligan (Linlithgow) (Lab): I congratulate Christine May on securing this evening's debate. I also congratulate members of the Fife team, who are with us in the gallery, and others like them around Scotland.

I am pleased to see the uptake of the antisocial behaviour measures. From a time when some people were, at best, sceptical about them and, at worst, downright hostile towards them, we have now moved to a time when people have recognised the benefits that the measures can bring. Before anyone accuses me of being smug, I hasten to add that I accept that the Antisocial Behaviour etc (Scotland) Act 2004 is not a panacea, but neither—I suggest to Mr Brocklebank—would more police be a panacea. I am sure, however, that Mr Brocklebank will accept that we have more police now than ever. I and colleagues who supported the antisocial behaviour measures never said that the 2004 act would solve all the problems, but we acknowledged that something had to be done.

I will mention a couple of the positive things relating to community safety that have resulted from the 2004 act. West Lothian Council, like many others in Scotland, established neighbourhood response teams consisting of community safety wardens, other council employees and the police. I recently met some of the community safety wardens in Blackburn and saw the work that they are doing in building confidence in a community that had lost confidence. One of the dreadful things about antisocial behaviour is that it undermines the confidence of individuals and communities so that they feel that they cannot complain and cannot stop the bad things that are happening. As a result, the antisocial behaviour continues and gets worse. People are getting to know the wardens and feel able to speak to them about their concerns. Just as important is that the wardens are getting to know the people, to see where trouble might develop and to stop it before it does. Wardens are not, as some people have suggested, the poor man's police officers; they play a different role but one that is complementary to that of the police.

I would also like to mention the dispersal order in Mid Calder in West Lothian. Mid Calder is not in my constituency, but my colleague Bristow Muldoon has given me permission to mention it

this evening. He is happy for us to share in his pride. We were told that dispersal orders were a step too far, that young people would be hounded from the streets, and that they would rise up against the adults who were stealing their freedom. What nonsense. I had confidence that the police and the local authorities would use their powers appropriately, and they have done so. Despite repeated efforts to stop youths in Mid Calder fighting one another and restricting the lives of local people, the police were making no progress, but as we have all seen from the media coverage, a dispersal order has stopped such behaviour. It allows people—including young people—to go about their business every day. The police report that the drop in the number of calls to them has been dramatic. It was feared that dispersal orders would simply move problems elsewhere, but that has not happened.

Only last night I spoke to Charlie Raeburn of West Lothian Council. He is involved in establishing midnight football to give young people who would otherwise be hanging about the streets something constructive to do. The police are now talking about withdrawing the dispersal order. I hope that they can do that soon.

I said at the start of my speech that antisocial behaviour legislation is not the answer to every problem, but it has given people a steer on how to go about changing unacceptable behaviour. As Christine May's motion points out, other actions are needed to address specific problems; for example, actions to reduce domestic abuse, to curb drink driving, and to reduce misuse of alcohol—a problem that will be addressed by the new licensing laws. However, the legislation on antisocial behaviour has provided us with two very important lessons: that agencies, communities and individuals can solve problems by working together; and that, by suggesting solutions, we can change people's behaviour and improve the quality of life for everybody.

17:32

Patrick Harvie (Glasgow) (Green): I, too, will begin by commending Christine May, whose approach was largely positive. She began her speech by emphasising the positive interventions that can change behaviour, the community spirit that can be built up, and the kind of activities that are largely driven by communities themselves rather than being driven by organisations that have statutory bases or authority or by a policy approach. She ended her speech by talking about the work of people in communities and people in police forces and local authorities. I echo her sentiments.

Members will know that my party did not support the Antisocial Behaviour etc (Scotland) Bill 2004.

We were not the only party not to support it, but we were one of the few. On every occasion on which we debated the issue, I explained my reservations and concerns and I emphasised that I commended the Executive for taking the issue seriously and for giving it priority. However, I felt that the bill took the wrong approach. I argued that positive interventions should take priority: I argued for reinvigorating our approach to youth work, for reform of the children's hearings system, and for a review of social work. I also argued that such preventive measures should take priority, rather than the enforcement measures that dominated the bill.

However, the bill took the focus that it did and contained enforcement measures such as antisocial behaviour orders for under-16s. The following figures are from November, so they may be slightly out of date. There were two antisocial behaviour orders for under-16s, no parenting orders and one restriction of liberty order for an under-16. The measures were introduced by the 2004 act and were talked up as being an important part of the solution to a problem that was described as afflicting communities the length and breadth of the country. It is clear that enforcement orders were not the solution—they are not being taken up. Members are talking about success and about improvements, but those improvements are not the result of a widespread use of enforcement orders.

Maggie Mellon of Children 1st summed it up best when she said that many of the enforcement mechanisms are not the appropriate way forward because relationships are not amenable to orders. We must affect relationships if we want to change behaviour rather than move it. Many of the measures, including enforcement, have a role, but enforcement should not be the position to which we leap automatically. Technological solutions such as electronic tags and CCTV have a role in limited circumstances, but they can be a knee-jerk reaction. Instead of CCTV, we should examine lighting, streetscaping and the many other options that can be more effective at changing behaviour. Such solutions are not subject to the kind of intrusive abuse to which CCTV, for example, has been south of the border.

In all honesty, I hope that I am wrong and that the use of enforcement measures, even in a limited number of cases, is effective. I hope that we come to the next election without the ratcheted-up respect agenda from the Executive parties that we have seen down south. As I wrote recently in *The Big Issue in Scotland*, I hope that I will be able to eat my hat, but I remain sceptical.

17:37

Trish Godman (West Renfrewshire) (Lab): I, too, congratulate Christine May and thank the Fife team, who are in the gallery, for all their hard work.

Patrick Harvie alluded to the fact that the Antisocial Behaviour etc (Scotland) Bill came screaming and shouting through the Parliament with a gnashing of teeth. I was in the chair during the debate on the bill's general principles and during stage 3, and both were very difficult. Some people disliked the language that we used; they said that we were introducing a nanny state and that we should not pass such legislation—Patrick Harvie just said that in his speech.

What does Christine May's motion tell us? It tells us that, at least in Fife, there are safer routes to school, there are safer neighbourhoods and the personal safety of older people and women is being addressed. I hope that there has been a decrease in domestic violence, too. The motion also shows that the communities of Fife are working together because they have legislation to back them up. No constituency is without antisocial behaviour problems. In my constituency, the villages of Port Glasgow, Kilmalcolm—which is allegedly very posh—Lochwinnoch and Kilbarkin are all experiencing moments of very serious antisocial behaviour.

I want to look at the case of Robert Street in Port Glasgow in particular. When I first went to my constituency, tenants in Robert Street said that they had lived there for many years and that it had been the kind of area in which they had no need to close their doors. Soon, however, problems with drug users, drug pushers and absentee landlords filled the street. "Enough is enough," is what the tenants of Robert Street told me. The better neighbourhood fund swung into action and immediately Robert Street got five dedicated policemen. A leaflet went round the area giving the police phone number and telling residents that if they were in trouble or saw something that they did not like, they should phone the police.

The lighting in the street was changed, and that was a very important step. Literally within two months, there were no drug users or pushers and the absentee landlords were trying to sell their flats. The whole area and the whole community changed for the better.

A committee of local people looked at their area, did something about it and made it safer for everyone who lived there. One older woman said to me that she could go out in the winter after 4 o'clock for the first time in years because the street was lit up. She could see where she was going, and, more important, people could see her.

Having said that, the kids still had nowhere to go so the community hired a local church, which is

now a permanent facility. It has a computer suite with 12 terminals, a cafe, a youth club and keep-fit classes twice a week. That shows us how our legislation means that communities, supported by the council and the police, can make progress and make their area a better place to live.

Patrick Harvie: Does the member accept that much of what she is talking about, positive though it is, is not the result of the enforcement measures that dominated the bill? She is talking about the result of different agencies working together. Those strategies were the only part of the bill that attracted universal support.

Trish Godman: I do not deny that. However, people in Robert Street tell me that they feel that they can go forward and get action because, at the end of the day, there is supportive legislation.

I do not have much time, so I will move on quickly. Community wardens and local people have also worked together successfully in Renfrewshire, which the minister will know because he represents part of that area.

I get a bit worried when I hear what is said about people in Glasgow. They are criticised because a few ASBOs have been issued. My understanding of the legislation is that issuing an ASBO is the last resort and that we try everything else first. Ultimately, however, Joe Public has said that enough is enough. The public wants legislation that says that if a situation gets bad enough, something can be done about it. I am pleased that hundreds of ASBOs have not been issued in Glasgow, because that may indicate that the authorities are working properly with the whole act, and, as Patrick Harvie knows, the act is about much more than ASBOs. I get a bit anxious when people say the things that he just said. I agree that we have to work on the area that he suggested, but legislation is also necessary because antisocial behaviour policy is based on a gradual approach, with preventive and voluntary measures. If those measures do not work, ASBOs or more serious measures can be applied. That approach is what everyone in my constituency is asking for, although some might tell me, "I never thought that I would say this, but the circumstances that I'm living in mean that that is what I need." That is why we passed the legislation and why it is working.

17:42

The Deputy Minister for Justice (Hugh Henry): I thank Christine May for the opportunity to, in her words, celebrate and focus on the responsible majority. She is absolutely right; the majority of people in communities across Scotland want to lead quiet and peaceful lives. They want to be good neighbours and citizens. In too many

places in Scotland, it is a disgrace that the tiny minority of people that members spoke about are causing such mayhem and blighting the lives of so many. That cannot be allowed.

It is right that we need to work to change behaviour. We need a long-term strategy to make people behave responsibly; we need to eliminate poverty and deprivation. I will repeat something that I have said on many occasions, and which Ted Brocklebank mentioned in passing: poverty is no excuse for bad behaviour. Many members grew up in poor circumstances, but our parents would not have allowed us to behave in the way that some people are allowed to behave today. It is a slight and an insult to poor people to always associate them with bad behaviour. Some of the examples that I hear about are of bad behaviour from people who are well-to-do and who have access to means, but who do not give a damn about those around them. We need to put that in perspective.

Christine May gave some excellent examples of how partnership between the Executive, local authority, police and local agencies can begin to make a difference. When we give support, either by way of legislation—which, as Trish Godman said, provides back-up to communities—or by way of funding, it makes a difference only if there is the imagination and determination at the local level to make a difference. Christine May gave some very good examples of how CCTV, community wardens, drink-driving campaigns and action to tackle drug dealers has an impact on local communities. The time2act campaign in Fife is an exceptionally good approach; we will wait with interest to see exactly what results it produces.

Mention was also made of examples such as the use of a mobile CCTV unit in Buckhaven. I am extremely interested in how that initiative pans out. I have seen a mobile CCTV unit at work in Glasgow and I am extremely impressed by the flexibility and quality of evidence and information that can be obtained from such units. Flexibility is key to what mobile CCTV can bring: instead of using a fixed unit to target one or two streets, a mobile unit can be deployed to the locations where there is a problem. I assure Christine May that I will see whether the Executive can build on that work, by whatever means.

Christine May asked me to visit Fife. I must apologise to her in some respects. Last year, Scott Barrie asked me to visit Fife to look at some of the issues in Dunfermline, which I know apply elsewhere, and I am remiss in not having done so as yet. I will come to Fife to see what is going on. I have visited Fife on a number of occasions to launch or participate in some of the initiatives that were mentioned in the debate. Fife has a

commendable record in applying legislation, policy and resources in an imaginative way.

I want to correct some of the comments that Patrick Harvie made, one of which was that enforcement measures are not the solution because they are not being taken up. In addressing his comments, I will leave aside the issue of ASBOs. As Iain Smith said, if ASBOs are not being used, it is a sign of success. To some extent there is no need to take action in safe and effective communities where there are no problems. However, it is not a sign of success if the problems are allowed to persist because the measures are not being used. I encourage councils across Scotland to use the measures.

I return to Patrick Harvie's point about the antisocial behaviour measures not being taken up. Across Scotland we have had 12 closure orders on premises, at least four of which were made in Fife, which is leading the way in Scotland. We have also had 366 warning notices on the seizure of vehicles, with 16 vehicles seized. Again, Fife is leading the way, with 198 notices and nine seizures respectively. We have had 688 warning notices and 33 fixed-penalty notices for noise nuisance. The fixed-penalty notice pilot on antisocial behaviour in Tayside has resulted in 2,300 fixed-penalty notices being issued. We have had 28 ASBOs on conviction and 16 electronic monitorings for under-16s through the children's hearings system. We have had 26 community reparation orders. Do not tell me that the measures are not being used. My concern is that they are being used very effectively in some areas but not to the same effect elsewhere. We need to find out what lies behind that.

Tonight's debate has been a good one. As Mary Mulligan rightly said, antisocial behaviour undermines confidence. Also, as I said earlier, antisocial behaviour does not only happen in the most deprived areas. In addition to highlighting problems in Port Glasgow, which is a deprived community, Trish Godman gave examples of the better-off areas in her constituency where antisocial behaviour is a problem. One of the areas that she did not mention tonight, about which she has spoken to me on a number of occasions, is Bridge of Weir. That is another apparently relatively affluent area that suffers from persistent antisocial behaviour in one or two parts of the town.

I agree that there are issues to tackle. One issue that was raised is that of police numbers and how the police are used. I remind Ted Brocklebank that we do not accept that the number of police officers that we inherited from the Conservatives was sufficient. That is why we have increased police numbers to record levels. Moreover, we have a system and a principle of allowing chief constables

to decide at a local level how staff and resources are used operationally in particular areas.

Mr Brocklebank: Will the minister give way?

Hugh Henry: No I will not, because I am just about to finish.

It is a matter for chief constables to decide how they use their resources. Fife constabulary has a record of being at the forefront of using resources effectively, and I congratulate everybody in that police force on that record.

Christine May has done us a service in allowing us to explore some of the general issues. I was intrigued by Ted Brocklebank's parable of poor Annabel, who was subject to antisocial behaviour. I do not diminish the seriousness of that individual's problems, but I wondered whether there was more to the parable of Annabel suffering from antisocial behaviour, being menaced and threatened by people around her who were behaving badly and not being able to find any solace until those responsible were removed. Annabel in Fife has finally found some solace; I hope that, in the Parliament, the other Annabel might eventually find similar solace.

Tonight's debate has been interesting, and I thank all the members who participated. I congratulate all those in Fife who are tackling antisocial behaviour and I look forward to seeing at first hand the difference that is being made there and elsewhere.

Meeting closed at 17:52.

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:

Wednesday 25 January 2006

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