

MEETING OF THE PARLIAMENT

Wednesday 19 April 2006

Session 2

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SCOTTISH MINISTERS AND DEPUTY MINISTERS

FIRST MINISTER—Right hon Jack McConnell MSP
DEPUTY FIRST MINISTER—Nicol Stephen MSP

Justice

MINISTER FOR JUSTICE—Cathy Jamieson MSP
DEPUTY MINISTER FOR JUSTICE—Hugh Henry MSP

Education and Young People

MINISTER FOR EDUCATION AND YOUNG PEOPLE—Peter Peacock MSP
DEPUTY MINISTER FOR EDUCATION AND YOUNG PEOPLE—Robert Brown MSP

Enterprise and Lifelong Learning

MINISTER FOR ENTERPRISE AND LIFELONG LEARNING—Nicol Stephen MSP
DEPUTY MINISTER FOR ENTERPRISE AND LIFELONG LEARNING—Allan Wilson MSP

Environment and Rural Development

MINISTER FOR ENVIRONMENT AND RURAL DEVELOPMENT—Ross Finnie MSP
DEPUTY MINISTER FOR ENVIRONMENT AND RURAL DEVELOPMENT—Rhona Brankin MSP

Finance and Public Service Reform

MINISTER FOR FINANCE AND PUBLIC SERVICE REFORM—Mr Tom McCabe MSP
DEPUTY MINISTER FOR FINANCE AND PUBLIC SERVICE REFORM—George Lyon MSP

Health and Community Care

MINISTER FOR HEALTH AND COMMUNITY CARE—Mr Andy Kerr MSP
DEPUTY MINISTER FOR HEALTH AND COMMUNITY CARE—Lewis Macdonald MSP

Parliamentary Business

MINISTER FOR PARLIAMENTARY BUSINESS—Ms Margaret Curran MSP
DEPUTY MINISTER FOR PARLIAMENTARY BUSINESS—George Lyon MSP

Communities

MINISTER FOR COMMUNITIES—Malcolm Chisholm MSP
DEPUTY MINISTER FOR COMMUNITIES—Johann Lamont MSP

Tourism, Culture and Sport

MINISTER FOR TOURISM, CULTURE AND SPORT—Patricia Ferguson MSP

Transport and Telecommunications

MINISTER FOR TRANSPORT AND TELECOMMUNICATIONS—Tavish Scott MSP

Law Officers

LORD ADVOCATE—Colin Boyd QC
SOLICITOR GENERAL FOR SCOTLAND—Mrs Elish Angiolini QC

PRESIDING OFFICERS

PRESIDING OFFICER—Right hon George Reid MSP
DEPUTY PRESIDING OFFICERS—Trish Godman MSP, Murray Tosh MSP

SCOTTISH PARLIAMENTARY CORPORATE BODY

PRESIDING OFFICER—Right hon George Reid MSP
MEMBERS—Mr Kenny MacAskill MSP, Mr Duncan McNeil MSP, Nora Radcliffe MSP, John Scott MSP

PARLIAMENTARY BUREAU

PRESIDING OFFICER—Right hon George Reid MSP
MEMBERS—Bill Aitken MSP, Chris Ballance MSP, Ms Margaret Curran MSP, Carolyn Leckie MSP, Margo MacDonald MSP, Alasdair Morgan MSP, George Lyon MSP

COMMITTEE CONVENERS AND DEPUTY CONVENERS

Committee	Convener	Deputy Convener
Audit	Mr Brian Monteith	Mr Andrew Welsh
Communities	Karen Whitefield	Euan Robson
Education	Iain Smith	Lord James Douglas-Hamilton
Enterprise and Culture	Alex Neil	Christine May
Environment and Rural Development	Sarah Boyack	Mr Mark Ruskell
Equal Opportunities	Cathy Peattie	Nora Radcliffe
European and External Relations	Linda Fabiani	Irene Oldfather
Finance	Des McNulty	Mr John Swinney
Health	Roseanna Cunningham	Janis Hughes
Justice 1	Pauline McNeill	Stewart Stevenson
Justice 2	Mr David Davidson	Bill Butler
Local Government and Transport	Bristow Muldoon	Bruce Crawford
Procedures	Donald Gorrie	Karen Gillon
Public Petitions	Michael McMahon	John Scott
Standards and Public Appointments	Brian Adam	Bill Butler
Subordinate Legislation	Dr Sylvia Jackson	Gordon Jackson

19 April 2006

Scottish Parliament

Wednesday 19 April 2006

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

Time for Reflection

The Presiding Officer (Mr George Reid): The first item of business is time for reflection. Our time for reflection leader today is the Rev Rodger Neilson of Cruden parish church in Aberdeenshire.

The Rev Rodger Neilson (Cruden Parish Church, Aberdeenshire): Those of a Christian faith, not only in our land but throughout the world, have just celebrated Easter. The story of the first Easter is, of course, at the heart of the Christian faith, and what is at the heart has an ultimate importance.

When I was spending a few days recently in the heart of Perthshire, a walk on the trail round the Birks of Aberfeldy was a must. While enjoying that walk in the winter sunshine, I recalled something that I read many, many years ago: if a line were drawn from the north-east tip of the Scottish mainland to the south-west and likewise from the north-west to the south-east, those two diagonals would cross each other at Aberfeldy, placing it at the heart of Scotland.

I never took out a map of Scotland to trace those lines and check it out for myself. I think that that was because I did not want to find out that it might not be true. I was simply happy to believe that the heart of Scotland was in one of its most beautiful areas, alongside the Tay and not far from the hills around the loch of the same name.

If Aberfeldy is at the geographical heart of Scotland, we can go on to say that Scotland has more than one heart, and that can lead us to ask some important questions. What is and what should be at the heart of our Scottish identity? What is and what should be at the heart of our Scottish character? What is and what should be at the heart of our Scottish aspirations for ourselves and for the world?

Those questions are not only for politicians to deal with, for surely they should matter to every responsible citizen. I believe that those questions are more easily considered when we are more comfortable with our answers to personal questions. What is and what should be at the heart of my own identity? What are and what should be my own aspirations?

What is at the heart has ultimate importance. If we can deal with the questions of motivation and purpose at the personal level, that should make it

easier for us to tackle them at the national level and, in turn, as we see more clearly our national destiny, we might find our individual hearts being inspired for the better.

The celebration of Easter should motivate the Christian believer to focus more clearly on what is at the heart of his or her faith. Any time is a good time for all of us to reflect on what lies at the heart of our individual, community and national lives. I pray that all of us will take time regularly to do just that.

Business Motion

14:34

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-4249, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a revised business programme.

Motion moved,

That the Parliament agrees the following revision to the programme of business for Wednesday 19 April 2006—

Wednesday 19 April 2006

after,

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

delete,

followed by European and External Relations
Committee Debate: European
Commission's Legislative and Work
Programme 2006

followed by Procedures Committee Debate: 2nd
Report 2006: Procedures relating to
Crown appointments

and insert,

followed by Members' Oaths/Affirmations - David
Petrie and Maureen Watt

followed by Motion on Her Majesty The Queen's
80th Birthday

followed by European and External Relations
Committee Debate: European
Commission's Legislative and Work
Programme 2006

followed by Nominations to the European
Economic and Social Committee
(EESC)—[*Ms Margaret Curran.*]

Motion agreed to.

Oaths

14:35

The Presiding Officer (Mr George Reid): Before the introduction of the new members, I wish to announce that I have agreed, exceptionally, that their immediate family may join us on the floor of the chamber for a few minutes.

The following member took the oath:

Mr Dave Petrie (Highlands and Islands) (Con)

The following member took the oath and repeated it in Doric:

Ms Maureen Watt (North East Scotland) (SNP)

Points of Order

14:37

Roseanna Cunningham (Perth) (SNP): On a point of order, Presiding Officer. A matter has arisen in connection with the voting rights of committee substitutes when there is a vacant position on a committee. You will be aware that the Health Committee met yesterday, comprising only eight members, following the resignation of Mike Rumbles. No replacement for Mr Rumbles had been nominated at that point. The guidance that I was given as convener was that the previously named substitute committee member was barred from voting under the standing orders because the principal position had become vacant.

Unnamed individuals have made comments to the press, questioning the validity of that ruling and, by that means, the legitimacy of the decision that was taken by the Health Committee yesterday. As I do not wish that to continue, I seek a ruling from you on the issue.

The Presiding Officer (Mr George Reid): First, I will refer to the appropriate standing orders. Rule 6.3A establishes how a substitute is appointed; rule 12.2A establishes when a substitute member may act in that capacity in particular instances. When read together, those two rules make it perfectly clear that there are conditions that must be satisfied before one member may substitute for another at a particular committee meeting. Putting it very simply, it is not possible for a committee substitute to stand in for someone who is no longer a member of the committee.

The Minister for Parliamentary Business (Ms Margaret Curran): On a point of order, Presiding Officer. It is normal procedure for me to receive prior warning of such points of order. However, in this instance, I have not received that. You will receive a letter from me, raising issues around the consistency of the rules that apply to this matter. It is perfectly apparent that the decision that was made at the Health Committee yesterday is not consistent with practices adopted in other committees. There are serious issues to be considered to ensure that all members and all parties are properly enfranchised, which I do not believe was the case yesterday.

The Presiding Officer: I agree with that. You are referring to the European and External Relations Committee. The ruling that I gave in the case raised by Ms Cunningham would apply to that committee as well. I cannot overturn a committee decision, however it is reached. It is up to a committee itself to decide whether it wants to revisit any decision that it has made.

Irene Oldfather (Cunninghame South) (Lab):

Further to that point of order, Presiding Officer. I seek clarification on that point. At the meeting in question, when a substitute took the place of Mrs Ewing, a vote was taken. Is that vote now null and void?

The Presiding Officer: No. I said that I cannot overturn a committee resolution, however it is reached. I repeat that it is up to a committee itself to decide whether it wants to revisit any decision that it has made.

Her Majesty the Queen's 80th Birthday

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-4240, in the name of Jack McConnell, on the Queen's 80th birthday.

14:41

The First Minister (Mr Jack McConnell): I invite Parliament to join me in congratulating Her Majesty the Queen on the occasion of her 80th birthday and in extending our warm wishes to Her Majesty at this special time.

In recent weeks, much has been said and written about the Queen. Many will have gained new insights into her life and been struck by her contribution to Scotland, the United Kingdom and the Commonwealth.

Her Majesty's affinity with Scotland is well known and she has our thanks for her years of commitment to us. The Queen has been a strong and visible friend of devolution since 1999. She has supported our new and evolving constitutional relationship within the United Kingdom and has shown a real interest in our deliberations.

Our Queen addressed our Parliament in session in Aberdeen in 2002, in addition to opening the institution in 1999 and, of course, this building in 2004. Knowing that the Queen has held weekly audiences with 10 Prime Ministers, we knew that we were in the presence of someone who knew a thing or two about politics and change.

Much has changed since 1926, the year of the Queen's birth. That was a time of mass unemployment—it was the year of the general strike—Britain was still an imperial power, the national health service had not yet been created and the welfare state was still a dream. Broadcasting was in its infancy and the technological and communications changes that we have seen in the past 80 years were beyond all but the most visionary writers of science fiction.

In many countries, rulers and heads of state have been unable to live with major social and constitutional change. It is a mark of Her Majesty that she has ensured that the monarchy has adapted to and embraced change, while remaining a symbol of national unity throughout. With wisdom and good sense, combining tradition and modernity in a manner from which we can all learn, she has overseen the transition from colonialism to Commonwealth, from want to welfare and from a centralised state to a devolved one.

We know that Her Majesty has taken a genuine and personal interest in the life of Scotland. From childhood on, spending significant amounts of time in Scotland has been part of the Queen's year, whether on Deeside, in Holyrood Palace or on the hundreds of visits that she has made throughout the land.

The Queen made her state entry into Scotland on 23 June 1953. When she left five days later, 100,000 Scots gathered at midnight on the hillsides of Holyrood park to sing, "Will ye no come back again?" Ever since, the Queen has indeed come back again. I know that the thousands of Scots who have been welcomed into Holyrood over the years, either for ceremonial occasions or for the annual garden party, will have been touched—as I have been—by her warmth, intelligence and good humour.

Of course, the Queen contributes to Scottish life in other ways too, by supporting Scottish organisations and charities, including the Royal Scottish Academy of Music and Drama, the Royal Scottish National Orchestra, the Royal Highland Show and the Scottish Council for Voluntary Organisations.

Her Majesty's life has been all about public service. People often do not realise how many miles the Queen travels up and down the land, or how many places she visits and people she meets. To each place and each person, the Queen brings pleasure and provides memories that are never forgotten.

The Queen has experienced joy in her life but, as we know, she has also seen her fair share of tragedy and sorrow. However, even when dealing with those deeply personal tragedies in the gaze of the public eye, the Queen has always shown fortitude and dignity.

During her reign, the Queen has undertaken 256 official overseas visits to 129 different countries. In Melbourne recently, I saw that she continues to inspire people across the Commonwealth of nations and to be a symbol of unity and continuity in changing times. The Queen's personal commitment is one of the reasons why the Commonwealth continues to thrive. It is in part because of the Commonwealth that we in Scotland can forge relationships with Malawi and other countries.

It is no secret that views differ in this chamber and this land regarding constitutional arrangements, but I hope that we can unite in recognition of goals that we share—commitment to public service, friendship between nations and recognition of valour, endeavour and excellence.

This Friday, when people around the world celebrate this landmark birthday for our Queen, we in Scotland should add our voices. Her Majesty

has Scotland in her heart. For her decades of dedication to duty, for her service to our country, and for the way in which she continues to touch the lives of thousands of Scots and others around the world, we send our warm congratulations and best wishes on this happy occasion.

I move,

That the Parliament congratulates Her Majesty the Queen on the occasion of her 80th birthday.

14:46

Nicola Sturgeon (Glasgow) (SNP): Before I speak in support of the motion in the First Minister's name, I am sure that Parliament will be interested to know that my colleague Alasdair Morgan shares a birthday with Her Majesty the Queen. Mr Morgan is keen that I emphasise to Parliament that, although he is not 80—or so he says—he would be happy for any member to lodge a motion of congratulation, but that there is absolutely no need for anyone to fly the union jack in his honour.

As the First Minister has said, there are many different views between the parties, and within them, inside and outside the Parliament, on the future of the monarchy as an institution. In my view, that matter should ultimately be decided by the Scottish people. However, those different views should not prevent any of us from wishing the Queen a very happy and healthy 80th birthday. There is no doubt that she has performed her role over many years with great dignity and commitment. As a result, there is a great deal of public affection for her. Her visits to Scotland in general and to this Parliament in particular have been appreciated by many people across Scotland.

An 80th birthday is a significant milestone in anyone's life. I notice that today the Queen is beginning her birthday celebrations with a lunch for others who share her birthday. That is an appropriate reminder that the Queen is a member of a proud generation—a generation that, during the second world war, and in the difficult years immediately afterwards, made sacrifices and shared experiences that, thankfully, few of us in our generation can even begin to imagine.

As we wish the Queen a happy birthday and send her our warm congratulations, we should take the opportunity to pay tribute to all those who will reach their 80th birthday this year, or would have reached it, had they still been alive. After all, it is thanks to them and the rest of their generation that we today enjoy the privileges and the freedoms that we do.

14:48

Miss Annabel Goldie (West of Scotland)

(Con): If I had been around on 21 April 1926—and I sometimes feel as if I was—I would probably have paid no particular attention to the arrival of a baby daughter to the Duke and Duchess of York. Apart from giving the pleasure that greets any birth, the event might not have seemed especially auspicious. However, such are the unpredictable quirks of times and events that the baby not only was to grow up as Princess Elizabeth, but was to find that her father was required to take on the role of monarch as King George VI when she was only 10; was to experience the second world war; and was to lose her father, whom she loved dearly, when she was 25, which required her to succeed to the throne. For anyone, that would be a challenging series of events to confront at a young age.

My first awareness of the Queen was when I was taken at the age of three to a fireworks display to celebrate the coronation. It was not a positive introduction to the monarchy: I did not know what a coronation was, and the bangs and flashes of the fireworks so alarmed me that a screaming three-year-old had to be taken home.

I am wiser now. Many years later, I look at a woman who has become an icon for selfless public service and unwavering commitment to her sense of duty as a monarch. Interestingly, in these judgmental and often abrasive times, the Queen defies being labelled and pigeonholed, which is a remarkable achievement.

In what is unarguably the greatest republic of the world, the United States of America, interest in the Queen is apparently insatiable, and admiration and respect for her are unbounded. That perception is not born out of some Walt Disney fantasy centring around a diamond-encrusted heroine; it is based firmly on the recognition of someone who, in the face of national and personal challenges, has never faltered in her duty to Britain and the Commonwealth. This is a woman who, in her 54 years as Queen, has held audiences with 10 British Prime Ministers. Her grasp of national and international affairs is astonishing, and her shrewdness is impressive. Our current Prime Minister, Mr Blair, has paid tribute to those qualities.

I am aware of the different views in the chamber about the monarchy, but one does not need to be a royalist to admire the capacity of this extraordinary woman to do so well what she does, and the extent to which she does it, at the age of 79. There are those who aspire to make a contribution to public life who are many years her junior but who would whimper at doing a fraction of what she does. She is in a league of her own when it comes to public service.

I salute this remarkable woman and congratulate her on the occasion of her 80th birthday this coming Friday. With pleasure, I support the motion.

14:51

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): The Queen's 80th birthday is an opportunity for us all to reflect on the contribution that Her Majesty has made to Scotland and to this nation. I well remember, 40 years ago, standing at the side of North Deeside Road, waiting with hundreds of others for the arrival of the Queen in her car. We waited and then waved at her as she made the journey to Balmoral Castle. She is very much loved not just on royal Deeside, in the area of Ballater and Balmoral, but throughout the north-east and across Scotland. Thirty-three years later, in 1999, I felt proud, pleased and privileged at the official opening of the Scottish Parliament, when all of us were there as members of the new Scottish Parliament.

I also remember welcoming the Queen to Aberdeen, where she addressed the meeting of the Scottish Parliament on 28 May 2002. That visit was symbolic not just of her continued interest in the work of the Scottish Parliament, but of the work that she has done and continues to do for so many communities throughout Scotland. Her itinerary that day in Aberdeen was instructive. Although her speech in the chamber was the centrepiece of the day and grabbed the headlines, it was just a small part of her work on that occasion. Her visit captured the imagination and attention of a whole new generation of schoolboys and schoolgirls who lined the streets to welcome her to Aberdeen, and her attendance at Duthie park made the day for many young people who participated in a showcase of Aberdeen's excellence in culture, education and business. She enjoyed music, sport and drama displays from local youth groups. The golden jubilee celebrations provided a focus across Scotland for a huge range of activities and events designed to spark the imagination and capture the attention of young people.

Last year, the Queen officially opened the Royal Aberdeen children's hospital, following in the footsteps of her father and mother who, as the Duke and Duchess of York, had opened the new buildings at Aberdeen royal infirmary in 1936. This year marks the 70th anniversary of that royal visit; it is also 70 years since the dramatic events that happened just a few weeks after the opening of the hospital—events that shaped the Queen's and our nation's future. The Queen's 2005 visit also provided a focus for some of the excellent work that was being done in the city, and she met

young people who had, in many cases, spent too much of their early lives in hospital.

The Queen undertakes many activities that do not make the headlines. Indeed, there are many things that people do not know about her. I must confess to having been unaware that she retains ownership of all sturgeons in the United Kingdom, including Scotland. I am assured that that applies only to "Fishes Royal".

The Queen's work for and with the young people of Scotland often goes unnoticed by the national media, but her involvement and that of her husband, the Duke of Edinburgh, in events and activities across Scotland does much to spark the enthusiasm of children across the country.

This year marks the 50th anniversary of the Duke of Edinburgh's Award scheme, which does much to foster new skills, responsibilities, knowledge and, in many cases, lasting friendships among young people aged between 14 and 25. Between 17,000 and 20,000 young people throughout Scotland participate in the award scheme and the number of new entrants continues to grow.

This week is a chance to go beyond the national headlines in considering the achievements of Her Majesty Queen Elizabeth. In particular, it offers us the opportunity to reflect on the lead that she has taken in devoting so much time and energy to Scotland's young people. Her investment of faith, time and resources in our young people sets an example that we should all seek to follow. I commend the motion to Parliament and wish Her Majesty a very happy 80th birthday on Friday.

14:56

Robin Harper (Lothians) (Green): I thank the First Minister for giving us the opportunity to extend birthday greetings to Her Majesty the Queen. My party's position, to which I subscribe, on the relevance of a monarch with a heritable position, as opposed to an elected head of state, is well known. However, this is not the occasion to debate that issue.

I recall celebrating the birthday of the late Queen Elizabeth the Queen Mother on 4 August 1946. My naval officer father took me across Scapa flow in a small boat to a destroyer that was gaily decked from stem to stern with signal flags fluttering in the Orkney wind. We were piped aboard and in the wardroom I cut a huge cake. It was my sixth birthday, and in my innocence I thought that it was all for me: a presumption of childhood.

That little memory serves to remind us that on Friday, many thousands of women and rather fewer men in Scotland will also celebrate their 80th birthdays, and I wish them a happy birthday as well.

I am happy to have this opportunity to echo the First Minister's sentiments—so well expressed—and wish the Queen a very happy 80th birthday on Friday.

14:58

Frances Curran (West of Scotland) (SSP): Anyone who reaches the age of 80 is entirely entitled to a birthday card, a big cake with all the candles and best wishes, especially if they come from where I come from because it would mean that they have defied the grim reaper and the statistics. I would like the Parliament to note that the fact that the Queen has reached the age of 80, and that her mother was more than 100, proves the benefits of a lifetime of free meals.

Why are we taking time out in Parliament to wish the Queen a happy birthday? Those wishes could have been conveyed for 32 pence through Her Majesty's Royal Mail if the First Minister was so minded.

We should not pretend that sending the Queen the good wishes of the Parliament on her birthday means that the chamber is stuffed full of royalists. Those who claim to be republicans, or maybe even democrats—there are many MSPs in the chamber who claim that—might be in the majority. However, a person cannot be a democrat and defend hereditary privilege that is based on power and wealth; we cannot do both. There are people here who should have the courage of their convictions and should not be cowardly.

It is a pity that our amendment, suggesting that the Queen consider taking a very comfortable retirement, was not taken up. Surely the Parliament is not insisting that she should work beyond the age of 80. It is time to debate the monarchy's role in a modern democratic Scotland so that we can have a serious discussion of the issue. Those MSPs who are silent today but who claim to be republicans and democrats could then come out from behind the Queen's petticoats and take part in that discussion.

15:00

Mr Brian Monteith (Mid Scotland and Fife) (Ind): I am delighted to be awarded this occasion's free ball and give my personal support to the motion. We debate the motion today because the majority decision of the Parliamentary Bureau was that the order of business in the Parliament today should include the motion that is before us.

Whatever people think of constitutional monarchy—I speak as a fully signed-up supporter of the institution—we should wish our monarch a happy 80th birthday, for she has carried out her task with dignity, discretion and considerable skill. One need only look back to 1953 to realise how

much Britain has changed since she came to the throne. Britain is now more open and more multicultural, with greater opportunities for each successive generation. While Governments have come and gone and while great social tensions have arisen from that social change, our monarch has been a unifying force for people from all walks of life, classes and backgrounds.

Her Majesty's sense of duty marks her out as a monarch for all Britain's people, whatever their gender, race, faith, sexuality or age. For that, she deserves our respect and, I believe, this Parliament's happy returns.

The Presiding Officer: I will allow a pause so that those members who wish to leave before the next item of business may do so.

European Commission Work Programme 2006

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-4221, in the name of Linda Fabiani, on behalf of the European and External Relations Committee, on the European Commission's work programme for 2006.

15:03

Linda Fabiani (Central Scotland) (SNP): I am pleased to open the debate on behalf of the European and External Relations Committee.

The European Union's importance as a source of legislation for the United Kingdom and Scotland is often not recognised. Indeed, even where it would be appropriate, its role is seldom appreciated. The UK Cabinet Office estimates that European Union legislation accounts for half of the total volume of regulation in the UK. In areas such as agriculture and the environment, the proportion is even higher.

EU legislation impacts on all aspects of life in Scotland. For example, it affects not only regional policy and structural funds—the European and External Relations Committee is about to begin an inquiry into the future disbursement and implementation of such funds—but transport, fisheries, research and development, enterprise and industry, and justice and home affairs.

Given that, in European Union terms, Scotland is a region of the EU rather than a member state with direct representation, it is crucial that the Parliament's European and External Relations Committee not only monitors the effects of EU legislation and regulation but actively seeks opportunities to influence new legislation that affects our country and, where appropriate, asks for existing legislation to be reconsidered.

The Parliament should actively grasp chances to influence legislation, where we see advantage in doing so. For that reason, the European and External Relations Committee considers the European Commission's legislative and work programme, which is published every year as part of the EU's legislative cycle. The work programme lists all the Commission's intended new legislation and indicates its thinking contained in green papers, communications, reports and reviews.

The committee first considered this year's work programme in November last year, shortly after it was published, and selected areas of potential interest for further consideration. The Executive also considers the Commission's work programme, and the committee has taken evidence from the relevant minister on the

Executive's priority programme of work and how it overlaps with that of the Commission. Other committees of the Parliament address specific subjects within their remits.

By considering the Commission's work programme, preparing their positions and making timeous representation, the Parliament's committees can try to influence the final shape of new and substantial legislation that is of importance to Scotland. Just as there are opportunities for private individuals and interest groups to respond directly to Brussels, there are opportunities for our committees to do so. For example, committees can submit direct responses to Commission green papers and can lobby the UK Government and the UK Parliament and its committees. The theory is that we have a favourable wind as, following the negative results of the French and Dutch referenda on the constitutional treaty, the Commission says it is particularly keen to listen to views from below member state level—from regional level, from citizens and from institutions close to them.

Although committee colleagues will have more detailed comments to make, I would like to point out some of the legislative developments that we can hope to influence and on which we can make our views known. The first is the proposal for a European institute of technology, which envisages the establishment of five centres of research across the European Union. The committee raised the issue with the Executive and continues to follow developments, to ensure that if there is potential for Scotland in the proposal, advantage is taken of it. We look forward to further proposals from the Commission, which are expected in June.

The second issue is the Commission's proposed green paper on adaptation to climate change, which will help to identify areas where action is needed at Community level to support the EU's adaptation to increasing adverse effects of climate change. The Environment and Rural Development Committee has engaged with that issue in the past, as has the European and External Relations Committee, during its consideration of the July G8 summit agenda. There may be further committee engagement with the issue in 2006.

Structural funds are another issue. Agreement on the budget for 2007 to 2013 at the December European Council has made possible progress on planning for structural funds programmes. The European and External Relations Committee has agreed to respond to the UK Government's consultation on the national strategic reference framework, focusing on the Scottish section, as the Scottish Executive is responsible for the delivery of funds in Scotland. The committee will also invite the Executive and others to give evidence on the disbursement of structural funds and

the implementation of programmes over the new budgetary period.

A further issue is energy. The committee will shortly consider its response to the Commission's green paper on a European strategy for sustainable, competitive and secure energy. Sustainable development, covering areas such as renewables, carbon capture and energy efficiency, is likely to be a major focus of our interest. As everyone knows, some elements of energy policy are within the Parliament's remit.

There is a proposal to complete the internal market for postal services while maintaining safeguards to ensure that a universal postal service continues to be provided across member states. Although the issue is reserved, the proposal has potential implications for rural Scotland—remote areas and island communities—in particular. The committee has already taken up the issue with the Executive.

There is also the better regulation agenda. The work programme includes a dedicated section on better and more effective regulation, as part of the growth and jobs strategy.

A member of our committee, Jim Wallace, is currently engaged as rapporteur in an inquiry into the transposition and implementation of EU directives in Scotland. The committee is looking forward to considering the recommendations that will follow that inquiry.

As I said earlier, the Scottish Executive has its own list of EU priorities for this year—some of which overlap with the Commission's programme—that it presented to the committee on 28 February. Some of those priorities are near the end of the legislative cycle, but others that have the committee's support are close enough to the start of the cycle for us to influence them, for example the European institute of technology. The committee is particularly pleased that the Executive agrees on the potential importance of that initiative for Scotland.

Other examples are the European qualifications framework and the applicable law and jurisdiction in divorce, with which the Justice 1 Committee has been actively engaged. It is crucial that the committees of the Parliament ensure that Scottish interests are taken fully into account.

That has not exhausted the list of issues that the European and External Relations Committee is tracking, but they are all issues of importance to Scotland and we have the opportunity to influence them if we wish—and in many cases we should. I do not have time to mention many of those issues so, to conclude, in the interests of Scotland this Parliament must ensure that it has mechanisms in place to understand, monitor and influence European policy. The Commission's work

programme is one element that enables such understanding. I am pleased to have presented a quick résumé of the work of the European and External Relations Committee to ensure that we have such understanding and promote our potential influence.

I move,

That the Parliament notes the European Commission's Legislative and Work Programme for 2006 and its importance for the work of the Parliament and its committees and to Scotland.

15:11

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): I welcome the opportunity to debate the European and External Relations Committee's proposals. I thank the convener, Linda Fabiani, who outlined the vast range of work that the committee engages with and oversees. I am increasingly encouraged by the Parliament's growing engagement with European issues both here in the chamber and in our committee rooms.

Over the years, Scotland has benefited considerably from being part of the European Union. Securing our natural environment, enhancing trade opportunities, encouraging competitiveness within our economy and promoting labour force mobility are but a few examples. The most recent example that brought home how important it is to work across borders with our European colleagues is the avian influenza scare. Members will be more than aware of the case that was detected in Scotland using the enhanced surveillance mechanisms that now operate across the European Union thanks to the co-operation of member states. That highlights the benefits of strong co-operation with our European neighbours in tackling a disease that recognises no borders. Working closely with other member states has allowed us to detect, control and react to the outbreak far more effectively than if the outbreak were managed individually by each member state doing its own thing.

As Linda Fabiani outlined in her speech, around 80 per cent of legislation in Scotland is influenced in some way by decisions taken in Brussels. Those decisions have a direct impact on the people of Scotland. It is essential that we engage with the European Union at the earliest opportunity if we are to ensure that its actions reflect Scottish interests. I know from my experience as president and vice-president of the National Farmers Union Scotland that the European Union is an open institution that allows one to exert influence early in the process. It is essential that the Scottish Executive and the committees of this Parliament take the opportunity to shape the final outcomes of many of the deliberations in Brussels. The

Commission's work programme is an ideal place to start. It is at the initial stages of policy development that we have the greatest opportunity to exert influence.

We welcome the Commission's focus this year on growth and jobs, research and education, worker mobility and gender equality. However, we must focus our engagement on issues of particular significance to Scotland.

I turn now to the key issues for Scotland in Europe in 2006 and the Executive's new approach to dealing with European Union dossiers. My colleague, Mr McCabe, outlined his thoughts on that matter to the European and External Relations Committee. As members will be well aware, the EU has a huge impact on our legislative programme and devolved responsibilities. It is crucial that the Scottish Executive has an effective strategy for engaging with the EU across all policy areas.

Alex Neil (Central Scotland) (SNP): Can the minister cite three examples of the Scottish Executive changing European policy at any stage of development?

George Lyon: The first example that comes to mind is the recent introduction of a minimum pricing arrangement for salmon farmers in Scotland, which has been crucial in ensuring the survival of independent Scottish producers. Ministers took up that cause in the Scottish interest—which, unfortunately, is now a minority interest, given that 80 per cent of the industry is now controlled by overseas interests—and working in conjunction with the United Kingdom Government we got the EU to introduce minimum pricing for salmon exports. That move has made a tremendous difference to the whole of Scotland and to many producers in areas that Mr Wallace and I represent.

Alex Neil: And the other two examples?

George Lyon: I am just about to mention the lifting of the beef ban, which is another example of the good progress that we have made in Europe.

In the Executive's previous communications with the Parliament, the minister in question has focused on each six-month EU presidency. However, in February, Tom McCabe presented to the European and External Relations Committee our new more strategic, approach that takes a forward look across all three European institutions and across the full calendar year. Cabinet reviewed the work programmes of the Commission, the European Parliament and the Austrian and Finnish presidencies and identified 22 dossiers that cover a wide range of policy areas of key importance to Scotland and represent the highest priority for Executive action.

We have already experienced success in one of those dossiers. In partnership with the UK Government, we have successfully negotiated the lifting of the beef export ban. That crucial victory for the beef industry in Scotland secures vital jobs in our rural communities and strengthens our processing industry.

Mr Jamie McGrigor (Highlands and Islands) (Con): Will the minister explain why it has taken so long for the ban to be lifted?

George Lyon: As Mr—um—

The Deputy Presiding Officer (Trish Godman): McGrigor.

George Lyon: As Mr McGrigor is well aware, his party was in power when the beef export ban was introduced, and its mishandling of the situation is the reason why the Scottish beef industry has been locked out for so long from a very important market.

The ban was introduced 10 years ago. However, within weeks, Scotch beef will once again be served in restaurants throughout Europe. We and our industry partners will support its relaunch, and events have already been planned for Italy, France, Belgium and the Netherlands. Of course, because Scotch beef was a central export to the European Community, the ban was of specific importance to Scotland and not so important to the rest of our UK partners. In response to Mr Neil's earlier question, I believe that that represents another example of how we have delivered important change in Europe and benefited Scottish industry.

Papers that have been presented to the relevant parliamentary committees and which will be published by the Executive outline the implications of the dossiers for Scotland and give details of Executive actions. We intend to update the papers in August and ministers are committed to pursuing the dossiers over the next 12 months.

The EU is not an abstract concept. It affects the everyday lives of our citizens by securing the natural environment around them, providing them with a single market in which to buy and sell goods and services, and defending their consumer rights. We must engage—and engage early—if we are to influence the decisions taken in Brussels.

I welcome this debate and look forward to working with the Parliament throughout this year to ensure that European proposals are scrutinised for Scottish interest and that our Scottish interests are heard both in London and in Brussels. By doing so, we can make a difference that benefits not only our businesses but consumers and individuals throughout Scotland.

15:20

Mr Kenny MacAskill (Lothians) (SNP): In the previous debate, mention was made of divided views on the monarchy. The situation is the same, to some extent, in relation to views on Europe. With regard to the monarch, my own view tends to be rather sanguine, but we have to recognise that she is the head of state, and anybody who reaches their 80th birthday should see that as a cause for celebration. Indeed, as the First Minister and other members said, significant changes have been made in the monarchy, and the same is true of the European Union. There is a great deal of division in the Parliament as to how Scotland should be represented and, some would argue, whether it should be represented within such an institution. I find myself on the Europhile wing of my party, which is committed to independent representation for Scotland. The monarch remains the head of state. That is the situation that we face, and that is why I believe it is correct and appropriate for us to celebrate her birthday. Similarly, the European Union is here, and whatever view people take on it, it is clearly an institution that has a huge effect on, and significant ramifications for, the lives of legislators and citizens.

As Linda Fabiani, convener of the European and External Relations Committee, pointed out, many of the daily aspects of the European Union's activities are not noted or appreciated by the general public. It is much easier for the press corps in Scotland to comment on straight bananas or regulations emanating from Europe that will allegedly limit and restrict bagpipe playing than it is to consider what is actually happening day to day. The Scottish Parliament has, quite correctly, upped its game in relation to representation in the European Parliament. With regard to the Commission, I believe that that must go further and faster, and must ultimately include representation. Even aside from that, we must ensure that we are better engaged.

I do not usually try to be too critical of the press corps in Scotland, but it is a tragedy that Scotland does not have press representation in Europe. There is something really rather shameful about that. It is sad that Murray Ritchie has retired not simply from being a Brussels correspondent but from being a correspondent at all. He was welcomed there as he was welcomed here. The lack of press representation in Europe has to be addressed. We cannot, as a country with our own daily papers, not have some representation in European institutions, given the points made by the convener and the minister about the daily relevance of what is done there. The press corps has to up its game, no matter the current difficulties.

Everybody accepts that the European Union project has stalled to some extent. The results of the referenda that were held in the Netherlands and France should perhaps have been foreseen. Perhaps the political elite went too far, too fast, and individuals had understandable concerns. However, as the convener of the European and External Relations Committee said, we now have an opportunity to address the question of the sort of union that we want in Europe. I subscribe to the aim of a social union as well as an economic trading zone. We do not know how things will evolve and where they will go, but there is an opportunity for people in sub-national states to consider how they wish to be involved, and we must grasp that opportunity. Irrespective of whether we ultimately have independent Scottish representation, we need to ensure that we are represented far more keenly so that the good points are pursued and the bad points avoided.

Ms Fabiani and the minister mentioned other current issues that illustrate why the European Union matters, not simply in terms of what the constitution will ultimately be or the impact that it will have on our lives, because there are matters that can be dealt with only on a transnational basis. Two examples spring to mind when we consider issues that present problems not only in Scotland but elsewhere in the European Union: energy and the environment. We are not only celebrating the Queen's 80th birthday; we are commemorating the anniversary of the Chernobyl disaster. We must recognise that incidents such as Chernobyl cannot be dealt with by one country, whether that country is the Ukraine or Scotland. How we produce energy will have a wide impact. It has had an impact, and continues to do so, on Scandinavian countries, and what happened in the Ukraine has had an impact not only on us and on other European Union states but on the United States of America and other countries.

We have to address the environment, which is, after all, perhaps the greatest issue that faces humanity now. The matter cannot be dealt with by an individual nation state; it must be dealt with on a transnational basis. It is essential that there is an element of EU harmonisation in relation to the global Kyoto negotiations. We must come together to develop a European view. That also applies to energy. Brent oil is now \$72 a barrel and we face the possibility of it being \$100 a barrel. In the EU this winter we faced problems with access to gas from Russia. In Scotland we are blessed with opportunities in renewables and with our natural gas and petroleum resources, but the fact of the matter is that energy will have to be dealt with on a transnational basis rather than by a single nation state.

That does not mean that there are not matters that must be kept sacrosanct. Ultimately, that is

the logic of the nation state. We are the largest oil producer in the EU and it would be foolish to hand over control of our assets to a centralised Brussels state. However, as I have said, that does not mean that we should not seek to co-operate on a common environmental policy and on how we work towards a common energy policy. Those two issues are fundamental, not only for the citizens of Scotland and the EU, but for people elsewhere. For example, the current difficulties on the River Danube affect not only a nation that may be a member of the EU, but nations further down the river that hope to be members in due course.

I am happy to support the European and External Relations Committee and the minister in what they are trying to do to achieve better Scottish representation. There will be continuing disputes about the ultimate basis of our representation, but we ignore Europe at our peril. We have come a long way and have improved the Scottish Parliament's and the Scottish Executive's representation in Europe. We should consider the glass to be half full rather than half empty, but there is a significant way to go.

Fundamentally, I subscribe to the view that is represented to some extent by the Government of Finland: we should move towards fields of responsibility. Some matters must ultimately be dealt with on a transnational basis and, given our location, the most sensible way to do that is through the EU. Such matters should include energy policy, the environment, trading areas and macroeconomics. However, other matters must be sacrosanct and dealt with by the nation state. Those include whether we go to war and whether we are prepared to sacrifice some of our economic resources, be it in respect of fishing or energy policy. A fundamental issue that must be sacrosanct—bearing in mind the latitude that must be given because of VAT and cross-border crime—is whom we tax, what we tax and what we spend tax on. Those powers should not be held centrally, but should be held by the individual nation state.

We welcome the debate. We support the EU as a concept and welcome the advances that have been made in representation, but a lot more work must be done. We will support the committee in its work and we will also support the Executive in its efforts to ensure that Scottish citizens and Scotland as a nation achieve all that they can from the EU.

15:28

Bill Aitken (Glasgow) (Con): A vital part of the committee's function is to scrutinise and examine the Commission's work programme. The Parliament is grateful to the committee for doing that.

When the European Commission published its work programme for the current year in October 2005, it did so against a challenging background. The work programme focused on the key strategic objectives of prosperity, solidarity, security and Europe as a world partner, but it perhaps failed to recognise that the challenges that Europe and any other economic bloc faces are unprecedented. As we see the growth of the Chinese and Indian economies, we must recognise that their increased prosperity and the demand creation that takes place will impact greatly on both national and European economies. In that respect, Europe's top priority must be how to compete, with the secondary and unfortunately growing consideration of how we protect ourselves in what are, to say the least, challenging times.

Not all of what the Commission seeks to do is bad, but it is unfortunate that there is still, in European thinking, an emphasis on the constitution. Surely that argument is now seen as lost. However, as recently as February, Chancellor Wolfgang Schäussel of Austria insisted that, despite the significant objection of French and Dutch voters, the EU constitution is not dead. To its credit, Downing Street has taken a somewhat more practical approach and recognises that the EU constitution should not be revived. Basically, what all of us need is an EU that is ready to face up to the challenges of the 21st century; talk of a united states of Europe serves only to impede progress in that direction.

I turn to the Commission's specific proposals and the action that the Conservatives expect to see from the Scottish Executive. First, one of the Executive's priorities must surely be to defend Scotland's fishing industry in the discussions on the Commission's plans for an EU maritime policy. The Commission is committed to bringing forward a green paper, which will be published in the next few months. It is essential that Scotland's interests are safeguarded. Sadly, it has to be conceded that much damage has already been done to the fishing industry as a result of European intervention.

In that respect, the European and External Relations Committee is to be congratulated on its recent efforts. The minister with responsibility for fishing was brought before the committee to answer certain pertinent questions, which was a useful exercise. The recent instance of the Executive trying to prevent that from happening, as evidenced in the correspondence from a Scottish Executive official, was unfortunate.

Even more important, we need to look at the operations of the services directive, the intention and purpose of which is to create a freer market for the services sector and to remove the legal and administrative barriers that can hinder business.

Unfortunately, the Commission's track record in that respect is not particularly good. It has estimated that the directive has the capacity to create 600,000 jobs, boost economic growth and increase quality and choice for consumers. Few would jib at that. However, it is essential that we ensure that as wide a range of services as possible is included under the legislation. We also require clarification of the Commission's intentions on the country of origin principle. It is worth reflecting that we must do that against a background of a deficit in economic trading with the European Union. From January to February this year, the deficit grew from £2.8 billion to £3.1 billion. Clearly, the issue needs to be looked at and Executive policy must be geared accordingly.

It is essential that we keep a close eye on the interpretative communication on the application of treaty article 296 in the field of defence procurement. If Europe is to operate on the basis of a level playing field, we must ensure that all businesses across the EU that bid for defence contracts are, at the end of the day, subject to the same rules. Such businesses should not be impeded by member states awarding contracts to national suppliers and using the interest opt-out. There have been recent instances in which Scottish businesses were prejudiced in that respect.

The Commission has other interesting proposals. The white paper "Better Training for Safer Food" is a positive contribution. However, bearing in mind the fact that Scottish food producers have an excellent record in that respect, we must ensure that any proposals do not place undue burdens on them. We must also look at the directive that deals with the safety of toys, which is clearly worthy of support. At the same time, we must ensure that it does not act to inhibit our manufacturing industry.

As one who campaigned for this country's involvement in Europe—it feels like many years ago now—I find the present obsession with the EU constitution to be negative. A great deal more could be done in that respect. The electorates in France and the Netherlands have made their views known. If the UK, too, had held a referendum, the result would have been the same. The European Commission's published plan D for democracy, dialogue and debate is yet another instance of Brussels failing to recognise that the EU constitution is dead and that it should be allowed to be buried.

When it operates on the basis of its original intentions, Europe will succeed. Those intentions are that, through co-operation on economic and defence matters, we can all work together. If we do that, we will all achieve a great deal. To attempt to spend so much time on constitutional matters is

counterproductive. The Commission should let Europe move on at a pace with which everybody is comfortable.

The committee has done a reasonable job in the past in considering our relationships with members of the European Community. Perhaps we should also encourage it to consider the European budget and the significant increase in this country's contribution to that budget as a result of Mr Blair's agreement with our European partners. Such an increase cannot be achieved without there being a severe impact on the Scottish economy; that must be recognised. The committee must examine that matter thoroughly to find out what can happen.

Structural funds are likely to become an ever more vexed issue as the European Community is extended, and they will have to be examined closely if we are to ensure that Scotland gets its full share of the available funds.

I congratulate the committee on its work. As Kenny MacAskill rightly said, Europe is a vexed issue. It is likely to divide us from time to time, but it is recognised that Europe is here to stay. The issue is how we can move forward constructively in a manner that is conducive to maximising benefits for the largest number of people. Let us forget the constitution and get on with creating trade and jobs.

15:36

Mr Charlie Gordon (Glasgow Cathcart) (Lab):

In considering the European Commission's legislative and work programme, one must look beyond its ambitious language and consider what lies beneath. The Commission has stressed the strategic objectives of prosperity, solidarity, security and the EU's world role, and has emphasised better regulation and better communication. However, some will inevitably say that the EU is in crisis, with the proposed constitutional treaty being killed off by referendum results in France and the Netherlands. Such critics might take the opportunity to put the boot into the EU by demanding the reversal of other EU policies.

It is true that negative public perceptions about the EU—which have been nurtured for years by tabloid myths about straight bananas and so on—cannot be dispelled by sterile and abstract debates on a constitutional treaty that is already dead in the water. However, beyond the perceived crises of the EU and doubts about its relevance, the EU is operating well in some respects. There is a growing view that the best way to engage citizens with the EU is by delivering for them things that really matter to them—for example, by delivering on the growth and jobs agenda that was agreed at Lisbon.

The EU is focused on rising to the challenges that are posed by globalisation through, for example, completing single markets in services, telecommunications and energy; better regulation of the car, waste and construction industries, for example; focusing on small and medium-sized enterprises to deliver new jobs; and major resourcing of research, development and innovation through the seventh framework programme.

Keeping track of such things and much more besides is a major on-going task for the Scottish Executive, which has agreed, at Cabinet level, 22 EU policy priorities. Those priorities are at various stages of progress through the European Commission, the European Parliament and the European Council. The tracking processes are informed by a coherent team effort in Brussels that involves Scottish Executive, UK Government and non-governmental organisation professionals who punch above their weight—members of the European and External Relations Committee saw that for themselves last month as part of that committee's important work. The 22 areas that are being tracked include the definition of spirit drinks, which is a key issue for our whisky industry; a review of the working time directive, which is important to our health service; and structural funds for 2007 to 2013. In the past 20 years or so, we Scots have done well out of structural funds and we have used them well. I have personal experience of hundreds of millions of pounds of European regional development fund cash being used to modernise Strathclyde's rail network, for example, and I know of many innovative social and educational programmes throughout Scotland that are financed through the European social fund. Our structural fund cake is smaller now not just as a result of EU enlargement, but because of our increased prosperity. However, by co-ordinating future EU resources with other public finances, we can remain focused on our priorities.

Besides, the structural funds are not the be-all and end-all of EU funding. For example, they are dwarfed by the funds that are available through the seventh framework programme for research and development. Years ago, I was the president of a network of European city regions that drew funds from the EU's fourth framework programme for research and development. As it happens, that was to fund innovative transport projects. I make that point to remind members that Europe has many operational networks and partnerships, involving organisations such as local authorities, trade groups and educational institutions, to tackle common European problems.

Of course we should aspire to a leadership role in the European Union, but we will not get that by complaining about the EU all the time and we will certainly not get it by threatening to resign. The

European Union is worth sustaining and improving for many good economic, social and environmental reasons. However, perhaps the best reason is that it makes it less likely that Europeans will try to kill each other in the future.

15:41

Rob Gibson (Highlands and Islands) (SNP):

As members have mentioned, many of the Parliament's committees deal with a large input of European matters. The Environment and Rural Development Committee, of which I am a member, deals constantly with measures that have been handed down from Europe. The message that must go out is that many European directives are good for the services that are provided in Scotland. For example, the directives on water and sewerage have raised service standards a great deal. However, we could argue about many matters. In agriculture, it is of course welcome that, finally and after many years, the beef ban has been lifted; the Scottish National Party welcomes that very much. However, we believe that, if Scotland had been represented directly in the discussions on that matter, the time that was taken to lift the ban might have been a good deal shorter.

I will mention two issues that are of interest in relation to the way in which we influence the EU. The first is about the difficulties that producers in our islands and remote areas—the less favoured areas of agricultural production—face. I have questioned ministers at every opportunity to try to find out how Europe will deal with the varying problems that it faces, while meeting its particular interests. In January, at the start of the Austrian presidency of the EU, I asked Ross Finnie about that. Austria is a mountainous place. Our cold and wet islands are not unique to us and other countries have hot and dry islands. Other places have short growing seasons and others are windy and rainy. All such areas are less favoured in particular ways.

It is important that we press the EU to come up speedily with a definition of the term "less favoured area" that takes on board all those aspects. Until we do that, it will be up to individual nations to interpret the term. It is of considerable concern to me that the way in which the Labour and Liberal Democrat Scottish Executive has interpreted the term allows far higher payments for producers in places such as East Lothian and Aberdeenshire than it allows for those in the Western Isles, the northern isles and the north mainland. It is essential that we get a definition of less favoured area that takes into account remoteness, peripherality, low productivity and additional costs of production. We must develop a definition in this

country that can be accepted in Europe and which actually supports the least-favoured areas.

So far, we have not succeeded in doing that. Ross Finnie has said that Europe has great difficulty in working out how to deal with the matter. As other countries in Europe have experience of the less favoured area support scheme, the Executive should learn from some of that experience and apply it in this country, to benefit those who have the least favourable conditions. Continental Europe is Scotland's friend. It has many of the problems that we face. It would be a good idea if the Executive, rather than say that it is difficult for Europe to make definitions, were to build on the potential of other people's experience to ensure that we get the best deal for our least favoured areas.

The second issue is the way in which the behaviour of the European Union impinges on the world stage. I was glad that, in the middle of 2005, EU environment ministers rebuffed the European Commission in its attempt to get genetically modified crops accepted and to stop the ban on GM maize. The environment ministers reflect the views of most consumers in Europe. There is vast public pressure behind a ban on GM crops because the public are less keen on GM crops than are some farmers. Given its relationship with the rest of the world and with the World Trade Organisation, and the pressure from large producers such as the USA, Argentina and Canada, who want to sell GM crops around the world and for such crops to spread unhindered, the Parliament has a major role, though its committees and through the Executive, to ensure that the Commission is in no doubt that consumers in this country and in many other countries reject that direction. The environment ministers have our support in ensuring that that view is made plain. The Commission had better listen to the people who are elected from each country to take such decisions. It is of considerable concern that the WTO, which is a very undemocratic body, should have that kind of influence.

There are many other issues. Charlie Gordon mentioned public services. That is an area of concern, because any free-market set-up in public services would be detrimental to particular areas of Scotland.

As a whole, the EU has the SNP's support, but it is essential that Parliament make the most of its present influence. There are many issues that we could cover in that respect, but I wanted to draw those two matters to the attention of the minister and the committee. We must ensure that we keep a close eye on the way in which those aspects of our environment are dealt with. We are much more than an economic, free-trading area. Many of the less favoured areas of Europe—whether

they are industrial, post-industrial or very rural—hope to see the EU perform its social responsibility. It is essential that the Parliament's influence is felt in the decisions that are taken by the Council of Ministers and the Commission. I commend the report to the Parliament. I hope that the committee will do its best to reflect the issues that I have raised.

15:48

Mr Jim Wallace (Orkney) (LD): The debate so far and the range of issues that have been raised have made clear the importance of the point that Linda Fabiani made in her opening remarks. In one way or another, much of the work of the Parliament is influenced by—and, we would hope, in turn influences—decisions that are made in the European Union.

I agree with Rob Gibson that there is an anomaly with regard to less favoured areas, but I hope that he would join me in welcoming Ross Finnie's consultation document, which was published during the recess. Unfortunately, Rob Gibson did not refer to the document, but I understand that it says that as far as less favoured areas are concerned, more weight should be given to the remote and islands areas. I think that we can take Rob Gibson's speech as an endorsement of the strategy that is set out by the minister in that consultation.

The European and External Relations Committee very much welcomes the way in which the Scottish Executive presents its work and its priorities to the committee, and indeed through the committee to the Parliament. We are influenced in our work by that and by the informative briefings that we received when committee members visited Brussels last month. I wish to reflect on one or two of those briefings, beginning with energy. I do not think that energy is one of the 22 priorities that are mentioned in the consultation document—although the minister would not deny its importance—but it featured prominently in a number of the briefings that the committee received.

Our visit to Brussels came shortly after the publication of the Commission's green paper on energy. There are issues that we want to consider about how far the competence of the European Union should extend with regard to energy matters. Kenny MacAskill mentioned oil: I am relieved that we did not have a common oil policy because, whatever shortcomings previous Westminster Governments have had in dealing with oil, matters might have been worse had there been a common European oil policy. However, energy features in the liberalisation of the internal market and in policy on the environment, which a number of members have mentioned, and

therefore there is a good case for some community oversight on energy matters.

We should test any attempt to move the boundary by asking whether a change would provide benefits for people that neither national Governments nor the market can deliver. The European Union has made a commitment that, by July 2007, with very few exceptions, every EU customer will have the legal right to purchase electricity and gas from any supplier in the European Union. The green paper says that that “offers a major opportunity”, but it can be a reality only if some of the current arrangements that prevent and hinder access are sorted out.

On grids and pipelines, my initial reaction is to be wary of a pan-European grid but, as *The Economist* observed in an article in March this year:

“one electricity grid and a single spaghetti-plate of gas pipelines ... would enable the entire EU-wide network to be run more efficiently. ... Every power system needs spare capacity to deal with surges, supply disruptions and so on. The larger the system, the smaller that spare capacity. In the early 20th century, every town in Britain and France had its own power station. When countries then created national grids, they reaped big gains by cutting duplicate spare capacity.

Europe is now at a point where it could do something similar on a continental scale.”

There are certain advantages to that proposal, but I hope that our ministers in the Scottish Parliament and at Westminster will be vigilant and not allow the boundaries to be pushed too far unnecessarily.

The proposal reflects some of the issues that emerge from the green paper, such as the importance of energy efficiency, the development of renewable energy, clean coal technology and carbon capture. Those are all important issues and I have no difficulty in embracing the fact that the European Union is highlighting them, but I hope that its proposals will supplement what we are trying to do in Scotland and that it will not try to substitute targets that would undershoot what we want to achieve ourselves, particularly on renewable energy. I hope that that is the approach with which we will consider the developments in energy throughout the European Union.

We can benefit on research. It is interesting that the Commission’s green paper states:

“The 7th Framework Programme recognises that there is no single solution to our energy problems, but deals with a wide portfolio of technologies”,

such as

“renewable energy technologies, making clean coal and carbon capture and sequestration an industrial reality, developing economically viable biofuels for transports”.

Those are areas in which we have a clear interest. Members who were in Brussels with the

committee will recall the number of times that the seventh framework programme was referred to. Indeed, one of the Executive officials in our office in Brussels indicated that the programme might present better opportunities for some parts of Scotland than structural funds have done, and I hope that the Executive will be alert to the opportunities to which the seventh framework programme might give rise.

On research and development, I endorse what Linda Fabiani said about the need for us to take advantage of the European institute of technology as it develops. It clearly presents opportunities and I hope that, as the proposals take shape, our ministers will be alert to taking advantage of them.

I ask the minister to give the Parliament more information at some stage, although not necessarily today, about the twins JEREMIE and JESSICA—joint European resources for micro to medium enterprises and joint European support for sustainable investment in city areas—about which the committee learned. The committee thought that those two new projects, which are emerging from the European Union, offer some opportunity for Scotland to gain advantage.

The final issue that I will cover is maritime policy. It is right to mention the fishing industry, as Bill Aitken did. There are key issues on fisheries, such as the cod recovery plan and the need to sort out how we deal with our negotiations with Norway on the increased quota for monkfish, which cannot await the development of any green paper on maritime policy. Nevertheless, given our maritime history and interest, I hope that the minister will reassure us that ministers will examine keenly the maritime policy that emerges from the European Union for advantages, not least for container hubs such as the one in Scapa flow in my constituency.

Ayrshire members might mention Hunterston. Such hubs offer huge potential for Scotland in the developing market for maritime services, where Scotland could be the gateway to Europe. We should ensure that, as the European policy develops, Scotland’s specific interests are properly safeguarded.

15:55

Christine May (Central Fife) (Lab): I welcome this opportunity to speak about a matter that I believe is very important for the Parliament’s legislative programme and its committee work: the role and work of the EU institutions, the Commission and the Parliament, as well as their consultative bodies, the Committee of the Regions and the Economic and Social Committee; and the real importance of Scotland’s representation and potential influence by virtue of its membership of both those committees.

Even the most cursory reading of the European Commission's annual policy strategy for 2006 vividly illustrates the relevance of the issues that have been identified as being of particular importance for consideration and progress this year. Of those key issues—there are many of them, as others have said—I highlight the broad themes of delivery of the Lisbon strategy, the sustainable development strategy and the social agenda for 2006 to 2010.

Speaking as a member of the Enterprise and Culture Committee who takes a particular interest in employability, equalities, energy and the relevance and implementation of macro policies at a local level—which I consider to mean the constituency or even sub-constituency level—I find many things in the Commission's document and work programme that strike a chord with me. I would like to hear assurances from ministers that they will be as relevant locally as possible.

A number of specific initiatives have already been mentioned and I make no apology for highlighting again some of those that I think are of particular importance. I will start with those that concern prosperity. There is the report on progress towards the Lisbon goals. There is the matter of changes in the insurance and financial transactions markets. There is copyright legislation, which is extremely important for the protection of patents and intellectual property rights, as opposed to tangible things that are manufactured, and for our biotech and research and development industries. There are initiatives on defence procurement, about which there have been real concerns and on which I look forward to measures that might allow Scottish facilities to compete on a more level playing field.

There is an interesting initiative to promote knowledge for growth to stimulate research and development. When I was involved with the Committee of the Regions, I recall doing work on the development of the European quality framework and the European credit accumulation and transfer system for vocational education and training. That is very important for the recognition of qualifications gained here and for those who work abroad, and vice versa.

Other initiatives concern solidarity. There is a green paper on a future EU maritime policy, which Jim Wallace and Jamie McGrigor mentioned. I hope that it will deal with more than fish, as our maritime resource has considerable commercial and other applications. I would like the sector to be better equipped to deal with such issues as ship-to-ship transfer of oil, notably in the Forth, where there is a sensitive environmental habitat. That would afford proper protection, with a recognition of appropriate, growing commercial maritime activity. There is the implementation of the

European youth initiative to consider. It is designed, among other things, to reduce youth unemployment and improve child care.

On climate change and energy, there is the review of the emissions trading scheme, as well as continuing work on the development of clean energy. I would highlight clean coal, CO₂ sequestration and cleaner traditional generation. I also bring to members' attention the present work that is supported by the European Union on an offshore wind demonstrator in the Beatrice field. That is currently bringing employment to my, Marilyn Livingstone's and Alasdair Morrison's constituencies in traditional fabrication work, with the potential to generate hundreds of millions of man-hours of work for Scotland if the scheme is successful. I will be giving every encouragement to that, and I know that other members with an interest in that area will do the same.

I turn now to a matter that I have raised in the chamber before. I wish to highlight the relevance of the structural funds and the role that they have played in helping to redress the impact of industrial decline in one particular area of Scotland's economy: coalfields. I do not want to give the impression that I consider the structural funds to be the be-all and end-all. I know that discussions are taking place on the research and development framework and the state aids for innovation policy. Coalfield areas tend to have much lower educational attainment, poorer health records, poorer rates of progression to further and higher education, a higher dependence on benefits, much more difficulty in finding work and a lower rate of business start-ups than other areas. In the seventh framework, there are strands on innovation and research and development and support for communities to make the people who live there more employable.

I hope that the minister and those who are involved in the current discussions on the structural funds and state-aids regime will consider areas where populations are too large to allow them to be classed as rural and too small to allow them to be classed as urban, but where the needs and issues are well identified, programmes are well established and success is being demonstrated, albeit slowly.

I congratulate the committee on its work and wish it continued success. I look forward to the referral to the Enterprise and Culture Committee, among others, of relevant documents from the European Union.

16:01

Patrick Harvie (Glasgow) (Green): I begin by reflecting on Linda Fabiani's comment about the importance of the EU, to which several members

referred. Most of our legislation comes from Europe. I echo Jim Wallace's comment about the committee's output and the Executive's forward-look document being useful—I certainly found them useful in preparing for this debate.

My consideration of the Commission's work programme and its impact on and consequences for Scotland leaves me with the feeling that the European Union could aspire to so much more. We should consider what achieving the four key objectives that the Commission has set itself—prosperity, solidarity, security and Europe as a world partner—could mean for a better world.

It will not come as much of a surprise to hear that I, as a Green, would like an attempt to be made to refine prosperity. Green parties around the world have a role to play as part of a wider green movement, which includes people with other political perspectives. There is now broad acceptance of the idea that if developing countries develop in the unsustainable manner in which we have developed, global catastrophe will result. That concept is important not just at global level but at European level. As the European Union grows, we must find ways to propose courses of development for the new accession countries that do not echo the mistakes of our past but seek to create a better future for us all. I believe that Scotland would be up for the challenge of such change if we were represented.

I turn to solidarity, which seems implicitly to cover social justice as well as environmental issues, so I will address both. I would love to see a European Commission work programme make a climate stability pact for Europe a priority. Europe can be a world leader on the issue to a greater extent than it has been. It has done good stuff and made good progress, but placing as great an emphasis on environmental issues as is placed on economic issues would be a good start. A climate stability pact, which my colleagues in Europe have proposed, would be one way to proceed to ensure that the EU does not plunder fish stocks not only here but around the world, as we are doing at the moment, often as a result of poorly enforced and monitored agreements leading to continuing illegal fishing and the depletion of fish stocks, which has an impact on rural communities in Europe and around the world.

Security is not an end in itself. If we want to live in a peaceful world, we are more likely to achieve it through justice than through security alone. We can do much at European level to promote fundamental rights. The Charter of Fundamental Rights of the European Union is a terrific document, but it should be made binding so that all people who live in Europe—including economic migrants, political refugees and other refugees—have access to those fundamental rights.

Threats to our freedom come not only from outside—from other countries and groups that are often stereotyped—but from our own Governments. The emphasis on biometrics at UK and European level must be challenged. Such ideas can threaten our freedom.

Another threat is the idea that we need to reform the protection of the media. Copyright has been mentioned, but it is equally important that we reverse the convergence of the media into a few hands—which has had such a damaging impact in some European countries—and do not allow it to be replicated in other countries.

On the issue of Scotland as a world power—

Mr MacAskill: Yes!

Patrick Harvie: I beg your pardon—I meant Europe as a world power. Scotland as a world power—how about that?

Europe could be at the forefront of reforming the global trading system and introducing robust controls on the trading of weapons, too many of which are used to violate human rights. It could introduce a Tobin tax—a tax on financial speculation—which would prevent damaging economic consequences for some of the world's developing countries. I would like such ideas to appear in the European Commission's work programme.

Kenny MacAskill urged us to regard the glass as half full rather than half empty. Scotland's level of engagement in the European agenda has improved, as has its level of representation in Europe, so, in time—and I am sure that Kenny MacAskill will agree—we should allow ourselves a full glass, and a seat at the top table. That would allow us not only to represent Scotland's interests in relation to the European agenda but to articulate Scotland's vision of the Europe that we want to live in. Yes—that vision would be for a better Scotland, but it would also be for a better Europe and, ultimately, a better world.

16:08

Frances Curran (West of Scotland) (SSP): Kenny MacAskill said that the European project had stalled. I agree absolutely. For me, the best sentence in the European Commission's legislative and work programme for 2006 is:

"The Commission therefore regrets the fact that in the current circumstances, it is unlikely that the Constitution will be ratified in the foreseeable future."

I say hurrah to that, and well done to France and the Netherlands. In those two countries, the debate on what the European project really is was understood much better than it is in Britain or in Scotland.

Last year, on the eve of the left no vote in the referendum, I was in Paris for the final left no rally. The debate was not xenophobic, nationalistic, anti-internationalist or anti-European; it was anti the neo-liberal agenda, and anti the removal of democracy from national Governments and states that the constitution represented. Tens of thousands of workers and young people were on the streets to demonstrate against the constitution and in defence of workers' rights and the social democratic model.

The Bolkestein services directive is the most important piece of legislation that the European Parliament has passed this year. It will have a massive impact in Scotland if the Scottish Executive accepts it. It did not go through easily; Europe is not some big chummy place. The vote was extremely polarised. There was a bitter battle in the European Parliament and there was huge opposition to the directive from those who represent social Europe—the trade unions, the environmental campaigns, the left parties and community campaigns. If it comes on to the agenda of the European and External Relations Committee, will we support the use of the directive for the privatisation of Caledonian MacBrayne ferries? Will we support its use for the privatisation of water services? Will we support the effect that its use would have on jobs? The directive states that there has to be free competition, and it is not talking just about tomatoes, beef, clothes, shoes—we have all been lobbied by Clarks Shoes—or any of the other products; it means free competition for jobs. For me, that is a huge concern.

It has been all over the press today and yesterday that the reason why the Peugeot factory here is shutting is that it costs £50,000 to sack a British or Scottish worker and £140,000 to sack a French worker. Does anybody here have any illusions that this social Europe will mean that legislation will be changed to make it cost £140,000 to sack a British worker, or do we think that the cost will be equalised down the way—and maybe even further—to the cost of sacking a Portuguese, Polish or Czech worker?

The Lisbon strategy will be devastating for workers, the manufacturing industry and public services in Scotland. Every piece of legislation is an attempt to undermine the protections that we have. The European Commission's work programme states:

"The Lisbon strategy for growth and jobs will enter a key implementation phase."

I have one word to say to that—France. The proposals that Chirac made on changing employment contracts for young people were a direct result of the Lisbon strategy and used the spirit of Lisbon to try to deregulate the labour market in France. What happened? Millions of

people on the streets left the strategy in tatters. Chirac had to retreat and ripped the strategy up and left his prime minister out to dry. For me, that is how we will see the European social model implemented. It is not about supporting or engaging; we must be prepared to challenge measures under the Lisbon strategy and the Bolkestein directive.

I am going back this year to celebrate the no vote, as there will be another big rally of the left no vote in Paris. I cannot believe that there are parties in this chamber—especially the ones that stand for independence—that would happily support the constitution and hand over power to unelected, appointed, legislatively binding sections of Europe: the Commission, the Council of Europe and the others that are proposed in the constitution. I am not anti-European—I am in favour of internationalism—but I want a democratic and social Europe, and I am not prepared to hand power over from Scotland.

There is going to be an almighty battle over the future of Europe, and I know which side I am on. I stand with the social movements, with the no referendums, with the left Europe, with the young people, with the working class, and with the trade unions, who are on the streets against this. I wonder what the use is of having the European and External Relations Committee if all that it does is process every directive from Europe, but not scrutinise it, not defend Scotland's interests and not put the Executive under pressure. It is just a junket brigade unless it gets involved in challenging the legislative procedure.

16:14

Mr Alasdair Morrison (Western Isles) (Lab):

As a former member of the then European Committee, I recognise the importance of scrutinising European legislation and the importance that the committee attaches to that scrutiny. Charlie Gordon highlighted the priority that the Scottish Executive has, in its wisdom, deemed it should give that scrutiny and noted that it has agreed to 22 EU policy priorities.

The European Union and the Commission continue to play influential and constructive roles in the Highlands and Islands. We are coming to the end of a transitional funding programme of £200 million—money that was secured in 1999 in Berlin by the Prime Minister and the Chancellor of the Exchequer.

I still recall with amusement how that money was described by a former member of the Parliament and the European Parliament as being "a disaster" for the Highlands and Islands. Notwithstanding that ludicrous analysis of £200 million, I am pleased to report that the money has

been well invested. Right across the region, European intervention has helped to transform transport links including causeways, bridges and other important road structures that have been put in place. As we all know, good transport links are essential for the islands; Orkney, Shetland, the Western Isles or some of the Argyll islands.

In two weeks, we will see a development in travel from the Scottish islands to the mainland and beyond that will revolutionise work and life in the Scottish islands—the introduction of subsidised air travel. The Minister for Transport and Telecommunications, Tavish Scott, recently announced aid of a social nature through a subsidy that has been approved by the European Commission. That aid has allowed the Scottish Executive to intervene by paying 40 per cent of the cost of an air ticket from Scottish islands to the Scottish mainland.

Frances Curran: Does the member accept that, with the expansion of Europe by 25 new members, structural funds such as have come in during previous decades will be dramatically affected because those countries' infrastructures will be much more demanding of the European Commission?

Mr Morrison: A good socialist policy is to redistribute money to where it is needed; that is exactly what the European Commission will be doing. I have just mentioned briefly how some of the money of previous decades has been well spent in the Highlands, and how it has transformed the region. It is now time for other parts of the extended and expanded European Union to benefit from money from the wealthier nations. I would have thought that the Trots would have seen that as being a straightforward redistribution of wealth.

The social aid that I mentioned earlier will transform life and work in the Scottish islands. That the First Minister and the Minister for Transport were both brought up on Scottish islands has helped the cause of coalition members from the Highlands who lobbied ferociously for that aid.

Who could mention the entity that is the European Union and the Highlands and Islands without mentioning the positive impact that citizens from the accession countries are having on life and work in the Highlands and right across Scotland and the United Kingdom? In my constituency, citizens from Latvia, Lithuania, Poland and the Czech Republic are happily integrating into island life and are adding to island communities that are already diverse. There has been an Asian community in the Western Isles since 1919 and in the 1920s a good number of Italian families moved to Lewis. Asian and Italian families are very much part of the fabric of the

Western Isles. In due course, our friends from eastern Europe will be very much part of the islands; as much as the MacLeods, MacDonalds, Morrisons—of course—the Scaramuccias, the Capaldis, the Nazirs and the Cabrellis are already. Without the presence of those young, hard-working, law-abiding eastern European citizens, our economy would not be thriving as it so manifestly is. For the first time in 30 years, the population of the islands has increased; that is a welcome trend and one that I hope will continue.

For obvious reasons, I will talk about matters relating to fishing and aquaculture. This month, for the first time in the history of Scottish fishing, local control of our fisheries is being devolved to a regional management committee that has been constituted in the Western Isles. Power has been devolved to stakeholders such as fishermen and processors. Scientists, the local authority and the enterprise company will all have a role in determining the future of our fishing. That development was championed for years by fishing representatives and previous members of Parliament. For the first time, the fishing industry will be at the heart of decisions on the future of fishing. We lobbied the Commission for this development in the Western Isles and we were ably supported by ministers from across the Executive. It is a significant development and it will be a welcome departure from previous fishing policies.

The regional management committee will, I believe, genuinely protect our fishing stocks. The committee will be conservation led, and I am absolutely confident that within a year it will make courageous decisions about the number of creels that fishermen can use, for example. I will not waste time mentioning the betrayal of Western Isles fishermen by the Scottish National Party, which failed to support a change to fisheries legislation to protect fishing and scallop stocks. That is a matter for another day.

The minimum import price for Scottish salmon, which the minister mentioned in response to Alex Neil's intervention, is a classic example of how politicians from this legislature have worked with their colleagues in the United Kingdom Government to secure deals that greatly benefit workers such as salmon farmers. The benefits of that deal will be felt not only in Mr Lyon's constituency, but right up the western seaboard and all the way to Shetland. The deal took time and required political nous, but the policy change was tenaciously pursued by Scottish Executive and United Kingdom ministers. Without that protectionist measure by the European Union, an important industry that employs more than 6,000 people in Scotland would have been devastated. We must remember that salmon accounts for 40 per cent of Scottish food exports. Without the

industry, there would be far fewer people living in many of the villages that I represent.

Finally, I know that my friend Dennis Canavan is compiling a report on the committee's behalf on how Scotland can further engage and develop its links with the north of Ireland. I know that his recent visit to Lewis has helped to inform his report. I wish Mr Canavan and the committee well, especially as he is pursuing a line of inquiry that would result in our relieving the European Commission of funds that would help to augment the links that already exist.

If I have gone over my time, I am grateful to the Presiding Officer for his indulgence.

16:21

Mr Jamie McGrigor (Highlands and Islands) (Con): It is undoubtedly important for us to debate the European Commission's work programme because more than three quarters of the work of the Scottish Executive and Scottish Parliament is, to a greater or lesser extent, influenced by decisions that are taken in Brussels. In Germany, the figure is more than 80 per cent. The Westminster Government admits that more than half its major laws and 80 per cent of all UK laws now originate in Brussels. We also know that no law that has been passed in Brussels has been successfully overturned by our Parliaments. That leads me to wonder whether this Parliament can influence anything European.

I for one am not fooled by the propaganda that claims that this Parliament can scrutinise and change EU legislation. We can debate it until the cows come home—or even go abroad again—but we cannot change a single comma. The truth is that once Brussels has been given control of any area of our national life, competence can never be returned to our national Parliaments—although the same might not be said about incompetence—because of the famous *acquis communautaire*, which keeps moving towards ever-closer union of the peoples of Europe regardless of whether those peoples want it. It is quite obvious that a great many people do not want ever-closer union. The French and the Dutch both recently threw out the proposed European constitution most emphatically. Rather than ever-closer union, they want to be free to determine their national state futures democratically.

Irene Oldfather (Cunninghame South) (Lab): Does the member seriously suggest that the rejection of the constitution by the French and the Dutch means that they want to withdraw from Europe? That seems to be his implication.

Mr McGrigor: I do not imply that they want to withdraw from Europe. They voted not to accept the constitution.

It is extraordinary that, in some European quarters, the emphatic “No” vote is now being translated as “Yes”. The fact that the constitution has not gone away despite its being democratically thrown in the dustbin—or *Abfalleimer* as the Germans call it—does not inspire confidence in democracy. Despite the stinging rejection of the constitution, European leaders such as Austria's Wolfgang Schüssel keep trying to revive it. That seems to be their misguided priority.

The priorities for European leaders should be to ensure that European countries can compete, and to foster the security of their citizens in today's globalised world. Their priority should be to develop policies that deal with the long-term challenges of the 21st century rather than bring back to life an out-of-date project to build a United States of Europe that has been soundly rejected by the European people. How can we, and why should we, have confidence in European leaders who will not respect a democratic verdict?

Another, and in many ways more important, priority should be to sort out the failed European accounting system and deal with the allegations of fraud and financial mismanagement that have blighted the European Commission.

The conclusion of the report of the wise men said of the European Commission:

“It is becoming difficult to find anybody who has the slightest sense of responsibility”.

We can add to that the opinion of the European Court of Auditors, which stated:

“In the absence of a comprehensive accounting system, financial statements are drawn on the basis of records which are not part of the accounts, nor linked to the entries on the budget from which they are derived.”

It continued:

“The European Court of Auditors cannot provide assurance on the legality and regularity of the transactions underlying 95% of the payments out of the budget.”

That beggars belief. The key is that there is no double-entry bookkeeping.

I listened recently to a brave lady called Marta Andreasen, who was the chief accounting officer to the European Commission. She joined the Commission in January 2002. She was never given a job description, despite asking for one, and within a month of arriving in her new post she was asked to sign off the 2001 accounts. Not unnaturally, she decided to have a look at them, together with the accounts for 2000. When she was comparing the net asset figures for 2000 in the 2001 accounts with the 2000 accounts, she noticed a difference of £140 million. She asked what had happened to that money and was told that some loans had been written off. She asked

why those were not shown as a charge in the 2001 income and expenditure account. No one could say why, so she said that she could not sign off the accounts. Tremendous pressure was put on her by senior people, including the budget commissioner, Michael Schreyer, who broke down in tears and said that there would be terrible repercussions if Marta did not sign. However, Marta knew that by signing she would be implicated, so she held her nerve and refused.

Marta Andreassen soon found out that the Commission's accounting systems had none of the control systems that we in Britain take for granted in well-run public limited company finance departments. Instead of a system of double-entry bookkeeping, she found a single-entry accounting system that was run on a complicated series of spreadsheets, whose integrity simply could not be relied on. She was asked to sign cheques for billions of euros for expenditure that had not been properly authorised. She asked Neil Kinnock for an independent Treasury audit, but that was turned down on the ground of cost. I will not go on, but in 2004 she was sacked.

It is to the eternal shame of people such as Neil Kinnock that Marta Andreassen's honest, courageous and honourable attempt to highlight and repair a rotten accounting system meant that she was pilloried and hounded for four years. It appears that so much money has gone astray that the figure can never be disclosed, but how can the European Parliament turn a blind eye to the appalling fact that the Commission's accounts have not been signed off for 11 years? Think of the difference that the missing billions could make to legitimate European projects or to the starving millions in Africa. How can that money just disappear? The first priority of the work programme should be reform of the Commission's accounting system.

The programme gives us a glimpse of what Brussels has in store for us. As far as I can see, there is nothing in it to help the farming industry or the tourism industry in my region of the Highlands and Islands. There is a proposal for full accomplishment of the internal market for postal services, which may be relevant, but will it be helpful to the many rural post offices in Scotland? There is a paper on better training for safer food. I have memories of the scallops fiasco. Millions of pounds were lost despite there being no evidence of food poisoning. There is a green paper on the future of European maritime policy, which hardly inspires confidence when one thinks of the damage that has been done by the common fisheries policy.

The Deputy Presiding Officer (Murray Tosh): Are you at all close to finishing, Mr McGrigor?

Mr McGrigor: I am about to finish. In conclusion, there is plan D for democracy, dialogue and debate, which is still trying to force-feed Europe a constitution that it has already spat out. Plan D is really for deceit, domination and disaster. Although Bill Aitken is right to say that Europe is here to stay, I think that we should snack lightly on it and not be dominated by it.

16:29

Alex Neil (Central Scotland) (SNP): After that speech, I am sure that George Lyon will never again forget Jamie McGrigor's name.

This has been an interesting debate. Jim Wallace hit on an important point when he drew our attention to the range of subjects that have been covered, because of the range of responsibilities that the European Union now has. That is one reason why I am very much in favour of our being independently represented as a nation state in the European Union. Over the past 30 years, there has been a major transfer of political and economic power in decision making from London to Brussels, so it seems to be sensible to suggest that we should go direct to Brussels rather than via London.

Irene Oldfather: Will the member give way?

Alex Neil: I will give way in a minute.

On more immediate issues, one of the points that I hope the Executive—and the First Minister in particular, if he has been listening—will take from the debate is that the time has probably come for us to have a full-blown Scottish Executive department for European and external affairs. What happens in Brussels touches on every department of the devolved Government. Whether we are talking about enterprise, lifelong learning, education, transport, finance, rural affairs, agriculture or fishing, the activities of every department of the Scottish Executive are heavily influenced by the decisions that are taken in the European Union. We should acknowledge that in our administrative set-up.

I will focus on three major issues. The first concerns energy policy. I will not repeat the valid points that Jim Wallace made in his speech, but will instead deal with the more immediate issues of energy prices. When one speaks to businesspeople in Scotland and throughout the rest of the UK, one learns that one of the biggest problems that we face is the huge increase in energy prices that has taken place in the past 12 months. Some of the price increases—oil price increases in particular—are outwith the control of the European Union, but gas price increases have been another major driver of inflationary pressures and are a direct result of the monopoly position on gas distribution that German companies have on

the flow of gas through Europe. One of the urgent issues that the Scottish Executive and the Minister for Enterprise and Lifelong Learning in particular need to take up with their people in Brussels is the need to do something at Europe level about that monopoly, which is doing enormous damage not only to the Scottish economy but to the wider UK economy.

The second major issue is the Lisbon agenda, which is all about economic development, competitiveness, jobs and the need for Europe to be able to compete with China and India as well as with North America in tomorrow's world. Of particular concern is the role of research and development in generating the wealth and jobs of tomorrow. That point was highlighted in the recent report on business growth that was produced by the Enterprise and Culture Committee, which emphasised among other points the underperformance, particularly in the private sector, of Scotland's spend on research and development. We can call on Europe to assist us in R and D as we see the decline in important structural funds to Scotland in the future as resources are shifted from underdeveloped regions in the old European Union to the newly acceded countries, mainly in the east and south. That will mean a major change in how we tap into the European resource.

Until now, we have primarily tapped into the agricultural fund, and to lesser extents into the European regional development fund and the social fund, all of which—as Charlie Gordon and Alasdair Morrison said—have made major contributions to infrastructure, training and small and medium-sized enterprise development in Scotland. We are moving from vertical to horizontal funds.

The type of assistance that will be available to Scotland will relate to functions such as research and development. Given our future £1 billion-a-year deficit—based on current trends—by the time we reach 2014 when the Lisbon agenda is supposed to kick in, the Scottish Executive should take the opportunity now to work with the European Union and to use its resources to maximise investment in research and development in Scotland, particularly in the private sector, as a major driver for jobs, industry and wealth in the future.

Finally, Christine May highlighted state aid which, because of the rural nature of this country compared with the rest of the UK, represents a good example of rule changes that will require a particularly Scottish input. Any redesigning or re-engineering of the state-aid rules will have a major impact on the extent to which we can, for example, attract inward investment. At the moment, 40 per cent of the country is covered by state-aid rules; if

the original proposals had gone through, only 14 per cent of Scotland would have been covered. We are hoping for a compromise of about 22 per cent, but the matter requires priority attention from the Executive because it affects our ability not only to attract new industry but to expand indigenous industries.

In conclusion, I believe that the Executive must in the future take a dynamic and energetic approach to energy, the Lisbon agenda, research and development and state aid.

16:36

George Lyon: The range of issues that members have highlighted illustrates Europe's importance not only to the Parliament's activities and work, but to the everyday lives of Scotland's citizens. I will try to address a number of points that have been raised.

Mr MacAskill made it clear that he was on the SNP's Europhile wing; he declared his party's support for our decision to engage with Europe early on to shape the agenda and to ensure that our concerns and issues are dealt with when Commission directives and policy are drawn up and agreed. Although, as a nationalist, he would prefer to have the full glass of recognition, he at least acknowledged that the glass is half full and that our approach is important for Scotland.

Mr MacAskill also highlighted the lack of reporting about what is happening in Europe. When I was with the National Farmers Union Scotland, I was fortunate to know Murray Ritchie who, to his credit, was very interested in how the decisions that were taken in Europe affected Scotland. In that respect, his retirement from journalism represents a great loss to the debate about the relevance and importance of Europe to Scotland and its Parliament. I imagine that all parties support Mr MacAskill's call for the media to up their game and ensure that events in the European Union and Brussels are reported.

For the Tories, Bill Aitken quite rightly pointed out that the real challenge that faces Europe—and, indeed, Scotland—is the growth of the Chinese and Indian economies. Europe must concentrate on how it can remain competitive and must face up to the challenge of globalisation. Mr Aitken also argued that there should be less discussion about, and pushing of, the constitutional issue. Many members will agree that the real issue is how, through the Lisbon agenda, Europe can remain competitive and respond to the threat—if that is what it is—from China and India. After all, there are already far too many unemployed people in Europe, and that situation is likely to get worse if the EU cannot face up to the

changes that are needed in order for it to remain competitive.

Frances Curran: Will the minister give way on that point?

George Lyon: I will be delighted to hear from Ms Curran.

Frances Curran: Given his comments, does the minister support Jacques Chirac and the French Government's attempt to implement flexible labour policies, or does he support the fact that they have backed down?

George Lyon: The point that I was trying to make is that there are far too many people lying on the scrap heap in Europe looking for jobs. Everyone in Parliament, from across the parties, is concerned that that situation be addressed, and one of the ways of addressing it is to ensure that Europe is competitive. We cannot duck that issue.

Frances Curran: He just did.

George Lyon: I think that every one of us would support that point of view.

Bill Aitken also expressed concerns about structural funds, which were mentioned by a number of members. As Alasdair Morrison said, we have benefited greatly from structural funds in past years, not only in the Highlands and Islands but, as Charlie Gordon said, throughout much of Scotland. Structural funds are important, and many speakers in the debate expressed the key concern about those funds.

Another issue that Charlie Gordon raised was the working time directive, which is an important issue for the future of public services in Scotland. The Scottish Executive supports the UK Government in its activities to ensure that the opt-out is maintained, because it is important to maintain the flexibility that will ensure that public services can be delivered throughout Scotland, especially in the health service, where the impact of the working time directive, particularly in rural Scotland, has been substantial.

Charlie Gordon also mentioned the proposals on spirit drinks, which are important for the Scottish whisky industry. We are certainly keen to keep a close eye on that and to work on that dossier.

Rob Gibson called for the definition of peripherality and remoteness to be further strengthened in the next LFA scheme, which is in the process of being developed. I am not sure whether Mr Gibson is aware of this, but peripherality and remoteness are already recognised in the payments that have been made. Indeed, some of us fought tooth and nail to ensure that that happened when the previous LFA scheme was drawn up. I understand from my former colleagues in the NFU that there is a fair

chance that such an approach will be considered favourably in the negotiations that the Executive is conducting with the Commission on the future of LFAs and the scheme that will replace the current scheme.

Jim Wallace stated that there is a wide range of issues to consider, and he highlighted the EU energy green paper, which is of great importance to Scotland. We all accept his point that we should be wary of competence being ceded to Europe on that. It is a matter that the Executive has been studying so that it can feed its views into the formal UK response to the green paper. On JEREMIE and JESSICA, which Jim Wallace mentioned in his speech, I can confirm that the Executive will be happy to write to the European and External Relations Committee with more details on those two programmes, which committee members learned about when they were in Brussels.

Christine May acknowledged the issues relating to structural funds; I shall ensure that ministers are made aware of her comments. As I said, the Executive has identified its priority dossiers, and we will continue to pursue them throughout the year by representing Scotland's interests in London and in Brussels. I strongly encourage Parliament's committees to pay particular attention to their own portfolio dossiers. With the Executive and Parliament working together, we can ensure that Scotland's interests are heard and considered during negotiations on EU legislation, which will result in EU legislation that will further enhance the lives of the people of Scotland.

16:44

Irene Oldfather (Cunninghame South) (Lab):

As others have said, we have had a wide-ranging debate and there have been some good speeches from members right across the political spectrum. I did not think that I would be able to agree with so much of what some of my colleagues have said. I cannot say that without exception, however. Although Jamie McGrigor's speech was extremely entertaining, I could not possibly deal with all the points that he raised, but I will certainly look at the *Official Report* and perhaps I will be able to pick up some of his points and have a chat with him. I am sure that we will have an interesting discussion.

When we last had a committee debate on the Commission's work programme—I think that it was in 2003—I suggested that we should make it an annual event. We have not done that, but I am pleased that we have returned to the matter today. I suggested that we make this debate an annual event because, as other members have said, approximately 75 per cent of the legislation that is implemented in Scotland emanates from

European directives and regulations. Therefore, the Commission's proposed action plan is as relevant to our citizens as the Executive's legislative programme that we debate at the beginning of each parliamentary year. We have an obligation and a duty to be vigilant on behalf of the people of Scotland. We should exercise our power of scrutiny vigorously.

I take exception to the points that Frances Curran made about the work of the European and External Relations Committee. I invite her to come along to the committee as an observer. I cannot cover all the work that we have done over the past six years, but we have scrutinised the Executive carefully on a number of issues. We have also taken forward matters that have directly benefited the people of Scotland: Scottish fishing and the regional advisory councils; the Scottish voluntary sector and structural funds; and cross-border co-operation between Scotland and Ireland. We have also addressed other matters of importance to the communities that we represent in this Parliament. I am disappointed by Frances Curran's comments.

It is good that we debate the work programme, but I can perhaps say on behalf of the committee that, having listened to the comments made by members such as Patrick Harvie, Kenny MacAskill and even Bill Aitken, we need to become more proactive in our approach. Given the better regulation agenda that Jim Wallace spoke about, it is no longer unrealistic to attempt to take the initiative and influence matters that are important to Scotland. We should not just sit back and react. We have the opportunity to take up the cudgels and influence the agenda.

The European Commission's 2006 work programme is entitled "Unlocking Europe's full potential". That is an ambitious title. To be honest, I do not think that it lived up to expectations. We invited the Commission representative along to give evidence to the committee and it would be fair to summarise the committee's questioning by saying that we underlined the importance of citizen engagement. The Commission clearly underlines the importance of citizen engagement, following the French and Dutch referendums. Although it is not a policy agenda to set the heather on fire, it has to be said that the programme was put in place during a transitional year between the old Commission and the new one and therefore has its limitations.

Members have highlighted some of the more positive aspects of the agenda. I intend to return to that shortly—I hope that I have time to do so. There has been widespread agreement on the importance of a stronger social Europe. That view came across from most political parties. I had a look at the 2007 annual policy strategy and at first glance it seems to be a little more ambitious. It is

entitled "Boosting trust through action". I am sure that its title will strike terror into the hearts of Eurosceptics, but it gives us the opportunity to be more involved upstream of decisions.

I have considered some of the challenges that face Europe in 2007. I hope that the committee will consider some of them ahead of the 2007 work programme, because it will be an important year for Europe. The challenges include the accession of Bulgaria and Romania—provided that they meet the conditions of the *acquis communautaire*—the possible enlargement of the euro area to include some of the new member states and the 50th anniversary of the treaty of Rome. Those events will focus attention on the wider values and goals of the EU and on how a modernised union can respond to the aspirations of Europe's citizens. 2007 will also be the year of equal opportunities. I hope that the commission will take specific actions to put equalities at the very top of the agenda. We in the Scottish Parliament would be sympathetic to that. The year of equal opportunities gives us a chance to influence that agenda. Alex Neil spoke about the Lisbon agenda. In 2007, we need to start seeing tangible results on the ground from Lisbon.

I turn to the core focus of the Commission's activity, which is the promotion of a prosperous Europe. When we took evidence from the Commission on its 2006 work programme, we heard the admission that, this year, the Commission is trying to ensure that the internal market works. Some of my colleagues who are sitting to the right of me think that that is a good thing. I trust that next year the way will be opened for more social harmonisation and a greater commitment to the research and development that is so important to Scotland.

I turn to the globalisation adjustment fund, the aim of which is to establish a set of ring-fenced policy and financial instruments. The fund acknowledges and addresses the impact of globalisation and free trade—the large-scale redundancies that result from industrial restructurings, which Scotland has all too often experienced. Moneys will not be given directly to companies; the fund will cover training and relocation and other expenses that are associated with finding redundant workers new jobs. The Committee of the Regions is very supportive of that move. At the moment, I am preparing the committee's opinion paper on the fund. I am happy for that opinion to take account of the views of MSPs. It gives us the opportunity to get upstream of the issues and to influence the whole globalisation agenda.

Frances Curran: Will the member take an intervention?

Irene Oldfather: No. I will not take one at this stage. I have a number of points to cover.

I turn to plan D, about which there is some scepticism. In the aftermath of the rejection of the constitution by France and the Netherlands it is important that we do not lose our way in respect of this programme. Kenny MacAskill made that point. We must not lose sight of what Europe is all about. As much as I am addressing the chamber today, I am also addressing my remarks to the European Commission. We must all demonstrate to the citizens of Europe the relevance of Europe to their everyday lives. It is important that we ask what Europe is for. For me, the answer is easy: Europe is about peace, prosperity and a strong sense of social and territorial cohesion.

Like it or lump it, Europe will not go away. We must find ways of maximising the benefits and opportunities that it brings. I am impressed with and enthusiastic about the plan D programme, although I acknowledge that not all members are so enthused. The European Commission talks about the importance of its engagement with its citizens and regional governments. However, the post of the head of the office of the European Commission in Scotland has been vacant for some four or five months. It would be helpful if the Commission took the opportunity to fill the post.

The Deputy Presiding Officer: One minute.

Irene Oldfather: There is so much that I wanted to say about the proposed European institute of technology and the better regulation agenda, but I do not have time to fit it all into one minute. I guess that I will have to move to my conclusion, Presiding Officer.

The institutions of Europe are changing. With that changing agenda, comes a realisation of the importance of the involvement of citizens. In turn, that realisation puts regional parliaments such as the Scottish Parliament and committees such as our European and External Relations Committee in positions of influence; we are well upstream in terms of the decision-making process. We need to be more proactive and less reactive: we should perhaps debate not only the Commission's work programme but the earlier stages of the process. For example, perhaps we should debate the Commission's annual policy statement. I have the 2007 statement, which has just been produced.

Europe is on our doorstep: it is not a wish, an aspiration, an idea or a dream. For the Eurosceptics, it is not even a nightmare—Jamie McGrigor might find that that is the case. It is none of those things; it is a reality. From that reality, we must move forward and create opportunities for our citizens. Our agenda must be relevant. We need jobs for our people; our communities must be free from the scourge of unemployment. We

want to be part of a European society that is founded on social justice in which each citizen can achieve to the best of their ability, regardless of race, creed or colour. The choice is between integration and isolation; it is between moving forward and anchoring in the past. By working together in partnership, the Parliament has a unique opportunity to set an agenda that is based on our values and principles. We are well placed to lead that agenda.

European Union Economic and Social Committee (Nominations)

16:55

The Deputy Presiding Officer (Murray Tosh): The next item of business is consideration of motion S2M-4238, in the name of Tom McCabe, on nominations to the European Union Economic and Social Committee.

Motion moved,

That the Parliament endorses the Scottish Executive's proposal to nominate Mr Kenneth Fraser, nominated by CBI Scotland and the Institute of Directors Scotland, Mr Sandy Boyle, nominated by the STUC, and Ms Maureen O'Neill, nominated by the Scottish Council for Voluntary Organisations, to the UK delegation on the Economic and Social Committee of the European Union for the forthcoming mandate from September 2006 to September 2010.—[George Lyon.]

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

As we have reached the end of the debate before the time that is set out in the business programme for the start of the next item of business, I suspend the meeting until 5 pm.

16:55

Meeting suspended.

17:00

On resuming—

Business Motions

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-4248, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 26 April 2006

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 3 Proceedings: Interests of Members of the Scottish Parliament Bill

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 27 April 2006

9.15 am Parliamentary Bureau Motions

followed by Executive Debate: Scottish Rural Development Plan

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time—
Environment and Rural
Development;
Health and Community Care

2.55 pm Executive Debate: Scottish Historic
Environment Policies

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 3 May 2006

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Procedures Committee Debate: 2nd Report 2006: Procedures relating to Crown appointments

followed by Stage 1 Debate: Scottish Commissioner for Human Rights Bill

followed by Financial Resolution: Scottish Commissioner for Human Rights Bill

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 4 May 2006

9.15 am Parliamentary Bureau Motions

followed by Scottish Green Party Business

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time—
Justice and Law Officers;
Enterprise, Transport and Lifelong
Learning

2.55 pm Stage 1 Debate: Local Electoral
Administration and Registration
Services (Scotland) Bill

followed by Financial Resolution: Local Electoral
Administration and Registration
Services (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business.—[*Ms Margaret
Curran.*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motions S2M-4250 and S2M-4251, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out timetables for legislation.

Motions moved,

That the Parliament agrees that the timetable for consideration of the Local Electoral Administration and Registration Services (Scotland) Bill at Stage 1 be extended to 5 May 2006.

That the Parliament agrees that the timetable for consideration of the Scottish Commissioner for Human Rights Bill at Stage 1 be extended to 5 May 2006.—[*Ms Margaret Curran.*]

Motions agreed to.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Mr George Reid): The next item of business is consideration of two Parliamentary Bureau motions. I ask Margaret Curran to move motions S2M-4242 and S2M-4243, on the designation of lead committees.

Motions moved,

That the Parliament agrees that the Justice 2 Committee be designated as the lead committee in consideration of the Christmas Day and New Year's Day Trading (Scotland) Bill at Stage 1.

That the Parliament agrees that the Health Committee be designated as the lead committee in consideration of the Adult Support and Protection (Scotland) Bill at Stage 1.—[*Ms Margaret Curran.*]

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 motion S2M-4240, in the name of Jack McConnell, on the Queen's 80th birthday, 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)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Harper, Robin (Lothians) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (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)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Matheson, Michael (Central Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Ind)

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)
 Peattie, Cathy (Falkirk East) (Lab)
 Petrie, Mr Dave (Highlands and Islands) (Con)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 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)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Tosh, Murray (West of Scotland) (Con)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Wallace, Mr Jim (Orkney) (LD)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)
 Grahame, Christine (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)

The Presiding Officer: The result of the division is: For 83, Against 5, Abstentions 0.

Motion agreed to.

That the Parliament congratulates Her Majesty the Queen on the occasion of her 80th birthday.

The Presiding Officer: The second question is, that motion S2M-4221, in the name of Linda Fabiani, on the European Commission's work programme for 2006, be agreed to.

Motion agreed to.

That the Parliament notes the European Commission's Legislative and Work Programme for 2006 and its importance for the work of the Parliament and its committees and to Scotland.

The Presiding Officer: The third question is, that motion S2M-4238, in the name of Tom McCabe, on nominations to the Economic and Social Committee of the European Union, 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)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West) (Ind)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (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)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Matheson, Michael (Central Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Ind)
 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)
 Peattie, Cathy (Falkirk East) (Lab)
 Petrie, Mr Dave (Highlands and Islands) (Con)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 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)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Tosh, Murray (West of Scotland) (Con)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Wallace, Mr Jim (Orkney) (LD)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

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 88, Against 0, Abstentions 4.

Motion agreed to.

That the Parliament endorses the Scottish Executive's proposal to nominate Mr Kenneth Fraser, nominated by CBI Scotland and the Institute of Directors Scotland, Mr Sandy Boyle, nominated by the STUC, and Ms Maureen O'Neill, nominated by the Scottish Council for Voluntary Organisations, to the UK delegation on the Economic and Social Committee of the European Union for the forthcoming mandate from September 2006 to September 2010.

The Presiding Officer: The fourth question is, that motion S2M-4242, in the name of Margaret Curran, on designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as the lead committee in consideration of the Christmas Day and New Year's Day Trading (Scotland) Bill at Stage 1.

The Presiding Officer: The fifth question is that motion S2M-4243, in the name of Margaret Curran, on designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Health Committee be designated as the lead committee in consideration of the Adult Support and Protection (Scotland) Bill at Stage 1.

Supporters Direct in Scotland

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S2M-4080, in the name of Frank McAveety, on Supporters Direct in Scotland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises the work carried out by Supporters Direct in Scotland in promoting and supporting the concept of democratic supporter ownership and representation in Scottish football through mutual, not-for-profit structures; notes the role of Supporters Direct in Scotland in promoting football clubs as civic and community institutions and welcomes the development of Supporters Direct among Glasgow football clubs and across Scotland; further notes the contribution of Supporters Direct in Scotland to preserving the competitive values of football in Scotland through promoting the health of the game as a whole, and applauds Supporters Direct in Scotland's aim of helping people who wish to play a responsible part in the life of the football club they support through support, advice and information to groups of football supporters.

17:07

Mr Frank McAveety (Glasgow Shettleston) (Lab): Given the attendance this evening, I thought that we would outstrip attendance records for the Minister for Tourism, Culture and Sport's favourite football team, Partick Thistle. It is a positive start, but I am terribly worried because Bill Butler, a regular at Firhill, is seated beside me.

I thank the members who have stayed for tonight's debate. Although we will not have the regulation 90 minutes, I am sure that the passion, talent and commitment that are on display from parliamentarians will demonstrate to supporters the length and breadth of the country our support for the development of Supporters Direct and the broader development of the supporters trust movement. As a sponsored Labour and Co-operative Party MSP, I should declare an interest, not just because I think that the motion is right but because of the ethical principles behind mutualism and co-operation. The co-operative movement in the mid-19th century was paralleled by the development of football clubs in working-class communities throughout Scotland and the rest of the United Kingdom. The principles of mutualism and co-operation were reflected in the commitment to the development of football as a sport and an activity.

When we consider football in the modern age, with the commercialism and the money involved, we should always remind ourselves of the modest circumstances in which many of the clubs that are now in our football leagues started. There were factory teams, such as Arsenal, which is now in the semi-final of the champions league, and there

were extensions of charitable and faith organisations, such as Celtic Football Club. There were friends pulling together for a game of football, such as Rangers, or even—appropriately—friends forming a team in a pub, such as Dunfermline Athletic. In recognition of the role that football clubs play in communities, I note that in one square mile of my constituency, three football clubs were formed in the 1870s and 1880s. It is not as well known as it should be that Rangers was formed at Glasgow green in 1872; Clyde was formed at Barrowfield in 1877; and Celtic was formed only 150yd away from there, at St Mary's church in Calton, in 1888.

The impulse that drove people to establish those football clubs is the one that propels supporters today to display a level of commitment above and beyond the call of duty. They recognise that their football club is a community of interest, whether it is a town, village or city, or a purpose and identity that it has come to represent. Considering the proliferation of money in the mid-1990s and at the turn of the century—more than £2.5 billion in English football alone from television football rights—and the downward pressure on football clubs brought about by the recent changes in the TV rights in Scotland, it was a wise individual who once said:

"Football is subject to financial pressures but economics alone does not preserve football's soul."

For supporters of clubs of any size, it is about friends past and present, times good and bad or familial and community identity. In fact, it is all of those wrapped up in one Saturday afternoon or, depending on TV rights, a Monday night, a Wednesday night or any other time that suits the TV companies.

Even in tragedy, football clubs can come together. Dunfermline Athletic, which I mentioned earlier, came together in 1996 over the loss of its captain, Norrie McCathie, who was one of the great players in the team's history, and a stand in its stadium is still named after him. Other examples are the recent tragic early loss of Celtic's Jimmy Johnstone and the recent loss of Jim Baxter and many others. Such players come to represent more than simply football clubs; they come to represent something that matters.

That is why I am delighted at the positive progress of Supporters Direct, not only in Scotland but throughout the UK. We now have supporters trusts in 31 of the professional football clubs in Scotland and 11 supporters trusts have supporters directors. At Clyde, there is a majority of supporters in the ownership of the club and they have two directors on the board. Supporters also now have 15 per cent ownership and a director on the board of Raith Rovers, which is the Chancellor of the Exchequer's team.

For a modest outlay of less than £100,000 per annum, positive and productive progress has been made, but there are still many ways in which we can enhance and develop the supporters' role in their football clubs. That is why, as a Co-operative Party-sponsored MSP, I and my colleagues have been supportive of the establishment of the co-operative development agency. We believe that the CDA can give advice, support and, I hope, encouragement on one of the big challenges that supporters face, which is to match their commitment and passion with equity. Supporters with a voice are important, but supporters with a voice and money are an asset, and that is the difference that we wish to make.

Clubs should be viewed as community assets. By working on a mutual model with communities, local authorities and other partners, they have numerous opportunities to address many of the agendas that the Executive has raised. I welcome the presence of the Minister for Health and Community Care, because participation in sport is one of the agendas that can certainly be developed through supporters trusts and club development. We can learn from the community delivery partnerships that have been developed in England by teams such as Brentford and towns such as Chesterfield and Lincoln. The clubs work in partnership with the health service, the local authorities and other partners to establish community delivery partnerships that deliver sports and activities for many of the young men and women in those communities.

It is appropriate that the debate takes place in a week in which many members will have been watching champions league matches involving Arsenal, a club that was founded by workers, and FC Barcelona, a club that is owned by its supporters and calls itself more than a club. The FC Barcelona supporters meet in a general assembly and vote on critical issues, such as television rights, sponsorship and investment. The club combines the demands of football in a competitive, commercial environment with the emotional ties, meaning, culture and politics of Catalonia. It is no surprise that the nou camp houses a superstore, a museum and even a chapel—it is rumoured that, when Celtic played FC Barcelona recently, it had its busiest ever attendance.

Supporters want their voices to be heard in the football clubs about which they care. They want to leave a legacy for future generations and to make a contribution. I am reminded of a story that I have told on a number of occasions. The greatest football side that I have seen in my life was probably the 1970 Brazil world cup side. Most people remember players such as Jairzinho, Carlos Alberto, Rivelino and Pelé, but nobody remembers the centre-back, a big guy called

Walter Piazza. He was asked how it felt to be part of the greatest football side that the world has ever seen and perhaps will ever see. He replied that he was reminded of a story that he had heard when he was a child in the Mineiros region, the poorest region of Brazil, about a little hummingbird that was beavering backwards and forwards from the waterfront, gathering water in its beak and dropping the droplets on to a raging forest fire. A wise, cynical old bird said, "Why are you bothering? You will not make a difference," and the little hummingbird replied, "I am only playing my part."

Walter Piazza said that he only played his part in the greatest football side that the world has ever seen. That is what supporters care about. All that they ask is that they too be able to play their part in making a difference to the clubs that they love and in passing on the legacy of what their clubs mean to them. Tonight, in a small and modest way, we parliamentarians play our part in encouraging Supporters Direct. I hope that the Executive and many others are able to play their part in keeping clubs alive when their supporters want them too.

I am delighted to speak to the motion and give Supporters Direct the support that it thoroughly deserves for the work that it has done over the past three or four years.

17:15

Michael Matheson (Central Scotland) (SNP): I begin by thanking Frank McAveety for securing the debate. Despite his ill-timed comments about Partick Thistle's fan base, I should point out to him that there are probably more Thistle fans in the chamber now than there are supporters of his own club, Celtic.

I recognise the importance of supporters and the role that they can play in the running of clubs. I recognise the particular role that Supporters Direct has in enabling fans to increase their involvement in their clubs. I welcome the recent announcement by the Minister for Tourism, Culture and Sport about providing greater financial support to Supporters Direct to enable it to continue the work that it undertakes.

As Frank McAveety mentioned, a number of clubs throughout Scotland have embraced greater supporter involvement. It is surprising to note how few clubs had any direct supporter involvement in their operations 10, 20 or 30 years ago. I am sure that many of us who are football fans still look on some clubs' policy of resisting the idea of supporter involvement as bizarre or unexplainable. No club can survive without its supporters. The directors of a club, irrespective of their level of wealth, are merely the custodians of that club for

the period for which they are there. Many club directors come and go, but the loyal fans will support their club through thick and thin. Club directors who recognise the importance of supporters in sustaining their club should have no fear of greater supporter involvement in its running.

As Frank McAveety said, we should recognise that clubs are not isolated but are an integral part of many communities. That particularly applies to clubs in smaller towns. Greater supporter involvement in the running of a club means, by extension, greater community involvement in how it operates. Many enlightened clubs have embraced the idea of supporters getting involved, sometimes even with members of the supporters trust sitting on the board.

There are groups of fans who continue to work hard to secure some form of supporter involvement in how their clubs are run. I recently had a meeting with a small group of fans of a club that members will all know, but which has unfortunately been in the media recently because it has languished at the bottom of the third division for almost three seasons now. East Stirlingshire has a small but loyal and dedicated base of fans who have struggled for many years to secure some type of supporter involvement in how the club is run. They believe that the existing major shareholder of the club appears to be more interested in the value of Firs park to a property developer than in how the club is run for the benefit of its members. That is a classic illustration of why fans should have a greater say in their club. It is important that the local community should have a role to play in how the club develops in the future.

The work that the East Stirlingshire Supporters Society is doing along with Supporters Direct provides a good opportunity for fans to have their say in how their club is run not only for the benefit of the supporters but for the wider benefit of the local community. I will continue to work with the trust and with Supporters Direct to ensure that their efforts are fruitful. I recognise the important value that Supporters Direct has in enabling fans to have that greater say. I hope that it pursues its work to give fans their rightful place in the running of their clubs.

17:19

Mr Jamie McGrigor (Highlands and Islands) (Con): I congratulate Frank McAveety on securing the debate and applaud the sports minister, Patricia Ferguson, for saying that football clubs should bring football closer to the communities from which they draw their support and for allocating £200,000 of taxpayers' money to Supporters Direct in Scotland.

The Conservatives also applaud local government and community action on the issue. We support the Enterprise and Culture Committee report that emphasised the value of Supporters Direct. Supporters Direct said in its evidence to the committee:

"It is clear that football clubs are on the one hand private companies, while on the other they are viewed as community assets. In our work we have come across examples where the tensions between these two, sometimes conflicting, views have created pressures that undermine the ambitions of club and community alike. It is in areas such as ownership of the football ground, access to the decision making process and community use of facilities that we feel there is scope for serious investigation."

We agree with that and with another point made in the report. The report said:

"a central issue that has emerged is the need for supporters to be more involved in the decision-making processes of their clubs. ... supporters' trusts can be a viable and progressive model enabling fans to contribute financially and vocally to the running of their clubs. Moreover the supporters' trust model enshrines the principles of democracy, accountability and good corporate governance which many respondents believed should be the key principles informing reform of the Scottish game more generally."

Supporters Direct is a marvellous body. There are more than 100 supporters trusts in England, Wales and Scotland, which have been involved in saving a lot of clubs that were going down, which is incredibly important.

Scott Barrie (Dunfermline West) (Lab): Does Jamie McGrigor agree that the greater involvement of fans through supporters trusts should not just be seen as a way of rescuing clubs that are struggling but should be regarded as the template for all clubs, so that true fans can get involved in their local teams?

Mr McGrigor: Yes, I agree.

I have always been a Rangers supporter, but my son, who is only seven, is a Celtic supporter. He insisted that I buy him an expensive Celtic strip, which he wears all the time. During the Easter recess we went to the Isle of Tiree. He wore the strip to the playground and, unfortunately, ran into one or two of the local boys, who were Rangers supporters and gave him a slightly hard time. I said to him that I supposed that he would not be wearing the Celtic shirt so much now. He replied, "Oh no, Dad. I just want you to buy me a Rangers one for that place."

We fully support the motion.

17:22

Donald Gorrie (Central Scotland) (LD): This is an important subject and Frank McAveety made an excellent speech to introduce it.

If we could get into politics the sort of spirit that moves Supporters Direct and supporters clubs, we would all do a lot better. At the moment, enthusiasm for politics is at a much lower level than is the enthusiasm and dedication that a lot of people show in supporting their football clubs. We have to accept the fact that in Scotland, football is much more important than politics.

I made a bizarre attempt to explain that at a conference on regional culture in Europe in Corsica, where there seemed to be lots of liberals—they are all actually bandits, but they are officially liberals. I tried to explain that the regional culture in Scotland was football and told them the “we massacred them nil-nil” story, which I do not think they understood.

The point is that football is dear to the hearts of many Scots. It has great financial problems at the moment. Many clubs are deeply in debt. Other clubs are dependent on the support of very rich gentlemen, mostly from eastern Europe. The approach of Supporters Direct is the way forward. It provides a democratic community base for clubs, which can work at the top level, for example at clubs such as Barcelona.

We must continue to support Supporters Direct in Scotland, encouraging it not only to be involved in the big and small professional teams but to help to develop the game at all levels. There should be good co-ordination between boys teams, girls teams, junior teams and so on, as well as between the professional clubs. We should make life as easy as possible for Supporters Direct; no bureaucratic obstacles should be put in the way of supporters gaining more directorships and more control over clubs.

A time may come when Scotland has teams that are firmly and democratically based and that actually win. That is a goal that we can all look forward to achieving. I fully support Frank McAveety's motion and I wish Supporters Direct all success in future.

17:26

Scott Barrie (Dunfermline West) (Lab): I draw members' attention to my entry in the register of members' interests: I am a founding member of the Pars Supporters Trust. I thank Frank McAveety for mentioning Dunfermline Athletic not once but twice in his speech. He was right to acknowledge that the founding of our club took place in the Old Inn in Dunfermline in the 19th century and that, more recently, the main stand at East End park was named after Norrie McCathie, our captain who so tragically died in an accident while still playing for the club.

Historically, football clubs have always been part of their local communities. That was true for all

clubs up until around the 1960s and 1970s, when clubs began to grow away from those communities. We can speculate about why that happened; I suppose that it had much to do with a massive injection of money into football clubs from other sources. Clubs grew away from their fan base and people no longer necessarily supported their local team—the team of the town or city that they happened to live in. We have to redress that situation, and supporters trusts and Supporters Direct are beginning to do that. They are firmly anchoring clubs to their local communities. Local fans, and fans who may have moved away but who still support their home clubs, are being given a say and a stake in their clubs.

As I said in my intervention during Jamie McGrigor's speech, it is not true to say that supporters trusts have a part to play only when clubs are failing. Too many people saw the trusts as being only a way of rescuing or preserving clubs, but they go much further than that. If we are serious about returning football to its proverbial grass roots, and if we are serious about getting people involved in their local football clubs, those people will have to feel that they have a stake in the clubs, rather than simply feeling that all they do is pay £15 or £20 a week going through the turnstiles. They must have something more tangible.

It was great to hear from Frank McAveety that 31 of our senior clubs have some form of direct supporters' involvement, but, disappointingly, that means that 11 do not. It is not only those 11 clubs that are losing out, but their fans. I call on those clubs to look seriously at the Supporters Direct model.

When clubs are successful they attract support, but the true fan sticks by their club through thick and thin. If a club is serious about ensuring its future as we move further into the 21st century, supporters trusts are the way forward. They are a way of anchoring a club's support. Without such a trust, the club's fan base may well evaporate or drift away to another club.

There is now saturation coverage of senior football on television—we can watch a football match, or many football matches, every night—so it can be a bit of thought to turn up in freezing winter weather to sit at a football match.

Clubs have often been the private playthings of a few rich people, but the clubs have to return to the fans. It is great that we are having this short debate tonight to promote the concept of Supporters Direct in Scotland. That is especially important for the 11 senior clubs that have yet to embrace the concept.

17:30

John Swinburne (Central Scotland) (SSCUP):

I thank Frank McAveety for bringing this important topic to the chamber this evening. I declare an interest as a director of the finest exponents of Scottish football, Motherwell Football and Athletic Club.

Colin Fox (Lothians) (SSP): Hear, hear.**John Swinburne:** Thank you.

In fact, football is a way of life. Where I come from in the west of Scotland, people are Catholics, Protestants or Motherwell supporters, and I am proud to be a Motherwell supporter—it is as religious a thing as that. We recently parted with 5,400 shares to our trust, the chairman of which—Martin Rose, who is a good friend of mine—is on our board of directors.

The trust was instrumental in helping our club when we tried to go down the Abramovich road, or various other roads, and found ourselves £11 million in debt. It was instrumental in getting the club out of administration. I am proud to say that, for the past three seasons, we have declared a profit. We are the only senior football club in the Scottish Premier League that has managed to declare a profit in three consecutive seasons. We nearly made it this year, but we did not quite make the top six; however—look out.

The best thing about football trusts is that they give the game back to the people. I hope that I live long enough to see the day when Celtic, Rangers, Motherwell or some other club can get a group of lads from a 30-mile radius and go out there and do what these people are doing in Europe on television tonight—winning the European cup. In 1967, Jock Stein and the great Celtic team were absolutely tremendous in bringing the European cup back to the United Kingdom for the very first time. That gave the whole game a tremendous boost.

Mention has been made of equity. Why do we not match the money that is raised by football trusts with lottery money? Trusts put something back into football through grass-roots supporters gathering together to put something into their favourite clubs. Lottery funding should be used for that instead of some of the weird things at which good lottery money is thrown.

Rupert Murdoch football or Abramovich soccer is not my scene at all. The more we do for the grass roots of football, to stimulate it and get the young kids playing the game in Scotland for Scottish clubs, the better. We should get rid of a lot of these foreigners, who are basically mercenaries. They are doing a grand job—it is nice to see them and it is nice to win, but it cannot be as nice as it was for Celtic to win with a home-

grown team on the park, when even the subs were Scottish. That is what we should all be aiming for in football, and I hope that I will live to see it.

Talking of the best football team, I hope that I will not embarrass the people who have to transcribe the debate, but the Hungarian team of the early 1950s was brilliant. Gyula Grosics, Jeno Buzanszky, Mihaly Lantos, József Boszik, Gyula Lóránt, Ferenc Szojka, Sándor Kocsis, Nándor Hidegkuti, Ferenc Puskás and Máté Fenyvesi were a tremendous team. I ask the official reporters to try and follow that, if they can, because I am not going to write the names down—they can get them off a website.

It has been a pleasure to listen to some of the speeches today. Members should look out for Motherwell next season, as we have some good kids coming through. The football trust will do them the world of good, too.

17:34

Colin Fox (Lothians) (SSP): Like other members, I congratulate Frank McAveety on securing the debate. I enjoyed his speech, as I have enjoyed the speeches of other members. They have said, rightly, that football in this country is the people's game. It conveys a large part of the passion that exists in working-class culture in Scotland. The debate—like so many others—has focused on a question that is seldom far from the surface: in whose interest is the game being run? That question has arisen recently in this city, in the debate about whether an all-Edinburgh cup semi-final should be played at Murrayfield, rather than have 30,000 people traipse through to Glasgow.

I am happy to support Frank MacAveety's motion. My pleasure was increased when I noticed on the Supporters Direct website that the organisation plays its home games, so to speak, at Robert Owen House. Robert Owen was described by Engels as a Lanarkshire utopian socialist. In his own time, Robert Owen was like a millionaire manager who invented his own formation.

As a socialist, I find much to admire in the aims and principles of Supporters Direct: its support of the democratic ownership of clubs by supporters through mutual, not-for-profit structures; the promotion of football clubs as genuine community organisations; and its work to preserve the genuine competitive values of league football. I have no trouble with the basic socialist concepts of co-operative ownership, not-for-profit groups and democratic control. However—I hate to introduce a discordant note to the debate—nowadays new Labour prefers to privatise that which is publicly and commonly owned.

It is clear that top-flight professional football is increasingly big business. That was driven home

to me last week when *The Independent* ran a series of articles that revealed that the average wage of the average player in the English premiership is now £800,000 per year. With millionaire players come millionaire owners. Like many other fans, I have not been particularly happy with the chant that might not be heard on the terraces but is there underneath: "Our millionaire is better than your millionaire." I suspect that supporters have a love-hate relationship with the millionaires who bought their clubs.

That might even be true at Stamford Bridge, where a Chelsea fan could be forgiven for comparing the fortunes of today's team with those that it endured under Ken Bates. However, I prefer the advice that dear Lenin gave his fundraising supporters in *Iskra* when he said that it is better to take a kopek from 1,000 workers than ten thousand from one bourgeois sympathiser. That bourgeois sympathiser is now represented by a Soviet-Russian gangster at Chelsea, and there are American triple Glazers at Manchester United.

Lenin was right, as he was in so many things, because in the long run, there will be a more loyal base of support if it is centred around the local community. Many of us will have asked what the Glazers know about the Busby babes, the Munich air disaster and the industrial poverty and Catholic orphanages out of which Manchester United grew. The same could be asked of Abramovich. What does he know about the Chelsea of Chopper Harris, Charlie Cooke and the late Peter Osgood? I read recently that their team got steamin' on the eve of a European cup winners cup replay in Athens. They went on to win—that probably sends out a mixed message to say the least.

Supporters Direct has 75,000 members and 100 supporters trusts throughout England, Wales and Scotland. Each trust is motivated not by money but by something more important: a sense of belonging, loyalty and identity. There is an expression of a person's identity in the team that they support. I applaud the work that Supporters Direct does.

There is much to be changed about football. It is probably fair in a debate about football in 2006 that mention be made of Gretna and the admirably progressive role taken by its millionaire owner, Brooks Milesen. I understand that he has a programme that puts young footballing apprentices through college, so that if they get that dreaded career-ending tackle, they will have another skill to fall back on. That is remarkable. There is also much to admire about what he has done in offering players longer-term contracts rather than contracts of just one or two years. That offers players some job security, which has reaped its own rewards.

For me, a question is posed by Supporters

Direct's third principle: the preservation of the genuine competitive spirit of Scottish football. I stand here, as other members have done, and congratulate Celtic on winning this year's league title. It was the best team and it thoroughly deserved to win. However, I honestly believe that something is stale when one club can win a trophy 40 times—two clubs have won it 80 times—in barely 100 years. That is not genuine competition at all. I can understand why Celtic and Rangers salivate when they eye the bigger stage of the English premiership. As Scott Barrie rightly pointed out, the Supporters Direct website highlights the fact that community ownership is often a last resort to save a club from going out of business altogether. I agree that the community should be involved at an earlier stage.

Finally, as other members have mentioned, FC Barcelona provides a glaring and attractive illustration of how clubs can be owned communally. Barcelona has more than 150,000 owners, who have regular opportunities to elect the club president. That system has much to commend it, although it is not the only one of its kind in Europe. As someone who has attended the nou camp stadium and visited its museum, which is well worth a visit, I should point out—in this Parliament, I am surely entitled to highlight this—that St Mirren was the first team to play against Barcelona when the stadium opened in the 1920s. However, FC Barcelona still has some way to go in including the entire Catalan population, as it is now prohibitively expensive to become one of its 150,000 owners.

I welcome tonight's debate and I wish Supporters Direct every continued success.

17:40

Christine May (Central Fife) (Lab): Looking round the room, I notice that there is a gender imbalance. The Minister for Tourism, Culture and Sport and I will more than make up for that, but I rise to speak with some trepidation as my knowledge of the game is nowhere near as comprehensive as that of many of my colleagues.

I congratulate Frank McAveety on securing the debate. Like others I declare an interest, as I am a member of the East Fife Supporters Trust. Nobody yet has mentioned East Fife, so I will remedy that by doing so a number of times. For the record, I should also declare that I am a member of the Co-operative Party, which supports me as a member of the Parliament.

I welcome the Scottish Executive's commitment to having a broad base of community support not only for, but as a part of, the body that sets the direction of football clubs. The financial support to which Jamie McGrigor referred and the

administrative help that such support has allowed to be provided has led to the establishment of a considerable number of trusts.

Like Frank McAveety and others, I welcome the success of the trusts that have managed to get supporter directors on to club boards. Indeed, a supporter director from John Swinburne's club—Motherwell Football Club—gave evidence to the Enterprise and Culture Committee as part of our inquiry into Scottish football.

I recognise that some supporters trusts have successfully applied for shareholdings even though they have not yet managed to get a member on to their club's board. I was pleased—a second mention of East Fife is coming up—when the East Fife Supporters Trust application for shares in East Fife Football Club was partially successful. That was made possible by the generous support of Brooks Milesen, whom Colin Fox mentioned. Of course, great success has accrued to Gretna Football Club partly as a result of Mr Milesen's support, but perhaps more important than that has been the regeneration of support and interest from the fans. As Scott Barrie said, people give more support when their club is successful.

My great regret is that the East Fife Supporters Trust has not yet been able to persuade the club's board to allow the purchase of more shares or to agree that we should have a supporter director. However, if the trust remains true to its founding ethos and continues to put the interests of the club and its role in the Levenmouth community first, I believe that the force of its argument will ultimately prevail.

Although the fortunes of the major clubs remain paramount in the eyes of the media, the local clubs provide support for sporting participation in local communities. When the Enterprise and Culture Committee yesterday considered the Scottish Executive's and Scottish Football Association's responses to our report on the future of Scottish football, we paid particular attention to those parts of the responses that dealt with youth development strategy—to which I will return in a moment—the development of regional facilities and action to tackle sectarianism. All three issues are extremely important.

On the first and last of those issues, local clubs and supporters are key. Local clubs provide facilities, coaching staff, volunteers, fundraisers and activists in communities. Community activists are extremely important in helping to tackle the evil of sectarianism that exists in some parts of our country. On the second matter, the committee considered that the development of local facilities as well as regional facilities was extremely important. That point was made by my colleague Michael Matheson, but the minister will be aware

that I have raised a similar point with her in the context of another local issue.

In light of the establishment of the co-operative development agency, I wonder whether the minister has given any consideration to the role of supporters trusts and their background in the co-operative and mutual movement. Might members of trusts and the trusts themselves play a role in helping the Executive, local authorities and local clubs to develop badly needed facilities? Some exist but need further investment and some need simply to be provided? We have a policy of investing in facilities that are attached to schools, but there is a strong argument for investing in some cases in the development of land attached to football clubs. I would be interested to hear the minister's views on that.

I am pleased to have been able to participate in the debate, I look forward to hearing from the minister and I wish all the supporters trusts increasing success.

17:45

The Minister for Tourism, Culture and Sport (Patricia Ferguson): I thank Frank McAveety for lodging his motion and securing the debate. I also thank him for an excellent speech on the issue of Supporters Direct, even though it started rather badly.

I had intended to say that this evening Partick Thistle has more supporters in the chamber than any other football team, but Michael Matheson got there before me. He is right. Partick Thistle would be very pleased with the loyalty that its fans have shown in uniting across the political spectrum to deliver the same message. Perhaps it is a result of the fact that we are usually so embattled that we are used to having to sing from the same hymn sheet on these occasions.

This evening's debate is important. The Scottish Executive continues to recognise the important role that Supporters Direct plays in Scottish football. To that end, since April 2002 we have provided funding of £330,000 to Supporters Direct, as members know. For this year and next, Executive funding to Supporters Direct has increased to £95,000 per annum.

Supporters Direct has achieved a great deal in assisting responsible groups of supporters to get more involved with their clubs. As other members have said, fans make a lifetime commitment to a club and should have a greater say in how their club is run. As we have heard, there are now 31 supporters trusts in Scotland. Thirty of those are in the Scottish Premier League and Scottish Football League. The other is Clydebank, in junior football. Scott Barrie may be heartened to know that Supporters Direct has identified as one of its aims

for the coming year increasing that number to at least 34. I agree with him that we and, in particular, Supporters Direct need to consider why the other teams are not signed up to this agenda and how change can be made with them.

It is not simply a case of establishing supporters trusts; it is essential for the trusts to be run professionally. The continuing support of Supporters Direct is essential in meeting that objective. Supporters Direct is committed to assisting trusts to develop additional sources of income to ensure their self-sufficiency and long-term viability. As I have said before—not in this chamber, but in the one that we are more used to—the Executive does not want to run football. However, we want football to be well run. We believe that supporters are the lifeblood of the game and that it is entirely appropriate that their voice is heard in the running of their clubs.

At a time when for some clubs money is very tight, the fact that 24 of the 31 trusts have already taken shareholdings in their clubs has brought some much-needed fresh capital into the industry. Scott Barrie and Colin Fox are correct to say that Supporters Direct should not—I believe, must not—be the option of last resort. Twelve trusts have representation on the board of their club and one trust—Clyde—has a 50 per cent shareholding and controls the club in partnership with a group of local investors. The trusts at Clyde and Dundee can reasonably be said to have played a key role in the survival of those clubs, which is important.

Community support is crucial to any football club, and the work of Supporters Direct in helping to develop clubs as assets in the local community is to be welcomed and applauded. I know that that will become a major focus of the work of Supporters Direct over the next two years.

It is important to recognise the work that is going on in football to raise standards among the professional clubs in various areas, including supporter involvement. As colleagues will know, the SFA is to introduce a national club licensing system, for which it should be applauded. Club licensing will set out measurable quality standards and procedures by which clubs will be assessed as a basis for continual improvement to meet specific standards. The licensing system includes a requirement for a supporters charter and a demonstrable commitment to equity issues. The supporters charter requires clubs to commit to providing supporters with a safe and enjoyable experience of football.

The commitment to equity issues states that clubs are expected to demonstrate a meaningful and measurable commitment to address issues of discrimination, whether by gender, sexual orientation, race, religion, nationality, ethnic origin or colour, and to encourage equal opportunities by

means of a meaningful policy and strategy, with measurable results. Christine May should not feel intimidated about taking part in the debate, particularly when the women's game in Scotland is growing exponentially and our women's Scottish football team is ranked considerably higher in its world rankings than its male counterpart is in its rankings. Supporters Direct supports the wider equality agenda through its work with the trusts. Supporters Direct actively promoted the work of the show racism the red card initiative and encouraged the participation of its member trusts.

Christine May touched on the work that the Executive is doing through the "Action Plan on Tackling Sectarianism in Scotland" initiative. However, that work will achieve nothing unless we have the support of the public and the buy-in of those who are involved in football at all levels. Supporters Direct represents the responsible, fair-minded football supporters, who have a lot to offer in this agenda, and I am particularly encouraged by its support of the Executive's policy.

A lot of work is on-going with Supporters Direct and there is still more to be done, but in football, as in many other areas, partnership is what really matters. Without the backing of the police, the clubs and the football fans themselves, nothing in football will change.

As I said earlier, I am delighted that Frank McAveety was able to secure the debate and I thank him for doing so. I am happy to support the motion recognising the work of Supporters Direct in Scotland.

Meeting closed at 17:52.

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