

MEETING OF THE PARLIAMENT

Thursday 9 November 2006

Session 2

£5.00

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

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Scottish Parliament

Thursday 9 November 2006

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

Housing Stock Transfer

The Presiding Officer (Mr George Reid): Good morning. The first item of business is a debate on motion S2M-5104, in the name of Colin Fox, on housing stock transfer.

09:15

Frances Curran (West of Scotland) (SSP): As a policy to invest in council housing, housing stock transfer is in utter crisis. Further rejection of the policy by tenants in Inverclyde and the Highlands will kill the policy stone dead. Ministers have bullied tenants, employed bribery and threatened catastrophe unless tenants accept the handing over of their homes. They are expected to hand over their homes to faceless men and women on unelected, unaccountable housing boards.

The biggest myth of the whole sorry story of this debacle is the idea that stock transfer is tenant led. The City of Edinburgh Council paid £0.25 million to a public relations company to peddle that myth, but in the end that was a bit of a waste of council tax payers' money.

Let us consider whether stock transfer is really tenant led by examining the board in the Inverclyde stock transfer, on which tenants are voting as we speak. River Clyde Homes sounds a lovely organisation. It is good that the board has five tenants on it, but they make up only a third; the other two thirds of the board are made up of appointed members—who knows who appointed them—who are not tenants. I bet that all those members live in and own light, spacious homes in desirable areas. They are asking tenants to give them their homes on the grounds that they know what is best for council housing and will look after them.

Would any members of the Parliament be happy to hand over their homes to unelected, unaccountable faceless bureaucrats to manage for them? That is what the Executive is asking tenants throughout the country to do. I would not hand over my flat to any of those people, no matter how much money I was offered. In Glasgow, tenants handed over their homes to the Glasgow Housing Association and now the GHA will not give them back. Housing stock transfer is privatisation of publicly owned, publicly financed housing by the back door.

Councils' propaganda is costing a fortune—£0.25 million in Edinburgh and £70,000 in Inverclyde. The situation is both desperate and comic. The leaflet on the transfer in Inverclyde has two columns. One column explains that voting no will mean that rents will be raised by 9 per cent every year for eight years, by the end of which time tenants' rents will be £125 a week. The other column says that voting yes will result in no rent rises for five years; rents will be affordable.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): Hear, hear. Good stuff.

Frances Curran: Does Duncan McNeil live in a council house?

Mr McNeil: I take it that the member has invited me to intervene. The answer is no, but I want the very best for people who live in council houses. I want their houses to be improved and I want the money that will improve the lives of my constituents to be obtained.

Frances Curran: In that case, they should not vote for stock transfer, because it does not work.

If tenants vote no, they will get only the minimum standards of maintenance and their rents will be put up, but if they vote yes, they will get new bathrooms, new kitchens and new heating. As a means of investing in and repairing council homes, stock transfer is more expensive than traditional methods, according to the report by the United Kingdom National Audit Office.

We know that £1 billion of debt needs to be written off to improve housing in Scotland. We also know that Gordon Brown has that money lying in a bank account in Westminster. I have a question for ministers. If the chancellor does not hand it over because tenants do not vote in the way in which he wants them to vote, what will he do with that money? Will he spend it on the war or on other things? What will he spend it on? The money is lying in a bank account in Westminster when it should be available to local authorities and tenants.

Why does the Executive want to hand over control of council housing to the banks? The GHA has run up debt, but now it is in hock to the banks at higher rates of interest. The GHA's management costs amount to more than all the money that it spends on repairs and investment. There is an alternative, and it is about time that members—including Duncan McNeil—and the Executive listened. The alternative model for investment in council housing is supported by the trade unions in the sector—Unison and the building trade union, the Union of Construction, Allied Trades and Technicians—and by the 275 MPs, many of whom were Labour MPs, who signed an early-day motion at Westminster that

argued that we should have investment and borrowing in the public sector.

Such a change in Government policy would write off the debt and allow local authorities to borrow at cheaper rates and to use all the rent money to invest. All that is necessary is a change in Government policy so that instead of borrowing under the public sector borrowing requirement, councils could borrow from a new Government deficit account. The responses to that suggestion have been pig-headed, especially given that tenants group after tenants group reject the Government's model. I wonder how long it will take the Executive to accept that the policy of housing stock transfer is in meltdown. The longer that it takes to accept that that is the case, the higher the price will be for the tenants who are waiting for repairs.

Support for the alternative is building among Unison, UCATT and MPs at Westminster. For four years in a row, the Labour Party conference has voted for the fourth option, which is cheaper and more efficient than stock transfer. If the Government introduced the new deficit model of borrowing, it would be cheaper to borrow to do up houses, at an average cost of £1,300 per house.

Tenants in Tony Blair's Sedgefield constituency have rejected housing stock transfer.

Jackie Baillie (Dumbarton) (Lab): Will the member give way?

Frances Curran: Provided that Jackie Baillie is really quick, because I have only a few seconds left.

Jackie Baillie: I will be really quick. Does the member agree that the partial transfers that go on throughout Scotland every day are about community ownership? I deeply regret the fact that in ward areas in which it has representatives, the Scottish Socialist Party says one thing, but says something completely different here in the Parliament. I do not think that that is entirely honest.

Frances Curran: Our policy is clear—we are opposed to stock transfer both at local level and across the board. At some point, the Executive will have to accept the views of tenants. It calls itself the listening Government, so it should listen to tenants in Scotland and change its policy now.

I move,

That the Parliament calls on the Scottish Executive to embark on a programme of council house building; believes that the chronic shortage of affordable new homes has led to a huge increase in house prices in Scotland; notes that the average cost of a new home is now £130,000 and thus excludes more than one third of Scots from owning their own homes; demands that the UK Treasury releases the funds already identified to provide the necessary social housing that local circumstances demand; believes that

tenants across Scotland have repeatedly rejected housing stock transfer, seeing it as plain and simple privatisation; believes in the fullest democratic control and management of council homes by tenants; welcomes the decision of Midlothian Council to build 1,000 new houses; calls on the tenants of both Highland and Inverclyde councils to follow the example of council tenants in Edinburgh, Stirling and Renfrewshire and reject privatisation of their housing stock; believes that the promises made to Glasgow tenants by Glasgow Housing Association have not been kept, and believes that stock transfer, the Executive's flagship housing policy, is now in tatters.

09:22

The Deputy Minister for Communities (Johann Lamont): I am grateful for the opportunity to participate in the debate. We all know about the importance of housing and the challenges that the issue presents. We need to help young people to meet their aspirations to own their homes—such aspirations are especially challenging for first-time buyers in areas of economic prosperity—but it is crucial that we offer people a range of housing options at different times in their lives. We recognise that being able to rent one's home is a legitimate option and that it is important that we provide good housing and sustain high-quality homes in strong communities.

The SSP motion suggests that we have been labouring under a number of illusions. It is clear that we are all in need of re-education. I invite Frances Curran to come with me to explain to local people in Darnley that, far from having their area transformed—from a place that no one wanted to live in and that people wanted to get away from—into a highly desirable area, they have been the victims of Rachman landlords. Perhaps she could tell the tenants of Dormanside in my constituency that, rather than taking control of their housing, they have been duped and conned.

Frances Curran *rose*—

Johann Lamont: Perhaps the member would like to visit housing associations throughout Scotland to explain to them that they are really organisations that pursue profit and only imagine that they are supporting citizens advice bureaux in their work and creating apprenticeships for young people in their areas. Are housing associations deluding themselves in believing that houses are about more than bricks and mortar, which they have demonstrated by supporting local employment and training initiatives? Is it a figment of their imagination that they have been involved in business start-ups in their communities?

I say to the SSP that we know that people in local communities are transforming things. The SSP would have us believe that, far from being agents of change, housing associations are agents of misery and despair. Perhaps SSP members might like to drop in at Robert Owen

House to explain that the Co-operative movement, with its democratic accountability and membership strength, is a figment of our collective imagination. They could call in at the Scottish Council for Voluntary Organisations and the councils for voluntary service and tell social economy organisations throughout Scotland that they are living in a world in which the dollar is king, that we are all capitalists now and that there are no such things as the social economy and social enterprise.

Frances Curran *rose—*

Johann Lamont: Frances Curran might like to come with me to a housing association in Lochaber and explain to a mother there with a severely disabled daughter that it is a figment of her imagination that she and her daughter live in a house that they designed to meet her daughter's needs.

The fact is that if the SSP took that journey with open eyes and an open mind, it would establish something simple: the charge that housing stock transfer is privatisation is arrant nonsense. However, that charge is also a pernicious and calculated tactic. I was brought up in a private rented home, and my parents' generation understood the challenges of that kind of housing, which was a million miles away from the social rented sector in my community that is being invested in now. Anti-stock transfer campaigners deliberately invoke the folk memory of the hatred of poor private housing and the importance of what council housing represented when they spread fears that the community ownership programme is somehow privatisation.

I regard it as unforgivable to create the fear that leads people in Inverclyde or Highland to feel uncertain about a yes vote that will give them certainty for the future, regardless of what is going on elsewhere. I regret that, to judge by the Scottish National Party amendment, those within the SNP who understand the role of housing associations and the strength that they bring to communities seem to have lost out. The amendment calls for an end to wholesale stock transfer, but the reality is that that is a distinction without a difference. If the issue is size, I point out that the transfers in Argyll and Bute and the Western Isles, which were whole stock transfers, were equivalent to partial stock transfers that happened in other parts of the country. Local authorities are able to decide, as some have done, to go for the option of partial stock transfer as their approach to the community ownership programme.

It is necessary to lift the burden of debt to secure investment. People are entitled to certainty, which is what a yes vote allows. The SNP knows the powerful difference that housing associations can

make in communities. It knows that tenant-led housing organisations' focus on the needs of tenants, housing and local communities can make a difference, but we are led to believe that staff and tenants in Inverclyde and elsewhere are being duped. Perhaps members would like to go down to Inverclyde and tell them that. The staff to whom I spoke there are up for the opportunity that huge investment will provide and the difference that it will make to their work with tenants. Tenants understand that. They cannot wait for their central heating and windows until Frances Curran manages to get herself into an influential position and persuades Gordon Brown to write off the debt.

In government, sometimes we have to make compromises. Sometimes, there is a trade-off between cost and benefit. I have supported policies that were not my perfect position, but the community ownership programme poses no such dilemma. It is not a compromise but a package that builds on the proven strength of the housing movement—tenants, staff and communities—and reinforces that good work with real investment, which will liberate communities' capacity to flourish. Tenants and staff have nothing to lose and everything to gain from stock transfer. The SNP can have a theoretical debate about debt write-off, but we are making a huge financial commitment to some of our poorest communities and if we direct the finances with staff and tenants in the lead, we will have nothing to fear.

I understand the anxieties of staff at a time of change, but what a poverty of ambition Unison displays in saying, "If you don't know, vote no." I say to tenants that, if they do not know, they should go and ask those who have the information, listen to tenants who lead the campaigns and recognise what a yes vote will mean for their communities. No one has anything to fear from stock transfer as part of a huge programme of investment in local communities, and people deserve to understand the opportunities that exist for them in voting on plans that have been created within local communities and which will be delivered in those communities by those who will benefit from them most.

I move amendment S2M-5104.4, to leave out from the first "calls on" to end and insert:

"commends the initiatives by the Scottish Executive to increase the quantity of affordable housing in Scotland through its increased investment programme, which will deliver over 16,500 new affordable homes for rent and nearly 5,000 for low-cost home ownership by 2008, and through its Homestake low-cost home ownership scheme and its use of the planning system to increase supply; supports the principle of housing transfer to community ownership to improve the quality of existing housing where this has the support of the tenants; agrees that transfer has the potential to deliver a substantial package of benefits for tenants, including increased investment in their homes, rent guarantees and a much greater say in how their homes are

managed, and recognises that transfer is indeed now delivering substantial new investment for tenants, as confirmed by Audit Scotland."

09:29

Tricia Marwick (Mid Scotland and Fife) (SNP): In 2000, a minority report from the SNP members of the Social Inclusion, Housing and Voluntary Sector Committee had this to say about the Government's proposals on stock transfer:

"The minority felt that the Government's stock transfer proposals were clearly driven by Treasury policy, and that tenant involvement and participation is a secondary concern due to the repeated failure of the Minister to disclose other plans were there to be a 'No' vote by tenants."

Let us move on six years. The Executive still has no plan B in place now that Edinburgh, Stirling and Renfrewshire have rejected wholesale stock transfer. As the Minister for Communities told me two weeks ago at the Communities Committee,

"Where community ownership takes place, new borrowing is not public expenditure, so it makes perfect sense from the Treasury's point of view to write off debt for community ownership but not for councils that retain their own stock ... The debt is there and will remain there until people vote for community ownership. That is just a fact of life"—[*Official Report, Communities Committee*, 24 October 2006; c 4127.]

Johann Lamont gave powerful support to housing associations in her speech, and I acknowledge fully that transfer to housing associations is not privatisation, that housing associations contribute a great deal to their communities and that, in many places, people believe in them passionately. However, the point is that the Government's flagship policy of whole stock transfer was never driven by the tenants' aspirations; it was driven by no more than Treasury policy.

At the Communities Committee, the minister rejected my suggestion that he get in touch with the Treasury and ask it to write off the capital debt on Scottish housing stock. If he genuinely cared about the conditions in which people live, he would recognise that it is unfair to expect current local authority housing tenants to pay out of their rent for the historical capital debt on houses that have been sold or demolished and to take responsibility for bringing housing stock up to the quality standard that the Government has set. Rents cannot keep going up. That would be neither fair nor sustainable.

Malcolm Chisholm said last week at question time that the debacle over Glasgow's second-stage stock transfer had no bearing on the no votes in Edinburgh and Stirling. In fact, it was central to those votes. To put it simply, the people of Glasgow were promised the second-stage transfer of their housing to the housing

associations about which Johann Lamont spoke so passionately, but it has not been delivered. Even now, the minister is unable and unwilling to say when or if any of those transfers will take place. That is a debacle in anyone's language. It is a matter of trust, and tenants in communities that are now faced with a ballot simply do not believe the minister when he promises them anything because he has let down the Glasgow tenants. That is well known throughout Scotland and explains why he gets the results that he is getting.

Since the Government came to power, the communities budget, which includes housing, has risen in real terms by 5.9 per cent while the whole Scottish budget has increased by 17.1 per cent. The minister must explain to members why the housing budget has risen much more slowly than any other Scottish Executive budget. The impact of that underfunding is clear: in every year from 1999 to 2004, the Government built fewer houses in the social rented sector than the Tories built in 1995.

We have a crisis in housing. The Government has had nine years to do something about it and it has failed.

I move amendment S2M-5104.2, to leave out from the first "calls on" to end and insert:

"recognises the failure of the Scottish Executive to adequately fund Scottish housing and its refusal to consider any other funding options than large-scale voluntary transfer; deplores the lack of real choice offered to Scottish tenants; condemns the Executive's failure to deliver the promise of second-stage transfer to the tenants of Glasgow Housing Association, and calls on the Minister for Communities to make immediate representations to the UK Treasury for the write-off of local authorities' capital housing debt without preconditions."

09:34

Bill Aitken (Glasgow) (Con): As I look around the chamber, I see that many of the members who were involved in the discussion and formulation of the Housing (Scotland) Act 2001 are present today. I cannot be persuaded that the arguments in favour of the 2001 act that were canvassed five or six years ago are any less valid today than they were then. I remember that one of the pieces of research that came before the Social Justice Committee, which dealt with the Housing (Scotland) Bill, demonstrated that about 92 per cent of the Scottish population aspired to own their own home. The Minister for Social Justice of the time trumpeted that statistic. I recall pointing out, somewhat cynically:

"100 per cent of the population of Scotland probably aspire to win the lottery; unfortunately, not all of us are likely to achieve that."—[*Official Report, Social Justice Committee*, 9 May 2001; c 2243.]

For a substantial percentage of the population, home ownership is not an economically viable option. It follows that we require public sector housing, and it is essential that housing of a reasonable quality and standard be provided for economical rents. All of us would agree with that.

Tommy Sheridan (Glasgow) (Sol): Could Bill Aitken give us the source of his information that repairs and maintenance expenditure is higher under the GHA than under Glasgow City Council?

Bill Aitken: Arguably, part of the issue is that so much more is being done now. When the dead hand of municipal housing was controlling people's housing ambitions in Glasgow, very little happened. Mr Sheridan and I were both councillors in the city for some years. He must have been aware of the frustration that arose from attempting to get any reaction from those responsible for council housing with regard to repairs and other matters. They were completely unresponsive to the ambitions of tenants.

Colin Fox (Lothians) (SSP): Will the member give way?

Bill Aitken: No, I must move on.

Having accepted that we must provide reasonable-quality housing at a reasonable level of rent, we should establish what has worked in housing and what has failed. Undoubtedly, the real success story in post-war Scottish public sector housing has been the housing association movement. It is clear that, when people are given responsibility over their own problems and housing conditions, they respond very positively. I acknowledge that one or two associations have gone belly up, but the vast majority have been real success stories.

There is much to be said for Johann Lamont's amendment. I part company with her, however, with regard to the fact that the job of stock transfer is half done and has been a bit of a PR disaster. The people of Glasgow voted overwhelmingly for stock transfer, but it has happened only in part. The ideal model is of locally accountable housing associations with a critical mass of, say, 4,000 houses and a maximum of 8,000 houses under their control. That has not transpired despite the fact that, over the years, I have repeatedly written to successive ministers, asking for action in that respect. Until transfers are completed successfully, it will be extremely difficult to persuade tenants in other parts of Scotland that that model should be followed.

We can, of course, read Audit Scotland's report with a degree of satisfaction. It has been demonstrated that things are happening in stock transfer. However, until we are prepared to hand over the stock to locally accountable housing associations, we will not make the progress that

we wish to make. Stock transfer has been a tremendous success. In many instances, and particularly in Glasgow, we have seen how it can work. The Executive must complete the job and effect the secondary transfer as quickly as possible.

I move amendment S2M-5104.1, to leave out from first "calls on" to end and insert:

"supports the transfer of local government housing to communities run by locally accountable housing associations, co-operatives and companies and notes the recent Audit Scotland report which concluded that the handover of more than 100,000 council homes to new landlords since 1998 has brought more investment in properties and promoted tenant control as well as facilitating increased repairs and maintenance and the building of new homes and keeping rent increases down; therefore urges all tenants to seriously consider voting for the stock transfer of their homes, but notes, however, that the Scottish Executive now needs to address urgently the issues preventing the second stage transfer in Glasgow and to publish what it and the City of Edinburgh Council now plan to do for the future of Edinburgh's housing stock, with a view to assisting in future investment for vital affordable housing."

09:38

Euan Robson (Roxburgh and Berwickshire) (LD): It is helpful to have this short debate on housing stock transfer. The Liberal Democrats have always supported the concept of stock transfer and, in particular, the prospect of the change from monolithic municipal providers to community management and ownership. Housing associations should be tenant led and should adopt policies that the tenants require. If that is not happening in certain locations, ministers will need to review the particular circumstances—but not the overall policy.

Stock transfer has the added practical advantage of the write-off of council housing debt, which should pave the way for investment. Councils spend 43 per cent of their rental income on repaying housing debt, which must surely restrict the capacity to invest. Should debt be written off without transfer? The practical position is that the United Kingdom Government has made its stance clear: debt write-off without transfer is not on the cards, so that debate is largely academic. Those who suggest that tenants should vote no to stock transfer must describe the alternative. As the minister said, why should tenants wait until an undisclosed future date simply because they are not prepared to accept the current realities?

Setting aside the financial arguments, council ownership and community ownership are clearly not the same. The model of greater tenant involvement and control of decision making—the housing association model—is not one that councils can replicate. It is no use replacing one

monolith with another. The situation in Glasgow gives rise to concern. Implementation of the second-stage transfer is imperative. The Liberal Democrats are not entirely convinced that 64 is the right number of local housing associations—perhaps a smaller number would be more realistic. However, it is overwhelmingly obvious that the second-stage transfer must take place. Although they are unique, the problems in Glasgow cast a shadow over the whole process of housing stock transfer and over housing associations themselves.

The first housing stock transfer in Scotland occurred in Berwickshire, in my constituency, even before there was any legislation on the matter. Berwickshire Housing Association is a good landlord with a fantastic record in innovative design and in the development of sustainable, energy-efficient housing. It is almost a leader in the field. There is no council housing left in my area. Investment is taking place and tenants now have a direct say in the policies of their associations. Of course there are still problems, including overcrowding and lettings policies under which, sadly, unsuitable tenants are sometimes put among people who they should not be among, but such problems can be overcome with effort and assistance from central Government.

The fact is that housing associations are here to stay. We should encourage them. We should say yes to stock transfers for all the benefits that they bring.

09:42

Patrick Harvie (Glasgow) (Green): The majority of members will very much agree with Johann Lamont's comments this morning about the range of tenures that should be available, giving people a genuine choice in making the legitimate decision to rent if that is what they want to do. The majority of members support the idea of mixed communities and want there to be different options, including community ownership through genuinely local and accountable housing associations; owner-occupation; other, less explored, tenures that can fill certain niches, such as co-operatives and co-housing; private rented sector housing; and council housing. I think that the majority of members would be comfortable with that mix, and genuinely local decisions are the best way of achieving it.

The SNP is right to say that if we want local decisions to be free and genuine, central Government must take responsibility for all the debt. That would allow those choices to be made. The problem is that we know without a shadow of doubt the answer to that suggestion. The UK Government might take the view—the Executive may or may not support this—that community

ownership is the right choice in all circumstances. It might even hold that view with as much ideological fervour as the Scottish Socialist Party has in opposing it. However, the Government is clearly wrong if it imagines that tenants will vote for community ownership only under the threat that they must take it or get nothing. If there are genuine benefits to be had from community ownership aside from the debt write-off, as I believe there can be, ministers should advocate those benefits and allow a free choice to be made. The conditionality of debt write-off gives rise to the whiff of blackmail. It should be clear by now that that benefits only those who are implacably opposed to community ownership and who are willing to misrepresent it as privatisation.

Colin Fox: Does Patrick Harvie agree that, among the range of choices, it is surely right that there should also be a place for council ownership? Is not that the consequence of the votes in Edinburgh, Stirling and Renfrewshire, where the tenants wish to remain council tenants? Where is that option among the range of choices?

Patrick Harvie: I support the principle of giving tenants a choice and a vote. That is an important principle, so it is regrettable when they are given a misleading idea of the choices that they have. It is a shame that the Scottish Federation of Housing Associations should have to send us a briefing that bluntly disagrees with the terms of a debate in the Parliament. Stock transfer is not privatisation and it is wrong for the SSP motion to suggest that it is. It is also wrong for the SSP to put that idea about in communities that are about to make the decision.

The Tory amendment ends by posing a challenge to the Executive: how will we provide decent housing in areas where tenants vote against stock transfer? However, why does that challenge focus only on Edinburgh? The problem is widespread and will continue to spread unless the Executive acknowledges that it needs a new strategy for making the case for community ownership to tenants.

I regret the lack of recognition in the Executive's amendment that it has some responsibility for the deep trouble that its policy is getting us into—for example, events in the wake of the no votes, or the mire in which the GHA seems to be stuck because second-stage transfer has hit the rocks. The Labour-led Executive is facing a crisis in a Labour-led council area over a Labour policy and the financing of an organisation that is the creature of Labour policy. That demands a response from the Labour Party, including a clear commitment on when second-stage transfer will take place and a new strategy on how to advocate community ownership that is not based on the conditionality of debt write-off. The challenge for the Executive is to

address those issues. I regret that its amendment fails to do that.

09:46

Tommy Sheridan (Glasgow) (Sol): Patrick Harvie talked about choice, and added a description when he talked about “genuine” choice. If this debate was taking place 10 years ago, the Deputy Minister for Communities and other Labour members would be arguing forcefully that genuine choice should include people’s right to live in a council home, the right of local authorities to own and manage housing stock on behalf of their tenants, and the right of local authorities to invest in improving that stock and its management to encourage as much tenant control as possible.

Sadly, debates on housing today lack a principle that the Labour Party used to stick by and promote—that is, that local authority housing is social housing and represents democratic control. If, through lack of funds, failure to invest or failure to address local management problems, tenants are not satisfied or sufficiently involved in the management of their homes, the answer is not to throw the baby out with the bath water and abolish council housing, which is what the Labour Party wants to do. The answer is to improve the funding that is available to local authorities and to improve local management.

My experience is different from the experience that Bill Aitken described in his speech. My 11 years as a local authority councillor in Glasgow taught me a lot about Glasgow City Council’s housing department. I learned that it was underfunded and that it had an albatross around its neck, with 65p in every £1 of rent going to pay off historic debt, but I also learned that it was staffed by thousands of committed workers who were determined to try to get a good deal for the tenants they served.

Mr Charlie Gordon (Glasgow Cathcart) (Lab): Surely when Tommy Sheridan was a councillor in Glasgow he supported a stock transfer in his ward to the Glen Oaks Housing Association. Is there a whiff of hypocrisy here?

Tommy Sheridan: That is factually incorrect. I supported the ballot. When I was asked how the tenants should vote in the ballot, I advised them to stay with the council. The tenants decided to transfer because what was on offer from the local housing association was better than what the council could offer at that stage. It is regrettable that Charlie Gordon tells lies in the chamber.

The Presiding Officer: Order. Mr Sheridan, not lies, please.

Tommy Sheridan: Sorry. It is regrettable that Charlie Gordon peddles an untruth in relation to that particular vote.

Mr Aitken talked about repairs and maintenance. He should check the answer to written question S2W-24061, on repair and maintenance costs under the GHA compared with those under Glasgow City Council. If he did so, he would find that Glasgow City Council spent more per unit on repairs and maintenance in 2000-01, 2001-02 and 2002-03 than the GHA spent in its first two years of existence. Glasgow City Council could do everything that the GHA is doing but more quickly and cheaply if it had the same debt write-off facility that was on offer to the GHA.

What we have is not genuine choice but blackmail by a Labour Party, both here and at Westminster, that is determined to abolish local authority housing. That is the social policy engineering that is under way in the housing sector today. The tenants of Scotland should reject that blackmail and fight to retain local authority housing. They should tell Mr Brown that, instead of investing £6 billion in Iraq or spending £76 billion on a replacement for Trident, he should write off the debt so that local authorities can properly invest in improving housing for ordinary tenants.

09:51

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): I am sure that my experience is similar to that of other MSPs. We have lost count of the number of constituents who come to see us because they cannot get the right type of house. Often, they cannot get a family home or there are problems with the quality or cost of homes. We meet elderly people who cannot get the modifications done that would allow them to stay in homes that they want to stay in long into their retirement.

In those circumstances, it is surprising that there is still confusion when ballots come around, but I suppose that that is understandable given the rhetoric that we heard this morning and the scaremongering and propaganda about what is going on. Earlier speakers said that stock transfer is privatisation, but housing associations are not private companies; they are non-profit-making organisations and every penny that they make is ploughed back into serving tenants. Most housing associations are managed by tenants.

I hope that the tenants who are receiving their ballot papers in Inverclyde today will join the 50,000 tenants in Scotland who have voted for housing stock transfer. If so, they will join tenants in the majority of council areas in which there have been votes on housing stock transfer—transfer

has been supported by a majority of eight council areas to five, and one of those five was Renfrewshire, where transfer was rejected by 36 votes.

Frances Curran: Will the member take an intervention?

Mr McNeil: No, thank you.

When the tenants in Inverclyde vote to join those 50,000 tenants, they will be voting to clear away unpopular, run-down houses and build 1,000 much-needed new homes in the area. They will be saying yes to home improvements, modernisation and upgrades. However, if they vote against the great deal that is on offer in Inverclyde, they will lose out on that investment and rents will double in the next eight years. More pensioners will be forced into residential care unnecessarily because the council will not be able to afford to make the adaptations that would allow them to remain in their homes. We cannot ignore that fact. We want action now, not jam tomorrow.

If tenants in Inverclyde want a stark illustration of what would happen without stock transfer, they should consider their neighbours in Renfrewshire, who voted against it. Their rents will need to increase by 275 per cent just to get their homes up to scratch.

I ask the SSP, the SNP and other opponents of stock transfer where the downside is. Where is the catch? As they know perfectly well, the answer is that there is not one.

Colin Fox: Will the member give way?

Mr McNeil: No. Mr Fox limited the time this morning, not me.

The only reason why those parties are against stock transfer is pure, naked, cynical political opportunism. What sort of political party runs a campaign to condemn the least well-off tenants to damp, expensive, unfit housing for the rest of their lives? Who would campaign to ensure that rents go up next year just so that they can get a couple of good press releases out of the resulting misery?

They can try to deny it, but the proof comes out of their own mouths. The *Paisley Daily Express* on 7 November reports a Renfrewshire SNP councillor having the cheek to say:

"One in five families are living with damp in their home and 50 per cent of the housing stock needs repairs right now".

He is one of the people who campaigned only last week for a no vote, which will ensure that tenants stay in those damp, unfit homes for ever and a day. Now they cannot wait to use that misery for political ends.

I urge tenants in Inverclyde not to give in to the scaremongers but to tell the SNP and the SSP that their lives and homes are not something for them to play politics with. I tell them in no uncertain terms: Inverclyde Council knows that it cannot match the good deal from River Clyde Homes, which is why the council has unanimously backed transfer. Trish Godman MSP, David Cairns MP and I would not be recommending the package if we did not believe that it was in the best interests of our constituents. If the residents think that they deserve the same housing investment as Glasgow and elsewhere and if they want new homes, they must vote for it—vote for the guarantee of improvement in their homes, not jam tomorrow.

09:56

Ms Sandra White (Glasgow) (SNP): We think that Duncan McNeil and those on the Labour benches protest too much. The proof is in the pudding: they should go and ask the tenants how they are suffering.

Mr McNeil: Go and ask the tenants in Glasgow.

Ms White: You have had your say, Duncan.

I want to comment on the Executive's amendment, which in particular proposes that the Parliament

"supports the principle of housing transfer to community ownership to improve the quality of existing housing where this has the support of the tenants".

I cannot disagree with that. However, it later proposes that the Parliament

"recognises that transfer is indeed now delivering substantial new investment for tenants".

Although that may be in an Audit Scotland report, I can disagree with it. If the amendment had referred to "some tenants" rather than all of them, it would have been fine and dandy.

Let us look at the reality in Glasgow with the GHA—not propaganda or scaremongering like Duncan McNeil, but the reality that people are living with.

Let us take tenants first. Tenants have been put into groups. Some tenants are getting improvements, but others are getting none. Some tenants are on lists and do not know whether they will have a house next month or next year, and some tenants have been moved three or four times within the Glasgow area. When a house is demolished, they are moved again, and there have been wholesale clearances of communities. It is not a happy life to live if, coming into winter, older people do not know whether they will be in their house. That is the reality for some tenants in

the Glasgow area; it is not scaremongering or propaganda.

Colin Fox: Will the member give way?

Ms White: Sorry, Colin. I have got only a short time.

Let us consider the owner-occupiers, who have been mentioned not so much by Labour but certainly by people on the ground. Because of the GHA—a huge monolithic supposed transfer vehicle, set by Labour—old-age pensioners are being forced to go into debt to pay for housing repairs that they say they do not need. People enter their homes and tear up their gardens. They then give them a bill for £5,000, £6,000 or £7,000 to be paid within a year and tell them to go to a bank to get a loan. What kind of fairness is that to anyone, let alone an old-age pensioner?

That is the reality in Glasgow right now, and the Executive seriously wonders why other areas do not want to go down the road of transfer. It has made a mess of the situation in Glasgow through the GHA—a Labour policy—but it will not admit it.

Let us look at second-stage transfer, which has been mentioned by many today. Second-stage transfer is supposed to be completed in 2007, but we are not even near it yet. I will ask the minister a couple of questions, and perhaps whoever sums up will be able to answer them. Has the minister sought independent, external advice on the financial shortfall for second-stage transfer, which the GHA's own financial report said was £500 million? If it has not, the second-stage transfer will not go ahead. The minister said that 2006 would be a pivotal year for second-stage transfer. Does she still believe that? We are nearing the end of 2006, and nothing has happened. When will we see second-stage transfer in Glasgow?

The minister cannot hide from the issue—neither can anyone in the Labour Party. For years, they have been talking about second-stage transfer. The process started in 2003, and we are nearly in 2007. It has been an unholy mess in Glasgow and no one will trust the Executive simply because of the situation. It should be apologising to the tenants and owner-occupiers who put their trust in it for both stock transfer and second-stage transfer. They have been sold a pup and sold down the river. Ministers should hang their heads in shame.

10:00

Mr Frank McAveety (Glasgow Shettleston) (Lab): We have heard a lot today about housing investment in Scotland. There are understandable differences of opinion, on both ideological and practical grounds. As someone who has experience of representing some of the neediest

communities in Scotland, I want to put on record the reason why people such as me, who argued for debt to be written off for what was then Glasgow District Council, when the Grieve report was produced in 1988, have changed our perspectives because of the reality for some of those neighbourhoods.

I am not here to pontificate or to lecture to other members who have arrived at different conclusions, but I want to make a few points.

The fundamental lesson in my area is that where housing has been transferred effectively to local tenants, mainly through housing co-ops and housing associations, they have done markedly better pound for pound than any municipal authority charged with provision in either Glasgow or any other part of the UK. That is based on evidence from significant research. The conclusion for me is that, where we can, we should endeavour to achieve that transfer.

The difficulty is the illusion that that is easy. There are people who will oppose transfer for ideological reasons, even in the light of the evidence. If they want to do that, that is fine, but in the real world we have to make difficult choices about what is on offer. We could argue that the chancellor should make more resources available. That is a legitimate political position to take, but it is not one that I want to waste too much time on. I want to address the immediate needs in communities.

Another argument was that stock transfer would lead to privatisation, people selling off council houses, and home owners existing across Glasgow and Scotland. In fact, some associates of Sandra White popped up in my area persistently to claim that the agenda was to ensure that home owners in Glasgow were looked after. They are now popping up in my area to say that they are concerned that home owners are the victims of high charges for repair and renovation. There is a legitimate issue that the GHA needs to deal with, but it is separate from the broad debate on investment in Scotland's housing.

Ultimately, tenants make the decision, and I recommend the experience that Mr Sheridan went through. The tenants and workers in his area decided that they would much prefer to have Glen Oaks Housing Association than the local authority running their housing. That is good, and I hope that such an approach can be accelerated across Scotland. In my area, particularly in the Gorbals, it has made a real difference when tenants have run housing, even with major transition issues.

There will always be a transition stage when people feel that they need to be moved from house to house, and Sandra White needs to understand that. If the long-term agenda is about

improvement and tenants running the housing, ordinary people will support the strategy, but the transition requires a lot of sensitivity.

Colin Fox: Will the member give way?

Mr McAveety: I am sorry, but I am in my last minute.

Colin Fox: Will the member give way?

Mr McAveety: No, I genuinely think that there is an important conclusion, which I need to outline. Colin Fox has already taken up 25 seconds of my time trying to intervene. If he wanted more time, he should have extended the time to allow a broader debate.

My final point is that 17 out of 18 commitments that were made during the stock transfer in Glasgow are being met. I would like to move quicker to second-stage transfer because of the arguments that I deployed earlier. However, we need to address the issue of how we invest in housing. We have a strategy of dealing with debt through transfer, but we must ensure that tenants are central to the debate.

Some of today's debate has been regrettable, because many people in the housing association movement who are also long-term socialists have been saddened, feeling that some of the language both in the debate and in the motion has been hijacked. On balance, the Executive's strategy is right, but we need to ensure that the agencies that we ask to carry it out listen to the concerns that tenants still have.

The Deputy Presiding Officer (Trish Godman): We now move to winding-up speeches. Mr Stone, you have four minutes.

10:05

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I suppose that one should acknowledge the fact that the SSP initiated today's debate. I do not agree with its position, but it is good that we have had an open debate on the issue. However, it is a pity that we did not have a little longer, so I suggest that it was a mistake for the SSP to divide this morning's debating time between two debates.

Frances Curran made a robust speech in which she accused ministers of bullying and described stock transfer as a handover to faceless men and privatisation by the back door. Other members have dealt with her point about privatisation by the back door, but I will return to her claim about faceless men and women.

Johann Lamont made a robust speech defending the policy and important speeches were also made by Tricia Marwick and Bill Aitken. In particular, Bill Aitken highlighted the issue of

economic rents and flagged up the fact that Audit Scotland has given good marks to what has happened so far. Euan Robson outlined nicely what has always been my party's position—this is a fact—which is that we support the notion of stock transfer. We are very much wedded to the thought that such transfers should be tenant led.

Stock transfer is about the write-off of housing debt, as Mr Sheridan acknowledged in his speech. I can remember how crippling that debt was when I was a councillor, but I will return to that in a minute or two. Mr Robson pointed out that 43 per cent of housing income is spent on debt. He said that second-stage transfer is vital, but he slightly questioned the number of housing associations that are to be involved. However, that issue is a debate for another occasion.

Patrick Harvie talked about the need for choice. Tommy Sheridan's speech made some points that I have already mentioned. Duncan McNeil made an impassioned speech defending the policy.

As a councillor in the Highlands—which is different from the central belt—I was a member of a housing authority for 13 years and I recall how crippling the housing debt was. I remember how we could do less and less each year. It was difficult to get kitchens done up and windows replaced and so on.

We also need to be wary of talking about democracy in housing. In the Highlands, at any rate, the very nature of our councils was such that a powerful member could corner a budget to ensure that the housing estates in his or her ward were done up. Very often, the investment was not spread in the best possible way. I do not know whether that is a facet only of Highland politics, but it was not always for the best. I can remember having to fight to get anything done to the housing estates in my ward.

By comparison, in my constituency, we have two good examples of housing associations—Albyn Housing Society and Pentland Housing Association—that have been with us for some time. The tenants of Albyn—which is very close to my home—will confirm that the estate has improved a lot over the years and will be the first to say how delighted they were to get their new kitchens. Frances Curran accuses housing associations of being full of faceless people, but I think that the people and tenants who work in either of those housing associations would not be at all pleased by her description of them. They are not faceless. They have put themselves forward for the good of both the community and their neighbouring tenants. We should pay tribute to them for all that they are doing.

The Deputy Presiding Officer: One minute.

Frances Curran: Will the member take an intervention?

Mr Stone: I am sorry, but I am in my last minute.

Albyn Housing Society and Pentland Housing Association are examples of what a good housing association with tenant participation can be all about. I see the evidence of that with my own eyes. The idea that people should say no to getting rid of the crippling housing debt is ludicrous in the extreme. As Duncan McNeil said, we must think carefully before we condemn people to live in rotting houses on which there is little prospect of any work being done. Getting rid of the debt is crucial, as it unblocks desperately needed funds. At the end of the day, do we want decent housing for our people or dogma? Let us have decent housing first, please.

10:08

Dave Petrie (Highlands and Islands) (Con): A much forgotten point, to which Bill Aitken did not refer but would have had every right to do so, is that the previous Conservative Government presided over the greatest redistribution of wealth in modern history—[*Interruption.*] Excuse me, I have only four minutes.

That redistribution, towards the poorest in our society, was due to our extremely popular right-to-buy policy.

Our further reforms to allow for stock transfer extended that much-needed movement away from the big, all-controlling state towards individuals in local communities. I am pleased that our policy has done so much to help to ease a great deal of the social decay and exclusion that many of the poorest in our society experience.

I agree with Johann Lamont that the attack in the motion, which claims that stock transfer is privatisation through the back door, simply does not stand up to the test. The new housing associations are not-for-profit, community-based, charitable organisations. Stock transfer is not about big business or global capitalism. If anything, it is about power to the people.

All members will agree that the issue comes down to how social housing is best provided. The Conservatives are not in the pockets of big business or uncaring towards the poorest in our society, as some SSP members might have people believe. Scotland's homelessness figures are a disgrace. I am committed to ensuring that Scotland has a social housing system that works best for those who need it and that the most vulnerable are given the protection of which the state assures them.

The simple fact is that the current council housing system is not well run. Councils do not

provide good value for money. Many councils have been forced to push up rents to pay for their inefficiencies. Accountability is lost because of falling turnouts at local elections. The current housing debt even in small authorities such as the Western Isles is £20,000 per unit. The total for Scotland as a whole rises to £3.5 billion. That cannot be sustained. The transfer of administration of such housing to a body that is locally accountable to the immediate tenants and is part-run by tenants who are actively involved in the decision-making process must be a step towards a better system for all.

In certain individual cases, matters may not have gone as smoothly as we would have hoped for, but we need to strengthen the procedures rather than scrap stock transfer altogether. The principle of stock transfer is right and we must not lose sight of that. For example, thanks to the stock transfer to Glasgow Housing Association—which was the most controversial application of the policy—some 700,000 repairs have been carried out that would otherwise have been suspended; rent increases have been pegged to inflation; and an extra £4 million of welfare payments are now being claimed.

Colin Fox: Will the member give way?

Dave Petrie: Sorry, I do not have much time.

Colin Fox: The member has plenty of time.

The Deputy Presiding Officer: Mr Fox, sit down.

Dave Petrie: Regrettably, the Executive has not managed the transfer adequately. By providing insufficient money for the new GHA, the Executive has created suspicion and doubt about the whole process. That is unfortunate, but I point out that vast improvements have been made for those who need them most, which would not otherwise have taken place.

I also point out that the scaremongering and negative campaigning of the SSP on the Glasgow stock transfer are holding back hundreds of thousands of the poorest in our society from getting the home improvements and rent security that they deserve.

On tenant support for the policy, although it is regrettable that the proposals of City of Edinburgh Council and Stirling Council were defeated, stock transfer was supported by 90 per cent of tenants of Argyll and Bute Council and by the tenants of Western Isles Council and Glasgow City Council. In Renfrewshire, tenants were split down the middle. Such levels of support hardly confirm the resounding opposition to the policy that some would have us believe they do. A more accurate interpretation is that the irresponsible, negative scaremongering campaign that was carried out by

certain figures on the left managed to strike enough fear into tenants' minds to create a victory for the no camp.

A final, important point to make to those who advocate that Scotland should separate from the rest of the UK is that, for many authorities in Scotland, stock transfer is an accepted fact that is here to stay and for which the Treasury has earmarked many millions of pounds over a set period of time. If Scotland were to divorce itself from union to the Treasury, where would it find those extra millions of pounds that are already committed and planned for? That is just another demonstration of how the separatist argument falls down.

I support the amendment in the name of Bill Aitken.

10:13

Linda Fabiani (Central Scotland) (SNP): I declare my interest as a fellow of the Chartered Institute of Housing.

The SSP motion—members will not be surprised to know—contains a few statements that I fundamentally disagree with. I found it amusing that the motion asks us to confirm our belief

“in the fullest democratic control and management of council homes by tenants”.

I have never seen that in my life, despite having worked in housing for many years. A big issue is that tenants have never had democratic control of council housing because the monolith has been too big. We have had the odd play at democratic control through attempts at tenant management co-operatives and so on, but we have never had full democratic control of council housing. Let us not pretend that we have had.

Before Frances Curran accuses me of lacking credibility, let me say that, yes, I have lived in council houses and, yes, I have had to deal with tenants. In fact, my family has been evicted from a few council houses, although I do not say that with great pride.

The motion also talks about the privatisation of housing through housing associations. Housing associations are not, and never have been, private landlords. Yes, they use private money, but where do people think that the money that funds the public sector borrowing requirement comes from if not from the private market? The use of private money does not automatically mean privatisation.

Tommy Sheridan: Will the member take an intervention?

Linda Fabiani: No.

Some people say that housing associations are not profit making; the claim was repeated in the

SFHA briefing. In fact, that is a bit of a myth—they are. They are not profit distributing, which is very different. Housing associations make a profit, which is why those that are not charities pay corporation tax. What is great about them is that the money is ploughed back in for the benefit of the communities that they serve.

Colin Fox: Will the member take an intervention?

Linda Fabiani: No.

The money is put into sinking funds and so on to ensure the on-going maintenance of houses.

I believe in housing associations and both the SNP and I believe in stock transfer. However, we heard from the minister Labour's view of stock transfer. She cited some good examples of it, which can be found all over the place. Why did we not use them? Why did the Executive not listen to the SNP and others who said that stock transfer is good when it is tenant led but that large-scale stock transfer is bad, because it involves replacing one monolith with another? People do not have real choice or real community ownership. That is clear from the lack of secondary stock transfer in Glasgow. As Tricia Marwick indicated, that was pointed out a long time ago, in the minority report of the Social Inclusion, Housing and Voluntary Sector Committee on housing stock transfer. I remember Wendy Alexander saying when she was the Minister for Communities that there was no plan B. That is the problem—there has never been a plan B.

In 2001, I tried to have the right to community ownership enshrined in the Housing (Scotland) Bill. That proposal was knocked back by the Executive. If such a right had been included in the legislation, perhaps there would not be the current fuss in Glasgow about the failure to have secondary stock transfer.

Jackie Baillie: Will the member take an intervention?

Linda Fabiani: No, I am in the last minute of my speech.

Earlier this year the minister told Tricia Marwick that in Glasgow secondary stock transfer is not being prevented by a financial black hole. If that is the case, why is secondary stock transfer not happening? Why are the promises that were made to tenants in Glasgow not being kept? The situation is making people lose trust in the Executive every time another ballot is held. Why are the tenants who are being balloted in other areas not being given the option of secondary stock transfer in the papers that are sent out? Is that not happening because the Executive does not really want to have secondary stock transfer? I hope that the minister will tell me otherwise and

will be able to say that second-stage transfers in Glasgow will go ahead, so that we can have full community ownership.

10:18

Johann Lamont: Both a theoretical debate and a real debate are taking place. I know which side I am on; I want to focus on the needs of tenants. At the time of stock transfer in Glasgow, Kenny Gibson—who used to be an MSP for the Glasgow region and was previously a councillor there—said that, despite people's reservations about stock transfer, he did not have it in his heart to tell his constituents to vote against their own interests. Tommy Sheridan had it in his heart to urge people to do that, but they disregarded him. We must think about the choices that people in communities now face.

I say to people in Inverclyde and Highland that there may be an opportunity for some to give a theoretical bloody nose to the Chancellor of the Exchequer in a theoretical debate, but that after that theoretical bloody nose has been given the caravan will move on and people will remain with the challenge of houses with very high rent and poor levels of investment. That is unacceptable.

We are giving people a choice, with no downside. Sometimes there is a downside, but in this circumstance there is not. As Tommy Sheridan said, in my constituency of Glasgow Pollok people got a better offer and voted for it. They are now living in communities that have been transformed by that better offer. They are living in mixed communities because, as Linda Fabiani said, housing associations generate surpluses, ideas, imagination and creativity in local communities and are able to make a difference.

Debt write-off is significant expenditure. I know that as a general rule Thursday mornings tend to be quite expensive for the SNP, but is it committed to the write-off of £2 billion of debt? Where would the money to fund that come from? The chancellor has said that he will write off the debt, but that it is in the interests of the public purse to ensure that that debt does not regenerate. We know that we have residually high rents in the social rented sector not because rents are attached to the value of the property but because there are other pressures on budgets. I remember the debate in the 1980s about jobs versus rent levels and the consequence of that. It is important for housing to be able to focus on housing decisions. That is on offer to people in local communities.

Much has been said about the GHA. First, there will not be 63 organisations. There are already substantial housing associations in Glasgow, so the figure of 63 is a myth. Secondly, the issue is not money alone. There is £1.6 billion-worth of

investment that is going into Glasgow, including support for owner-occupiers. When Frank McAveety was a councillor in Glasgow, we could only dream about such sums; the idea that people would invest in housing in that way was a fantasy. I say to the SNP that Alex Neil's notion that the answer to the problems in Glasgow is £700 million suggests to me that he is asking the wrong question. I do not accept that the SNP believes that there is a £700 million funding gap. All that that claim does is undermine commitment to second-stage transfer.

I have to laugh at Sandra White. She is not in favour of stock transfer, but she argues that when it has happened we must have second-stage transfer. Given that she opposed the initial proposal as privatisation, it is bizarre and illogical for her to say that she is now disappointed because stock transfer is not local enough. That is irrational in the extreme.

I will finish by making an important point to people in Inverclyde and Highland. There is a stock transfer proposal and policy, but the strength of it is that it is locally expressed. That is exactly the point that Patrick Harvie made. The Inverclyde plan is designed to meet the needs of people in Inverclyde. It provides for 1,000 new homes and a doubling of the budget for adaptations to allow older people to stay in their homes, and takes account of the need of older people, in particular, for security. In Highland, where the challenges are different, the emphasis is on energy efficiency. The plan is very much in tune with the Highlands' commitment to community liberation and community buyout; it is exactly in line with the culture of people in the Highlands.

Plans should be developed and created locally, with tenants not as dupes but as people who understand the hard choices that need to be made and who take the lead in saying that this is the opportunity for them to make a difference in their communities. I ask people in Inverclyde and Highland not to listen to the pernicious lies that they are told about privatisation. They should look at the investment that is promised, make a judgment on the basis of need in Highland and Inverclyde, and disregard the theoretical opportunity for some to make a headline in the short term. Those people will not live with the consequences, but tenants certainly will.

10:23

Colin Fox (Lothians) (SSP): I have thoroughly enjoyed this morning's debate. I agree with those members who said that it has been all too short and look forward to the Executive making available some of the copious amounts of time that it has. The Scottish Socialist Party has only one chance each year to debate the issue.

The Scottish Socialist Party is proud to have initiated this morning's debate to hold the Scottish Executive to account. Housing stock transfer is one of the most important issues facing the people who sent us here to represent them. As other members have said, it is the Executive's flagship housing policy. Frances Curran was right to say that it is a flagship that is holed below the waterline. It is Labour's poll tax, in as much as Labour is wedded to the policy and is losing huge respect for not recognising that the policy is failing and needs to be abandoned.

I say for the record that the Scottish Socialist Party is utterly opposed to stock transfer. We believe in a programme of publicly owned social housing to ensure that everyone gets the right to live in a house fit for the 21st century. When we consider that the average cost of a new home in Scotland today is £130,000, it is clear that a huge part of our population has been left behind and is unable to buy a house. There is a chronic shortage in Scotland of quality, affordable homes for rent that are publicly owned and democratically controlled.

The Executive's stock transfer policy has rightly come in for some ridicule this morning. Patrick Harvie quite rightly highlighted and ridiculed the briefing that MSPs received from the Scottish Federation of Housing Associations.

Patrick Harvie: Will the member take an intervention?

Colin Fox: If Mr Harvie is quick.

Patrick Harvie: I will be very quick at expressing my anger at being misrepresented. I did not ridicule the briefing; I said that it was outrageous that any organisation should have to disagree so fundamentally with a motion because that motion misrepresents the situation.

Colin Fox: I am happy to hear Patrick Harvie clarify his position. The briefing needs to be ridiculed because it is ridiculous for it to say that opposition to stock transfer is ideologically driven. That is an astonishing point to make, blind as the SFHA is to the Treasury's ideological reasons for stock transfer. It is clear that the SFHA cannot see the wood for the trees.

Malcolm Chisholm was quoted as saying,

"It is a fantasy to think the Treasury will step in and write off Council housing debt without new landlords taking over the stock."

I wonder who he had in mind when he was talking about that fantasy. Could it have been this year's Labour Party conference, which voted by more than two to one for such a fantasy? I and Malcolm Chisholm are old enough to remember when decisions made at the Labour Party conferences meant something. It is sad to see a once great

democratic organisation reduced to a state where such decisions are completely ignored by ministers and leaders. That remarkable quote divulges an ideological pig-headedness. The Executive is not saying this morning that there is no money to write off the debts in Glasgow, Edinburgh, Stirling, Inverclyde and Highland; it is saying, "We've got the money to write off the debt, but we are only going to give it to you if you vote for privatisation. We'll give you the money as long as you do what we say." That is ridiculous.

It is also remarkable that tenants in Edinburgh, Stirling and Renfrewshire, not to mention Tower Hamlets, Cannock Chase, Mid Devon, Birmingham, Sedgefield and countless other places throughout Britain, have rejected the blackmail and told the minister and others, "You're not on." What notice do the minister and his equivalents down south take of those decisions? Not a bit. They have come along, as Johann Lamont has this morning, and insulted our intelligence by dressing up stock transfer and community ownership as a step up from public ownership rather than the quite transparent abandonment of public ownership by a party that does not support it anyway.

The Scottish Socialist Party is not opposed to community ownership, but when it is a clear reduction in what we have just now, it is a backwards step.

Linda Fabiani: Will the member take an intervention?

Colin Fox: I do not have time. I allowed one intervention, which is more than the member or anyone else did.

Linda Fabiani talked about full democratic control and management of council houses. The motion says that the SSP believes in that. We never claimed that we had the fullest democratic control and management in Glasgow or anywhere else; it is an aspiration and it is quite right that it should be in the motion.

The Glasgow experience is important because that is where it all began to go badly wrong for ministers. In 2002, 80,600 homes were transferred from Glasgow City Council to the GHA for £1, and £1 billion of debt was written off amid promises that repairs would be made here, there and everywhere and that 3,000 new homes would be built. What is the reality? Where is the famous Blairtummock semi-detached house that everyone was promised? Here we are in November 2006; how many houses have been built? Three thousand? One thousand? Two thousand?

Alex Neil (Central Scotland) (SNP) rose—

Colin Fox: Alex Neil will get there when I tell him. Not one house has been built by the GHA—

that is the reality. Not a brick has been laid. However, it has already demolished 10,000 homes and plans to demolish another 40,000. That is the record of the GHA, which received £1 billion in debt write-off, got 80,000 houses for £1 and still could not make a go of it. It came back for another £300 million when its business plan fell apart. It asked for another £400 million for its demolition plans, and now it wants another £500 million for second-stage transfer. That is the reality in Glasgow.

Bill Aitken, Frank McAveety, Duncan McNeil and the minister are all wrong when they say that the GHA experience has turned out to be better for tenants. Glasgow City Council's director of housing and finance compared the GHA's investment in stock in Glasgow—£160 million per year—with the £236 million that Glasgow City Council would have been able to invest had its debt been written off. In other words, if Glasgow City Council had had its debt written off, there would have been a 50 per cent greater investment in housing in Glasgow.

The Executive lost the debate in the Edinburgh, Stirling and Renfrewshire ballots. Will the minister bet her house on a yes vote in Highland and Inverclyde? Perhaps she will tell us later. I ask her to answer a straight question. If, at the end of this month, she is 5 and 0—if five stock transfer ballots have gone against her after Inverclyde and Highland reject it—will she resign, or will she accept the inevitable, that the policy is dead in the water? The SSP believes that top-quality housing is a right for everyone and we are opposed to stock transfer because it takes us backwards.

Equal Pay

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-5105, in the name of Carolyn Leckie, on funding equal pay.

10:31

Carolyn Leckie (Central Scotland) (SSP): The Scottish Socialist Party is proud to give its very limited time to debating this issue. I invite other parties in the chamber to set aside more time for it in the future because, unfortunately, it will be necessary given the state of emergency that is now approaching in local authorities.

First, I have an interest to declare. I am a member of Unison, and I make absolutely no apology for standing shoulder to shoulder in solidarity with Unison members and the other trade unionists who are involved in the disputes that are brewing. I have another interest to declare. I am holding in my hand my sister's personal statement from Glasgow City Council about changes to her salary and terms and conditions. She is set to lose £2,863.45—we must not forget the 45p—despite being a woman, when the changes were supposed to be about addressing unequal pay for women, and despite working with adults who have complex learning disabilities.

When the single status agreement was reached, equal pay had been a matter of law for almost three decades, but for all that time, women have had their labour stolen, and over their lifetimes, they have been short-changed by hundreds of thousands of pounds. That inequality persists, but the legislation allows only five years backdating if the woman is successful at an employment tribunal. Even that is a fraction of what women are actually due.

Local authorities across the country, including Glasgow, North Lanarkshire, Falkirk, Perth and Kinross and others have offered compensation for retrospective inequality that is also a fraction of that which women are due. It is despicable that low-paid women were effectively blackmailed by the threat of cuts in jobs and services into signing away their right to pursue employment tribunal claims by councils that took advantage of the fact that those women had never before seen lump sums of just a few hundred pounds. Those agreements and waivers are legally dubious and might well be challenged.

I do not know whether any of the political parties in the chamber would be brave enough to argue that equal pay should be achieved by levelling down the pay of men and other low-paid women workers, but failing to make funds available to

bridge the gender pay gap is tantamount to arguing that. It might be appropriate to level pay down in some cases, for men in boardrooms and other positions of power such as chief executives, the odd Prime Minister and the odd First Minister perhaps, but women have not struggled for decades for men to be paid as little as they are. Women have struggled for decades to be paid at least as much as men; they deserve at least as much as men, and even that is modest given the lower average wage rates in Scotland across the genders.

Equal pay should be achieved by levelling up. That can be supported, as the Equal Opportunities Commission has advised, by job evaluation schemes that are genuinely free from gender bias, but local authorities are not using such job evaluation schemes, and there are inherent problems in the processes that some local authorities still use. The issue should have been sorted many years ago, but we now see the spectre of ballots for industrial action over pay cuts, reduced terms and conditions, and draconian 90-day notices being issued—in Falkirk, for example. Some councils have at least put their cards on the table, but many other councils have done absolutely nothing.

Many people and organisations are culpable. The Convention of Scottish Local Authorities was keen, in its briefing, to ensure that MSPs who were previously councillors and council officials accept their responsibility. I wonder who COSLA was talking about. It definitely meant Charlie Gordon, I would think. Will other members who are willing to take responsibility put their hands up? Many people are to blame, but nobody is prepared to accept that blame.

Bruce Crawford (Mid Scotland and Fife) (SNP) *rose—*

Carolyn Leckie: I am pleased that Bruce Crawford seems prepared to accept some responsibility.

More important, those who are definitely not to blame—4,500 employees, or one in six of the workforce, of Glasgow City Council, for example—are being made to pay. Willie and Kate, who are visitor assistants in Kelvingrove Art Gallery and Museum are set to lose between £3,000 and £4,000 a year. Politicians, particularly in the Government, like to cash in on the kudos of the revamped Kelvingrove, but when it comes to taking action to avoid the hardship of the gallery's staff it is a different story. Those hardest hit in the culture and leisure services department are 90 per cent female. How can it be anything to do with equal pay if low-paid women are being robbed to offer meagre gains to other low-paid women?

It is not the fault of the home carers who are losing essential income from unsocial hours and weekend enhancements. It is not the fault of Karen, who works in social work, has a teenage son and is losing more than £3,000 from her salary, or of Jeanette, a senior library assistant, and her husband, who are losing £4,000 between them. Nor is it the fault of voluntary organisations such as the community health projects, which have had 60 per cent of their funding cut by Glasgow City Council, or of the many other services that face cuts in contracting out.

It is local and national Government that is culpable, yet Government and local government expect the workforce to pay again for their inaction, incompetence and failure to fund, and for the discrimination that those workers have suffered for decades.

My motion is simple. The Executive must back up the law and its stated policy, confirmed again in its amendment today, with resources. We need deeds, not words. Equal pay is supposed to be an Executive priority, but mainstreaming equality is not even referred to in the draft budget under the local government finance heading. My motion is not prescriptive about how much the figure should be or about what agreements will be acceptable to the unions, but I know that the Executive cannot wash its hands of the matter.

Workers and the public who rely on the services that are under attack will not be interested in the intricacies or nuances of the legal debate or in the history of the debacle, but they will hold elected representatives, local and national, to account. They are sick to death of arrogant politicians riding roughshod over their livelihoods, communities, services and concerns. The United States mid-term elections should be a warning to arrogant politicians everywhere. The cuts and ballots are happening now. COSLA says that it wants to talk to the Executive at the right time. If that is not now, when will the right time be? How much disruption will the Executive stand on the sidelines watching?

I move,

That the Parliament believes that the Scottish Executive has a responsibility, which includes the allocation of appropriate funding to assist local authorities, in agreement with the trade unions, to achieve equal pay and maintain public services.

10:39

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): Carolyn Leckie is correct to say that the debate and the subject are important, and I am pleased to speak in the morning's debate to make clear the Executive's position on equal pay. We know that equal pay is a key issue on the road to achieving gender equality, and Scotland is

making real progress in closing the gender pay gap. Using the international definition, Scotland has consistently performed better than the rest of the United Kingdom, and over the past eight years male and female earnings increased by more in Scotland than in the UK as a whole. The pay gap between men and women has narrowed by 7.2 per cent since 1998, compared with a 4 per cent reduction in the UK as a whole, and wages in Scotland are now the fourth highest in the UK.

There have been many advances for women in the workplace since the Equal Pay Act 1970 and the Sex Discrimination Act 1975. Despite those advances, however, we know that a pay gap still exists, and in the 21st century it is not acceptable that women are paid less, on average, than men for doing the same work or work of equal value. I am sure that that view is shared across the chamber.

Women are entitled to a fair deal and that is why we continue to invest in the close the gap campaign and to work in partnership with the Scottish Trades Union Congress, the Equal Opportunities Commission and Scottish Enterprise to realise the aims of that campaign. Together, we are raising awareness of the gender pay gap and the reasons for it, and we are encouraging employers and employees to take action to close it. In doing so, we will see benefits to all Scots, to Scotland's workplaces and to Scotland's economy.

Carolyn Leckie: I have a straightforward question. Will the minister explain why there is no reference to the equal pay situation in the draft budget for 2007-08?

George Lyon: The Executive publishes many documents on that subject, and the Minister for Communities champions those issues across the Executive, so our record on championing equal pay and addressing women's issues is second to none.

Our role in raising awareness and encouraging employers applies equally to local government. There are challenges that local authorities must overcome to fulfil their obligations under both the equal pay legislation and their own single status agreements. As the Executive has made clear a number of times, that is a matter for which local authorities are responsible. The Executive was, quite properly, not involved in the negotiations that led to the single status pay agreements in 1999. Those negotiations took place between the Convention of Scottish Local Authorities and the trade unions. As councils often remind us, they are independent corporate bodies and are responsible for the conduct of their own affairs.

Mr David Davidson (North East Scotland) (Con): Will the minister give way on that point?

George Lyon: I would like to make a little more progress, if Mr Davidson does not mind.

It would be wrong for ministers to interfere in discussions between local authorities, their staff and the unions. Our approach to public sector reform is about devolution of responsibility and taking decision making closer to the people affected by those decisions. We do not have a centralising agenda and we have no desire to dictate to councils how they should run their affairs. They are responsible and accountable first and foremost to their electorate, but also to their own employees.

The Executive's position is quite clear. It is a matter for local authorities to resolve. Councillor Pat Watters, president of COSLA, agreed with our position in his recent letter to the Finance Committee.

Alex Neil (Central Scotland) (SNP): The minister has talked exclusively about local government, but what are the Executive's plans for funding single status in the health service?

George Lyon: The national health service is clearly dealing with that, and the matter will be resolved.

Alex Neil: How?

George Lyon: Those issues are being addressed through agreements in agenda for change. Agreement was reached a number of years ago and is now being implemented.

As I was saying, Councillor Pat Watters confirmed that it is the responsibility of local government to sort the matter out. He further noted that, as the national employers' organisation, COSLA is active in discussions with groups of councils to move them through the process, and is engaged in intensive discussions with the unions nationally. That position could not be clearer, and that approach is absolutely right. It is in everyone's interests to allow it to continue and I encourage councils and unions to do everything possible to resolve the issue without further delay.

Implementing agreements will, of course, have financial implications. We consider it essential that local authorities strike a balance between what is fair and equitable, not just for the staff concerned but also for council tax payers. The Executive provides significant levels of funding to local councils, as a result of which COSLA estimated, in its evidence to the Finance Committee in February this year, that of the £1 billion that local authorities held in their reserves, around 25 per cent, or £250 million, was not allocated for a particular purpose. In his evidence to the Finance Committee in February, the Minister for Finance and Public Service Reform suggested that local authorities

look to their reserves to help meet the costs of their equal pay responsibilities. I believe that local authorities now accept that that is an appropriate course of action and are saying so. It is clearly in everyone's interest that the employers and the unions seek to resolve those matters, and I urge them to do so as quickly as possible. However, they must do so with no pressure, interference or intrusion from the Executive.

Although we cannot and will not get involved in specific negotiations between employers and employees, we will continue to support measures to close the equal pay gap and lead by example. We will continue to challenge the persistent inequalities between women and men's pay and will continue to support progress to narrow the pay gap—to benefit women and to benefit Scotland's economy.

I move amendment S2M-5105.4, to leave out from "believes" to end and insert:

"recognises that closing the equal pay gap will benefit all Scots, Scotland's workplaces and Scotland's economy; agrees that it is the responsibility of local authorities as independent bodies to implement the single status pay agreement which they themselves negotiated, and encourages employers and unions to make every effort to reach an agreement that is fair and equitable and protects the staff concerned, council taxpayers and the services that local authorities deliver."

10:45

Mr John Swinney (North Tayside) (SNP):

There was in the minister's comments an inherent contradiction in respect of the Government's attitude to local authorities. On the one hand the minister says that the Government is not to be involved at all in resolving the outstanding and long-running issue of how to handle the single status agreement and equal pay—which has gone on unresolved for far too long—because those are inherently local matters that are to be resolved by local authorities. However, time after time we come to the chamber to be told by ministers about direction of local authorities that is being set by the Executive, and about parcels of funding that are devolved to local authorities in a strictly ring-fenced fashion. The level of direction that ministers exert on local authorities contradicts the minister's comments about the wider issue of equal pay and single status.

George Lyon: Does not Mr Swinney agree that there has been a reduction in the use of ring fencing since this Executive came to power? Eighty-five per cent of moneys that are supplied to local government are unhypothecated; it is for local authorities to prioritise and decide how to spend that money.

Mr Swinney: We hear constantly about money being allocated to local authorities—outside the

grant-aided expenditure formula and with strings attached—to be spent on particular purposes. The Government exerts influence in a variety of ways.

It is a waste of time to play the blame game on equal pay and single status. I see that Mr Brownlee is shaking his head—I am disappointed by his amendment, which plays the blame game. The blame game does not take us further forward. The process has gone on for far too long. Equal pay must be addressed, but it must be addressed hand in hand with the debate on single status. The issues must be resolved together, otherwise we will get into a vicious circle in which the problem will repeat itself.

I believe that local authorities, individuals and trade unions must co-operate in the process, but there is little evidence that that is happening. I am advised by local authorities that are at an advanced stage in the process that they get so far, but the trade unions—which have up to that point been perfectly co-operative—then refuse to sign off a deal because they are afraid, as the local authorities may be, that the deals will be turned over in legal actions.

The process must be fair, it must have consent and it must have the confidence of the individuals who are involved. Once the single status judgments are arrived at, every effort must be made to support those who lose out in acquiring new skills and new abilities to ensure that in due course their salaries can be enhanced and that in the long term there is no loss of income, because for at least three, or perhaps four, years individuals will have their financial settlement protected.

That brings me to the role of the Scottish Executive. Given that the process has gone on for far too long, the Executive must get into the mix to try to accelerate the process of change. The financial envelope that the Executive makes available to local authorities has an essential part to play in resolving the issue. I agree with the minister that, on the issue of equal pay, local authorities are probably in a financial position to use reserves and other assets that they no longer require to settle equal pay claims. Single status, however, has a revenue implication. I disagree with Carolyn Leckie in that respect. It is not all about levelling down because, as far as I can see, in some of the deals that have been advanced the total salary bill is increasing. The Executive must address the revenue issue. I appeal to the minister to do so in the forthcoming financial settlement for 2007-08.

I will make a couple of remarks about the briefing that has been made available to members today from the president of COSLA. I do not think that I have seen a more pathetic document—and I have seen many pathetic documents in my time. It

is laughable for the president of COSLA to come along to us and say that the issue is as relevant in 2006 as it has been since 1996, but then say that “there is no quick fix”.

That is an abdication of responsibility by COSLA. Many local authorities are working hard to try to resolve the problem, but they are not being well supported by COSLA. I encourage ministers to bang some heads together to make progress.

I move amendment S2M-5105.1, to leave out from “believes” to end and insert:

“calls on the Scottish Executive to facilitate discussions between COSLA, local authorities and trade unions to deliver a fair and speedy resolution to the equal pay and single status issue and to ensure that the implications of such agreement are reflected in the 2007-08 local authority financial settlement.”

10:50

Derek Brownlee (South of Scotland) (Con): I must apologise for disappointing Mr Swinney, although perhaps he had better get used to disappointment.

As Carolyn Leckie said, this important issue affects everyone in Scotland. The employees are directly affected, but it also affects council tax payers, who will worry that they will have to foot the bill for any tax rises, or suffer service cuts that may be required because of the failure to balance the books. The same applies to taxpayers and service users at national level, who would suffer the same effects if the bill were to be passed on to national Government.

COSLA has told us that the cost of implementing single status might exceed £560 million. I am told that a supermodel will not get out of bed for less than £10,000, which makes me wonder how large a sum would bring the Minister for Finance and Public Service Reform from his office to the chamber today: £560 million seems to me to be a sum that he might properly be concerned about. What we know is that, as far as finance ministers go, Mr McCabe is certainly no supermodel.

The real issue, which Mr Swinney alluded to, is that unions and councils must share the blame.

Bruce Crawford: On sharing the blame, can Derek Brownlee cast his mind back to local government reorganisation, which ushered in the period of the single status requirement? The Tories ushered in local government reform, but did not acknowledge in any financial settlements that it might have consequences. Do not the Tories share some responsibility for the mess that we are now in?

Derek Brownlee: Local government reorganisation took place 11 years ago. There have not been many Conservative-led councils

during that period and there has not been a Conservative Government since 1997. Councils must take some responsibility. Unions talk damningly about the record of Scotland's councils. They talk about a “£600 million travesty” and say that this is not a victimless crime. However, imagine what the unions would be saying if a private company had done this, rather than councils. They would have been screaming blue murder. Why have they not done so? Is it because they want to protect Labour councillors or is it because their own lawyers were not effective enough in representing their members, the result of which is that their members are having to go—horror of horrors—to employment lawyers outwith the union?

The unions also make the argument, which Bruce Crawford is perhaps suggesting he has sympathy with, that it is all the fault of the last Conservative Government. Unison's evidence to the Finance Committee inquiry seemed to suggest that the Conservatives should, back in 1993, have had the foresight to deal with the issue. However, Unison went on to say that employers and trade unions could not have foreseen the scale of the pay liability in 1999 and it blames the increase in the scale of the liability on actions of the United Kingdom Government in 2003.

If we believe Unison, Labour could not have known in 1999, but the Conservatives ought to have known in 1993. If that lazy-thinking drivel is the best that trade unions can come up with, who can blame their members for looking to others to represent them and defend them?

Mr Swinney referred to the briefing note that we received from Councillor Pat Watters yesterday. COSLA is right to say that it is for local government to deal with single status. Unlike the Burt commission, I believe in local accountability. However, COSLA asks us to believe that

“we have an end point in mind for the delivery of Single Status across the country”

but refuses to tell us what that end point might be. COSLA was, to put it mildly, not best pleased when the Finance Committee suggested in March that the matter should be resolved within 12 months.

Mr Watters is right to say that

“Single Status has not just suddenly emerged”,

but I detect a bit of a veiled threat when he says that many MSPs were

“leading Councillors during the period of time that single status has been around”.

He states:

“you failed to spot it or deal with it as well. Many of you are equally culpable”.

At least COSLA is finally accepting culpability in the matter.

Our amendment asks the Government to put on trade unions and councils whatever pressure it can to reach an agreement. However, the Government also has a broader responsibility to taxpayers: it is not here to bail out councils and unions that are unable to make hard choices or to agree a cost-neutral way of implementing single status while expecting others to pick up the tab.

I move amendment S2M-5105.2, to leave out from “believes” to end and insert:

“supports the principles of the Equal Pay Act 1970; condemns the failure of local authorities and trades unions to reach agreement on the implementation of single status; recognises the importance of protecting taxpayers at all levels from the consequences of this failure, and calls on the Scottish Executive to exert pressure on local authorities and trades unions to reach an agreement fair to employees and taxpayers.”

10:55

Dr Elaine Murray (Dumfries) (Lab): I doubt that anyone in the Scottish Parliament would not subscribe to the principle of equal pay, and I am sure that many of us fervently wish for public services to be maintained. However, the situation is far more complex than the motion or Carolyn Leckie’s speech suggest. As others have said, the Finance Committee came up against some of the complications during its inquiry into the financial implications of the local authority single status agreement, the report of which was published in March this year.

The Finance Committee did not conclude that the Scottish Executive should commit either to funding the single status agreement or to funding backdated equal pay claims. The two issues are not the same but they are strongly interconnected: until single status is resolved between local authorities and trade unions, the possibility of additional equal pay claims will remain. It worries me that some local authorities have made their equal pay offers without having solved the single status problem, because a further round of equal pay claims could be coming up.

The Equal Pay Act was passed in 1970 and the single status agreement was signed in 1999, when it was intended that it should be implemented in 2002. It is no consolation to say that we should not be where we are. As others have said, the payment of bonuses to some employees—usually men—but not to others—usually women—was acknowledged as an equalities issue about 10 years ago.

Some of us in the chamber today, me included, were councillors at that time. Casting our minds back, we can remember that not only did we have

local government reorganisation, we had exceedingly difficult local government settlements under Mr Michael Forsyth. I am sure that Des McNulty can recall that those of us who were in Strathclyde Regional Council had to set a council tax increase of somewhere between 20 per cent and 25 per cent in 1995, so that we could deal with problems. I suspect that such things were behind the fact that some councils did not solve other problems even though those problems had been acknowledged.

I was a little surprised by some of Mr Brownlee’s comments about independent solicitors. The intervention of independent solicitors who imply to employees on low pay that they will somehow be able to obtain a wonderful and enormous settlement by going down the independent route has done a great deal of damage. Councils are threatened with being taken to tribunals, and trade unions might be sued. That is making it extremely difficult for both partners to come together to work out appropriate settlements.

Derek Brownlee: Will the member take an intervention?

Dr Murray: I am sorry; I have only just over a minute left.

It is easy to say that the Scottish Executive should simply reach into its magic wallet and pull out the cash to settle the problem. We do not know how much money would be involved in meeting the costs of equal pay and single status. COSLA estimates that the cost of equal pay compensation could range from £310 million to £560 million, and Unison thinks that the figure might be even higher.

The equal pay issue cannot be compared directly with the agenda for change, which is an Executive-driven policy that has been carried out by health boards that are appointed. The equal pay issue predates even the referendum for the Scottish Parliament, and local authorities are democratically elected bodies with revenue-raising powers. The two issues are therefore not identical.

However, the Minister for Finance and Public Service Reform has told the Finance Committee that he will be drawing down something like £750 million from central unallocated provision. If COSLA presents a good case regarding the pressures that local authorities face, I am sure that it will be considered in next year’s round of settlements.

10:59

Alex Neil (Central Scotland) (SNP): I support John Swinney’s amendment. In this debate, there is a general lesson for legislators. It is 36 years since the Equal Pay Act 1970 and, as Bruce

Crawford pointed out, it is 13 or 14 years since the act that led to local government reorganisation. Those two acts provide the legislative framework for single status and equal pay.

There is an onus on legislators—at Westminster or Holyrood—not only to consider the implications of legislation before they pass it but, once it is passed, to ensure that it is implemented fairly and justly. To implement legislation fairly and justly, proper resources must be made available. However, in recent years local government has been squeezed on a number of issues—not because it is not receiving more money but because the number of statutory duties that are placed on local authorities has grown exponentially while their budgets have grown arithmetically.

As John Swinney pointed out, we in Parliament have a role to play in banging heads together to find a solution to this problem, not only in one or two local authorities but the length and breadth of Scotland.

I wish the Finance Committee well in the awards ceremony next week, but in its “Report on the Financial Implications of the Local Authority Single Status Agreement”, the committee recommended

“that councils examine ways in which reserves can be topped up”

and that

“there should be clear rules and guidance given to councils to prevent—a short term fix—the sale of assets simply being used to fund back-pay—leading to longer term problems.”

The committee also recommended that

“the Executive enter into discussions with COSLA or with individual councils to identify whether funding can be made available and whether efficiencies and modernisation can be achieved to provide value for that money, taking into account the requirement to ensure that staff are paid on an equitable basis.”

John Swinney’s amendment basically reflects the recommendations that were made by the Finance Committee, so I hope that we will have the full support of every member of the Finance Committee when we come to the vote at 5 o’clock.

I want to make two further points. The first concerns the briefing that was provided by Unison Scotland, which says:

“Falkirk Council has issued notices of dismissal and re-engagement to staff.”

Falkirk Council has done its utmost to ensure that a fair and just settlement is achieved, so to summarise the council’s actions in that miserly wording is absolutely appalling and it severely damages the credibility of Unison’s leadership in Scotland.

Secondly, we cannot ignore the fact that, as well as facing a substantial bill for single status and equal pay in the local government sector, we are also facing a substantial bill in relation to the health service. I hope that ministers will accept that fact, and that they will provide us with estimates of the costs and tell us how they will fund the implementation of the Executive’s policy for the NHS.

11:03

Mark Ballard (Lothians) (Green): During my time on the Finance Committee, I have at times found the way in which public finances are managed quite extraordinary. Single status has been one of the most extraordinary examples, and Pat Watters’s briefing for MSPs on single status is perhaps the most extraordinary briefing that I have seen in my limited career as a parliamentarian. Derek Brownlee quoted from it, but it is worth quoting some more:

“We all know that Single Status has not just suddenly emerged. Many of you were leading Councillors during the period of time that Single Status has been around and you failed to spot it or deal with it as well. Many of you are equally culpable in this.

That is not to absolve ourselves of responsibilities or to say that you were bad politicians it is simply to highlight the complexities of the situation and that it is the easy option to snipe from the sidelines that local government at the moment has failed to deal with this for ten years.”

Extraordinary. I do not want to get into playing the blame game of going back to the 1970s and saying whose fault it was, who was around at the time, and who did or did not do what. However, what I find extraordinary in the briefing from Pat Watters is that this debate and the Finance Committee’s inquiry are described as sniping “from the sidelines”.

This is a huge problem for local government. When we began our work on the Finance Committee inquiry, I was amazed to learn how big a crisis local government across Scotland faces. Also in the COSLA briefing we hear that

“Parliament can be assured that we have an end point in mind for the delivery of Single Status across the country and we are actively managing the process of moving all councils towards an end point.”

As a member of the Finance Committee, and having listened to the evidence from COSLA, I am not assured that it has any “end point in mind” because the COSLA witnesses did not tell us what it was. I cannot be assured that COSLA is “actively managing the process” because, as the Unison briefing lays out, only three local authorities in Scotland have reached any kind of conclusion.

Meanwhile, at the City of Edinburgh Council, which is the largest council in my region, it is rumoured that the council is facing a £30 million

hole in dealing with is retrospective single status claims, let alone the on-going revenue costs of implementation. Like other councils, although the City of Edinburgh Council has known about the issue for years, its response has been to hope that it will go away or that a big boy will come along with a big pile of money and sort it all out. The council's current response is to talk about cutting overtime and unsocial hours rates and about converting public holidays to annual leave for low-paid residential care staff. Again, low-paid workers are being clobbered for something that is not of their making.

If we look at the unions, we see the way in which they signed up to the bonus schemes in the 1980s and 1990s—schemes that gave more money to workers in predominantly male areas of employment, such as gardening and cleansing, but not to workers in the predominantly female areas, such as residential care and clerical work.

We can look to the unions, authorities or central Government, but the most important thing for the Parliament to do is not to do as COSLA asks. Parliament cannot take no responsibility for the issue—it has to act as if it wants to protect low-paid workers and because it is the entity that supplies 75 to 80 per cent of local authority revenue. Parliament cannot let COSLA just get on with this; we cannot trust it to do that. Parliament must act.

11:07

Des McNulty (Clydebank and Milngavie) (Lab): I agree with Mark Ballard that the single status agreement is among the most important issues that the Finance Committee has considered in the number of years that I have served on it. In many ways, the committee report is a model of clarity: it sums up what happened and points us in the direction that we have to go in to resolve the matter.

The sums of public money that are tied up in resolving the issue are substantial. It is likely that a series of consequences for the management of council services will ensue from the way the matter is settled. The consequences are profoundly important to parliamentarians because of their profound importance to the people whom we represent throughout Scotland.

I will add some historical perspective to the debate. Both Alex Neil and Bruce Crawford were perhaps a wee bit wrong to say that the germ of the single status agreement was in part in local government reorganisation. I can see no legislative reason why the way in which that was done could have led to single status. In my view, the issue arose as result of the fashionable idea of different employer flexibility and the move away

from national agreements, both of which arose in the mid to late 1990s.

One of the problems with the single status agreement is that it was based on the idea that different local authorities would deliver, within the context of a framework agreement, detailed local agreements that would allow for job flexibility. That was a significant departure for local government—the matter has to be seen in that context. As it turns out, local government did not think it through then and has not managed properly to implement it since.

If members read the Finance Committee report, they will see that Alex McLuckie from the GMB said that

“the single status agreement was borne out of councils' desire to do their own thing, to move away from national agreements and to have local flexibility to deal with what they described as a local marketplace. There was a feeling that the Ayrshire councils, for example, might have a different marketplace from Aberdeen City Council and Aberdeenshire Council.”—[*Official Report, Finance Committee*, 31 January 2006; c 3364.]

There may be different kinds of local marketplace, but the reality is that, in the main, people in different local authorities do the same kind of jobs. It was difficult for councils, as it was for the trade unions, to progress 32 job-evaluation schemes across Scotland. The complexity in working towards settlement was not properly thought through or anticipated.

The Deputy Presiding Officer (Murray Tosh): One minute.

Des McNulty: Essentially, between 1999 and 2004 we had gridlock: nothing much went on in negotiating terms. Councils had not properly thought through the scheme and so found it difficult to move in the direction they wanted to go. The trade unions found it difficult to enter job-evaluation schemes: basically, they had not explained properly to their members that, in reaching a single status agreement and implementing equal pay, some people would lose while others would gain, which is the reality of the single status agreement. That should have been acknowledged in 1999, but everybody ran away from it.

Six years on, the situation is that local government workers who were underpaid are making substantial financial claims for unpaid wages. Councils that are faced with legal threats are trying to resolve the claims, but too many councils have either not begun or have not adequately progressed the kind of job evaluations that are needed to properly implement single status.

We are in an emergency situation; one that councils and trade unions have to resolve—

The Deputy Presiding Officer: The member must close.

Des McNulty: As other members have said, the Executive and Parliament must watch carefully what is happening and ensure that the matter is properly resolved.

11:11

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The gender equality duty comes into force in April next year—it requires public authorities to promote gender equality and to eliminate sex discrimination. As we have heard in the debate, despite the fact that local authorities have since 1999 also had to implement the single status agreement, many issues are outstanding. Given that the local government finance settlement includes provision for salaries that are paid by local authorities, it must be up to our local councillors to determine how to spend their council's funds in line with local needs and priorities.

I do not need to remind colleagues that, since the first local government settlement back in 1999, Parliament has been responsible for cumulative increases of some 56 per cent in funding for local authorities—[*Interruption.*] I said that I do not need to remind colleagues of that.

Mr Swinney rose—

Mike Rumbles: I will come to John Swinney in a minute.

As I said, the figure for the past seven years is 56 per cent. By any measure, the sum is substantial. Given, as we heard from the minister, that more than 85 per cent of that money is not ringfenced, the settlement should have allowed our local authorities to determine for themselves how best to spend their money in order that they could comply—like any other employer—with all aspects of employment legislation.

Mr Swinney rose—

Mike Rumbles: I will let John Swinney in—give me 30 seconds.

Many of our councils are seeking agreement with their staff on compensation payments for past discrimination and are seeking to do so before the agreement of new pay and grading systems. The thrust of the Government's policy is to devolve greater power and responsibility to our local authorities, which brings me to the amendment in Mr Swinney's name.

From the Executive parties' point of view, it is interesting to see the SNP arguing yet again in its amendment for more money. It says that

“a fair and speedy resolution to the equal pay and single status issue”

should be

“reflected in the 2007-08 local authority financial settlement.”

Is that the same John Swinney who, we are told, is holding his SNP colleagues on a tight financial rein? I ask John Swinney to be clear: is he or is he not asking for more money from the Scottish Executive? I am happy to give way.

Mr Swinney: I am glad that, after that long preamble, Mr Rumbles managed eventually to get around to giving way.

I support what the members of the Finance Committee—of which Mr Andrew Arbuckle is a member—supported unanimously, which is that the 2007-08 financial settlement must reflect the needs of the local authorities. While I am on my feet—

The Deputy Presiding Officer: Quickly.

Mr Swinney: Does Mr Rumbles disagree with his Liberal Democrat colleagues in Aberdeenshire Council who are demanding—

The Deputy Presiding Officer: Oh, come on.

Mr Swinney: Mike Rumbles's colleagues are demanding more money for the local authority financial settlement 2007-08. Is that just a one-off—

The Deputy Presiding Officer: I am sorry, Mr Rumbles, but I cannot compensate for the time that Mr Swinney took up.

Mike Rumbles: Mr Swinney took up a great deal of time in that intervention. He is the finance spokesman for the Scottish National Party and I asked him a specific question: is he or is he not asking for more money from the Scottish Executive? He did not really answer the question, so I take it that he is asking for more money—

Mr Swinney: Are you against more money for—

The Deputy Presiding Officer: Order.

Mike Rumbles: John Swinney knows that all public representatives, whether in the Scottish Executive or in local government, must operate within the budgets that they are allocated. As Mark Ballard said, no one will come along with a big pot of money to bail anyone out. COSLA says that councils' unallocated reserves contain about £250 million. I urge our local authorities to continue to take charge of their affairs—as they want to do—and to continue to make every effort to reach agreements that are fair to their employees and local council tax payers.

The Deputy Presiding Officer: We go to closing speeches.

11:15

Michael McMahon (Hamilton North and Bellshill) (Lab): I have had the pleasure of serving on the parliamentary committee that has responsibility for local government on and off for seven years. At the start of the first session of the Parliament, I was involved in the discussions between the Local Government Committee and COSLA that established the good relationship that still exists. COSLA was keen to ensure that the Parliament respected local government in Scotland and that there would be no undue intervention by the Scottish Executive, the Parliament or its committees in the operation of the democratic mandate that the electorate gives to local authorities.

In his briefing to members, Pat Watters reiterated the position. He said:

“the responsibility for delivering on the vitally important issue that is Single Status stops with local government and it is something that can only be negotiated at the local level.”

He is entitled to ensure that the Parliament, although it takes an interest in the matter, does nothing to impose its will on issues that are for local authorities to address. That is why it is right that the Parliament stays out of the negotiating process, which involves local government and its employees, despite the posturing of the Scottish Socialist Party on issues such as the nursery nurses’ dispute and the fire services dispute. The Parliament must know and understand its place in relation to local government. Mark Ballard was wrong: we must not interfere with the action that democratically elected local representatives take in carrying out their duties.

Delivery on equal pay legislation is vital. The legislation is based on the fundamental principle that men and women should receive equal pay for equal work. MSPs have a responsibility to ensure that we meet our obligations under the legislation, but we should stay out of local government pay matters and local government’s negotiations with its workforce.

Why is the SSP yet again asking us to undermine the role of local authorities? The SSP talks a good game about local decision making, but makes contradictory arguments in the debate.

Carolyn Leckie: The member should read the motion. It calls on the Parliament “to assist local authorities” to reach agreement with the trade unions and to indicate a willingness to provide funding.

Michael McMahon: That is what the motion says, but in her speech Carolyn Leckie asked the Executive to intervene and pay the bill. She is taking up contradictory positions. She suggests that local government and its staff representatives

should sit down, think of a number, double it and then ask the Scottish Executive to pay the bill. She suggests that local authorities run up a bill without being responsible for paying it. That is a bit like going to Disneyland on holiday and expecting to pay for it with the neighbour’s Visa card.

Members of the SSP have the luxury of never having to tell us how they would pay for things—*[Interruption.]*

The Deputy Presiding Officer: Order.

Michael McMahon: The SSP exhibits nothing more than self-indulgence and recklessness with the principles of local democracy and sound economic sense. It is nothing short of deceitful of the SSP to use the debate to try to draw the Scottish Executive into a problem over which it has no authority. I assure SSP members that local government and sensible trade unions are not buying into their posturing. Those people know that the debate will solve nothing—frankly, they do not want it to solve anything.

Progress on the implementation of the single status agreement has been slow. We can note that and we can encourage further progress, but ultimately we must ask whether we believe in the right of local authorities to determine their own affairs or whether we want the Executive to ride in like the cavalry in the movies. As I recall, in the movies no one emerged victorious, but plenty of blood was spilled. Perhaps that is what SSP members want. We should not be foolish enough to let them have it.

11:19

Mr David Davidson (North East Scotland) (Con): We stand four-square with our colleague down south, David Cameron, who called equal pay

“a principle of fundamental importance”

and said that it is

“a scandal that ... women are still paid less than men.”

That is what the law says, too. We must acknowledge that.

The debate has been interesting. Carolyn Leckie opened it by saying that the Executive must back the law. Like Michael McMahon, I took that to mean that she wants the taxpayer to bail out local government for its poor management and preparation.

George Lyon talked sensibly—for once. The Executive is right not to get involved and we support ministers in that regard. As Michael McMahon, Mike Rumbles and the minister said, local government should run itself in a responsible and accountable way and should not be micromanaged from the centre. However, the

Executive tinkers with local government a wee bit too much.

Alex Neil: Will the member give way?

Mr Davidson: No, I am too short of time.

John Swinney asked the Executive to get involved. In his response to Mike Rumbles, he said that he was not asking for more money. However, if he wants the issue to be resolved in the 2007-08 local authority financial settlement, he is asking for more money.

Single status is a revenue issue, and is a matter for the future, but we are worried about the current problem. We are talking about £500 million or £600 million. Over 11 years and across 32 councils, that averages out at not much more than £1 million a year per council. Councils in Scotland, most of which are run by the Labour Party, which was keen on equal pay legislation, have been poorly prepared. Councillors have a responsibility, but when they are no longer in the council chamber—Charlie Gordon and I are in that position—the new management must deal with the issues, as happens when someone retires from a company and someone else takes their job.

Alex Neil was right to mention the additional duties and pressures that have been placed on local government. However, it is a primary responsibility of all councils to manage their watch properly before handing over the books to the new authority after an election. That is an issue in this debate.

Des McNulty was right to say that local agreements are not national agreements and that local authorities want local flexibility. There was gridlock between 1999 and 2004, when no action was taken. The unions are equally culpable, because they have not managed their members' affairs well. I even agreed with Mike Rumbles up to a point, which is unusual. Poor management over the past 11 years has resulted in a huge and expensive logjam. We cannot ask taxpayers again to bail out local authorities as a result of poor management at local government level. There needs to be more responsibility and accountability in local government, but the single transferable vote will dilute that. The public need to know what individual councillors have done on their behalf.

If the equal pay issue is not resolved soon, local services will suffer, and the most vulnerable people in society will suffer most. If the unions considered the matter from that perspective and the councils were better at working together, I am sure that a solution could be found. However, there will be no quick fix and instant payment; the issue will have to be settled over time.

The Conservatives think that it is for local government to act responsibly to sort out the

matter with the unions. The Government should not interfere.

11:24

Bruce Crawford (Mid Scotland and Fife) (SNP): I support the amendment in John Swinney's name.

I am disappointed that the Minister for Finance and Public Service Reform, Tom McCabe, is not in the chamber. A number of back benchers from his party described the situation as an emergency, and in such circumstances we would expect the minister to address the issue.

George Lyon: We are here.

Bruce Crawford: The Liberals are here, as they were when we discussed the Howat report last week. Once again, they have been prepared to be the fall guys in a difficult situation.

David Davidson's performance was remarkable. Of the 36 years since the Equal Pay Act 1970 was passed, 22 were Tory years, but the Tories did nothing about the situation. He talked about the need for a local authority to hand over proper management to the incoming authority, but the Tories did not manage to do that when they handed over power to the incoming Labour Government. The Tories can take no credit—in any shape or form—from the current situation.

What an impossible situation to be in—trying to negotiate a settlement 36 years after the Equal Pay Act 1970 and after the single status situation arose. Councils and unions are desperate for a settlement, but both are unable to close deals. Councils are unable to close deals because they are cash limited, and unions are concerned about the legal implications and are being instructed by the national bodies not to come to firm conclusions on a local basis. What a cul-de-sac to be stuck in.

Mark Ballard said that there was no point in looking at the history and blaming people. It is time to take responsibility and sort the mess out now, for the long-term.

Mike Rumbles: Will the member take an intervention?

Bruce Crawford: It will have to be quick, because I have a lot to say.

Mike Rumbles: I ask Bruce Crawford the same question that I asked John Swinney: is the SNP asking the Scottish Executive for more money for local authorities to deal with the issue?

Bruce Crawford: John Swinney's answer dealt with that question adequately. The Finance Committee drew up a report. John Swinney is in exactly the same situation as Andrew Arbuckle.

George Lyon's amendment made me despondent and I found Derek Brownlee's amendment to be full of despair. No one is taking responsibility in this situation. What would be wrong with the Scottish Executive not interfering in local government and not instructing or directing councils but setting up a task force involving legal experts in the employment field and former chief officers to discuss good practice, which others have failed to do? That would not be interfering; it would be helping to facilitate. I do not dispute that we should let local authorities get on with their job, but the Scottish Executive has a job to do in helping to improve the situation. Nothing has been done in that regard.

I have every sympathy, not with the Scottish Executive, COSLA or the council chief officers, but with the staff. We have a duty to sort out the situation for them. I say to Carolyn Leckie that it is not about shouting from the rooftops and trying to lay the blame on everybody else, but about finding a pragmatic and sensible way forward through which we can find a long-term, sustainable solution. That should be the job of the Parliament. Everyone who has been involved in the process has to take responsibility, so that we can move on from this situation. Otherwise, we will be left with years and years of dispute in local government, which will not be resolved, we will continue to blame each other and the trenches will get deeper. The only people who will suffer are local government staff. It is time to find a pragmatic way forward and to use common sense, but it is also time for the Scottish Executive to facilitate a lot more discussion at the front end.

11:28

George Lyon: There is consensus throughout the chamber about the utter frustration that we all feel that it has taken local authorities so long to try to agree settlements and to meet their obligations to their employees. Initially, it was promised that there would be a settlement by 1 April 2004, but that date has long passed. One council settled long before the deadline, so it cannot be argued that it was not possible to settle before the deadline. We are now in 2006 and other councils have still to finally sign off agreements.

John Swinney was correct to say that we all want to see a fair settlement for the individuals concerned and for council tax payers. There is agreement throughout the chamber on that.

Alex Neil: Does the Howat report include any provision for single status and equal pay in either local government or the health service beyond the next financial year?

George Lyon: As Alex Neil well knows, the Howat report looked to the 2007 spending review, not detailed stuff such as this.

Mr Swinney's other important point was that engaging in the blame game is totally frustrating. We do not want to hear about blame; we want to see a fair deal that settles the matter and provides clarity for individuals who are employed by the councils, for council tax payers and for those who use council services.

Tommy Sheridan (Glasgow) (Sol): Will the minister take an intervention?

George Lyon: I want to make some progress, because I do not have a lot of time.

On Mr Brownlee's speech, to be fair, the blame game did not command much support throughout the chamber, because the answer to the problem is not to get involved in the blame game but for settlements to be reached and progress to be made.

Derek Brownlee: When Mr McCabe gave evidence to the Finance Committee, he referred to the advice that councils had received and suggested that the Executive was going to introduce legislation to enhance the accountability of local government officials. Where has that legislation got to?

George Lyon: Clearly, that was said in the context of public sector reform, the discussion on which is on-going. Mr Brownlee is quite entitled to contribute to it any time he wishes.

Alex Neil talked about additional duties, but he has to recognise that substantial additional resources have been made available since 1999. There has been a record increase in funding to local government. Everyone agrees that it was the duty of local government to make provision over that period to meet its obligations. The settlements should have been an item on authorities' budgets, to which money was allocated to meet their obligations. The Finance Committee acknowledged that in its report.

Mark Ballard was clearly concerned about the COSLA briefing, as were members throughout the chamber, which leaves us wondering exactly what COSLA means by some of its comments. That is not helpful to our finding a solution and moving the agenda on.

Michael McMahon recognised that responsibility lies clearly with local government.

Carolyn Leckie rose—

George Lyon: The Executive has provided significant levels of funding for local government. The local government settlement this year will be £8.3 billion, and by the end of the spending review period that will have increased by more than £3

billion compared with 1999-2000. Local government should have made provision within that to address single status agreements.

In its evidence to the Finance Committee, COSLA estimated that, of the £1 billion that it held in reserve, around 25 per cent—or £250 million—was not allocated for a particular purpose. Local authorities need to look to their reserves to help meet the costs of equal pay responsibilities, especially the back-pay element, although I recognise that there are on-going commitments. I understand that many councils are making financial provision for that in their budgets and I welcome Mr Swinney's comment that that is an appropriate way forward in relation to councils meeting their back-pay obligations.

I urge councils and the unions to seek to resolve these matters as soon as possible. Closing the equal pay gap will benefit not only women but all Scots, Scotland's workforce and Scotland's economy. I am sure that everyone will support me in urging local government and the employees to get round the table and settle the matter as soon as possible.

11:33

Carolyn Leckie: I will start by responding to the minister. It is a shame that, given Tom McCabe's past involvement in this issue in local government and his current involvement as Minister for Finance and Public Service Reform, he did not see fit to attend the debate. If I had managed to intervene on Mr Lyon, I would have asked him to clarify the Executive's position.

I was a wee bit disturbed by Michael McMahon's contribution, because it did not reflect the written answers to questions that I have asked on the matter, in which the Executive has indicated a willingness to meet COSLA to discuss equal pay and indicated that it has had such meetings in the past. COSLA indicates in its intemperate briefing that, as far as it is concerned, the Executive has agreed to meet it at some time and to consider some sort of financial settlement. What is the situation? Is the Executive prepared to help, including by dipping into the purse?

George Lyon: I thought that I made the situation clear in my opening speech. There are discussions with COSLA—there are always discussions with COSLA—in which these matters come up.

I made clear that it is not our role to interfere and engage in the negotiation process. That is a matter for COSLA and the relevant unions and representatives of the employees.

The Deputy Presiding Officer: Quickly, please.

George Lyon: That is their role. It is our role to engage with COSLA on a wide range of issues, which we do daily. Of course, in those discussions, the equal pay issue is—

The Deputy Presiding Officer: Mr Lyon, you are making a speech now.

Carolyn Leckie: The point is that solving the problem will take money. The word "pragmatism" has been used in the chamber today. The bulk of local authority money comes from the Executive, which gets its money from a block grant from the Treasury. There will need to be a willingness on the part of the Executive to release some of that money if we are to solve this problem. That will have to happen, or there will not be a solution. It is quite simple.

George Lyon talked about local authority reserves. It is right to say that the local authorities should have to dip into their purse without detriment to staff or services. What about the Executive's reserves and Westminster's reserves? Are people prepared to dip into them? If they are not, all of the platitudes about bridging the gender pay gap will mean nothing. People are using words such as "challenge" but are refusing to put up the money. That is the nub of our motion.

I agree with much of what John Swinney said, but I want to add something to what he said about the levelling down of the overall salary packages. It is true that there will be an increase in the overall salary packages, but it will not match the retrospective amount of money that women, in particular, are due because they have been underpaid for 10, 20 or 30 years. Even the legislation does not allow backdating to apply that far. Further, the increase will not equal what women would get if an employment tribunal said that the award should be backdated five years. Having said that, the pay of a lot of employees is being levelled down, as I said when I opened the debate, which is unacceptable. Those workers should not be made to pay for the inaction of local government and Governments during the 36 years of the Equal Pay Act 1970. That would not be fair or acceptable.

Derek Brownlee's speech was highly amusing. He had a go at the unions for not adequately representing their members and asked who could blame trade union members for going down the no-win, no-fee route of the lawyers. Has Derek Brownlee thought that through? If the unions successfully represented all of the women at employment tribunals—and it is likely that they would succeed—the women would be entitled to five years' backdated pay, and so would get more money than is on offer from any of the local authorities at the moment, the bill for which would be something like £600 million to £700 million. Those women deserve that, but would the Tories

be prepared to put up the money? On the one hand, they support the likes of Stefan Cross and join him in condemning the unions but, on the other hand, they say that taxpayers should not have to fund the settlement. What is the Tories' position? I confess that I am completely confused.

Elaine Murray said that this is not a simple issue. When we consider the complexities of job evaluation schemes and the issues of legality and so on, it is not simple, but if we consider what it will take to solve the problem, it is simple. It will take a willingness on the part of the Executive to assist and to adjust its budgets to take account of the settlements that local government will have to make. If that does not happen, the Executive will have to take responsibility for the industrial action, strikes and the cuts in pay and services that have already started. When is it going to be appropriate for the Executive to intervene to stop that happening? The way to intervene is to help and put up the money. It is quite simple.

Alex Neil made a lot of comments that I agree with, but he condemned some of the attacks on Falkirk Council. On that point, I disagree with him. It is a fact that Falkirk Council has issued 90-day notices to make workers redundant and then re-engage them, in many circumstances, with inferior terms and conditions. That is unacceptable. I have to say that Alex Neil is not slow to condemn North Lanarkshire Council in the *Airdrie and Coatbridge Advertiser* when he gets a chance.

Des McNulty made the most reasoned speech from the Labour benches on this issue. He is correct to say that it is the single most important issue facing Scotland. If this Parliament cannot grapple with the most important issue that faces us and indicate a willingness to help, what is this Parliament for?

Question Time

SCOTTISH EXECUTIVE

General Questions

11:40

Noise Pollution

The Presiding Officer (Mr George Reid): Question 1 has been withdrawn due to illness.

Shirley McKie (Inquiry)

2. Alex Neil (Central Scotland) (SNP): To ask the Scottish Executive whether it will reconsider its decision not to hold an inquiry into the Shirley McKie fingerprint case. (S2O-11038)

The Minister for Justice (Cathy Jamieson): I made a full statement to Parliament on 22 February and there was a debate on 2 March. Subsequently, Parliament concluded that a public inquiry was not appropriate. There is no reason to alter that view. Of course, the Justice 1 Committee has undertaken an inquiry and the Executive will reflect on its forthcoming report.

Alex Neil: During the Justice 1 Committee's inquiry, it became evident that, due to time and other constraints, that parliamentary inquiry could not call a number of key players, such as Harry Bell, who presided over the Scottish Criminal Record Office fiasco—

Mrs Mary Mulligan (Linlithgow) (Lab): That is not true.

Alex Neil: I did not know that someone else was answering questions on behalf of the minister.

Further, the committee could not talk to Sir John Orr. In the light of the committee's inability to talk to all the witnesses and investigate the matter in the required depth, will the minister now reconsider the matter and have a public inquiry?

Cathy Jamieson: I do not think that anyone else was attempting to answer that question. A member of the Justice 1 Committee made a point, as she obviously feels strongly that the committee is the appropriate place for these discussions and that it is for the committee convener to decide what to do in relation to taking the report forward.

As I said, I have made a full statement to Parliament on this matter and Parliament has had an opportunity to debate it. The Executive has co-operated fully with the Justice 1 Committee's inquiry. I am well aware of the amount of work the committee has put into its inquiry and I have assured the convener that, when the report is published, I will read it carefully and consider any

recommendations it makes about the way we deal with the fingerprint service. The committee was specifically invited to recommend ways in which the service can be improved, to ensure that it is a world-class service. I see no reason to do anything further until I receive the committee's report.

Eye Appointments (NHS Lothian)

3. Mike Pringle (Edinburgh South) (LD): To ask the Scottish Executive what progress is being made in reducing the waiting times in NHS Lothian for a first eye appointment after referral. (S2O-10983)

The Minister for Health and Community Care (Mr Andy Kerr): NHS Lothian is making excellent progress reducing waiting times for a first outpatient appointment in all acute specialties, including ophthalmology. The board is consistently meeting the national maximum waiting time target of six months and, in the past year, it has reduced the number of patients waiting more than 18 weeks by almost 65 per cent.

Mike Pringle: Does the minister agree that the five-month wait that was suffered by the 91-year-old mother of one of my constituents is simply not acceptable? This is an important quality-of-life issue for many older people. Will the minister ensure that the need to improve the system, especially at the eye pavilion in Edinburgh, is accorded more urgency?

Mr Kerr: I agree that eye treatment is life enhancing and allows people to live their lives in a much better way. That is why "Delivering for Health" includes a target that states that people should wait no longer than 18 weeks for the procedure that we are discussing. We are resourcing the health service to deliver that.

NHS Lothian's improvement and support team is working with local teams to deliver a better service. That will be done through the progress that they are making around the managed clinical care network in Lothian. I reassure the member and his constituent that we are working hard to reduce bottlenecks and improve the performance of the service. That is evidenced by the fact that 65 per cent of patients are waiting no more than 18 weeks. Nevertheless, more needs to be done and more will be done.

Electronic Health Records

4. Janis Hughes (Glasgow Rutherglen) (Lab): To ask the Scottish Executive what progress it is making in developing electronic health records for national health service patients in Scotland. (S2O-11018)

The Minister for Health and Community Care (Mr Andy Kerr): We are making significant progress towards the electronic health record that

is envisaged in "Delivering for Health". Some elements of the record are in place or are being created, such as the key medication and allergy information that is already stored in 4.4 million patient emergency care summary records and the digital X-ray images that are stored in the picture archiving and communications system that is starting to roll out in Glasgow. Preparation for the procurement of the additional systems we need is under way. We remain on target to meet the commitments that are set out in "Delivering for Health".

Janis Hughes: I am sure that the minister is aware of the necessity of effective information technology in ensuring patient safety and improving patient care, especially when care is provided at various sites. Can he assure me that the appropriate technology to ensure that will be in place when the new ambulatory care facilities open at the Victoria infirmary and Stobhill hospital?

Mr Kerr: This is not just about appropriate technology; it is also about the way in which we work in our health service. It is about, for instance, the community health index number, which is a unique patient identifier that is now being used in in excess of 95 per cent of cases in Scotland; the emergency care summaries to which I have referred, which cover 4.4 million patients; and the PAC system that I have described. We are building the elements of an integrated system in line with our targets.

In relation to the point about the new Stobhill and Victoria hospitals, we have committed to roll out the whole process up to 2010. I will ensure that, as we do so, those hospitals are included in the early stages of the process. That is appropriate in relation to the building of those very welcome new facilities.

Brian Adam (Aberdeen North) (SNP): Will the minister tell us what steps are being taken to protect patient confidentiality? What rights do individual patients have to refuse shared access to their medical records through the new electronic systems that are available?

Mr Kerr: The system that we are using meets all the security standards that have been established in the United Kingdom and elsewhere. A full audit trail of access that is made to the store is included in that. The Medical and Dental Defence Union of Scotland, the General Medical Council, the British Medical Association and GMC Scotland were all consulted on the programme, on accessing the records and on how that will be managed. An access protocol document was approved by all those parties. Therefore, I would argue that the protocols and security measures around the system are what they should be—leading edge.

We recently issued to all households information about their records and how they are stored. Under data protection legislation, patients have the right to choose whether information about their care is disclosed to other clinical staff.

We are ensuring that the national health service is empowered to use technology for the benefit of patients at primary and acute level. That is appropriate, as we have that information and it is used powerfully on behalf of patients. Nonetheless, patients who are concerned about such matters have been provided with adequate information and, if they wish not to allow access to their records, they can do so.

Derek Brownlee (South of Scotland) (Con):

The minister will be aware of the significant cost increases of some of the e-health aspects of the NHS in England and Wales. He previously gave me an assurance in a written answer that the costs in Scotland are on track. Can he tell me whether that remains the case and give an undertaking that, should the costs of electronic health records escalate beyond what has been projected, he will inform members as soon as possible?

Mr Kerr: I reassure the member that we remain on track both financially and in terms of our commitment to roll out the electronic health system that is an integral part of "Delivering for Health". We are learning from other parts of the country to ensure that any lessons that can be learned about cost escalation are taken on board in Scotland. Indeed, on our advisory board, which is part of our governance procedures, we have a key member of the team from down south, who was involved in the national IT system for the health service south of the border.

Alzheimer's Disease

5. Donald Gorrie (Central Scotland) (LD): To ask the Scottish Executive whether drugs for the treatment of Alzheimer's disease will be available to people in the early and mild stages of the disease. (S2O-10981)

The Deputy Minister for Health and Community Care (Lewis Macdonald): I understand that NHS Quality Improvement Scotland will recommend shortly that the majority of those drugs should be used only for the treatment of moderate Alzheimer's disease and that they will no longer be recommended for people in the early and mild stages of the disease.

Donald Gorrie: The minister will be aware that the professional bodies are strongly in favour of the drugs being provided for people in the earlier and mild stages of the disease. They argue for the quality of life of the people concerned and the long-term value for money to the national health

service of providing the drugs at an early stage. Will the minister reconsider and extend the use of the drugs further down the scale, as it were?

Lewis Macdonald: I am aware of the concerns that have been expressed in the areas to which Mr Gorrie refers. Clearly, the views of the professional bodies are among the things that the National Institute for Health and Clinical Excellence will have taken into account in coming to its view. Our approach has been to follow the scientific views and conclusions of NICE, subject to the views of NHS QIS, whose job is to see whether those conclusions are appropriate and applicable in Scotland. We will continue to take that approach. There are issues beyond the determination on the drugs that will need to be looked at, and I am happy to consider how those issues can best be addressed going forward.

Mr David Davidson (North East Scotland)

(Con): Will the minister clarify the reasoning behind the Executive's decision? Is it budget driven or do the minister and the Executive disagree with the policy that the expert prescriber should be the person who decides the best medication for an individual? On the back of Donald Gorrie's comments about the quality of life of the individual patient, will the minister consider the quality of life of the carers who are involved and the support that they receive?

Lewis Macdonald: The approach that ministers take is not to second guess the judgments of those with a professional responsibility in the area. We look to NICE, with its accumulated expertise, to consider the issues carefully. This is not about side-stepping the views of the expert prescriber; it is about providing a framework within which decisions are made, which is informed by the best available science. That is and will continue to be the approach that we take. I believe that it is the right approach.

The quality of life of the patients and the quality of life of the carers are both of significance. It is the job of NICE to establish where the benefit that is derived from any particular treatment is greatest and whether the benefit is sufficient to justify the treatment. For example, some of the drugs produce side-effects in many patients and produce benefits in only relatively few patients. These are difficult judgments, and they are judgments for the scientists rather than for ministers. It is for that reason that we follow the advice as we do.

Medication (Care Homes)

6. Irene Oldfather (Cunninghame South)

(Lab): To ask the Scottish Executive what importance it places on ensuring that medication is appropriately administered in care homes. (S2O-11035)

The Deputy Minister for Health and Community Care (Lewis Macdonald): All care homes are expected to meet the national care standards and the requirements that are set out in the Regulation of Care (Scotland) Act 2001 and its associated regulations, which include requirements with regard to medication. The care commission inspects care homes at least twice a year to ensure that they do. Should a care home fail to meet those standards, the commission has the power to make recommendations or to impose requirements to ensure that the standards are met.

Irene Oldfather: Is the minister aware that recent publicity surrounding the potentially harmful effects of pill crushing some medicines has left some patients and their relatives concerned about the safety of pill crushing? Can he give an assurance today that clear guidance on the safety and management of medication—both in nursing homes and in the community—will be made available to residents, patients and relatives? Will he also encourage pharmaceutical companies to develop other options, including patches, which would be of huge benefit, particularly to elderly people and those who have difficulty swallowing?

Lewis Macdonald: The existing standards are clear and I hope that all those who are involved will follow them. I take seriously the points that Irene Oldfather makes and I will be happy to draw them to the attention of the care commission, which has a responsibility both for enforcing standards and for ensuring the best possible standards of care in care homes.

Physiotherapists (Employment Opportunities)

7. Paul Martin (Glasgow Springburn) (Lab): To ask the Scottish Executive what action can be taken to improve employment opportunities for recently graduated physiotherapists, in light of concerns raised by the Chartered Society of Physiotherapy. (S2O-11023)

The Minister for Health and Community Care (Mr Andy Kerr): We are working in partnership with the Chartered Society of Physiotherapy, NHS Education for Scotland and a national solutions group to address the current and potential challenges that are faced by the allied health professionals workforce in NHS Scotland, with an initial focus on physiotherapists. That work will include exploring and developing potential educational solutions, including a development programme to enable newly qualified staff to work in primary care and community settings. The national solutions group will be charged with providing short, medium and long-term solutions. We are also engaging directly with higher education institutions to discuss the management of AHP undergraduate programmes.

Paul Martin: Will the minister join me in commending the Chartered Society of Physiotherapy for its highly informative and constructive lobbying of Parliament a few weeks ago? In view of the investment that has been made in those young professionals and the value of their skills to NHS services in the future, is there not a case for offering them the same employment opportunity assistance of one year's funding for an initial position that is already offered in the public sector to newly qualified nurses, social workers and teachers?

Mr Kerr: I share the member's view that the lobbying that was organised by the Chartered Society of Physiotherapy, which gave me the chance to meet many physiotherapists who have concerns about their future work prospects in our health service and beyond, was extremely effective.

Although we guarantee to offer one year's support to newly qualified nurses and midwives who have been unable to find employment through their own efforts, the vast majority of newly qualified nurses and midwives find employment through their own efforts. I am not ruling out adopting the member's suggestion in the future, but the Scottish Executive Health Department has no control over the number of students who undertake physiotherapy courses. Before I offered such a guarantee, I would seek to hold more discussions with further and higher education institutions about that issue, because it would not make sense to guarantee funding to anyone who came out of our universities and colleges with a physiotherapy qualification unless we had some control and influence over the number of trainees who are needed in the service. A balance needs to be struck. I do not rule out the member's proposal, but it requires careful consideration.

Shona Robison (Dundee East) (SNP): Does the minister agree that as the 187 physiotherapy graduates who are not employed in a physiotherapy post are looking to other countries for such posts, we need to get the problem fixed quickly, before Scotland loses that wealth of talent? Given that 28,000 patients in Scotland are on a waiting list to see a physiotherapist, will he agree to take firm action to ensure that we keep those Scottish graduates in Scotland?

Mr Kerr: I always want to keep Scottish graduates in Scotland to work in our health service and that is what the solutions group will seek to do. It is not the case that we have been inactive. In 2005-06, we provided one-off funding of more than £500,000 to three NHS boards to fund 20 basic grade physiotherapy posts. We have taken a number of measures that I could outline, but time will not allow me to.

We are targeting patients who are waiting. We have been extremely successful in dealing with waiting lists. The member failed to highlight that 94 per cent of patients who are waiting can be offered an appointment within 18 weeks, that 75 per cent can be offered an appointment within 10 weeks and that anyone who requires urgent treatment will receive NHS care in a short space of time.

I always want to retain the skills of Scottish graduates. I refer the member to my answer to Paul Martin, in which I mentioned that we have no control over how many students take physiotherapy courses or what training they undertake. I will seek to work with higher education institutions to ensure that we can and do keep our talent here in Scotland.

Euan Robson (Roxburgh and Berwickshire) (LD): Is there any evidence that reduced levels of promotion from junior to senior grades are creating a logjam that is reducing the number of opportunities for trainees in the junior grades?

Mr Kerr: There is anecdotal evidence on that. Part of the work of the solutions group will be to examine the skill mix in existing services so that we can maximise opportunities in the system for new graduates. In addition, we have asked NHS Education for Scotland to develop a whole-system approach to dealing with the relevant part of the allied health professional workforce. Our workforce planning work is allowing us to make effective projections of how many people we require in each skill sector of Scotland's health service.

I reassure the member that we know there is an imbalance in the system in relation to the availability of promoted posts. We are on to the problem and are trying to deal with it. Much more effective workforce planning in the future should ensure that we train the necessary number of graduates and that they are able to find appropriate roles in our health service so that they can provide much-needed services to our communities.

Margo MacDonald (Lothians) (Ind): Does the workforce planning work to which the minister has referred include a recommendation to health boards from the Scottish Executive on what level of coverage per capita would be sufficient?

I refer the minister to the fact that, in the Lothian region, there is only one specialist physiotherapist for people who suffer from Parkinson's disease. He will agree that, if one person in 500 in the population has Parkinson's disease, that is not sufficient coverage. How can we address that?

Mr Kerr: Margo MacDonald answers her own question: the workforce planning process will address those issues. It builds up a picture from the front line of the health service and balances it with projected demand of future need, which

allows us to recruit the appropriate workforce. I remind members that the workforce in the NHS has grown dramatically—by more than 14 per cent—in the past few years. We continue to grow that workforce appropriately to meet our commitments under “Delivering for Health”.

The Presiding Officer: Before we move to First Minister's question time, members will wish to join me in welcoming the hon Joyce Banda, the Minister of Foreign Affairs and International Co-operation, and the hon Anna Kachikho, the Minister of Education and Vocational Training, and a large delegation from Malawi. [*Applause.*]

First Minister's Question Time

12:00

Prime Minister (Meetings)

1. Nicola Sturgeon (Glasgow) (SNP): To ask the First Minister when he will next meet the Prime Minister and what issues they will discuss. (S2F-2526)

The First Minister (Mr Jack McConnell): I expect to see the Prime Minister at the service at the cenotaph on Sunday. We will be paying our respects to those who have given their lives in the service of our country. I do not expect any other issues to be discussed.

Nicola Sturgeon: Last week, the First Minister admitted breaking a key manifesto pledge on education. This week, will he tell us why he has also broken his promise to deliver a fairer council tax system?

The First Minister: Not at all.

Nicola Sturgeon: In that case, I have some news for the First Minister. I remind him that Labour's manifesto for the 2003 election promised to deliver

"a fairer council tax banding system".

We know that it was an important pledge because it was repeated on the same page of the manifesto, but all we have had since then is an expensive two-and-a-half-year review, which the First Minister said would produce "robust recommendations" but which he ended up rubbishing before it was even published. That means that hard-pressed council tax payers are left with the burden of a council tax system that is unchanged, unreformed and as deeply unfair as ever. Will the First Minister take the opportunity to apologise for yet another broken pledge?

The First Minister: Ms Sturgeon knows that, to implement manifesto pledges as a whole and in their complete meaning, one has to win a majority of seats in the election. It is far more appropriate to look at the difference between what people say today and what they said in 2003. Despite what Mr Swinney said earlier and what Ms Sturgeon just said, the Scottish National Party's 2003 manifesto said:

"we will hold an independent review of local government finance".

That is the independent review that they have been rubbishing. The important thing about the independent review that is published today is not that it forms a huge body of work that people should study and debate but that it makes clear that the SNP's plans for a local income tax that

would provide only half the amount of money that is currently provided to local authorities—there are other parties in the Parliament that are far more honest about their plans for a local income tax—would leave a £1 billion black hole in local authority services for which the SNP must answer. If we are going to have a debate about local government taxation, let us look not only at the Burt committee's recommendations on property tax, on which I have made my view clear this morning, but at what it says about local income tax and the gap that would be left by the SNP's plans. Let us ask Ms Sturgeon how she plans to fill that hole.

Nicola Sturgeon: Is that not a bit rich? Yesterday, the First Minister spent all day rubbishing the Burt review—he said that he would not give it the time of day—and now he turns up here quoting it at me. Does he have any idea how pathetic that makes him sound?

Let us get back to what the First Minister's policy is. Is it not the case that, as we have seen today, Labour's manifesto pledges—it is Labour that is in government—are not worth the paper that they are written on? What is the First Minister's policy now? We know that he does not like the SNP policy and we know that he does not like the Burt review. He says that he does not agree with Labour's own plans for a property revaluation that would be disastrous for Scotland. For two years, the First Minister has refused to say what his policy is, because he was having a review. Now that he has binned that review, can he tell us what his policy is on council tax?

The First Minister: Labour's policy on council tax is very clear. It was clear in our submission to the Burt review and it has been clear on every occasion on which I have commented on it in the chamber. Labour's policy is to reform the council tax to make it a far fairer system. The issue with any system of local government taxation is both to secure a fairer system and to finance local public services.

There are parties represented in the chamber that support a local income tax and are honest about that and spell it out in detail. In her speech at the SNP conference two weeks ago, Ms Sturgeon referred to

"putting a ceiling on the level of local income tax"—

running scared of her own policy. Then, through her spin doctors, she was briefing that the tax would be capped at 3 per cent. The Burt review makes it clear today that, for a local income tax to raise the same amount of money that is raised by the council tax, it would need to be at a level of 6.5 per cent. A 3 per cent cap would leave a gap of £1 billion in the funding of our schools, environmental services and the many other services that are

provided by local government. Ms Sturgeon must answer this question: where will that £1 billion come from? Will it come from cuts in local services, or will it come from cuts in the budget of the health service or of the other services that are provided nationally? She should answer the question honestly. She was brave enough to get her spin doctors out briefing on it. It is now time for the politicians to speak.

Nicola Sturgeon: Next May, when the current First Minister is standing here in my place and Alex Salmond is standing there in his place, he can ask as many questions as he wants. The First Minister's lectures about how much money can be raised by council tax might be a bit more credible if he paid council tax on his residence here in Edinburgh. The Prime Minister and the Chancellor of the Exchequer pay it on their residences; even two-Jags Prescott pays it on his residence. Is it not time for the First Minister to follow suit?

Next year, people will have a clear choice between Labour's unfair council tax and the SNP's fair system based on ability to pay. Is that not just one of the many reasons why more and more people in Scotland want Alex Salmond, not Jack McConnell, as First Minister?

The First Minister: The SNP's election policies are falling apart on every occasion on which they are scrutinised. Its plans to turn all private companies away from investing in our schools and hospitals would result in 97 school projects and all the hospital projects—in Larbert, Glasgow and elsewhere—being stopped, as Alex Salmond said this morning. The SNP's wild promises to end student debt were ill costed and untrue and are now being taken apart by those who are spelling out the truth about what the SNP really plans to do for students. Its plans for local income tax have been completely undermined by the same independent review that it called for in its manifesto in 2003.

I repeat that the independent review says that a local income tax will have to be set at a level of 6.5 per cent to raise the amount of money that is currently going into local services from the council tax. Ms Sturgeon was not brave enough to say it herself, but her spin doctors said that the SNP would cap the rate at 3 per cent, which would leave a £1 billion hole. The SNP has to say where the money would come from. It is not going to grow on trees. It has to be spelled out whether it would come from cuts or whether there would have to be extra taxation by other means. The SNP has to answer.

Cabinet (Meetings)

2. Miss Annabel Goldie (West of Scotland) (Con): To ask the First Minister what issues will be

discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-2527)

The First Minister (Mr Jack McConnell): The Cabinet will discuss issues of importance to Scotland.

Miss Goldie: Yesterday, three sadistic thugs were jailed for the murder of Kriss Donald. One of those men was Imran Shahid, who viciously attacked an innocent woman in September 2002 and was subsequently sentenced to two and a half years in prison. If he had served his full term, he would have been released in March 2005, but he did not and he was released in December 2003. In March 2004, with others, he murdered Kriss Donald. Does the First Minister agree that, because of automatic early release, Imran Shahid was free in March 2004?

The First Minister: Automatic early release is an unacceptable system. Everyone in the chamber knows who introduced it and everyone knows who is going to abolish it.

However, today is not a day to make political points about the abominable murder that took place in Glasgow. Instead, we should pay tribute to the conduct of Angela Donald, Kriss Donald's mother. [*Applause.*] Those of us who have sons cannot possibly imagine what she has gone through in hearing the vivid descriptions of what happened to her son. Her dignity and her conduct—relying on the process of law and order in Scotland to deal with the three people who were convicted and jailed yesterday—are examples to every one of us.

We must ensure that nothing that we do enflames community relations and that those who commit such violent and sadistic acts not only pay the penalty for it but are seen to be responsible for their acts. It is not the system, society or anybody else who is responsible but they themselves. Angela Donald has also been an example in telling the community that it should stand together and in encouraging people to come forward as witnesses. Those who were responsible were not responsible just for this one act. It is clear from the evidence that was given in court that they had a history and a track record of terrifying local people so they did not come forward and report them sooner.

Angela Donald has been an example to all of us. Today, we should not be involved in political point scoring over the court case but should instead stand with the community and move on.

Miss Goldie: My colleagues and I certainly pay tribute to Mrs Donald, but I have to say to the First Minister that the people of Scotland would be astonished if the issue of automatic early release were not raised with him in the Parliament today. The matter is a political issue because politicians

in the Parliament have responsibility for sentencing in our criminal courts. The First Minister is not exempt from that political responsibility.

In 1997, at Westminster, the Conservatives passed legislation to abolish automatic early release, but Labour did not put it into force. Time and again, my party has tried to end automatic early release, but time and again we have been blocked by every other party in the Parliament. Does the First Minister accept that the Custodial Sentences and Weapons (Scotland) Bill will mean that prisoners still get out of jail halfway through their sentences?

The First Minister: As I said earlier, everyone in the chamber knows who introduced automatic early release and everyone knows who will end it—the Executive. I hope that when the Custodial Sentences and Weapons (Scotland) Bill passes through the Parliament this winter, people in Scotland will have more confidence in our justice system than they have been able to have, because the policy of automatic early release was unacceptable.

It is inappropriate to debate today the merit of individual sections of the bill or amendments that might be lodged. That is my judgment. Annabel Goldie can disagree, but I think that it would be distasteful to have that debate today. Today, we have seen the forces of law and order, our courts and, more important, the people on the south side of Glasgow do the right thing and ensure that these sadistic killers are locked away. They have done so with the support of the whole community standing united against any crime, whether it is racially motivated or not.

Miss Goldie: It is imperative that politicians are prepared to talk in the chamber about the issues that concern the people of Scotland. I endorse what the First Minister says about the robust way in which the case was prosecuted and he is right to pay tribute both to the family of the victim and to the criminal justice system. I am merely pointing out that issues have been raised that go right to the heart of public confidence in our criminal justice system.

I ask the First Minister again about his proposed changes to sentencing, because they are not guaranteed to keep violent offenders in prison. My party's proposals would. Currently, an offender who has been sentenced to six years will spend four years in jail. Under the First Minister's proposed system, that offender might spend only three years in jail. Will the First Minister explain why that is an improvement and how on earth that will make Scotland a safer place?

The First Minister: I will continue to resist the temptation to enter a detailed political debate, but I

want to record that the Conservatives introduced a law that allowed people to be released from prison automatically and without any conditions applied to their release. That was unacceptable, and I am determined that the bill that is before Parliament will be passed to end that system.

I do not think that today is the day to debate amendments that might be lodged to the bill. I am clear that the position that we will introduce will ensure that someone who is sentenced and is dangerous to the community is not released automatically. There will be a specific provision that ensures that the risk to the community is part of the assessment carried out by the Parole Board for Scotland. That is exactly what should have been happening but has not been happening.

The main issue for the Parliament today is that we should be proud that a community in Scotland—unlike communities in many other parts of Europe, I have to say—stood together in such a situation, reported the crime and pursued those responsible through the local member of Parliament and the police. The courts convicted them and they have been jailed properly, each of them for more than 20 years. That is the right thing to have happened and it happened because the community stood firm and because one individual—Kriss Donald's mother—showed leadership. I pay tribute to her today.

Gordon Jackson (Glasgow Govan) (Lab): I thank the First Minister for his words of support for the family of Kriss Donald and for the community of Pollokshields. I agree that this is a time for community reflection on what has been a brutal crime. We should all follow the lead given by Kriss's mother, with her outstanding dignity and courage.

Being positive and thinking to the future, can I ask the First Minister what steps have been taken with Strathclyde police and community leaders to support the local community in dealing with the impact of this horrendous crime?

The First Minister: Many people will be assisting with the confidence building in the community that is required in these circumstances. This morning, the Minister for Justice spoke to Strathclyde police and we have been assured that the number of community relations officers in the community has been high in recent months. The police will give additional community relations support to the community in the period between now and Christmas to ensure that the strong relations in that community and the way in which the people live in peace and bind together are maintained despite the potential for the further inflaming of tensions. None of us would want to see tensions inflamed and I assure Gordon Jackson that we will do all that we can to support the community.

Dennis Canavan (Falkirk West) (Ind): Before his forthcoming visit to Ireland, will the First Minister read the reports about the potential for Scottish-Irish co-operation produced by the European and External Relations Committee and by the delegation of MSPs who visited Ireland last month led by the Presiding Officer? During his discussions with representatives of the Irish Government, will the First Minister pursue the possibility of trilateral co-operation between Scotland, the Republic of Ireland and Northern Ireland? In view of the fact that a budget of €200 million has already been allocated for a bilateral programme of cross-border co-operation between the Republic of Ireland and Northern Ireland, will the First Minister ask the United Kingdom Government to increase the budget now that Scotland is to be included in the programme?

The First Minister: Let me say first that I was happy to accept the invitation from Bertie Ahern to visit him in Dublin on Monday and I look forward to those discussions. I can also confirm for Dennis Canavan that I will not only reread the committee's report but raise many of the issues that it contains.

Discussions are under way on the sort of co-operation that could take place between any devolved Government in Northern Ireland, the Government of the Republic of Ireland and our devolved Government in Scotland. In the current climate, it would be wrong—as I am sure everyone can imagine—to divulge the nature of those discussions, because big decisions on whether to commit to devolution are still to be made by the parties in Northern Ireland. However, we all hope that the parties will make that commitment and, for when they do, the devolved Government in Scotland stands ready to help them to build devolution in Northern Ireland and to make it as successful as devolution in Scotland has been.

Climate Change (Stern Review)

3. Nora Radcliffe (Gordon) (LD): To ask the First Minister what analysis the Scottish Executive has made of the Stern review of the economics of climate change with regard to devolved policy. (S2F-2542)

The First Minister (Mr Jack McConnell): The Stern review confirms the seriousness of the threat that is posed to the global economy by climate change and provides a compelling case for global action to reduce greenhouse gas emissions. That supports the strong action that we are taking through Scotland's climate change strategy. We are analysing the Stern review to consider how it may further inform the strategy and, in particular, our work with businesses.

Nora Radcliffe: Does the First Minister agree that the Stern review basically tells us that we will need to go way beyond the carbon reduction

targets that were agreed at Kyoto? Will he confirm that Scotland will consider the Kyoto objectives not as a target but merely as a staging post in our efforts to reduce carbon emissions to mitigate and avert the threats of climate change?

The First Minister: I certainly think that it is obvious from the Stern review and all the other evidence that the world needs to go further than Kyoto. I believe that it is essential that every level of government makes a contribution to that. Our commitment is that Scotland will exceed the proportion of the carbon emissions targets that would automatically apply to Scotland under any population share. We will do that by vigorously implementing our strategy for combating climate change. All ministers are committed to the strategy and we will report to Parliament on it regularly.

Sarah Boyack (Edinburgh Central) (Lab): I refer members to my entry in the register of interests.

Does the First Minister agree that the Scottish Executive's policies on housing, planning and procurement offer us the chance to start now on Stern's agenda for energy efficiency, microgeneration and decentralised energy? Will he note the cross-party support that exists in the chamber for such action? Will he further agree that if the Executive were to follow the lead that the City of Edinburgh Council has taken, it would be good for Scotland's economy and taxpayers, it would help to tackle fuel poverty and to deliver a secure energy and heat strategy for Scotland and it would lead to significant reductions in our CO₂ emissions?

The First Minister: I fully support the important policies that we have introduced to tackle those issues and I praise the City of Edinburgh Council's commitment to ensuring that Edinburgh makes its contribution to that. I also welcome the increasing cross-party support, to which Sarah Boyack referred, for action in this area. Such support is long overdue, but it is good news. I hope that people will be consistent in their support for the measures that will be required, even when those measures are tough.

Prisons (Overcrowding)

4. Colin Fox (Lothians) (SSP): To ask the First Minister what steps the Scottish Executive is taking to reduce the prison population, in light of the identification of prison overcrowding by HM chief inspector of prisons in his recent report. (S2F-2543)

The First Minister (Mr Jack McConnell): The best way to reduce the prison population is to continue the reduction in crime and to tackle reoffending in order to reduce the number of criminals who need to be locked up.

Colin Fox: Nearly 7,000 people are now crowded into our jails—600 more than they are designed to hold—whereas, 20 years ago, we imprisoned scarcely half that number. We have one of the largest prison populations in Europe. With 48 per cent of prisoners serving sentences of three months or less, the Scottish Prison Service admits that, in that time, it can do nothing to address their offending behaviour. Will the First Minister accept that simply locking up more and more people for longer and longer and building more and more prisons is a failed strategy? Will he announce today a target for reducing the prison population and commit to resourcing those alternatives to custody that have a far better impact on turning round offending behaviour and which better protect communities throughout Scotland?

The First Minister: First, we must ensure that we lock up more effectively serious offenders who pose a risk to our society. We are abolishing automatic early release to ensure that our prisons serve that purpose more effectively. Secondly, we must ensure that the community sentences that people are given either as an addition to their prison sentence or as an alternative are stronger and more effective, so that fewer people reoffend. Our justice system is not driven by a target to reduce the number of people who are in prison and we will not just let people out in order to meet such a target. The system must be driven by the objective of reducing and tackling crime in Scotland. It is far more important that we have reduced crime, have improved the clear-up rate, are improving sentencing and are tackling antisocial behaviour.

I will make one further point. If Scottish Socialist Party members would pay their fines, at least three fewer people would have been in prison in Scotland over the past two years.

Social Work (Careers)

5. Scott Barrie (Dunfermline West) (Lab): To ask the First Minister what steps can be taken to encourage more people to consider social work as a career path. (S2F-2535)

The First Minister (Mr Jack McConnell): Implementation of “Changing Lives: Report of the 21st Century Social Work Review” will strengthen social work, create new career opportunities and make social work an even more attractive career option. The number of social workers who are employed by Scottish local authorities is up by 25 per cent since 2001 and vacancy rates are down by more than 25 per cent in the past three years. We will continue to promote social work as a career through national and local media and the fast-track graduate scheme.

Scott Barrie: Few in the chamber know better

than I how rewarding, fulfilling and worth while a career in social work can be. However, those qualities are often lost in the public view and media representation of social workers. Many people in Scotland have the skills and interests to be good social workers. Our local authorities are carrying vacancies in the areas of criminal justice, child protection and community care. How does the First Minister believe that we can get those crucial vacancies filled and, as important, ensure that those who are recruited to the vacancies are retained in the front-line jobs in which they are so needed?

The First Minister: I suspect that we need to do three things to achieve that. First, we must advertise and promote social work as a career. Secondly, we must ensure that graduates who are qualified in social work move quickly into the system and wish to stay there. Thirdly, as our review states, it is crucial that we redefine social work for the 21st century. For that reason, it is important that those who work in social work departments in Scotland—children’s services, services for older people and services for offenders and others—have the best possible management and leadership, are well resourced, have the opportunity to enhance their careers, have a clear understanding of the purpose of their job and are praised when they get that job done well. If we do that and have a system that backs it up, social work will be not only more attractive as a career option but more successful as a profession.

Dave Petrie (Highlands and Islands) (Con): Does the First Minister agree that in the Highlands and Islands, in particular, inadequate relocation packages and lack of affordable housing are major barriers to the recruitment and retention of social workers?

The First Minister: I am delighted that the Highlands and Islands are a far more attractive location today than they were perceived to be in the past. The number of people who are moving to and gaining employment in the Highlands and Islands and the number of businesses that are starting in the region are higher than they have ever been. That is a good thing for the Highlands and Islands and for Scotland as a whole, but it creates pressures on the public sector and on housing. We are addressing those pressures both through investment in housing and by providing the infrastructure—especially the water infrastructure—that is required to secure additional housing places.

Rural Development Plan

6. Mr John Swinney (North Tayside) (SNP): To ask the First Minister what steps the Scottish Executive is taking to address delays in the

implementation of the rural development plan for Scotland. (S2F-2528)

The First Minister (Mr Jack McConnell): I agree with John Swinney that the delay is frustrating. We will leave no stone unturned to minimise the impact of the delay in Brussels. Our officials have met the European Commission to consider the new programme and we will continue to work closely with the Commission to secure the best possible outcome for Scotland. We have already announced contingency arrangements for all our rural support schemes and we will continue payments for existing contracts in 2007.

There have been particular concerns about the timing of the less favoured area support scheme payments. Yesterday, Ross Finnie had a constructive meeting with NFU Scotland about this issue and secured support for a proposal that we submitted to the Commission for a payment of £40 million to be made in the spring.

Mr Swinney: I thank the First Minister for his answer and for the announcement of the £40 million transitional package. Will he explain to Parliament why that arrangement has had to be dragged kicking and screaming out of the Executive during the past few weeks? What assurance can he give Parliament that the Executive will be able to negotiate the deal with the European Union and that he will be able to safeguard the financial support for vulnerable hill farmers under the less favoured area support scheme in 2007 and beyond?

The First Minister: Mr Swinney's assertion is nonsense and, like so many of his comments, exaggerated. We have announced contingency arrangements for payments in 2007 and we have said that we will continue payments for all existing contracts. We are working closely with NFUS, with which we have a good and constructive relationship that allows us to move forward with these issues. That is how we should work in Scotland, rather than behaving in the way in which Mr Swinney does.

12:31

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Education and Young People, Tourism, Culture and Sport

Act of Union

1. David McLetchie (Edinburgh Pentlands) (Con): To ask the Scottish Executive what plans it has to celebrate the 300th anniversary of the act of union in 2007. (S2O-10979)

The Minister for Tourism, Culture and Sport (Patricia Ferguson): Already a range of events has been planned by national agencies and others to commemorate the union. The events include book launches and a debate by the National Library of Scotland; an exhibition of documents by the National Archives of Scotland; a display of artefacts by the National Museum of Scotland; and a display of relevant portraits and new video work by the Scottish National Portrait Gallery and the National Galleries of Scotland. In addition, the Royal Commission on the Ancient and Historical Monuments of Scotland will work with those bodies and with the Scottish Parliament to organise a schools competition about the impact of the union. Further announcements of other Executive plans will be made in due course.

David McLetchie: I thank the minister for her comprehensive answer and welcome the programme that she has announced. I suggest to her that it might be appropriate to ask the Royal Mint to strike a stamp in commemoration of the 300th anniversary of the act of union.

According to an answer that the First Minister gave my colleague Murdo Fraser, the programme of commemorative events was supposed to have been announced to the Parliament before the summer recess. That means that the announcement of the programme is some five months late. Better late than never, but can we be assured that a substantive programme that includes further events will be rolled out in the course of 2007 so that Scotland can demonstrate its continued pride in the union—a partnership that has been of immense benefit to all the countries of the United Kingdom?

Patricia Ferguson: The announcement of the programme may be a little late in light of previous announcements, but it is at least up to date. Unfortunately, Mr McLetchie is not quite as up to date, because my colleague the chancellor

announced on 15 June this year that, in his capacity as master of the mint, he would be striking a £2 coin in celebration of the union, so it is fair to say that work is going on in England that will complement what we do here. We expect that there will be collaboration and that artefacts will be displayed both here and in England. As part of that collaboration, the English—literally—and Scottish versions of a special artefact from that time will be exhibited together for the first time.

Alex Neil (Central Scotland) (SNP): Would the best way to celebrate the union not be just to end the union and to allow both England and Scotland their independence?

Patricia Ferguson: Well, if everything were as simple as Mr Neil makes out, life would be easier. However, I must point out to him that opinion polls come and go, but the Scottish people have consistently rejected his party and its policies and voted for parties that believe in the union and understand its benefits. I am sure that things will be no different this time next year.

Lord James Douglas-Hamilton (Lothians) (Con): Does the minister agree that appropriate commemorations can advance the interests of tourism, as the Trafalgar day celebrations showed, and will she bear that in mind?

Patricia Ferguson: Very much so. Lord James Douglas-Hamilton is correct about that. I am grateful to him for his consistent interest in such events. However, other events that are happening next year deserve our attention, not least the year of Highland culture.

Dennis Canavan (Falkirk West) (Ind): Will the Executive channel all available resources into celebrating St Andrew's day, instead of wasting taxpayers' money on celebrating an act of treachery by a parcel o' rogues in a nation?

Patricia Ferguson: It has already been made clear that we want to celebrate all facets of Scottish life on St Andrew's day. One of the things about Scotland that I and visitors to our country find so interesting is the diversity of our culture. I am sure that Mr Canavan's views can go into that large melting pot along with those of everyone else.

The Presiding Officer (Mr George Reid): Questions 2 and 3 are not lodged. In both cases, justifications have been given.

School Buildings

4. Susan Deacon (Edinburgh East and Musselburgh) (Lab): To ask the Scottish Executive how it is working with local authorities to develop high-quality, modern school buildings that meet the educational and physical activity needs of young people. (S2O-11012)

The Deputy Minister for Education and Young People (Robert Brown): The Scottish Executive will work in partnership with authorities as they take forward the biggest school replacement and refurbishment programme in Scotland's history, which will provide state-of-the-art buildings and facilities.

Susan Deacon: I am sure that the minister is aware that the City of Edinburgh Council recently consulted on options for the replacement of Portobello high school, which is the capital's biggest secondary school. Does he agree that it is imperative that decisions on the matter are reached and plans put in place at the earliest possible opportunity, to ensure that the bricks and mortar and green space are provided for youngsters in east Edinburgh in the future? Will he give me an assurance that the Scottish Executive will continue to work with the City of Edinburgh Council and do everything in its power to make progress with that vital project?

Robert Brown: I am aware of the strong representations that Susan Deacon has made on Portobello high school to the Minister for Education and Young People and others. The project is a big one for the city of Edinburgh and is part of the big programme of school replacement throughout Scotland that I mentioned. We realise the importance of making early decisions on the matter, but it is also important to make proper decisions that will serve the city well in the future. The matter is for the council to decide, and I understand that it will make a decision at a meeting in December. Against the background of our acknowledgement of the importance of the proposals, close liaison is taking place, as happens with many other projects, between Scottish Executive officials and the local authority. We are conscious of the delicate issues that arise in many such projects about land use and other matters. It is not appropriate for us to comment on those issues, but we are happy to continue to work with the local authority in Edinburgh and others throughout the country to ensure that the best possible proposals are produced.

Mr Stewart Maxwell (West of Scotland) (SNP): The minister will be aware that many new public finance initiative schools are designed using rules that allow for a central open space in the building that is surrounded by classrooms. The central space is often used as an assembly hall, a sports hall, a dining room, a theatre or drama space and as part of the corridor that connects the classrooms and other parts of the school. Does that meet the educational and physical activity needs of young people in those schools, given that any noise that is too great in the central space detracts from the educational activity in the classrooms and that any reduction in the noise of the sports and physical activity in the central

space detracts from that activity? Will he consider the rules on the design of schools so that we can, I hope, separate out some of those activities, rather than follow the cost-cutting approach of bringing all of them into a single space, which is detrimental to the children's physical and cultural activities?

Robert Brown: The public-private partnership system is primarily a procurement method for projects. The design issues and challenges on which the member touches arise with all procurement methods, whether PPP, the schools fund or traditional borrowing. The Scottish Executive has laid down guidance to local authorities on the matter, but the detailed decisions are for local authorities. If Mr Maxwell wants to raise particular issues, rather than have a general go at PPP schools, I will be more than happy for him to write to me with the details of his concerns and I will look into the issues that he raises.

Voluntary Sector Funding

5. Mr Andrew Welsh (Angus) (SNP): To ask the Scottish Executive what financial assistance it is giving to voluntary organisations that encourage positive lifestyles for young people through sport. (S2O-10995)

The Minister for Tourism, Culture and Sport (Patricia Ferguson): The Executive invests £12 million per year in the active schools programme, which provides a wide range of sporting and physical activities to children. More than 8.5 million participant sessions took place in the last school year. A key aim of active schools is to make effective links to community sports clubs by involving local volunteers in the delivery of activity sessions and by encouraging lifelong participation in sport through community clubs.

Mr Welsh: Is the minister aware of the Community Alcohol Free Environment—CAFE—project that is based in Arbroath, and its pioneering street football for all programme, which positively encourages teaching, fair rules, participation and decision making and which is inclusive towards all young people, irrespective of age, disability or other barriers? Is she also aware that the highly mobile pitch and trailer system that is used allows youth participation in other sports such as basketball and that requests have been made for demonstrations in places such as Peckham in London as well as elsewhere in Scotland? What practical financial or other support can she give the CAFE project to assist and encourage others to develop what is a proven, successful system?

Patricia Ferguson: Until about 10 minutes ago, I was not aware of that particular project. However, Mr Welsh has drawn it to my attention

and has helpfully given me a brochure, so I have been able to acquaint myself with it at least a little. I have to say that all the claims that Mr Welsh makes for the project appear to be borne out in the literature that he presented to me. I was very pleased to read it, and I am pleased to say that the ethos of the project seems to be exactly what we are encouraging.

I was delighted to see the list of people who have made the project possible—the list includes Angus Council, as I would expect. Local authorities have at least initial responsibility for providing local sports facilities. I am more than happy to draw the facilities operated by the CAFE project to the attention of sportscotland and other organisations with an interest in that area. I thank Mr Welsh for drawing the project to my attention.

Ms Rosemary Byrne (South of Scotland) (Sol): Does the minister agree that the way forward is to keep young people off the streets and provide activities that build confidence and self-esteem, to let them see that they can enjoy themselves other than through drug and alcohol misuse? Does she agree that the project that is funded by Gretna Football Club and run by the First Base agency in Dumfries, which provides football training for both over-16s and under-16s, is the kind of model project that should be funded by the Executive and rolled out across Scotland?

Patricia Ferguson: I agree with the premise that Rosemary Byrne puts forward. It is important that young people have opportunities that are an alternative to hanging about in the street and that they are able to learn about other facets of life in the area where they live. I had hoped to visit the particular project that Rosemary Byrne mentioned. However, due to the illness of the club chairman at the time, the visit was postponed. I look forward to meeting those involved in the project to discuss it in more detail once the chairman's recovery is complete.

Mr Jamie McGrigor (Highlands and Islands) (Con): The Executive's national strategy for sport, sport 21, set a target of sustaining 150,000 volunteers in sport by 2007. The strategy document put the 2003 figure at 150,000 to 160,000 volunteers but, in August, the sport 21 monitoring update revealed that the number of volunteers had dropped to 146,000. Will the minister make attracting more volunteers a priority for sport funding? Can she guarantee that voluntary organisations will retain their exemption from paying fees for disclosure?

Patricia Ferguson: We are working very hard to encourage more volunteers to come into sport. One way in which we think we can do that is by ensuring that there is a clear pathway for their efforts to be recognised by us all and for them to obtain a proper coaching certificate, which they

can be proud of holding. That programme is beginning to achieve real results, as is our young leadership programme. I am keen for the Executive to do whatever it can to encourage people to become involved in sport, as volunteers are the life-blood of sport.

Music Industry Summit

6. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive what progress has been made following the summit on the music industry on 4 October 2006. (S2O-11029)

The Minister for Tourism, Culture and Sport (Patricia Ferguson): The organisations and individuals who expressed an interest in exploring how the issues raised during the summit could be taken forward have been invited to a further meeting with the Scottish Executive later this month.

Pauline McNeill: I welcome the first ever summit on contemporary music, which brought together enterprise agencies, the Scottish Executive Education Department—which has responsibility for culture—and key players from the industry. Will the minister give me a commitment that she will work closely with the Minister for Enterprise and Lifelong Learning to ensure that we create a music strategy for Scotland, which is long overdue? Will she consider, in the course of forthcoming meetings, examining the value of the music industry to the economy and analysing the need to assist the industry in growing its talent and capabilities? Will she assure me that such meetings will not just serve as a talking shop, and that they will finally result in action being taken?

Patricia Ferguson: I am happy to acknowledge the work that Pauline McNeill and the cross-party group on the Scottish contemporary music industry have done to raise awareness of an important issue. I reassure her that our investment strategy and other support are committed to the music industry and the other creative industries in Scotland. As I have said several times in the chamber, I work closely with my colleagues Nicol Stephen and Allan Wilson to ensure that we have in place the proper support for the music industry in whatever form it manifests itself.

Rob Gibson (Highlands and Islands) (SNP): I was surprised to hear the concerns that participants in the music industry summit expressed when they were interviewed on “Newsnight Scotland” around the time of the summit. Much could probably be learned from the model that Highlands and Islands Enterprise has adopted through Highlands and Islands labels and Highlands and Islands Arts for the promotion of contemporary, traditional and rock music. Was that experience fed into the summit and the action

that will follow it to help Scottish Enterprise to catch up?

Patricia Ferguson: Yes. We often encounter the example of Highlands and Islands Enterprise in our discussions. It is fair to say that how we progress the work will be discussed with Highlands and Islands Enterprise, Scottish Enterprise and creative Scotland once it is established.

It is not fair to say that no support exists. The Scottish Arts Council supports music through several initiatives, many of which are connected with contemporary music, such as the south by south-west festival, showcase Scotland at Celtic connections and the world music expo 2006, which was held in Seville. All those events are opportunities to showcase Scottish talent and are supported by the Scottish Arts Council. We will continue that work, but we will of course redouble our efforts and learn from experiences around the country to ensure that we are doing the best that we can for an important industry.

Schools of Ambition

7. Cathie Craigie (Cumbernauld and Kilsyth) (Lab): To ask the Scottish Executive what plans it has to expand the schools of ambition programme. (S2O-11011)

The Deputy Minister for Education and Young People (Robert Brown): The Minister for Education and Young People will announce new schools for the programme in the near future.

Cathie Craigie: Is the minister aware of Kilsyth academy in my constituency, where pupils and staff are to be congratulated on their drive and enthusiasm in seeking to improve attainment and education standards? Does he accept that the school would put additional financial support to good use, particularly in the music department? Will he ensure that Kilsyth academy is part of the schools of ambition programme?

Robert Brown: I congratulate Cathie Craigie on her efforts. The work that one sees when visiting schools around Scotland is superb and is contributing more than somewhat to the enhanced education of our young people.

As Cathie Craigie is aware, the schools of ambition programme is designed to build on that work with innovative projects from which other schools can learn. As she says, Kilsyth academy is one of the candidate schools for the programme and I assure her that its claims will be fully considered along with those of all the other candidates.

David McLetchie (Edinburgh Pentlands) (Con): Of the 385 secondary schools in Scotland, only 27 receive funding from the schools of

ambition programme. Instead of having another school of ambition here or there, would it not be better for the Scottish Executive to give a direct funding allocation to every school, which would give head teachers the freedom and flexibility to improve and diversify our education system and meet the needs of their communities and pupils?

Robert Brown: Schools throughout Scotland are doing a good job of meeting the needs of their various and diverse communities. The schools of ambition programme is on top of the substantial and increased allocation to local authorities for education, which is designed to encourage innovative projects that will be of assistance throughout the school system.

As Mr McLetchie is aware, 28 bids have been approved, another 15 are coming down the line and six fall under the arrangement in Glasgow. About £100,000 a year goes to each school for projects and we expect considerable gain for the system as a whole as a result of the investment in those schools and the considerable thought that schools such as Kilsyth academy have put into producing innovative bids.

Biomass Heating (Schools)

8. Mr Mark Ruskell (Mid Scotland and Fife) (Green): To ask the Scottish Executive how many schools built or planned under public-private partnerships will have biomass heating installed. (S2O-11043)

The Deputy Minister for Education and Young People (Robert Brown): Local authorities, with our encouragement and support, are examining all aspects of sustainability in commissioning new school buildings through PPP and other procurement routes. Several authorities are considering biomass heating, although they have yet to decide on the final building specifications.

Mr Ruskell: I welcome some of the new schools that are being built in the Stirling area, but few of them are having biomass heating, combined heat and power technology or any other energy technology that is relevant to the challenges that we face in the 21st century installed. I understand that the minister is still considering options for funding biomass. What guarantees will there be that potential funding options will be available for councils to bid into in the current school building programme? There are signs that the programmes of councils such as Perth and Kinross may be suffering delays while they wait for the Executive to consider and decide on funding streams for biomass. What assurances about funding can the minister give?

Robert Brown: I can give members considerable assurances in that regard. With

respect to Perth and Kinross, the Deputy First Minister and Minister for Enterprise and Lifelong Learning has announced an award of £400,000 for a demonstration biomass project for six schools. I stress the word "demonstration" because we want to learn lessons about the implications and potential of biomass. In addition, £7.5 million will be made available for a scheme that will be launched in December to support biomass projects more generally. Schools projects will also be able to bid for that money.

The technology is developing, but we must ensure that arrangements are in place to obtain the best advantage from it. Substantial capital resources are going into schools to provide for their renovation. The programme is historic—a word that I used in answering an earlier question—and heating and energy systems come under it.

Finance and Public Services and Communities

Small Towns (Financial Support)

1. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the Scottish Executive what specific financial support is provided to Scotland's small towns. (S2O-10984)

The Minister for Finance and Public Service Reform (Mr Tom McCabe): Scotland's small towns benefit from financial support from various sources. That support ranges from core local government support funding to funding for housing and regeneration. In addition, I expect local authorities that contain small towns to engage with their local enterprise companies.

Jeremy Purvis: Is the minister aware of the excellent report on small towns that has been put together by Scottish Borders Council staff and supported by the Convention of Scottish Local Authorities? That report shows the significance of Scotland's small towns, which house 30 per cent of our population. Is he aware that there are distinct issues to do not only with the economies of and housing in small towns, but their social regeneration? In the past, the balance of policy has been more in favour of rural areas or cities. Will the minister consider a specific funding stream for a challenge fund for small towns? Is he prepared to meet me and Scottish Borders Council officers to progress some of the recommendations in that wide-ranging and outstanding report?

Mr McCabe: I would be happy to meet the member and representatives of Scottish Borders Council, but am not prepared to give commitments on specific funding streams at this point. Doing so would be unfair to the generality of bids that will be

submitted, particularly those relating to the next spending review.

Substantial investments have been made throughout Scotland—in affordable housing, for example. The amount of money that has gone to rural areas and small towns has consistently increased. Our regeneration fund covers and benefits urban, rural and small town areas. As I have said, a range of funds, including the quality-of-life fund, which local authorities are perfectly at liberty to consider how to allocate, is available. Our minds are open to any suggestions, of course, but we must always consider proposals against demands that already exist.

Mrs Mary Mulligan (Linlithgow) (Lab): The minister is aware of the business-led partnership to improve Bathgate town centre, not least because Bathgate is the only traditional Scottish town that is involved in the business improvement district process. Will he congratulate that partnership on producing 20,000 Bathgate town guides, which highlight shops and the services that are available, and say a little more about how, in partnership with West Lothian Council and the Scottish Executive, those businesses can continue to improve the town's environment and economy?

Mr McCabe: I am happy to acknowledge the work that is being done in that BID pilot. I met the people involved in all the pilots just a few weeks ago in the Parliament. I was happy to acknowledge the work that they have done and the potential that the pilots have for regenerating our small and large town centres. I recognise the work that is being done in the member's area. As we have said on previous occasions, we look forward to seeing how the project can make a positive contribution, involve the business community in a much more comprehensive way and establish those critical links between the public and private sectors that are so necessary if we are to regenerate our towns.

Mr Andrew Welsh (Angus) (SNP): Does the minister acknowledge the vital role played by local community halls run by voluntary organisations and individuals in small towns throughout Scotland? Surely he must be aware that the Labour-Lib Dem Government ended water charge exemptions for those charitable bodies and forced through massive increases in water charges that now threaten the viability and future of the community halls. Is the minister now a free-marketeer irrespective of social and community justice and if not, what is he going to do about those charges?

Mr McCabe: The free market credentials of this Executive have produced a Scottish economy that is in better fettle than it has been for generations. The Scottish economy benefits those very communities in a range of ways, including

reducing the number of unemployed people, increasing the number who are employed, improving the number of young people who go on to further and higher education and, in all those ways, improving the cohesion of local communities. Even though a community hall is important, there is much more to improving the quality of life in our communities. This Labour-Lib Dem Executive has done a great deal to ensure that quality of life is far better than it has been and far better than it ever would be if Andrew Welsh's bunch ever got into power.

Housing Stock Transfer

2. Bruce Crawford (Mid Scotland and Fife) (SNP): To ask the Scottish Executive whether it will review its policy in respect of housing stock transfer. (S2O-10978)

The Minister for Communities (Malcolm Chisholm): We have no plans to review the policy. Housing stock transfer remains a key option for councils to attract substantial new investment to improve housing in their area while keeping rents affordable.

Bruce Crawford: Does the minister recall that on 11 July he said of the Stirling housing ballot that a yes vote would see more than £70 million of new investment over the next nine years? Now that the tenants have given the thumbs down to the transfer, how much of that £70 million will be invested in Stirling? Will the minister confirm that the planned expenditure of £27 million for Cornton and Culterhove has been withdrawn? If that is true, what can Stirling Council do to release those valuable moneys into the communities? It will be a disgrace if that money is not released.

Malcolm Chisholm: As I said about the Edinburgh housing stock transfer, I will do everything that I can to support and help Stirling, just as I have Edinburgh. It is simply a fact of life that most people understand—apart from the SNP—that it is impossible to have the same level of investment through traditional routes as it is through community ownership. In the SNP's fantasy-world motion this morning, it suggested that the Treasury could somehow give an extra £2 billion to Scotland to write off debt. How could that possibly happen given the significant increases to our budget that we already receive each year?

The SNP has to get real. I will support councils as best I can, but it is absolutely impossible for this Administration, as it would be for the SNP should it ever be in Government, to make the same level of investment in Stirling or anywhere else without community ownership.

Dr Sylvia Jackson (Stirling) (Lab): Although we accept that the views of tenants on Stirling's recent stock transfer vote must be respected and it

is difficult to see how investment of the kind envisaged following a yes vote would be possible, will the minister promise nevertheless to continue dialogue with me and Stirling Council as it develops a new business plan on housing?

Malcolm Chisholm: Of course I will continue dialogue with Sylvia Jackson and Stirling Council, as I did with the City of Edinburgh Council following the no vote there. We will do as much as we can to support councils where there has been a no vote. However, tenants—and everyone in the chamber—have to face the simple fact that a yes vote will unlock far more investment and provide far more stability than a no vote.

Public Service Jobs (Relocation)

3. Mark Ballard (Lothians) (Green): To ask the Scottish Executive whether it supports the Public and Commercial Services Union in its call for a moratorium on the relocation of public service jobs. (S2O-11040)

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): The Public and Commercial Services Union and other trade unions play an important role in representing the interests of their members during location reviews of public bodies; indeed, that is reflected in the Scottish Executive relocation guide, which was published last year after consultation with the PCS and other unions. On the suggested moratorium, there is no benefit for staff or organisations in delaying necessary decisions about the location of new organisations or those facing a break in their existing accommodation. However, if the PCS or any other union has specific concerns, we are happy to discuss them.

Mark Ballard: I thank the minister for his answer, which I hope means that the minister will take the concerns of the PCS and other unions more seriously in future. However, he knows that the relocation policy has not been strategically reviewed since Donald Dewar introduced it in 1999. Given that Audit Scotland has said that the benefits of relocation are “unclear”, the convener of the Finance Committee has described the criteria for relocation as “bizarre”, and the previous leader of the City of Edinburgh Council called the policy “bad government”, does the minister at least agree that only an independent strategic review of the Executive’s policy can restore confidence in it and must therefore be in the interests of all concerned?

George Lyon: Mark Ballard should get out of Edinburgh a bit more and speak to communities in the areas to which those jobs have been relocated. If he did so, he might find a big welcome for the benefits that the policy has already brought.

As for Mr Ballard’s call for the policy to be reviewed, we made significant changes to it as a result of the Finance Committee’s work on the matter. Indeed, the changes that have been made since 2004 include the publication of location reports to increase transparency, a consistent and defined set of criteria for socioeconomic considerations, and central management through the relocation team in choosing locations strategically. I should also point out to Mark Ballard that, in comparison with the 1,653 jobs that have been transferred out of Edinburgh, 40,700 jobs were created in the Edinburgh economy between 1999 and 2004.

Local Government Finance Review

4. Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive when it now intends to publish the results of the review of local government finance. (S2O-10987)

The Minister for Finance and Public Service Reform (Mr Tom McCabe): The local government finance review committee published its report this morning, and I want to take this opportunity to convey my gratitude to Sir Peter Burt and his team for producing a detailed and comprehensive report and set of recommendations.

Local taxation is a complex subject and the committee has provided the Executive with a considered and objective look at the issues. I reiterate my thanks to the committee for all its hard work over the past two years. Its review is a substantial piece of work that merits careful consideration by all of us and I hope that this comprehensive report can be a catalyst for an informed and constructive debate on the future of local taxation in Scotland.

Mike Rumbles: Although the Burt report recognises the inequity of the council tax, its recommendation of a 1 per cent home tax would almost double the average council tax in my constituency from £1,100 to £2,000. Does the minister agree that that would be unacceptable and that any form of local tax must be related to an individual’s ability to pay it, not to the value of the home in which they happen to live?

Mr McCabe: Mr Rumbles should take a few more minutes to read the report; after all, it was published only this morning. It is not hard and fast about the 1 per cent home tax. The report is a substantial piece of work and everyone concerned needs to give it time for ample consideration. *[Interruption.]* I can understand that the SNP is unhappy. It tried to spin in advance of the report’s publication, but the report has blown a hole through its flagship policy. However, it needs to get used to that situation because, over the next four months, we will progressively blow various holes in its fantasy policies. This is simply one

example of what is going to happen. *[Laughter.]* I am afraid that the SNP will not be saved by its laughter and derision in the face of a considered piece of work.

Mr John Swinney (North Tayside) (SNP): Is Mr McCabe aware that a hole was blown in the council tax by the Burt review? In addition, can he reflect on the discrepancy between the statement that he has just made to Parliament—that the report requires careful consideration by all—and the First Minister's spokesman's statement that they would not give the report "the time of day"? Will Mr McCabe tell us whether the Government is actively considering the report or whether the First Minister has thrown out the report in a knee-jerk reaction because it does terminal damage to the arguments for the council tax?

Mr McCabe: I will reflect on two things. First, we were determined to ensure that the Burt report was properly considered and that it was not killed by inaccurate reporting in advance of its publication. That is exactly what happened yesterday, so we are determined to make space available to ensure that this comprehensive work is subject to proper debate between all concerned in Scotland. I will also reflect on the fact that, as I said a moment ago, the report has blown away the SNP's flagship policy, but it refuses to acknowledge that. The SNP is lucky that we did not ask Sir Peter Burt to consider its various spending commitments, including the £2 billion spending commitment that my colleague, Johann Lamont, ably highlighted this morning. If Sir Peter Burt had reviewed that, the SNP would be in a worse position this afternoon than it is already.

Des McNulty (Clydebank and Milngavie) (Lab): Will the minister confirm that the one absolute conclusion of the Burt report is the total demolition of any coherent argument for a local income tax—which would devastate the circumstances of people in my constituency—and that people in all constituencies, from the more affluent to the less, would pay consistently more under such a tax? Will he also acknowledge that the council tax needs to be reformed, that the present council tax arrangements require to be considerably overhauled and that we need a proper debate about that?

Mr McCabe: One of the things that the report says about local income tax is that it could be a disincentive to work. Everyone should reflect that anything that could be a disincentive to work should be seriously reconsidered in a country that is making so much economic progress and is determined to bring more people into economic activity and to bring those who have been excluded for too long into a position where they can make their own economic choices.

Mr David Davidson (North East Scotland) (Con): It is delightful to hear the minister slag off the Liberal Democrat flagship policy as well.

If the minister intends to stay with the council tax, what changes are we likely to see in the bandings and ratios that would be applied? Will he continue to guarantee that, regardless of which banding is set up, no one will pay more than another inflation-rate increase in council tax?

Mr McCabe: I said earlier that the report merits objective and timeous consideration by all concerned. It would be wrong for me to make commitments at this time, given that the report was published only this morning.

The council tax has come under pressure. The Labour Party is committed to reforming that tax. With that in mind, we will study the report in some detail and bring forward a considered response at the appropriate time.

Public Authorities (Best Value)

5. Des McNulty (Clydebank and Milngavie) (Lab): To ask the Scottish Executive what initiatives are being taken to improve cost-effectiveness and promote best value in public authorities. (S2O-11030)

The Minister for Finance and Public Service Reform (Mr Tom McCabe): The Scottish Executive has many initiatives under way in supporting local authorities and other public authorities to improve cost-effectiveness and promote best value. Our efficient government programme is all about working more efficiently to free up money and other resources that can be reinvested in sustaining and improving public services. We have already developed and published a considerable range of guidance on best value, and we continue to engage with our partners as we roll out the best value arrangements across the public sector.

Des McNulty: The minister has repeatedly underlined the importance of streamlining services and obtaining value for money for the public purse. Can he confirm that nothing is being ruled out, especially in terms of the rationalisation of the number of local authorities, health boards, executive agencies and non-departmental public bodies?

Mr McCabe: I can certainly confirm that we have entered into our public service reform dialogues with an open mind—unlike some people. *[Laughter.]* The guilty identify themselves, Presiding Officer.

It is worth pointing out that, as Mr Swinney tries to outbid other people on public service reform, Mr Salmond lectures him about centralist government. Before SNP members smile, try to

deride other people or raise an argument, they should try to settle their own differences.

Violence Against Women

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-5109, in the name of Malcolm Chisholm, on violence against women.

14:56

The Minister for Communities (Malcolm Chisholm): This is the 16th year of the United Nations campaign of activism to end violence against women, and I am proud that the Parliament is again discussing male violence against women. If this annual debate helps, even in small part, to reinforce the message that there is no excuse for men's violence towards women, however it manifests itself, it is right that we take that opportunity, and if our debate can demonstrate the support of the Parliament for the many women who have worked tirelessly over the years to keep male violence on the public agenda, and to support women and children who are affected, that is right too.

The theme of this year's UN campaign celebrates activists who have made the campaign a success and honours women human rights defenders who have suffered intimidation and violence. Earlier this year, I had the great privilege of meeting Thabitha Khumalo, from the Zimbabwe Congress of Trade Unions. She has spoken at a number of events, including the Scottish Trades Union Congress conference, to appeal for the "Dignity. Period!" campaign, which has the simple aim of ensuring provision of sanitary products for Zimbabwean women. She has carried on her fight for human rights in spite of the consequences. She has been arrested frequently and has suffered torture, kidnap, gang rape and beatings. Sadly, she provides just one example of a woman being treated in such a way because she is not afraid to stand up for women's rights.

In Scotland, we have had our own struggles to pursue gender equality, whether fighting for an end to sex discrimination, proper maternity and other employment rights or an end to the gender pay gap. Those struggles have been taken forward within political parties, by trade unions and elsewhere, but it is women who have put them on the agenda and kept them there. It was the work of women activists and volunteers that led to the establishment of the first women's aid groups and rape crisis centres. In 1976, when Scottish Women's Aid was founded, there was a lack of public awareness and understanding of domestic abuse and an undoubted failure by statutory agencies to respond appropriately.

Much of the work done by Scottish Women's Aid was around awareness raising and getting

domestic abuse on the political agenda. Over 30 years, the organisation's approach has been informed by the real experiences of the women who have been in contact with it. That has been vital in increasing understanding of what women need, whether that is information, refuge, rehousing, legal provision or other support. Women activists, often unpaid and survivors themselves, have developed hugely our understanding of domestic abuse; its relation to gender inequality, male abuse of power and control; the strength of women who survive such abuse; and our responsibility to protect.

Scottish Women's Aid listened to the many abused women who left for the sake of the children and to the families that stayed in its refuges in the early days. With that experience came a deeper understanding of how children, too, are affected by domestic abuse. It is a great tribute to Scottish Women's Aid activists that they now campaign for both women and children, emphasising the resilience and bravery of both and the fact that their protection and well-being are inextricably linked. I am pleased that we now fund Scottish Women's Aid to carry out its much-needed work and I congratulate it on its 30th anniversary.

It was also 30 years ago that the first rape crisis centre in Scotland opened in Glasgow. Today there is a network of centres across Scotland that work to provide much-needed support to those who experience rape and sexual assault and to raise awareness and challenge myths. Again, activists and volunteers have driven much of the agenda around sexual violence. All the local centres are now given a measure of funding stability through the Executive's rape crisis specific fund, and four years ago Rape Crisis Scotland was set up with Executive funding as the national office of the network to support the work of the affiliated centres and to help the rape crisis movement to develop. Later this month I will attend the 30th anniversary event at Glasgow rape crisis centre. I look forward to the opportunity to share in its celebration of a significant milestone.

I have a great deal of sympathy for Carolyn Leckie's amendment on rape, but it fails to mention some of the action that has been taken. For example, the Parliament passed the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002, which addressed some of the concerns about the impact on victims of rape when there was an unfair and irrelevant focus on their sexual background or character by the accused or the accused's legal representatives when they gave evidence in court. The impact of the act is currently being evaluated; the final report is due early in the new year.

Moreover, the Crown Office's review of the prosecution of rape is a thorough examination of the best prosecution practice in the area. It contains 50 recommendations, which are aimed at delivering an improved quality of investigation and prosecution and at ensuring that victims are treated with courtesy, respect and sensitivity.

Finally, we have asked the Scottish Law Commission to examine the law in this area and await its report, which will be the most comprehensive review ever undertaken in Scotland of the law related to rape and other sex offences.

There have also been civil law developments in relation to violence against women under legislation passed by this Parliament. For example, the Family Law (Scotland) Act 2006 created the domestic interdict—a remedy for cohabiting couples—and extends the available interdicts so that they can cover not only the home but the applicant's place of work and the school attended by any child in her care. Elsewhere in the 2006 act are provisions that explicitly require the court to consider abuse or the risk of abuse in family cases. For example, the section will apply when a father applies to the court for contact with his child.

The first act of the Scottish Parliament to begin life in a committee, the Protection from Abuse (Scotland) Act 2001, allows the court to attach a power of arrest to any interdict granted to protect someone from abuse. We should remember Maureen Macmillan's key role in that.

Not all the progress has been about legal change. We are also keen to support new and innovative ways of working. The domestic abuse court pilot and the assist service came about because of real partnership focused on delivering tangible improvements to the way in which cases of domestic abuse are handled. After two years of the pilot in Glasgow, more perpetrators of domestic abuse are being brought to justice and are being dealt with swiftly and effectively within six weeks. Importantly, the initiative fully supports both victims and witnesses who come into contact with the domestic abuse court. I was pleased to announce continued support and funding for the court and the associated assist service when I spoke at its second-birthday conference in October.

The sexual assault referral centre is another project based on a partnership approach that considers improved, joined-up service delivery. Archway Glasgow will provide a co-ordinated multi-agency response to rape and sexual assault, which will provide women, men and adolescents with sensitive and responsive forensic health and support services every day for 24 hours a day in one central location. We have committed £1.6

million over three years to pilot the centre and I look forward to its launch in April.

Activists, not only the many paid and unpaid children's support workers in Women's Aid, have raised awareness of the effect of domestic abuse on children and young people. Through the powerful listen louder campaign, young activists raised their own issues with the Scottish Executive and Parliament. We have moved as a nation from ignoring children to recognising that they are affected by domestic abuse and need support in their own right. Young people have shown that they can eloquently state their needs.

The £6 million that we have invested ensures that every women's aid group has a minimum of three full-time workers supporting children when they are in and once they have left refuge, and that outreach support is offered to many thousands of children and young people in the wider community. We know that supporting those children is everyone's responsibility, which is why Johann Lamont and the Deputy Minister for Education and Young People jointly launched the new national domestic abuse delivery group for children and the getting it right for every child domestic abuse pathfinder pilot, ensuring a multi-agency, cross-Executive approach to secure better outcomes for children.

We have exciting plans for children to participate in a delivery plan for their future, and we make a commitment here for young people to have a voice. There are real changes in the law, and practical changes on the ground.

I would like to touch on a number of other areas of work. In her amendment, Christine Grahame refers to refuges. Since 2000, we have invested £12 million, through the domestic abuse refuge accommodation programme, to build new refuges or to adapt, extend and upgrade existing ones. That has resulted in more than 600 new, adapted, refurbished or upgraded spaces since 2000. We have also established a sub-group of the national group to address violence against women to implement a domestic abuse accommodation and support provision action plan. The sub-group is chaired by Scottish Women's Aid and has representation from the Executive's violence against women, homelessness and supporting people teams, as well as from Communities Scotland and the Convention of Scottish Local Authorities. I look forward to its work progressing.

Christine Grahame (South of Scotland) (SNP): The minister mentions 600 updated spaces since 2000. I want to get my figures right. From the website of Scottish Women's Aid, I have a figure of 234 refuge places. That is the only figure I could get. How many refuge places are there currently in Scotland?

Malcolm Chisholm: I am giving the figure of 600 for new, adapted, refurbished or upgraded spaces since 2000. I do not know what the figure of 234 refers to.

We are pleased to continue our commitment to funding local projects that are working across the three Ps of prevention, protection and provision. The new violence against women fund of £3 million a year is supporting 87 projects over this year and next. We are also continuing to work with the advice of the national group to address violence against women and we are currently consulting local multi-agency partnerships and training consortia on a draft violence against women framework that provides a common language, understanding and context for progressing this agenda at national and local level. I will be interested to know the outcome of the consultation exercise and will use it to build a solid foundation for progressing our work in this area.

It is clear to me that to bring about real change we will need to consider how to challenge attitudes and demand so that it becomes unacceptable to abuse women and to view them as sexual commodities. Education will be a key part of that; children and young people are our chance to eradicate violence against women in future.

We acknowledge the work of Scottish Women's Aid, the Zero Tolerance Trust, multi-agency partnerships and others, all of which are finding exciting ways of working in schools and youth groups to change attitudes to domestic abuse, sexual bullying and violence against women more generally. We are reviewing a range of positive local and national developments and materials to widen the reach of that vital prevention work and to promote good practice across Scotland.

Men must take responsibility for ending violence against women. In March, we supported a successful conference, held by Amnesty International and the Men's Health Forum Scotland, aimed at involving men in tackling violence against women. Those organisations are now working to build support for the white ribbon campaign. Wearing a white ribbon is a symbol of men's opposition to men's violence against women. It signifies a commitment never to commit, condone or remain silent about such violence. I for one will be proud to wear one during the 16 days.

I move,

That the Parliament is pleased to reaffirm its commitment to the cause of ending violence against women; supports the 16th year of the United Nations' 16 Days of Activism Against Gender Violence campaign and its focus this year on activists; pays tribute to the many paid and unpaid women across Scotland, for example at the Scottish Domestic Abuse Helpline, local women's aid groups, rape crisis centres and other voluntary sector projects, who have given their time, energy and commitment over the years to raising the profile of domestic abuse, rape and sexual

assault and other forms of male violence against women, as well as offering support to those who experience it; congratulates both Scottish Women's Aid and Glasgow Rape Crisis Centre on reaching their 30th anniversaries; welcomes the progress made over the last 30 years including recent developments which recognise the impacts that domestic abuse has on children, and supports the Scottish Executive in its efforts to tackle violence against women in all its forms.

15:09

Christine Grahame (South of Scotland) (SNP): I note the terms of the Government's motion and I note the minister's words. We on this side of the chamber will be supporting the motion. The minister did not refer to the Scottish National Party's amendment, but perhaps I can persuade him of its merits during the course of the debate. The debate should be largely non-party political and consensual, but issues will arise to do with funding and figures.

I, too, have a great deal of sympathy with the Scottish Socialist Party's amendment. I support some of the issues that it raises—especially the part about low conviction rates. However, I will wait to hear views on effective changes in the criminal justice system.

My feeling is that the issue is now more about funding and resources—other types of resources—than the processes themselves. The criminal justice system—whether the work of the police or of the prosecution service—has come a long way in our time in the Parliament. I note what the minister said about a further review of the law. That issue also needs to be addressed.

At the outset, I make it plain that when I speak of violence, I mean not only physical violence but violence that is psychological, emotional, threatening and controlling. Despite efforts by members across the Parliament, through ministerial offices and committees, to address the blight of violence against women—both expressed and silent—it remains part of far too many lives. As the minister said, violence against women also extends to the children in a family.

Many but not all incidents of violence against women are domestic abuse cases. I will put a few figures into the debate. The most recent figures, in "Domestic Abuse Recorded by the Police in Scotland, 2005–06", show a substantial increase from 43,631 incidents in 2004–05 to 45,795 in 2005–06. I accept that that may be due to the fact that women now feel that they can report cases—87 per cent of cases were reported by women, not men—but we cannot make that presumption. The figures do not enable us to determine how many cases involved violence against women and into what categories the incidents fell.

I have some points for the minister. First, given the figures, what detailed analysis does the Government undertake to inform policy, funding, education and—if necessary, although it should not always be the first resort—legislation? Secondly, I note that the figures are qualified by the phrase:

"For those incidents where information was available".

The information gap should be plugged.

Without relying on a deluge of statistics, I want to explore further the figure of 43,631 cases in 2004–05. Within that total, 8,691 sheriff court referrals for summary trial and 104 High Court referrals were made. Taken together, that leaves some 34,836 reported cases—or 80 per cent of all cases—off the prosecution radar. Again, bare statistics do not give the full answer, but the gap is so wide that it requires to be addressed. Even if we allow for the burden of proof in criminal prosecutions, the percentage of cases that did not come to court is unacceptable. I ask the minister to tell the chamber what research or evidence the Government has on that dramatic fall-off. We must not continue to debate statistics year after year.

Two other chilling statistics emerge from the document, which the Executive published this year. First, 55 per cent of cases in 2004–05 involved repeat victims. How can that still happen? Secondly, domestic abuse was a factor in one in four suicide attempts that were made by women. Those are serious issues and they must be addressed. We know that the violence is most likely to be inflicted by a partner or cohabitee. We also know that a substantial percentage of abuse occurs not only around but after separation. A certain kind of determined partner can make the situation post separation much worse.

What can be done to assist victims and reduce the incidence of such violence, in so far as the Government can do so, given that societal change is also required? Let us look at Scottish Women's Aid. When I intervened on the minister to check the only figures that I was able to obtain, he could not give me an answer. The only figure that I found was for 2004–05 and showed that there were only 234 refuge places throughout Scotland. From the figures that I have given, we can see that that is a drop in the ocean of what is required. Figures for the same period show that 5,368 requests were made for a refuge place and yet it seems that only 234 places were available. We may never know what on earth the women and children who did not get into a refuge did.

I will take a few figures at random from a table on refuge places: Angus, with one refuge, had 112 requests; East Lothian, with one refuge, had 91 requests; Glasgow, with four refuges for its half a

million people, had 828 requests. The figures show that funding is an issue.

Funding for Scottish Women's Aid comes from central Government, local authorities, charities, legacies, donations and housing benefit, among other sources. Since 2003, a key source has been the supporting people fund. However, the budget lines show that the fund has been reduced from £408 million in 2003-04 to £399 million in 2006-07. I hope that the minister can tell me—not necessarily during the debate, but perhaps in writing—whether the drop in the fund is related to a reduction in need for the services that Scottish Women's Aid provides, or whether the provision of services is at a standstill.

Education is an issue in relation to the reporting and prevention of rape. Some advertising campaigns superficially appeared to be successful, such as the one that showed a cowed woman who looked as though she had been bullied and was anticipating physical violence. However, the budget for advertising campaigns on domestic violence was reduced from £482,000 in 2002-03 to £296,000 in 2005-06. Was that reduction in funding the result of a campaign's success or was it to do with budget cuts or research findings? We need an answer to that question.

It seems that the most recent research on the Protection from Abuse (Scotland) Act 2001 was published in 2003. The researchers asked 32 victims whether they had heard of the 2001 act and 87 per cent had never heard of it. The 18 professionals, such as sheriffs, procurators fiscal, solicitors and police officers, who were asked about the 2001 act had heard of it, but some of them were unclear about the detail. The 2001 act was a crowning glory for the Justice 1 Committee, which had introduced the Protection from Abuse (Scotland) Bill, but is the legislation operating? The minister should revisit the 2001 act and ascertain what it has achieved.

I move amendment S2M-5109.2, to insert at end:

"notes that in 2004-05 there were only 234 refuge places in Scotland and calls on the Executive to provide increased funding to support additional places which will also take into account rurality and remoteness, and further calls on the Executive to review the operation of the Protection from Abuse (Scotland) Act 2001."

15:16

Carolyn Leckie (Central Scotland) (SSP): I welcome the debate and I will support the Executive motion—that is a rare occurrence. I congratulate the Minister for Communities and the Deputy Minister for Communities on the wording of the motion. Too often, we talk about violence against women as if it happens in the absence of

anyone else and we do not mention the men. It is hugely important that the motion refers to "male violence against women", because if we are to challenge attitudes we must describe the problem as it is: men are the perpetrators of violence against women. I understand the significance of the Executive's welcome shift in language and I think that women's organisations throughout the country will appreciate that, too. The amendment in my name is intended to complement the motion and I hope that members receive it in that way.

According to the United Nations, women face increasing violence in Iraq, Afghanistan and Somalia, especially when they speak out to defend women's rights. In Liberia, 40 per cent of women and girls who were surveyed said that they had been victims of sexual violence. However, we need not travel far from the Parliament to find women who have been subjected to sexual violence and denied justice. Last year there were 900 reports of rape in Scotland but just 39 convictions—a conviction rate of 4.3 per cent. The number of reported attacks has doubled in the past 10 years, but the conviction rate has dropped, as Cathy Jamieson acknowledged on 6 March. In some areas the conviction rate is even lower. For example, none of the 20 reported rapes in Dumfries and Galloway in 2004-05 resulted in a conviction.

The Criminal Procedure (Scotland) Act 1995 and the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002 were intended to give greater protection to women who reported rape and to improve their chances of bringing a successful prosecution. When the Lord Advocate was Solicitor General for Scotland, she announced the findings of a review of the system, which made 50 recommendations. I hope that during the debate she can give us information about progress in that regard. Research that the Scottish Executive commissioned indicated that in the three years after it was passed, the 1995 act failed to protect women who reported rape.

I welcome Elish Angiolini's commitment to reforming the system, but much more needs to be done. I have tried to flag that up in my amendment. Christine Grahame talked about the need for change. We cannot say often enough that there will have been effective change only when conviction rates start to increase. I cannot claim to be able to be more specific about what is needed, but changes need to be made, so that we can bring to justice the men who perpetrate violence against women.

It is bad enough that women are made to relive their ordeal when they come forward and that their chances of succeeding are around one in 25; what is worse is that the courts are still failing to protect innocent victims of male sexual violence from

humiliation and degradation in the witness box. The Executive's own research shows that defence lawyers made verbal applications to introduce evidence of the complainer's sexual history in 23 per cent of rape cases and that 95 per cent of those applications were made spontaneously, which means that they were sprung on the complainer while she was giving evidence.

What is worse is that researchers found that sexual history evidence of the type prohibited by the Criminal Procedure (Scotland) Act 1995 was introduced without application in half the rape cases heard in the High Court that the research investigated. The researchers said that the nature of the questioning and the inspection of the complainer's private life, including their medical and gynaecological histories, can be potentially humiliating and intimidating. Small wonder that the researchers also found that 62 per cent of complainers in the High Court were audibly distressed and were crying or sobbing while giving evidence. That is torture; it is cruel and inhumane treatment of women that would not be tolerated if the victims were men.

Where are the other crimes the victims of which are treated as criminals? Where are the muggers' victims who are treated as liars? Are they subjected to questioning by defence lawyers about whether they were asking for it by wearing expensive designer clothing?

On the basis of the Executive's research it is fair to conclude that about three out of four women who are brave enough to give evidence against rapists are being subjected to humiliating questions about their sex life with no protection from the courts.

Research from the United States suggests that introducing sexual history evidence lowers the chance of securing a conviction. That means that an awful lot of women's chances of securing a conviction have been compromised by the introduction of such evidence. As a result, thousands of rapists are wandering about free. As well as there being hundreds of rapists who escape justice because no prosecution is ever brought, despite a complaint being made, thousands of women never make a complaint because they know that, at best, all they face is humiliation in court with a tiny chance of conviction. Men know that they can do the crime and need never worry about doing the time.

We need to consider setting up specialist sexual violence courts of a type similar to Glasgow's domestic violence court, which I think has been effective—the signs are that it is certainly helping to address male violence. We need courts that are presided over by judges who will provide protection to women complainers; where prosecutors are determined to secure justice for

rape victims; and where defence lawyers are prevented from humiliating victims. Until we have such courts, we will continue to let down women who are subjected to vile crimes against their person while letting rapists continue to believe that they can get off.

I ask members to support my amendment, which recognises that we still need effective change. I hope that there is consensus on that throughout the chamber.

I move amendment S2M-5109.1, to insert at end:

"and, in so doing, expresses continuing concern at the despairingly low conviction rates for rape and sexual offences and the continuing humiliation that the majority of women complainants face through the courts allowing examination of victims' sexual history and character, and believes that the efforts of the Executive to address male violence against women must be supported by effective change in the criminal justice system."

15:22

Dave Petrie (Highlands and Islands) (Con):

We will be supporting the motion. The fact that many women in Scotland are still facing the horror of domestic abuse is an incredible statistic with Dickensian parallels. Throughout my investigations into this matter, I was appalled by some of the facts and figures that I came across, such as the fact that one in every five women experiences domestic abuse at some point in her life, which is a horrifying statistic. Domestic abuse is an horrendous crime and when it is reported it needs to be tackled with all the severity of the law.

Although the number of reported instances of domestic abuse has continued to rise, Executive policy has tended to focus on the judicial penalties to be applied after an act has taken place. I remember the Labour Party promising not so long ago to be tough on crime and the causes of crime, but that seems to have been abandoned in a range of areas.

It is undeniable that we have an increasingly violent society. Violent crime is on the increase, as are violent images on television, in films and in computer games. A more violent society will lead to a rise in violent domestic abuse. Such a crime does not develop independently of society.

There is, regrettably, also a child protection aspect to this issue that needs to be taken into consideration, because 40 to 60 per cent of domestic abuse cases also involve a child.

I was pleased to see our party take the unprecedented step in 2002 of producing a domestic violence poster. Such steps go a long way towards dealing with the issue. Publicity is an invaluable tool, as it enables many to identify circumstances in which the victim is too scared to

speak out. I am pleased that there have been similar initiatives by other organisations and government bodies. I hope that those in the teaching, medical and policing professions will also have the relevant training and awareness to identify an individual who is in need of help. How much better would it be, though, if that awareness extended to working environments such as the office, the shop and the factory?

Additionally, the publicising and promotion of existing legal protection are important. A report in 2003 on the awareness of the Protection from Abuse (Scotland) Act 2001 revealed disappointing findings. Some 87 per cent of previous victims and a number of professionals had either no understanding or a limited understanding of the act and the protection that it offers.

Another aspect of improving the reporting of incidents is faith in the justice system. Unfortunately, that has been decreasing in recent years, mostly as a consequence of the widespread early release schemes. At stage 2 of the Criminal Justice (Scotland) Bill, Bill Aitken's attempt to introduce measures to reduce remission to one sixth of a sentence for short-term and long-term prisoners, rather than the current half or two thirds, was voted down by Labour, the SNP and the Liberal Democrats. This matter is all about trust. If we are to encourage highly vulnerable women—and we must remember that, on average, two women a week are killed by their partners or former partners—to report matters to the police and stick with the system, they have to feel that the system is on their side and will stay with them throughout the process. There are two things that urgently need to be done in that regard. The first is that we must end automatic early releases and the second is that we must establish a three-strikes-and-you're-out policy.

Finally, it is important that we consider why such cases are occurring. What is wrong with our society that means that many men are unable to cope and think that it is acceptable to take that out on their partners? Why have we become so violent? What are we going to do about it? Time is not on our side.

15:28

Nora Radcliffe (Gordon) (LD): In 1999, the United Nations adopted November 25 as the international day for the elimination of violence against women. That violence includes domestic violence, forced marriage, crimes in the name of honour, rape and sexual assault, murder, trafficking and sexual exploitation, female genital mutilation, sexual harassment and stalking. The designated day and the 16 days of activism against gender violence campaign that runs on from it are intended to help individuals and groups

around the world to work for the elimination of all forms of violence against women. This year, the focus is on activists—those individuals, groups and organisations that have campaigned not just for 16 days once a year but over many years. I want to take up that focus and look back over those years.

All violence is to be deplored, but the statistics justify giving special consideration to violence against women. It is not surprising that it is a feminist analysis of violence against women as a reflection of the power imbalance in society that has largely driven the agenda.

Campaigning by feminists in the past 30 years and more has helped to change dramatically societal attitudes towards rape and sexual abuse, raising public awareness about how widespread sexual violence is and contributing to policy changes and improvements to the way in which the health service and the criminal justice system respond to violently abused women.

Thirty years ago, women who were trying to leave an abusive partner had few options and it was virtually impossible for them to get help from statutory bodies. Women who reported incidents and tried to get help were dismissed as time wasters and the incidents were dismissed as trivial. The attitude was that the woman should go home and make up with her husband and that violence in the home was something that did not happen in that area.

In 1973, activists from the women's liberation movement in Scotland visited a safe house in Chiswick for those who were then termed "battered women". Following that, Women's Aid was established and the first refuges opened in Edinburgh and Glasgow. The refuge movement was determined not to replicate the dismissive attitudes that were prevalent and recognised that any woman can be at risk of domestic abuse, regardless of class, race, religious or ethnic group, sexuality, disability or lifestyle.

Rape is one of the most extreme forms of violence against women. Rape crisis centres opened in Glasgow in 1976 and in Edinburgh in 1978 at a time when, all too often, the official approach was characterised by attacking, blaming and disbelieving the women who complained of rape. The work of rape crisis centres, therefore, regularly involved challenging deeply sexist myths and beliefs about rape and rapists, including arguing that rape within marriage must be treated as a crime. Rape crisis centre workers—all of whom were unpaid in those early days—wrote letters, gave talks, lobbied MPs and spoke to groups of lawyers, police, doctors and others whose attitudes affected the ways in which women who had been assaulted were treated. A range of groups and organisations, including Rape Crisis

Scotland, Women's Aid and abortion campaigners, worked together in demanding a complete change in attitudes to women.

In 1992 came the first crime prevention campaign in Britain to tackle the issue of male violence against women and children—the zero tolerance campaign. Launched by the City of Edinburgh District Council's women's committee, it centred round the three Ps: prevention, protection and provision. Zero tolerance makes the links between different forms of violence against women, recognising that the causes of violence against women are based on wider inequalities and power relations in society. It aims to prevent male violence before it happens and it stresses the importance of long-term public awareness raising in any strategy to prevent male violence against women and children. The respect initiative, which targets young people, is also aimed at changing attitudes to prevent violence before it happens.

In 30 years, a veritable army of women has worked to tackle violence against women and has supported women in escaping from and surviving violence that has been perpetrated against them by the men in their lives. Any long-term solution requires fundamental changes in the societal attitudes that ignore, excuse and even justify male violence against women. It is non-perpetrating men who are most able to move attitudes forward, yet those are the men who readily state that violence against women has nothing to do with them and do not choose to get involved.

In 2004, Amnesty International launched a global campaign that explicitly set out to involve the vast majority of men, who are not perpetrators of abuse, in seeking long-term solutions to address violence against women. More recently, Amnesty International co-hosted with Men's Health Forum Scotland the conference that Malcolm Chisholm mentioned. Part of the stop violence against women campaign, it was entitled "Involving Men" and focused specifically on the role of men and boys in addressing violence against women. It was a starting point to identify, create and promote strategies to enable non-perpetrating men to speak out against violence against women and become involved in bringing about cultural change. That is an exciting and necessary development in the history of initiatives to eradicate the root cause of violence against women.

Violence against women is not a women's issue. It is a community problem that must be tackled by men and women working together to find solutions. We have come a long way in 30 years and it is fitting that we recognise and thank all those who have contributed to the progress that has been made. I commend and wish well all

those who will build on that progress and take us forward.

15:34

Cathy Peattie (Falkirk East) (Lab): I welcome the motion, which comes in the run-up to the 16 days of activism against gender violence. The 16 days run from 25 November, which is the international day for the elimination of violence against women, to 10 December, which is international human rights day, taking in 6 December, which marks the anniversary of the Montreal massacre of 1989, in which a man shot and killed 14 women engineering students for being feminists. That event brought people together internationally to combat violence against women.

Of course, the problem was not new. Campaigners in Scotland set up organisations such as Women's Aid and Rape Crisis Scotland in the 1970s. The fact that, 30 years on, we are still struggling to end abuse and violence against women is not a cause for celebration, but it is right that today we mark the work that has been done. I applaud the stamina and commitment of the women who have campaigned for and supported victims of abuse over the past three decades.

Progress has been made, in some areas more than in others. A big plus has been the participation in the policy process with the Scottish Executive of people who are involved on the front line to frame the national strategy to address domestic abuse in Scotland. It is vital that folk who have front-line experience are actively involved in changing policy and improving the situation in Scotland. We should celebrate that.

The entrenched nature of the problem has been highlighted. Changing attitudes was never going to be easy, but attitudes have changed. We now recognise problems that were hidden or barely visible in the past. People now rarely speak about "battered women", as if what has happened to them is their fault.

Although many people still think that violence is the most disturbing aspect of abuse, many women say that they have been scarred more deeply by the emotional abuse and controlling behaviour of their former partners. Emotional abuse can accompany many other forms of abuse, or it may occur in isolation. It can take the form of insults, constant criticism, threats, degradation, humiliation or convincing a woman that she has a mental illness—the man might say, "Och, she's no right in the heid, it's all her fault." Money might be withheld, making it impossible for the woman to budget, for which she is punished. The woman can be isolated from her friends and family, or the man might fall out with her family, embarrass her

in front of her friends, prevent her from socialising or imprison her. Those women who experience emotional abuse can find it extremely difficult to cope with daily life. Even though it destroys their self-esteem and self-worth, many women find such abuse difficult to report and to get help with.

Sexual abuse is common, although women are often reluctant to report or discuss it. Indeed, as a society, we are highly reluctant to discuss sexual abuse. It includes a wide range of sexual acts into which women are forced or coerced. It can involve the use of pornographic material or the woman being photographed or filmed, or subjected to anal sex, rape or sexual assault with an object. Having contraception withheld, being forced to have an abortion or to engage in prostitution or being subject to female genital mutilation are other forms of such abuse.

Although the severity of the abuse varies, there are common characteristics. The incidents are seldom isolated—they tend to be repeated over time and often extend to children who live in the same home. They often increase in severity and frequency and are particularly common during pregnancy or following the birth of a child.

In my area, there are several organisations that have an excellent track record of working with women and children, as well as male victims of abuse, over many years. They include Women's Aid, Open Secret and Central Scotland Rape Crisis. Falkirk is also the base for Sacro and the change programme, which work with perpetrators.

I welcome the minister's comment on the assist pilot in Glasgow, which brings together all the agencies that are involved in supporting victims through the domestic abuse court. The statistics clearly demonstrate the court's success, as do the testimonies of those who have used it. I look forward to the extension of domestic abuse courts, which I hope will be backed up by the spreading of the assist programme to other parts of Scotland. It is vital that such an important project is rolled out throughout Scotland.

Although rape reporting has risen, conviction rates have not, so I welcome the proposal to adopt reformed procedures for dealing with rape victims, which should make it easier to secure a conviction.

It is important that the Parliament reviews and discusses men's violence against women and children regularly, so I am sad that so few of my male colleagues are present for the debate. We are not talking about a women's issue; it is an issue for our whole community, on which we will not achieve change unless the men in the Parliament and elsewhere address it.

John Swinburne (Central Scotland) (SSCUP): Does the member agree that we insult men by

accusing them of such abuse? The people who commit such crimes—they are crimes—against women are less than men and should be portrayed as such.

Cathy Peattie: I want John Swinburne and other men in the Parliament to say that to the men concerned. The perpetrators are men—in general, it is men who commit such violence against women and children.

I look forward to the day when people in the Parliament and throughout Scotland do not have to debate the dreadful issue of violence against women.

15:39

Shiona Baird (North East Scotland) (Green): As the motion highlights, we have a great history of women's rights activism in Scotland. This week, I visited the Eighteen and Under centre in Dundee, which started as the Young Women's Project but which in the past couple of years has widened its remit. However, it still tackles explicitly gender-based violence and other forms of abuse. The centre offers one-to-one support for young people who have been abused, including counselling and support during criminal proceedings and trials.

That project is part of the violence is preventable—VIP—network. We surely all agree that prevention is better than cure. The network, which currently has participants ranging from three to 102 years, aims to increase people's awareness of personal safety, violence prevention, abuse, gender inequality in relationships and domestic abuse. Crucially, in a pilot project in Dundee that is supported by Dundee City Council, project leaders go into schools to deliver programmes that are designed for children from primary 1 through to sixth year in secondary school. The programmes encourage children to think about their feelings and about alternatives to violence in resolving conflict. Equally important, a VIP project in Dundee works with senior citizens, mostly women. Elderly people who move into care homes or who become less physically and mentally able members of the community need extra support and information to protect them. Violence against and abuse of older women are too often overlooked and unreported.

The VIP programme needs to be rolled out across Scotland. As in previous years, I ask the minister whether he is content with the roll-out of the complementary zero tolerance campaign. Are schools getting the opportunity to address the culture of violence that prevails in our society and which both those programmes address so well?

The Executive does good work in supporting the women's aid groups in my region in Dundee, Angus, Aberdeen and Aberdeenshire. However, it

is a shame that the Executive's international development fund does not fund overseas projects to tackle violence against women. Amnesty International states:

"Violence against women in the family has been recognized as a leading cause of death and suffering around the world."

As others have said, it is important to see violence against women in an international context. As individuals, organisations and a nation, we have links and contacts with people throughout the world and therefore the opportunity to influence and be influenced by them. I bring to the Parliament's attention the work of RAWA—the Revolutionary Association of the Women of Afghanistan—which was started way back in 1977 in Kabul. It is an independent organisation of Afghan women that fights for human rights and social justice in Afghanistan. RAWA, which is the oldest political and social organisation of Afghan women, struggles for peace, freedom, democracy and women's rights.

Amnesty International states that, in Afghanistan, the international community's interventions and the Afghan Government "have proved unable to protect women."

Despite the 28 per cent representation of women in the Afghan Parliament, women and girls in Afghanistan are threatened with violence in every aspect of their lives, in public and in private, in the community and in the family. A survey conducted by the United Nations Development Fund for Women revealed that 65 per cent of the 50,000 widows in Kabul see suicide as the only option to get rid of their miseries and desolation. Forced and underage marriage, when women and girls are given in marriage, occurs as a means of dispute resolution in informal justice mechanisms. Prosecutions for violence against women and protection for women who are at an acute risk of violence are virtually absent. In certain regions of Afghanistan, women who are accused of adultery are routinely detained, as are those who attempt to assert their right, under Afghan law and international standards, to marry a spouse of their choice.

RAWA believes that

"freedom and democracy can't be donated; it is the duty of the people of a country to fight and achieve these values."

As we continue our work in Scotland, we must also use our international contacts to support and help activists in all countries to combat violence against women.

15:45

Maureen Macmillan (Highlands and Islands) (Lab): I refer members to my entry in the register of members' interests.

The motion is partly a tribute to the work done by local women's groups over the years to provide support for abused women and to raise awareness of this grievous cancer in society. Male violence against women is still ingrained in our culture. Women are still presenting at casualty, in surgeries, to the police and to Women's Aid and other support organisations because of male violence.

It has been more than 25 years since Ross-Shire Women's Aid was set up. I want to celebrate that band of stropky women and to reiterate the reasons why women felt the need to set up women's aid groups. Women knew that male violence against them was widespread, that it was serious, that it was often fatal and that it was largely ignored by society. They knew that from their own experience, from that of their friends or from that of women whom they came across in the course of their work. Yet the police, the health service, local authorities and the churches would not admit that domestic violence was of any real significance. They persisted in the attitude that it happened only among the rougher elements of society, that it was caused by drink—which is wrong—that women asked for it anyway and that, if it was so bad, why did the women not just leave.

Can you imagine the challenge that a newly set up women's aid group faced in a small Highland town 25 years ago in trying to persuade the council and a horrified public that there was a need for a local women's refuge? Can you imagine the disbelief, the denial, the hostility and the accusations that we were besmirching the good name of the Highlands? "It doesn't happen here," people thought. Think of the insinuations, the names that we were called, the persistence with which the volunteers had to argue their case and the work that lay ahead of them once the refuge was finally set up.

Volunteers and paid women have picked up women from police stations in the middle of the night. They have taken women to casualty in the early hours of the morning. They have met them off trains, buses and boats. They have picked them up in their nightclothes from phone boxes and the roadside. They have sat and talked with them all night, either face to face or over the phone. They have wiped the blood from their faces. They have sat with them in the waiting rooms of courts and general practitioners. They have even been the birth partners to some women when their babies were born. We have also supported the women's children, although we did not know then the profound effect that domestic violence has on children. Volunteers have given presentations in schools. They have helped to train the police, social workers and health workers. They have been on local radio. They have given interviews to local papers. They have lobbied and

they have challenged. We supported women because we saw that there was a need for that. We realised that if women did not do that for their sister women, nobody else would.

We have come a long way in the Highlands in 25 years, mostly in the past eight, thanks to the Executive and the Parliament. We now have purpose-built refuges, children's workers and outreach workers in the most distant parts of the west Highlands, and we have follow-on services for women who have left the refuge. Not all women wish to come into refuges nowadays. Often, they prefer to be supported in the community, and we provide that support.

We now have full commitment from the Highland Council, the police and NHS Highland. Only this week, I was talking with a long-time women's aid volunteer who works for NHS Highland about the training schemes that are now being put in place by the health board so that practitioners can recognise and deal with cases of domestic abuse. She has long campaigned for such schemes and it has given her immense satisfaction that they are now going ahead.

It is significant that an increasing number of men recognise that male violence against women must be dealt with at its source. What causes men to be violent towards women? Why do they feel that they have to exert power through rape or beatings? As has been said many times, it is important that men who are not violent challenge those who are, even down to the man who makes the passing remark in the pub that his wife could do with a good slap. Men's silence can be deafening. They must speak up and more are doing so. Only the other week in the Highlands, more men than ever before attended the Highland well-being alliance's annual conference on domestic violence. That was a good sign. As Amnesty International says, violence against women will not stop unless men are part of the campaign to stop it.

A relatively small number of women in Scotland made their voices heard, yet they effected great changes. Labour members did that particularly through the labour and trade union movement, but others had different routes. Those women and their successors, whether as volunteers or paid workers, still support women and children. The need is still out there and we continue to campaign for provision, prevention and protection.

I am proud of what we have done, but I recognise that some male attitudes towards women can be progressed only through societal change. That is not an easy task, but we must persevere with it. Until then, all power to volunteers and workers past and present and especially to those who were there at the beginning in Ross-shire—Rhona, Ann, Eileen,

Marilyn, Karen and Kathleen—and the many others since.

15:51

Stewart Stevenson (Banff and Buchan) (SNP): The experience of this man—I am grateful for the opportunity to participate in the debate—as an MSP is probably, alas, not dissimilar to that of others. I think of one instance of a woman sitting across the desk from me at my constituency surgery, shaking from the stress of telling me of her experience: I face a woman to whom I cannot offer a physical hand to hold because, as a man, I may too closely represent the source of her legitimate fears. She shows me photographs of the bruises and cuts that cover her torso and limbs, but which do not cover her face, because the violent man in domestic circumstances is too clever to beat his partner where it will show.

As other members can justifiably be, I am proud to have been party to some of the legal changes that Parliament has made that go some way towards helping with what happens in public. I will quote another politician—my namesake Adlai Stevenson, the late US Secretary of State—who said:

“Laws are never as effective as habits”.

The public policy that we are discussing intersects with private practice, because violence against women is largely a secret vice that is conducted behind a front door and is observed by no one other than the violent man, the beaten woman and perhaps by a wide-eyed and mystified child, whose immature mind may be imprinted with the idea that violence is normal as a model for their future behaviour in another generation as a dominant male or as a female who is expected to be submissive.

When children watch television or play video games on a computer, violence is increasingly a large part of the experience. The reason for that is encompassed in Alfred Hitchcock's comment that

“Drama is life with the dull bits cut out”.

In a sense, that is the reason for the temptation for too much drama and too many video and computer games to be violent—the dull bits have been cut out. Too much drama passively absorbed with too little engagement, as a contrast to positive energy-consuming activity, reinforces the adverse experiences to which too many of our children are exposed.

Figures that I have used previously suggest that less than half of all the violent incidents that are reported to the police lead to an offence being recorded or a conviction. Private violence, which includes sexual violence, violent shouting and bullying in all its forms, is the least likely type of

violence to be reported because people are much less confident that cases involving such violence will be successfully pursued. A public fight at a pub door, by contrast, may have been witnessed by people and people might know that witnesses exist; the injured party will then be confident that the matter can be dealt with.

Violence against women is a huge problem, and I say to Cathy Peattie that it should shame all men. Some 40 per cent of members who are present for this debate are men. If we take into account the total number of members who are men, perhaps pro rata not as many men are present as we might wish for, but we are not doing too badly. For the first time, I commend the Tories—their team today is all male.

I particularly welcome something that not everyone may have noticed. Recently, in considering a bill, we decided to criminalise men who use 16 or 17-year-old prostitutes. I hope that we will move the burden of illegality away from providers of sexual services to users of sexual services because sexual abuse is at the heart of much of what we are discussing.

The last time I participated in a debate on violence against women was on 25 November 2004. The title of that debate was exactly the same as the title of this debate and the same member moved the motion—even the source of one of the amendments was the same—but there has been a different emphasis in this debate. I hope that I will not participate in many more such debates as a result of the need for them diminishing as the scourge of violence against women is eliminated from the too many households in which it takes place. However, I am not overoptimistic about that and should not hold my breath until it happens.

I close by quoting Molière, who said:

"The greater the obstacle, the more the glory in overcoming it."

There is much glory to be earned by all of us in tackling violence against women, but earning that glory is, as yet, a distant prospect.

15:57

Ms Rosemary Byrne (South of Scotland) (Sol): I, too, welcome the debate, and congratulate Scottish Women's Aid, and rape crisis centres and other voluntary sector projects on the excellent work that they do.

I also want to mention the Lindsay Armstrong Support Group. I am sure that most members know about Lindsay Armstrong, who came from New Cumnock, in my area. Lindsay was a victim of rape who was, sadly, so traumatised during the court case that she took her own life before the

perpetrator was sentenced. Lindsay's mother set up the Lindsay Armstrong Support Group with the help of people in the community. Her mum says on the group's website:

"The day after Lindsay passed away, a reporter from the Daily Record came to our door. We invited her in and told her everything that had happened to Lindsay. I vowed then to let everyone know what horrors Lindsay went through in court. We never knew the scale of what was to begin."

The Lindsay Armstrong Support Group is still thriving in New Cumnock. I visited it recently: it has a charity shop in which it raises funds and, more important, it has a 24-hour helpline that is used by people throughout the country who have suffered in the same way that Lindsay suffered. Lindsay's mum has also said on the group's website:

"We have now volunteers to man the telephone lines, but still need more to keep a successful 24 hour helpline running. We know from experience that night times were the worst for Lindsay because this was when she needed someone outwith the family to talk to."

I raise the matter because we must never allow anyone to suffer as Lindsay did. I was happy to hear about the forthcoming review of the law and that we will soon have a report. Nevertheless, women who have been through similar experiences have visited my surgeries. One of those women ended up in the mental health ward of the local hospital and was sectioned after going through a traumatic experience in court.

I ask the minister to consider how the Executive might financially support the Lindsay Armstrong Support Group to keep the 24-hour helpline going. I know that Cathy Jamieson has visited the group and has made a great number of contacts there, but I would be grateful if the minister would write to me with suggestions about how we could help to keep the group running.

I congratulate Scottish Women's Aid on the excellent courses that it runs for teachers to raise awareness of the effects of domestic violence on children. When I was a teacher, I attended some of the courses and found them to be absolutely invaluable. As many members have said today, the impact of domestic violence on children and young people is hard to measure.

As Shiona Baird rightly pointed out, education in schools as well as for teachers is extremely important. We must educate our young people in conflict resolution and to work towards the peaceful resolution of situations in order to remove the impact of the violence that they see on television and in the computer games they play, as Stewart Stevenson said. Schools must act against such experiences because—as I said in yesterday's debate—many young people have no one to engage with properly: there is no running commentary and there is no one to endorse the

positive things that they do or to discuss with them the negative things that happen. The role of the school is crucial.

The effects of domestic violence on children are immeasurable, as I said. Children witness domestic violence; they either hear it from another room in the house or it happens right in front of them. Such children often withdraw, but they sometimes display violent behaviour. One of the things that teachers must be aware of is that the child who comes to school in the morning half-slept, as we say, and who does not pay attention in class could well have been lying in bed the night before listening to what was going on in the background at home. Teachers must be aware that there are reasons why some children do not concentrate or are unable to pick up their lessons, so that they do not increase the burden on those children by giving them a row, marking them out or giving them detention for circumstances that are beyond their control.

As I also mentioned in yesterday's debate, it is crucial that teachers ensure that children get good counselling and support. Children do not often want to disclose what is happening, but the signs are there to be seen. It is up to skilled people to counsel such young people well. We must recognise that that takes expertise that most teachers do not have. I know that I am repeating what I said yesterday, but it is extremely important that we acknowledge the impact of domestic violence on young people.

Today's debate has been measured. All the speeches have been positive and the minister's motion and all the amendments are worthy of support.

16:04

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): "She dressed the wrong way." "She walked in the wrong place." "She said the wrong thing." "She was asking for it." Sadly, in certain sections of Scottish society, the view still prevails that a woman who has been attacked or raped by a partner or stranger has caused her own problems and pain.

Although we have made great strides in tackling this horror, members must not forget the brutal fact of male violence against women—indeed, of male violence against too many women—or ignore its continued existence in all sections of society or its effect on women and families. I welcome this opportunity to discuss what more can and should be done to eradicate this vile problem, whose very hopelessness is perpetrated by the myths that surround it.

The Executive, in partnership with many voluntary organisations in my constituency of

Cumbernauld and Kilsyth and throughout Scotland, must be commended for its efforts in combating male violence against women. The message is clear: all forms of violence in Scotland are unacceptable and must be challenged and addressed wherever and whenever they occur. The Executive has made that message very clear through committed funding for every rape crisis centre in Scotland until 2008, continued core funding for Rape Crisis Scotland and Scottish Women's Aid, and powerful awareness-raising work.

We need sophisticated responses to domestic abuse and male violence against women. Public agencies have improved in that respect, but the situation is not yet perfect. Although the police are now much better at assisting women survivors of violence, too many abuse cases remain unreported. Moreover, I am sad to say that some of our police officers are still not responding as they should.

The justice system is beginning to realise that when violence and domestic abuse cases come to court, women need to be supported, not revictimised. However, the number of cases that actually come to court remains shamefully low. The report on the first specialist domestic abuse court, which has been piloted for two years at Glasgow sheriff court, will be published early in 2007. I welcome what appeared to be the minister's commitment to continue that pilot scheme. I believe that the initiative has made a difference in the treatment of domestic abuse cases, and I join Cathy Peattie and Carolyn Leckie in asking that it be extended to other courts. After all, although there are sympathetic ears and understanding minds in our local courts, such cases can take too long to come to court and can be subject to too many delays. That situation is too stressful for the people involved.

Too many women who are victims of male violence or domestic abuse remain reluctant to report the crimes, so we should do everything we can to empower women and to make them feel able to report the people who perpetrate violence against them. If the courts were better equipped to respond to women's needs, more of those women might come forward.

Male violence against women does not differentiate along age lines, racial lines or religious lines and it does not matter what a woman's sexuality might be or where she stays. The fact is that one in 10 women will be the victim of male violence in her lifetime. Those women are wives, mothers, sisters or daughters who deserve our support and every effort that we can make to keep violence against women on the political agenda. I well understand how women such as Maureen Macmillan and Cathy Peattie, who have

campaigned for their whole lives on these issues, remain determined to continue the political fight and to eradicate male violence against women.

Domestic abuse and male violence against women require a sophisticated response. I hope that the Executive continues in its efforts to combat the myth, to challenge the perpetrators and to care for the victims. We need to ensure that public servants who work in the front line, whether in our police forces, housing departments or courts, are well trained and supported so that they can offer the care and support that the victims need.

We have heard this afternoon about investment in our future. We need to invest in education so that our young men and women know that violence is not acceptable. If they or their families are victims, they should know that that is not acceptable. Only by supporting and encouraging young people to gain knowledge of the matter will we eradicate male violence against women.

As other members are, I am proud to have been part of a Parliament that has made so many advances. I congratulate the Executive and all the people who are involved in the fight, but we have a way to go yet. I offer my support for the Executive's motion and its efforts to eradicate this disgusting problem.

16:11

Carolyn Leckie: We have had a good discussion this afternoon rather than a debate. One of the best things about it has been that we have not had the ritual of Mike Rumbles telling us why we should be talking about violence against men. Thankfully, he has had the decency to stay out of the road this time; that is good.

I hope that there will be support for my amendment. A number of changes could still be necessary. It is not just about legislation, but further legislative change would send a message to the police, judges, sheriffs, and defence lawyers that their attitudes and approaches to witnesses are unacceptable. Such attitudes are endemic in our society—that is what we are trying to challenge. Change will have to be effective and measured so that conviction rates can go up. I hope that we can agree that we still need to do that.

I want to shift away from my amendment for a wee while. The discussion has concentrated on the extreme forms of male violence against women such as rape, domestic violence and so on, but a continuum of violence against women is perpetrated by society as a whole—by men and by the systemic structures in which we live. I am particularly concerned that young women today are being absolutely bombarded with messages

that encourage them to objectify themselves in order to be valued and to boost their self-esteem. Exploitation of women is proliferating through lap-dancing bars, pole dancing, pornography, film and everything else that is contributing to the enormous pressure on young women in society.

That is all coupled with a regression in consciousness about such issues during the past 20 or 30 years. That was evidenced for me recently when I spoke at two conferences. One was a University of Strathclyde debate on abortion rights, which although it is different to the issue that we are discussing today, is definitely related. When I was making the arguments on that issue and placing it in the context of the situation of women in society and their oppression and inequality, there was actual laughter from a significant section of the audience, as if the battles have been won and I should not be so ridiculous. That is symptomatic of a regression in consciousness.

Perhaps a wee bit of complacency has crept into our society, and perhaps the formal women's movement has become a bit fragmented and more taken up with voluntary organisations. The concept of feminism, which became a dirty word, needs to be recalled, regained and restamped. People who are feminists and socialists, or feminists and whatever else, should be proud to call themselves what they are, because the issue needs to be challenged up front. We need to go on the offensive again.

I welcome some of the legislative changes that are proposed. I believe that people who abuse women through prostitution should be criminalised, but I want to see the women decriminalised and I hope that that is the direction in which our legislation will take us and that we can develop a Swedish-style model for tackling the issue.

We must all be responsible for challenging attitudes on our own doorsteps and in our own organisations and, as everyone knows, we have been through a pretty traumatic time. However, I shall finish on a more negative point. All the progress that has been made to change attitudes and to advance the ideology that underpins the Executive department that is responsible for tackling violence against women is definitely to be welcomed, but change needs to be backed up with resources. I have sympathy with what the SNP amendment says about domestic abuse.

I do not deny Malcolm Chisholm's belief in or commitment to the issues: of all the ministers in the Executive, I probably respect him most. When it comes to delivery and to the equal pay situation in local authorities, the draft budget for local government makes no reference to equal pay, although that is an Executive priority to which the

minister has emphasised his commitment. Nevertheless, he does not seem able to bring his influence to bear on the fact that equal pay is the biggest gender equality issue affecting women in Scotland today. A lot still needs to be done and it needs to be backed up with resources. That will be the proof of the pudding.

16:17

Nora Radcliffe: This has been a passionate, articulate and well-informed debate. I want to continue by quoting from the inaugural professorial lecture that was given in 2001 by the feminist academic Professor Liz Kelly, when she became head of the child and woman abuse studies unit at London Metropolitan University. She said:

"We are a very long way from the ambition of the women's liberation movement—later adopted by the United Nations and Council of Europe—of ending violence against women. But we—and by we, here I mean women and men across the globe involved in this work at every level—we have changed the world.

Violence against women is now defined by the UN and many national governments as both a fundamental violation of women's human rights and a continuing barrier to achieving equality between women and men.

The themes of domestic violence, incest, rape, sexual harassment and trafficking appear in popular media on every continent.

The new responses we imagined and created in the 1970s—refuges, helplines, support groups—are now considered basic requirements and have, arguably, even in some instances become institutionalised themselves."

That is a good summary of where we came from and where we have reached. It is occasionally good to look back and to see how far we have come, but we know how far we still have to go.

There is no country in the world where women are safe from violence. That encompasses all forms of violence, throughout all sectors of society. In Cambodia, 16 per cent of women are physically abused by their husbands. In the UK, 30 per cent are physically abused by partners or ex-partners. The figure is 52 per cent in the West Bank. In Nicaragua it is 21 per cent, in Canada it is 29 per cent and in the United States it is 22 per cent. It was estimated in a World Bank report that violence against women is as serious a cause of death and incapacity among women of reproductive age as cancer, and that it is a greater cause of ill health than traffic accidents and malaria combined.

At least a quarter to a third of all women in Scotland will experience domestic abuse at some point in their lives. Domestic abuse can and does happen anywhere, so there must be women among our friends, our family, our colleagues and our acquaintances who are or have been subjected to domestic abuse. The fact that we

cannot identify them demonstrates the hidden nature of the problem.

Cathy Peattie: Does the member think that it is more appropriate to use the phrase "domestic violence" than it is to use the word "abuse"? Although it is abuse, we must recognise that it is, in fact, violence against women.

Nora Radcliffe: I take Cathy Peattie's point, but I refer her to what other members have said about the mental undermining of people. Cathy Peattie's point is well made but the wider point, which I think she made herself earlier, is also a good one: sometimes mental and emotional abuse can be just as devastating—in some cases more devastating—than physical violence.

We must raise general awareness, change attitudes and encourage victims to come forward and seek help. Work must still be done to shift social attitudes, to acknowledge that this happens in people's homes and to take responsibility individually and collectively to make it unacceptable.

There was a 10 per cent increase in the number of domestic abuse cases that were reported to the police between 2003 and the report on recorded crime in Scotland in 2004-05. However, that is a good thing if the increase in reporting such crime means that more people feel that it is worth reporting because they have confidence that it will be dealt with. I believe that the record on conviction for domestic abuse is much better than it used to be.

A lot of work must still be done on attitudes to other forms of violence. In 1998, one out of two boys and one out of three girls thought that there were some circumstances in which it was okay to hit a woman or to force her to have sex. In 2005, a poll showed that of those questioned 28 per cent believed that women were partially responsible for being raped if they had behaved flirtatiously and 20 per cent believed that women were partially responsible for being raped if they wore sexy or revealing clothing. There is no room for complacency.

The fact that we have this debate annually illustrates how far we are from the goal of eliminating violence against women. That is only in the context of our own country. How much worse must the situation be in countries where there is heightened tension in the aftermath of natural disasters, such as floods or earthquakes, or where there is drought or where wars are raging? We must hope that what we do here to challenge and change attitudes about what is acceptable in respect of how women are treated will help to change attitudes in other parts of the world.

I will finish by quoting the last sentence of a statement on the motion that was e-mailed to us

by the Zero Tolerance Charitable Trust. It states:

"We look to the Scottish Parliament to remain ambitious in its approach to tackling violence against women and to continue building on the work of the past seven years."

We have to live up to that.

16:23

Bill Aitken (Glasgow) (Con): As Carolyn Leckie said, this has been a good debate and it has been largely consensual. Perhaps uncharacteristically, I will not seek to break that consensus. I think that we all agree that this is a serious issue. Although one may joke from time to time about how women perhaps have their moments, it would be naive of me to suggest other than that the main problem of violence is men perpetrating it against women. That must be accepted.

I have heard Maureen Macmillan speak on this subject before. She obviously feels strongly about it and has a degree of pride in what has been achieved in the Highlands. That is natural and understandable. We should all congratulate the people she mentioned in the Highlands who have done so much to ease what was clearly a real difficulty.

The debate has been consensual and we intend to vote with the Executive at its conclusion. It is perhaps a little bit unfortunate—although I understand why it is the case—that two amendments, which we do not feel we can support, have been proposed.

Carolyn Leckie's amendment deals with the low conviction rates for rape and sexual offences and expresses justifiable concern about the issue. A report is expected from the Scottish Law Commission on the law of rape. We will have to wait and see what happens when that report is received.

I have to flag up an issue that I regard as a problem. Rape is a crime for which there is not normally corroboration, as required under Scots law, by means of eye witnesses or other forms of evidence. It is a very difficult crime to prove. The conviction rate is undeniably low, but it is important to remember that, when cases go to court, the conviction rate is almost 50 per cent.

The problem is that many cases do not go to court because there is no corroboration and the case cannot go before a jury. Adjusting the law to resolve that problem while still leaving people with a defence will be difficult. Quite properly, there is a presumption of innocence in Scots law. There are people in the chamber this afternoon who have sons and who would be very concerned indeed if one of their sons was wrongly accused of rape and was restricted in the level of defence that he could present.

Part of Carolyn Leckie's complaint, although justified, is largely historical. I do not think that any judge in the High Court of Scotland would permit any witness to be traduced and tormented by counsel defending an alleged attacker, but that certainly has happened. The situation has improved, in no small measure due to the acts of this Parliament.

Rosemary Byrne rightly mentioned the case of Lindsay Armstrong. In that case, our systems did not work. We subsequently changed the systems to ensure, as far as possible, that something similar could never happen again. Rosemary Byrne was also right to point to the educational element. She said that it would be appropriate for schools to participate much more.

Domestic violence has long been a problem. The problem is particularly acute in our cities, and is not restricted to the Highlands. The domestic violence court in Glasgow has been a success: 1,000 people have been prosecuted successfully—although we must also be depressed that so many cases have had to go before the court.

Domestic violence is a very serious issue, not least because it happens in the home. If someone is in fear of being attacked in a bar, in a certain street or at a football ground, the obvious remedy is not to go there, but people cannot avoid going to their home. Several speakers have said that domestic violence frequently occurs in the presence of young children and that it leaves them traumatised. Domestic violence is straightforward bullying that is totally and utterly unacceptable.

Cathie Craigie said that a shamefully low number of domestic violence cases come to court. Again the question of corroboration comes up. The Lord Advocate was here earlier. The Crown would proceed with a case if there was sufficient evidence, but the law of Scotland naturally requires that the evidence be sufficient to convince a sheriff, magistrate or jury that the assault took place, and it is sometimes difficult to get that corroboration.

In a very thoughtful speech, Shiona Baird raised the international dimension. I am sure that we all agree with what she said about RAWA in Afghanistan. That organisation is clearly doing a very great deal. This country has a reasonable record, but Shiona Baird was right to say that we should be pursuing, through the United Nations and all our international contacts, the issue of women who so often find themselves subjected to vicious and evil attacks. In Africa, for example, rape is often used as a weapon.

Although we cannot be complacent while such issues still arise, the Executive and the Parliament can look back with some pride on what has been

achieved since 1999. I refer to what we have done with the rules of evidence, although we may have reached the pivotal moment at which we have gone too far and, in so doing, prejudiced the rights of the accused person. That said, under a number of headings, we have made things easier for the victims of crime.

Christine Grahame: I am hoping that Mr Aitken will get to the point of addressing our amendment, which I surmise from his comments the Conservatives will not support. I ask him to comment on the number of refuges in his patch. As I said, there are only four refuges for the whole of Glasgow. I am surprised that he has not commented on that yet.

The Deputy Presiding Officer (Trish Godman): You should be finishing, Mr Aitken.

Christine Grahame: I intervened as he looked as if he was running out of steam.

Bill Aitken: Clearly, Glasgow has more than its fair share of this type of problem. I fully concede the point. However, from reports that I have received, I understand that although victims of this type of abuse use the shelters, many of them are accommodated by family and friends. I say to Christine Grahame that that may be a better solution as it means that women have the support of relatives and close friends, which is much better all round, no matter how well intentioned social workers are.

I have made a reasonably lengthy contribution to a debate that has been carried out in a measured manner. Like Stewart Stevenson, I hope that in time there will be no need for such debates.

16:31

Ms Sandra White (Glasgow) (SNP): I concur with everything the Executive has set out in its motion. I am pleased that the debate is being conducted under the heading "Violence Against Women" and not under the heading of domestic violence. Regardless of who the violence is against, it is a crime. For far too long, because it was perpetrated by men against women, domestic violence has been looked on as a form of second-class violence. I have always had the notion—the absolutely correct notion—that violence of any kind is a crime and should be treated as such. We must not look on violence against women as anything less than that.

I admire the commitment that the Deputy Minister for Communities and the Minister for Communities give to the issue and to the sincerity of that commitment. I share Carolyn Leckie's view of the minister. She did not say that he is her favourite minister, but mentioned his sincerity. Johann Lamont is also sincere in her commitment;

I know that for a fact. Both ministers are passionate about the subject.

I applaud Carolyn Leckie and Cathie Craigie on their contributions; they were spot on. I have never understood why someone's past relationships or what they wear should be used to tarnish their reputation, particularly when the attacker is set free as a result. Rosemary Byrne referred to the tragic case of Lindsay Armstrong. Some weeks ago, I met Mrs Armstrong. Not all members may agree with the proposal, but consideration should be given to changing court procedures.

The debate has been excellent and every speech merits a response. I will attempt to pick up on all of them, but members will forgive me if I do not manage that. We have debated the subject of violence against women since 1999, at which time the debate was billed domestic abuse. Since 2003, the Parliament has held an annual debate on the issue. I welcome that. I also welcome the many projects that aim to stop this terrible crime that have been launched and the money that the Executive has made available.

As Christine Grahame said, violence against women has increased over the years. We have to ask why. Cathy Peattie and Nora Radcliffe, among others, touched on possible answers, including the fact that women are more aware of what is happening and where they can report the crime. Another possibility is the upsurge in lad mags, lap-dancing clubs and the accessibility of some forms of pornography. We need to look more deeply into why violence against women is not diminishing but increasing. The figures speak for themselves.

Many members, including Shiona Baird and Rosemary Byrne, talked about funding. I agree with their comments. The SNP amendment mentions funding for refuge places. Some women are lucky enough to have relatives they can stay with, as Bill Aitken said when he talked about refuge places in Glasgow, but many women do not. There should be refuge places for such women and funding is crucial if we are to help them.

I remind the minister that Randal Lindsay, who is the convener of the Law Society of Scotland's access to justice committee, has talked about the emergence of legal aid deserts. As a result of a change in how civil legal aid is paid, many victims are unable to access lawyers to take on their case. He said:

"Our consciences are basically being exploited by the Executive on this. They know that it's difficult for us to turn away Mrs Jones who's been battered black and blue, saying that we're not being paid enough."

The minister should consider the problem of people's inability to secure representation, which happens not just in Glasgow, but in Edinburgh, Stirling and elsewhere.

Other members talked about the lack of long-term funding, which causes serious difficulties for people who are trying to do their best in organisations that cannot access funding that lasts longer than two years. I received a letter from the Glasgow presbytery, which is part of the interagency working group that is funded by the Executive and Glasgow City Council. The initiative provides a fantastic support network for women before, during and after court cases, but it has to submit a bid for funding every two years.

Many other groups are in a similar situation and do not know whether they will be funded in two years' time. That is unsettling. I have written to the minister to ask him to consider how such groups can secure long-term funding. In his speech, he said that money is available, but it does not seem to filter down to the many agencies that need it. Perhaps he can consider how they might access funding.

Cathy Peattie and Shiona Baird made valid points about the international situation. They referred to Afghanistan and other countries. It is imperative that we do not take an insular view of violence against women by talking only about domestic violence or violence that takes place in Scotland and Great Britain. The problem is international. Trafficking of women and abuse of children is taking place abroad, for example in Russia and its neighbouring states. We should consider how to alleviate the problem. If we cannot provide money, as Shiona Baird suggested, we can surely contribute by highlighting the problem. Operation pentameter tackled trafficking and was a great success. We need more such forward-looking action to prevent women from being trafficked to this country, as well as action to protect women from violence in their home countries.

Stewart Stevenson and other members, including Shiona Baird, made important points about violence that takes place behind closed doors, which has a seriously detrimental effect on children. As Rosemary Byrne said, we do not know what is going on in the lives of children who come to school. I have no doubt that exposure to violence at a young age sends a message to kids that it is okay to be violent. There are education programmes, but we must improve education for children so that we send a clear message that violence is not acceptable. If we emphasise that message to male schoolchildren, perhaps it will filter through.

As everyone else has said, this has been a good debate. I hope that we will not have to debate violence against women next year, because that will mean that it has been eradicated. However, like others, I think that it will be a long time before that happens. As far as I know, this is the only

Parliament that has raised these issues year after year since 2003 to keep them on the agenda and which funds projects such as Scottish Women's Aid to deal with the problem specifically. I hope that the funding goes from strength to strength and is made more long term.

Every one of us here hopes to eradicate violence against women, which is a crime against humanity, not just against women. I look forward to the day when we do not have to debate it, because it has been eradicated. Thank you for the opportunity to speak in the debate, which has been excellent, because lots of good points have been raised.

16:40

The Deputy Minister for Communities (Johann Lamont): I welcome the opportunity to sum up this very important debate, which reminds us of one of the critical issues that we discuss and have to address.

I will reply to some of the points that have been raised—I will not be able to deal with them all, but I am happy to pursue those that I do not cover at a later stage—before I make my own comments.

We will not support Christine Grahame's amendment. The figures she used are not accurate. The figure for the year she identified is 425 refuge places. As we have indicated, there has been support for more than 600 new or improved places. We acknowledge that there is an issue with refuge numbers. There is also a challenge for mainstream services to deliver for women. Increasingly, women do not particularly want to go into refuges, because attitudes have changed. Women need refuge places, but refuges are not the only way in which we can support them.

Christine Grahame: I thank the minister for that clarification. I was not sure how secure the figures were; they were the best that I could obtain. I am obliged to her for the information and for recognising that there is still a huge issue with refuges to address.

We are hearing anecdotally about women going elsewhere, for example in Glasgow. What evidence does the minister have that the people who have applied for places are secure, wherever they are? Does she have information on that on a database, rather than just anecdotal evidence?

Johann Lamont: I can get back to Christine Grahame on the detail of how the statistics are managed. I agree that there is a challenge for all those who are working to support women who are experiencing violence to understand the particular issues of safety and security that they and their families require to be addressed.

Christine Grahame asked how we analyse the figures from responses to adverts and so on. We interrogate the data. The national group on violence against women is considering what further data we need to improve service provision. We will report on that work in detail. We also have an important job to do in relation to qualitative research, through talking to women. I do not know whether anyone else gets the Assist bulletin weekly, but interesting qualitative research can come out of that kind of work, where women talk about their needs, how they express them and how they feel about the services that are provided to them.

Significant funding goes to women through the violence against women fund. We have to challenge the attitudes of mainstream organisations in relation to supporting women.

The fact that the numbers are increasing is concerning. We are certainly not complacent about that and we need to interrogate the figures further.

There is an issue about greater understanding that support is available and that there is support for women other than simply those who have bruises. Significant work has been done on psychological abuse.

Women of an older generation to whom I have spoken have told me that their generation had nowhere to go. It is understandable that the problem is more visible, because we talk about it more and there is a greater understanding of it. I assure members that there is no complacency about that.

Christine Grahame's amendment refers to the Protection from Abuse (Scotland) Act 2001. I agree that it is essential that we continue to review all the legislation that we put in place. Legislation is the starting point, not the end point. We work hard to keep people informed about the protections that legislation provides, but we are more than happy to monitor that and I am sure that the committees of the Parliament would wish to do so, too.

John Swinburne: Does the minister agree that it is surprising that the issue of alcohol has not been raised during today's debate as, often, the pathetic excuses for men who carry out these acts of violence are fuelled by alcohol and—in modern times—some other substances?

Johann Lamont: The remarkable thing about violence against women is that it is no respecter of place, class or sobriety. With regard to alcohol being the cause of violence against women, it is remarkable that we are expected to believe that men can manage to contain themselves when they are in the pub but cannot contain themselves when they go home. Very often, alcohol is used as

an explanation when, in fact, it is not. Abuse can be perpetrated by men who are entirely sober as well. We have to challenge our young men who are, perhaps, moving towards behaviour that involves being oppressive and violent towards young women.

I recognise the significance of the points that Carolyn Leckie made about the justice system. My only concern was the implication in the amendment that nothing has been done. In fact, significant work has been done around the Sexual Offences (Scotland) Act 2005. Obviously, we have to keep monitoring that.

We recognise how terrible it is that a survivor of male violence can have that perpetrated further on them by the legal system. I expect Carolyn Leckie to acknowledge that there has been movement. We know about the rape review, as a result of which there were 50 recommendations. The implementation of those recommendations is under way but the major reforms will take up to three years to put in place. The First Minister has referred the law of rape and sexual offences to the Scottish Law Commission, which gives us an opportunity to change the legal framework. I hope that Carolyn Leckie will not underestimate the importance of that, just as I do not underestimate the significance of the points that she has made.

I acknowledge what Maureen Macmillan said about the progress that has been made and how difficult it was, particularly in the early days, to achieve it. She also highlighted how much of an achievement it has been to make violence against women a political issue at all.

We talk about the fact that we will support women with mobile phone numbers that will not appear on a telephone bill. That seems to be as good an example as I can think of of how horrendous the problem that we are dealing with is. There are women who are so terrified of the man they are living with that they have to ensure that the mobile phone number that will give them protection and safety is not visible to that man.

To Shiona Baird, I say that we are supportive of Zero Tolerance's respect campaign and pleased at the number of local authorities that are taking up the pack and training. We are working with Zero Tolerance, Scottish Women's Aid and the violence against women partnership to do vital work in schools. In fact, we fund a number of projects, including the Eighteen and Under project in Dundee, which she talked about.

The issue of boys seeing violence and, in turn, becoming violent was something of a theme this afternoon. We have to be clear that one of the lessons that we learn from talking to young people is how helpless, frustrated and angry boys feel when they are unable to protect their mothers and

how those feelings continue into adulthood. I do not think that we should diminish that experience by implying that it makes them become violent in later life. I do not think that the evidence suggests that that is the case.

Carolyn Leckie said that our motion marks a shift in our approach because it talks about “male violence”. I do not know about anybody else, but that does not signal a shift in my position and I do not think that it signals a shift in the Executive’s position. It is important to identify the problem if we are going to eradicate it. If we do not understand that the overwhelming pattern of domestic abuse and violence involves males perpetrating violence on females, we will never get rid of it.

We recognise that there is a consensus in this Parliament, but we are also saying difficult and challenging things about the nature of our society. Certain things have to be challenged if we are to have a society of which we can be proud.

I want to finish on a positive note. We want to celebrate how far we have come and acknowledge the remarkable successes of the volunteers Maureen Macmillan and others have highlighted. They saw a problem, identified the need, understood what caused that need, determined that that need would be met and not only delivered support and care to women through the practical delivery of refuge spaces and so on but rose to the challenge of making that a political element in our society.

My upbringing made me a socialist, but it was an understanding of male violence that made me a feminist. I saw that it did not matter how clever or smart a woman was or whether she had the vote, because if she could be oppressed by male violence she would be denied her human rights.

We must celebrate the survivors of domestic abuse and male violence who made it a political issue. I celebrate the work of Scottish Women’s Aid, Rape Crisis Scotland and the national domestic abuse helpline volunteers. We imagine them working in a call centre, but in fact they sit in their own homes and bring the pain and suffering of other women into their homes, giving them comfort whenever it is required. All those organisations support women, understanding and focusing on delivery. They are to be commended for that. Government and agencies at every level, too, must understand how they should support women and how women experience violence from men.

Sometimes, we may think it odd to talk about male violence against women, but the police, the health service and teachers all understand that the violence is hugely—overwhelmingly—perpetrated by men against women. It even passes the soap opera test: there is no longer a soap opera—

whether “Coronation Street” or “Eastenders”—that has not addressed the issue of violence against women. We recognise it for the challenge that it is to a decent society.

We in the Parliament are clear that we need to change the justice system and the way in which support and protection for women are delivered. We also have to challenge the attitudes that underpin violence against women, which are to do with the roles of women and men in society. The Parliament and the Executive have—and have played—a critical role in that. Today we celebrate the volunteers who saw the problem and demanded change. The progress that we recognise has been made over the past 30 years has been theirs, and we congratulate them on it.

Draft National Plan for Gaelic

16:51

The Presiding Officer (Mr George Reid): The next item of business is consideration of motion S2M-5093, in the name of Iain Smith, on behalf of the Education Committee, on its report on a draft national plan for Gaelic.

Motion moved,

That the Parliament notes the contents of the Education Committee's 11th Report, 2006 (Session 2): *Draft National Plan for Gaelic* (SP Paper 657).—[*Iain Smith.*]

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

Provision of Rail Passenger Services (Scotland) Bill: Stage 1

The Presiding Officer (Mr George Reid): The next item of business is consideration of motion S2M-5018, in the name of Bristow Muldoon, on behalf of the Local Government and Transport Committee, on the Provision of Rail Passenger Services (Scotland) Bill.

16:52

Bristow Muldoon (Livingston) (Lab): I begin by drawing attention to entries in the miscellaneous section of my declaration of interests that record that the Livingston constituency Labour Party has constituency agreements with two rail unions—the Transport Salaried Staffs Association, of which I am a member, and the Associated Society of Locomotive Engineers and Firemen. Both those trade unions made the wise decision to remain affiliated to the Labour Party.

The Provision of Rail Passenger Services (Scotland) Bill was introduced by Tommy Sheridan MSP on 29 September 2006. The aim of the bill, according to its long title, is

“to direct the Scottish Ministers as to how they shall exercise ... powers ... in relation to the provision of rail passenger services”.

The bill seeks to direct Scottish ministers to use powers over rail passenger services in Scotland to remove the profit motive from the services and to provide rail services on a not-for-profit basis, either publicly or through another appropriate not-for-profit provider, at the end of the current First ScotRail franchise in 2011. The Local Government and Transport Committee was designated as the lead committee on the bill.

As you will be aware, Presiding Officer, rule 9.3.1 of the standing orders states:

“A Bill shall on introduction be accompanied by a written statement signed by the Presiding Officer which shall—

(a) indicate whether or not in his or her view the provisions of the Bill would be within the legislative competence of the Parliament”.

Consequently, you ruled:

“In my view the provisions of the Provision of Rail Passenger Services (Scotland) Bill are not within the competence of the Scottish Parliament.

The reason for this view is that in my opinion the provisions of the Bill relate to the provision and regulation of railway services, a matter reserved under Section E2 of Schedule 5 to the Scotland Act 1998. Section 29(2)(b) of that Act states that a provision is outside the legislative competence of the Parliament if it relates to reserved matters.”

It is possible under the Parliament's rules for parliamentary committees and the Parliament to consider a bill even if the Presiding Officer has ruled in such a manner. However, given that statement by the Presiding Officer, as the convener of the lead committee I sought further advice from the Parliament's directorate of legal services and the legislation clerks. That advice, which I shared with members of the Local Government and Transport Committee, confirmed the Presiding Officer's advice that the bill is outwith the Parliament's legislative competence and that it is unlikely that it could be brought within the Parliament's legislative competence, even were it to be amended at stages 2 and 3. I believe that the relevant papers are available at the back of the chamber, if members want to consult them.

In the light of the advice that I have mentioned, I concluded that it would not be a productive use of the time of the committee or of the Parliament to go through the extensive work that stage 1 consideration of the bill would involve, especially as it was clear from all the available evidence that the bill has no prospect of being enacted because it is outwith the Parliament's legislative competence. That is why I recommended to the committee that I should move the motion in my name. The committee supported that position by five votes to one.

I do not criticise the policy aims of the proposal. Indeed, the infrastructure provider, Network Rail, currently operates as a not-for-dividend company. Any profit that is generated is used either to reduce borrowings or to invest in the railway infrastructure. That arrangement was put in place by the United Kingdom Labour Government in response to the safety, performance and financial failings of Railtrack. As someone who spent 10 years of his working life with British Rail when it was a state-owned company, I know that it managed to deliver effectively major infrastructure and rolling stock upgrades, such as the electrification of the east coast main line.

I recognise that although the bill does not fall within the Parliament's legislative competence, many members advocate that the Parliament should have the power to consider such a bill. However, it does not make for good law making for a bill to try to bind a future Executive, the political composition of which we do not yet know. If a future Executive did not agree with the terms of the bill, it could easily repeal it, provided that it could secure a majority in the Parliament to do so.

I believe that the next ScotRail franchise should be decided on criteria such as quality, reliability of service, safety, public accountability and value for money, and that whichever model best meets those criteria should be pursued. I remind the

Parliament of the bill's lack of legislative competence.

I move,

That the Parliament does not agree to the general principles of the Provision of Rail Passenger Services (Scotland) Bill.

16:57

Tommy Sheridan (Glasgow) (Sol): I oppose the motion in Bristow Muldoon's name. He has just given us a fantastic argument against the private finance initiative. He said that we should not introduce policies that bind future Governments to decisions that they did not take. That is why we should reject PFI.

Mr Muldoon mentioned that the TSSA and ASLEF stayed affiliated to the Labour Party, but he failed to say that both those unions, along with the other main rail union—the National Union of Rail, Maritime and Transport Workers—and his own party support the general principles behind the bill.

The convener of the Local Government and Transport Committee wants us to accept rejection of the general principles of a bill, even though the Scottish ministers have the powers to implement its general principles. The legal advice is that the Scottish Parliament cannot instruct ministers how to use those powers. It is a sad day for democracy when, despite the fact that the Scottish ministers have such substantial powers, the Parliament cannot direct them how to use those powers, even though more than 70 per cent of the Scottish population believe that it would be much more productive and would provide better value for taxpayers' money if railway services in Scotland were in the public sector rather than in the private sector. Such an arrangement would mean that the profits that we are pouring into the pockets of the private dividend holders would be used to lower train fares, improve services and deliver better wages and conditions for railway workers.

I ask the Parliament to vote against the Local Government and Transport Committee convener's motion. Members should give a clear statement that the Scottish ministers have the power to direct how our railways are governed and run. We should direct that those railways be run in the public sector on a not-for-profit basis. I ask members to join the overwhelming majority of the Scottish population who believe that that is how their railway services should be run.

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

Decision Time

17:00

The Presiding Officer (Mr George Reid): Before we come to the questions, Christine Grahame wants to seek leave to withdraw amendment S2M-5109.2.

Christine Grahame (South of Scotland) (SNP): In the light of the response to Scottish National Party amendment S2M-5109.2, which is in my name, by the Deputy Minister for Communities in the debate on violence against women, I seek Parliament's leave to withdraw it.

Amendment, by agreement, withdrawn.

The Presiding Officer: That means that, at this stage, there are 12 questions to be put as a result of today's business.

In relation to this morning's debate on housing stock transfer, if amendment S2M-5104.4, in the name of Johann Lamont, is agreed to, the amendments in the names of Tricia Marwick and Bill Aitken will fall. In relation to this morning's debate on funding equal pay, if amendment S2M-5105.4, in the name of George Lyon, is agreed to, the amendments in the names of John Swinney and Derek Brownlee will fall.

The first question is, that amendment S2M-5104.4, in the name of Johann Lamont, which seeks to amend motion S2M-5104, in the name of Colin Fox, on housing stock transfer, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)

Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 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)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinburne, John (Central Scotland) (SSCUP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (Ind)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)

Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Petrie, Dave (Highlands and Islands) (Con)
 Robison, Shona (Dundee East) (SNP)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (Sol)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)

The Presiding Officer: The result of the division is: For 64, Against 44, Abstentions 7.

Amendment agreed to.

The Presiding Officer: In that case, the amendments in the names of Tricia Marwick and Bill Aitken fall.

The next question is, that motion S2M-5104, in the name of Colin Fox, on housing stock transfer, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)

Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 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)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinburne, John (Central Scotland) (SSCUP)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (Ind)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Petrie, Dave (Highlands and Islands) (Con)

Robison, Shona (Dundee East) (SNP)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (Sol)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

The Presiding Officer: The result of the division is: For 63, Against 45, Abstentions 8.

Motion, as amended, agreed to.

Resolved,

That the Parliament commends the initiatives by the Scottish Executive to increase the quantity of affordable housing in Scotland through its increased investment programme, which will deliver over 16,500 new affordable homes for rent and nearly 5,000 for low-cost home ownership by 2008, and through its Homestake low-cost home ownership scheme and its use of the planning system to increase supply; supports the principle of housing transfer to community ownership to improve the quality of existing housing where this has the support of the tenants; agrees that transfer has the potential to deliver a substantial package of benefits for tenants, including increased investment in their homes, rent guarantees and a much greater say in how their homes are managed, and recognises that transfer is indeed now delivering substantial new investment for tenants, as confirmed by Audit Scotland.

The Presiding Officer: The next question is, that amendment S2M-5105.4, in the name of George Lyon, which seeks to amend motion S2M-5105, in the name of Carolyn Leckie, on funding equal pay, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)

Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 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)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinburne, John (Central Scotland) (SSCUP)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)

Lochhead, Richard (Moray) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (Ind)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (Sol)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Petrie, Dave (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Tosh, Murray (West of Scotland) (Con)

The Presiding Officer: The result of the division is: For 65, Against 36, Abstentions 15.

Amendment agreed to.

The Presiding Officer: In that case, the amendments in the names of John Swinney and Derek Brownlee fall.

The next question is, that motion S2M-5105, in the name of Carolyn Leckie, on funding equal pay, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

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

Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Petrie, Dave (Highlands and Islands) (Con)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (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)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinburne, John (Central Scotland) (SSCUP)
 Tosh, Murray (West of Scotland) (Con)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)

Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (Ind)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (Sol)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 81, Against 35, Abstentions 0.

Motion, as amended, agreed to.

Resolved,

That the Parliament recognises that closing the equal pay gap will benefit all Scots, Scotland's workplaces and Scotland's economy; agrees that it is the responsibility of local authorities as independent bodies to implement the single status pay agreement which they themselves negotiated, and encourages employers and unions to make every effort to reach an agreement that is fair and equitable and protects the staff concerned, council taxpayers and the services that local authorities deliver.

The Presiding Officer: The next question is, that amendment S2M-5109.1, in the name of Carolyn Leckie, which seeks to amend motion S2M-5109, in the name of Malcolm Chisholm, on violence against women, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)
 Harvie, Patrick (Glasgow) (Green)
 Leckie, Carolyn (Central Scotland) (SSP)
 Martin, Campbell (West of Scotland) (Ind)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)

Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (Sol)
 Swinburne, John (Central Scotland) (SSCUP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Petrie, Dave (Highlands and Islands) (Con)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)

Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (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)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 15, Against 78, Abstentions 23.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S2M-5109, in the name of Malcolm Chisholm, on violence against women, be agreed to.

Motion agreed to.

That the Parliament is pleased to reaffirm its commitment to the cause of ending violence against women; supports the 16th year of the United Nations' 16 Days of Activism Against Gender Violence campaign and its focus this year on activists; pays tribute to the many paid and unpaid women across Scotland, for example at the Scottish Domestic Abuse Helpline, local women's aid groups, rape crisis centres and other voluntary sector projects, who have given their time, energy and commitment over the years to raising the profile of domestic abuse, rape and sexual assault and other forms of male violence against women, as well as offering support to those who experience it; congratulates both Scottish Women's Aid and Glasgow Rape Crisis Centre on reaching their 30th anniversaries; welcomes the progress made over the last 30 years including recent developments which recognise the impacts that domestic abuse has on children, and supports the Scottish Executive in its efforts to tackle violence against women in all its forms.

The Presiding Officer: The next question is, that motion S2M-5093, in the name of Iain Smith, on behalf of the Education Committee, on a draft national plan for Gaelic, be agreed to.

Motion agreed to.

That the Parliament notes the contents of the Education Committee's 11th Report, 2006 (Session 2): *Draft National Plan for Gaelic* (SP Paper 657).

The Presiding Officer: The final question tonight is, that motion S2M-5018, in the name of Bristow Muldoon, on behalf of the Local Government and Transport Committee, on the Provision of Rail Passenger Services (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)

Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 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, Dave (Highlands and Islands) (Con)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robison, Shona (Dundee East) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 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)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)
 Harvie, Patrick (Glasgow) (Green)
 Leckie, Carolyn (Central Scotland) (SSP)
 Martin, Campbell (West of Scotland) (Ind)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (Sol)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Swinburne, John (Central Scotland) (SSCUP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

The Presiding Officer: The result of the division is: For 99, Against 16, Abstentions 0.

Motion agreed to.

That the Parliament does not agree to the general principles of the Provision of Rail Passenger Services (Scotland) Bill.

Historical Places and Artefacts

The Deputy Presiding Officer (Murray Tosh):

The final item of business this evening is a members' business debate on motion S2M-5027, in the name of Christine May, on Scotland's historical places and artefacts.

Motion debated,

That the Parliament recognises the support given by the Scottish Executive to conserve Scotland's heritage; believes that a knowledge of the buildings, monuments, historic sites and ancient artefacts in Scotland contributes to our knowledge of ourselves as a nation; welcomes the recent announcements on funding to protect ancient battlefields and historic buildings and to support local projects; further welcomes the statutory protection given to listed buildings and ancient monuments; considers that the voluntary register of historic sites maintained by most local authorities is a welcome source of information on Scotland's history and peoples; congratulates the Council for Scottish Archaeology and national, local authority and community historical, archaeological and museum groups which work tirelessly to research, identify and conserve places such as the Henge at Balfarg in Glenrothes and the Bronze Age burial cist at Sillerhole in Leven and display artefacts in both national and local museums such as Lower Methil Heritage Centre; believes that opportunities exist to give further protection through legislative measures; welcomes the offer by the Deputy Minister for Communities to discuss such opportunities in the context of the current planning Bill, and believes that all MSPs and ministers should consider what further support can be given to protect Scotland's historical places and artefacts.

17:09

Christine May (Central Fife) (Lab): I start by reminding members of my entry in the register of members' interests, which shows that I am a trustee of the Fife Historic Buildings Trust and the chair of the Scottish Library and Information Council, which has links with Scotland's museums.

I thank all the members who signed my motion and welcome members who are in the chamber. I also welcome the many people who are in the public gallery. In particular, I welcome Councillor Henry Blyth, who is the member of Fife Council for Leven West and Kirkland and who worked hard to obtain recognition for the bronze age burial cist at Sillerhole in Leven, which featured on Channel 4's "Time Team". The site was excavated and recorded before a housing development was built there and its precious artefacts are now in the National Museum of Scotland.

Shortly, a series of time capsules that were created by pupils from local Levenmouth schools will be buried at the site. That will ensure that future generations know not only what happened there in the bronze age, but what today's Fifers' lives were like. The minister saw some of the items that will be in the capsules when she visited Methil heritage centre in the summer recess with me and Councillor Irene Connelly, who has

worked hard to ensure that that facility stays in Methil for the benefit of the people of Levenmouth.

I also welcome members of the Markinch heritage group who are watching the debate online. Like many such groups around the country, the Markinch heritage group researches, documents and publicises the area's history, buildings, sites and artefacts and lobbies for them to be protected. A key current concern for the group is the loss of listed or historic buildings for which a suitable alternative use cannot be found within current rules. I am not arguing for less protection for such buildings but, too often, they are lost to arson, vandalism, neglect or wanton destruction.

The motion is first and foremost a celebration. It recognises the work by the groups to which I have referred and by statutory agencies such as local authorities. I pay tribute to my authority, Fife Council, and to its archaeology service first under Peter Yeoman and now under Douglas Speirs, which has—in partnership with many others—recorded and protected sites such as the henge at Balfarg, although it is not at its original location, and the many standing stones, artefacts and sites around Fife. In conjunction with others such as the National Museums of Scotland, the Council for Scottish Archaeology, Historic Scotland, Scottish Natural Heritage and the National Trust for Scotland—I welcome representatives of many of those organisations to the gallery—Fife's archaeology service has published books, pamphlets and leaflets that document Fife's history for current and future generations. In many instances, such work is now supported by the Heritage Lottery Fund, which has contributed significant sums to help such groups and national institutions make such records.

I recognise the work of the Executive and particularly of the minister, Patricia Ferguson, in bringing the matter to the forefront of policy after so long in the dark ages. The subject has been debated more often in the Parliament than at any time in the past. In 2004, the Parliament resolved to recognise that the rich heritage of historic buildings, conservation areas and other features—I paraphrase for speed—should be preserved for tourism, history and the country. In a debate on the historic environment earlier this year, following the publication of a series of reports by the Historic Environment Advisory Council for Scotland, I and others reaffirmed the importance that we all attach to that vital part of our heritage. We gave the minister our unanimous support for the work that she is doing.

The subject was discussed during the passage of the Planning etc (Scotland) Bill, to which I lodged two amendments—one was on a statutory register of monuments and archaeological sites

and the other was on a statutory duty of care. I thank the Communities Committee and the minister for the attention that they paid those amendments, which I withdrew. Yesterday, I met the Deputy Minister for Communities and the Minister for Tourism, Culture and Sport to discuss the issues that arose from that debate. I welcomed that further discussion.

Several things still need to be tackled. It is true that ancient monuments can still be destroyed during the process through which they are designated as protected sites. Key parts of our archaeological heritage have no protection. Paeleoenvironmental deposits and finds scatters are unprotected. Unique sites that contain the only surviving evidence of early occupation do not qualify for protection as monuments. Historic gardens and landscapes have no designated protection. I welcome the recent announcement on battlefields, which are fundamental to our understanding of Scottish history, but they cannot currently be protected, although they form part of our wider historical and cultural landscapes. The historic environment is an irreplaceable asset and a key component of people's sense of place.

Local authorities in Scotland are responsible for the conservation of more than 90 per cent of our archaeological resources and—perhaps with one or two exceptions—they do a superb job. The Historic Environment Advisory Council for Scotland has recommended introducing a statutory duty of care for the historic environment. I ask the minister what progress has been made in preparing her response to the HEACS reports, when she hopes to make her response public and whether she can say what she might propose. Specifically, will she consider new legislation?

I am delighted to have again brought the matter to the Parliament's attention and look forward to what members have to say.

17:16

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

I congratulate Christine May on securing the debate. There are many people in all the political parties who are interested in Scotland's historical places and artefacts and have interesting stories from their localities, constituencies or regions about the opportunities and problems that local groups face in trying to protect our heritage. Christine May's speech was excellent; it covered many issues very well.

Many local groups in Scotland do excellent work—most of them voluntarily—to try to protect our heritage. I remember going on holiday to Orkney around 20 years ago and visiting a site on a local farmer's land. The farmer and his wife had built a little museum, which was attached to their

house. There were jet objects in it and other ancient objects that they had gathered from the site. They would take people down to the site and show them it. People were not charged—the work that the farmer and his wife did was entirely voluntary because they were keen to protect the site that was on their land.

This year, I was on holiday on the Cowal peninsula, just outside Dunoon. Local groups there are working well to provide guided walks and materials that show people some of the area's history. Some of that history is ancient. Local groups are doing tremendous work.

When we discuss Scotland's historical places and artefacts we tend to ask how much things will cost and how much effort a Government or a local authority must put in to save sites. Of course, cost is not the only issue; great opportunities exist. Christine May mentioned tourism. I presume that on the two holidays that I mentioned we added money to the local economies by spending on hotels, drinks, meals and so on, although we went to those areas because we were interested in what was happening on the archaeological sites there.

In the West of Scotland, which is my region, the Romans left their mark with the Antonine wall and the good people of Largs saw off the Vikings from Scotland at the battle of Largs. Great opportunities exist for local communities to benefit their economies by marketing their areas using historical events, sites and artefacts. Largs has been successful in doing so in recent years. People used to have to visit the Vikingar centre to see what was going on in the area.

Other areas have been less successful than Largs. Because of the west of Scotland's history of occupation and industrialisation, it is almost inevitable that many sites there have been lost under building work and heavy industry. That is unfortunate, but not everything has gone. Much is left that could and must be preserved. I am glad to say that all parties are beginning to turn their attention to such problems. I should also commend the Executive for doing so.

I heartily commend local groups across the country for their work, but it is clear that we need a national framework and strategy to ensure that there is sufficient protection throughout Scotland.

I support the listing of buildings, which has proved useful over the years in protecting many buildings, although, as Christine May mentioned, it does not always work in the way in which we would like it to. However, we must go further and introduce a similar system for other historic sites.

I would like to raise some issues that may need to be considered when we discuss introducing such a system. The system should protect a broad

array of historic sites. Often when we think of historic sites we think only of neolithic burials or standing stones, but we must think of the history of local areas in a much broader way. Perhaps we should use Historic Scotland's categorisation system to prioritise sites for preservation. We must be honest and practical about the fact that not everything deserves the same level of protection; clearly, some sites are more important to us than others. We must also apply a minimum standard for preservation at both national and local level, because of the variation that exists across the country. In some areas, local groups find it difficult to secure protection for sites, but in others that is much easier.

Much work needs to be done in order for us to catch up with some other countries. I am thinking especially of the USA, where some marvellous battlefield sites, in particular, are protected in a way that is not the case here. Other landscapes such as gardens and other outdoor areas are also important. Christine May mentioned some examples in her opening speech.

Protecting our historical places and artefacts is critical to us as a people. It helps us to learn about where we all came from and about the events that have shaped not only our country and culture, but even our gene pool—all the visitors who have come to this part of the world over many thousands of years. I support Christine May's questions to the minister and hope that when the minister winds up the debate she will address some of the points that Christine made about where we go from here to protect some of these important sites.

17:22

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Christine May is to be congratulated on securing the debate by all who are interested in conserving Scotland's heritage. I am particularly attracted by the part of her motion that urges ministers and MSPs to

"consider what further support can be given to protect Scotland's historical places and artefacts."

In that connection, I can update the minister on what has been happening to promote St Andrews as a candidate for world heritage site status. She may be interested to know that we are in the process of setting up a local steering group, on a non-political basis and with the support of Fife Council. I will keep her apprised of progress.

I would like to devote the remainder of my speech tonight not to Scotland's built heritage but to an important historical artefact that currently languishes in a crypt in Fårevejle church in Denmark. I refer to the mummified remains of

James Hepburn, the fourth Earl of Bothwell and consort to the Queen of Scotland.

Members who have studied history or have read Schiller's play "Mary Stuart", which is currently being staged to rave reviews at the Lyceum, will be aware that Mary lost her throne, and subsequently her head, following her marriage to Bothwell. Bothwell's estates were forfeit for treason and he escaped from Scotland first to Norway and then to Denmark, where he was imprisoned in appalling conditions for 10 years before he died, insane. Until 1975, the Danish church authorities kept his mummified body in a glass coffin in Fårevejle church as a ghastly tourist attraction. Now, happily—or unhappily—it lies in a crypt in the same church.

As the minister is aware, I have been in correspondence with her over several months about the possibility of the Danish authorities returning Bothwell's remains to Scotland, where he no doubt wished to be buried. I understand that a number of Bothwell's descendants—including Sir Alastair Buchan-Hepburn, a constituent of mine—have been in touch with the congregation of Fårevejle church, seeking to have the remains repatriated.

In September this year, the Danish Queen Margrethe II respected the last wish of Maria Fyodorovna, widow of Tsar Alexander III, to be removed from her grave in Denmark and reburied in Russia. Maria was a Danish national, so surely it is even more appropriate that the remains of the husband of Mary, Queen of Scots, who was himself a Scot, should be returned to his homeland.

I have heard murmurs that Bothwell may not be the kind of historical figure whom we wish to commemorate and that that may have contributed to the inertia of officials in trying to retrieve his remains. I hope that that is not the case. After extensive research, revisionist historians such as John Guy and Gore-Brown now portray Bothwell in a far more sympathetic light, particularly when judged in a 16th century context.

As we know, Johann Sebastian Bach is now interred in the church of St Thomas in Leipzig; Martin Luther has found his final resting place in Wittenberg; and, although Thomas Hardy's body lies in Westminster, his heart is interred in his native west country. Those various historical figures have one thing in common: they were buried with their families' consent in a place that their descendants deemed worthy. American movie stars Katherine and Audrey Hepburn were descended from James Hepburn, Earl of Bothwell, and Hepburns all over the world are united in their desire to have his body returned from Denmark to Scotland.

As Christine May's motion points out, it is not only Scotland's historic places but its artefacts that need to be conserved. Even though it was expressed 438 years ago, there is no reason why James Hepburn's wish to return home should not be treated with the same respect as the wish of Tsarina Maria, whose body has now been reinterred in St Petersburg. Maria was consort to the Tsar of Russia, Bothwell was consort to the Queen of Scotland, and both were buried in Denmark, a place where neither wanted to be.

I urge the minister to contact the Danish Government, which I understand is prepared to consider the repatriation of Bothwell's remains. Perhaps an appropriate last resting place for the earl would be the Crichton collegiate church in Midlothian, close by Crichton castle, which played such an important role in the story of James Hepburn and his ill-fated Queen. That would provide a focus for all those who are fascinated by the life and loves of Mary, Queen of Scots.

I commend this action to the minister and am happy to support the motion.

17:26

Donald Gorrie (Central Scotland) (LD): I have nothing to declare, as such, but my standard curriculum vitae lists visiting ruins as one of my interests. That is useful, because it gives people who introduce me at meetings something to say. Moreover, 40 or 50 years ago, I used to hear little jokes about the appropriateness of a Liberal visiting ruins. We have come quite a long way since then and the joke is not as funny any more.

I think that the only ancient thing that I have ever helped to save is a physic well in Corstorphine. It seems rather strange but, at one time, Corstorphine was like Bath or Tunbridge Wells and the citizens of Edinburgh went there to take the waters. However, because a stream was being re-routed, the well had to be shifted, and we managed to save it. Indeed, it came to be known locally as Councillor Gorrie's psychic well.

Other members have spoken well about the preservation and maintenance of our monuments, but I want to concentrate on how we can get people excited about monuments. Indeed, there is no point in having them otherwise.

I am sure that everyone in the chamber is excited about monuments; I am also sure that everyone finds it hard to understand why people do not share one's excitements. For example, I think that everyone should be excited by politics and be a member of the Liberal party, but many very decent people are interested in neither.

As well as educating people about these things, we have to find out how we can arouse excitement

in them. Recently, I took some grandchildren on a visit to St Andrews and I think that the bottle dungeon and siege works in the rocks really got them going. It certainly got me going, and I vigorously gashed my head on a lintel that was lower than I thought it was.

Many people are interested in models. I am not sure whether it is politically correct to say so, but men, in particular, like little model railways, models of towns and countries and so on.

Christine May: Is the member putting himself forward as the Jeremy Bentham of Scottish politics, to be preserved for the future?

Donald Gorrie: No, I do not think so. I am more of a John Stuart Mill person.

Showing how a city was developing in 1200, 1500 and 1700 or what a clachan or fishing village in the Highlands looked like can excite people, as can recreating activities. Re-enacting battles goes down quite well. One of my many failures was to persuade Historic Scotland's predecessors and the Army to hold an annual re-enactment of Randolph, Earl of Moray, capturing Edinburgh Castle. That would be splendid and would excite a lot of people.

We have to instil excitement among our own people and among tourists. We could have tourist trails to places such as Meigle, which contains the world's biggest and best collection of Pictish stones. Of course, we are the only people who have Pictish stones, so we might as well plug it seriously. Many people have never heard of it.

If we can get people excited about where their ancestors worked or how they lived, and what their cities or rural communities were like, they will visit those places. Historic Scotland is starting to display such places better, but we can do a lot better. It would be great for education, tourism and enjoyment. If we get people steamed up about ruins, we will give them a great deal of pleasure.

17:31

Tricia Marwick (Mid Scotland and Fife) (SNP): I welcome the visitors to the gallery and the people in Markinch who are viewing the debate on a webcam. I pay tribute to Christine May for bringing the debate to Parliament and for the eloquent way in which she spoke about her constituency. I have worked out that during this very short debate, we have been to Edinburgh, Orkney, the Cowal peninsula, Midlothian and Denmark. It is therefore quite appropriate that I bring the debate back to the glorious kingdom of Fife.

I want to pick up on a couple of issues such as the bronze age burial cist at Sillerhole. It is important that some of our artefacts be retained locally and that the National Museum of Scotland

does not always get to cherry pick the best—after all, it is our heritage and it is important to make sure that as much as possible of it remains in the care of local people. That is why I support the Historic Environment Advisory Council for Scotland's recommendation that local authorities and other agencies should have a statutory duty to conserve and care for the historical environment.

We have seen cultural vandalism in Fife in the not-too-distant past. Christine May mentioned the henge at Balfarg, which was moved by the then Glenrothes Development Corporation to another site. That is cultural vandalism, in my view and in the view of others. If there had been a statutory duty on public bodies such as that corporation, that could not have happened.

I also want to mention the Wemyss caves, which are close to my heart and to the hearts of many in Fife. They contain some of the best ancient cave drawings, but are under threat from coastal erosion. We have already lost too much of the Wemyss caves. I know that it will cost a great deal of money to protect them, but I cannot believe that any other country in Europe would allow such a valuable piece of heritage to disappear completely. Some of the world's most fabulous caves, particularly those in France, have been preserved, so I do not believe that it is beyond our wit or will as politicians and individuals to find a way to preserve one of the most spectacular examples of our heritage and past. I urge the minister to say something about the Wemyss caves in her winding-up speech. When she is finishing the debate, could she also address the points that Christine May made about how best to preserve our heritage for the future?

I acknowledge the work that Christine May has done, particularly on the Planning etc (Scotland) Bill. Although her amendments have been withdrawn, I know that she has had discussions with the minister and with others. I believe that we need some sort of resolution of the issue, so I hope the minister will say something about where those discussions are going.

I pay tribute to Christine May and to all those who have spoken in the debate, and I extend to Christine my warmest thanks for giving us the opportunity to discuss the matter.

17:35

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I congratulate Christine May on bringing the debate to the chamber. I also draw members' attention to my entry in the register of members' interests. Of the many members' business debates that I have participated in over the years, this has been one of the most interesting and wide ranging, so I shall be most

interested to hear how the minister responds to the myriad and galaxy of subjects that we have already heard about.

My contribution will be in three parts: first, I shall talk—as I would in any case—about defending and promoting the Highlands. I come from Tain, and it was thanks to a gentleman who will be known to both Christine May and Trish Marwick—Douglas Sinclair, the former chief executive of Fife Council—when he was chief executive of Ross and Cromarty District Council, that a number of interesting early moves were made to promote the town. He persuaded the district council to develop a project called Tain through time, which celebrated the life of St Duthac, an 11th century saint who was born in Tain and who became so famous in the middle ages, prior to the reformation, that King James IV visited Tain almost annually. In fact, he sometimes visited twice or even three times in a year, such was his devotion to the saint. The town became prosperous on the back of that culture of pilgrimage and on the back of masses being said for the souls of the dead. James IV laboured under the belief that he was in some way responsible for the death of his father, so he asked that masses be said for him in Tain. That early move worked and has played a big role in encouraging tourists to come to my home town. The initiative has been generally welcomed and I am grateful to Douglas Sinclair for doing something that was new, brave and bold.

In the north of my constituency, in Caithness, we seek to repeat the Orkney trick. We have already heard a most interesting speech about Orkney. The people of Caithness and the people of Orkney are probably almost exactly the same in terms of where they come from and the Viking-Celt mix, and I and others believe that below the beautiful lands of Caithness there are Skara Braes and Maes Howes still to be found. There is great potential.

I want to mention organisations such as the Dunbeath Preservation Trust, the Yarrows Heritage Trust and people such as George Bethune and Isla MacLeod, who are working hard to make projects reality. Under the overall umbrella of the Caithness Archaeological Trust, those people and organisations are working with communities and taking the communities with them on concepts such as the river of stone programme. The Prince of Wales has been good enough to become the patron of the Caithness Archaeological Trust—we have heard about his work in relation to the built heritage, but his work on our archaeological heritage is in its early stages, so again it is a case of trying to build on what we already have.

My point, therefore, is an old point and one that I have made before. In a Starbucks world where

everything is becoming homogenised into a kind of oneness, the human spirit still craves the sort of differences that Ted Brocklebank told us about. Difference is the spice that makes tourists come. In my conversations today with Isla MacLeod of the Caithness Archaeological Trust, she made the point that people will come to Caithness, or to St Andrews or to any part of Scotland, and will not be worried about the weather, so in the shoulder months—the cold months—we can get people to come and to spend money in the area.

I gave the minister notice that I would raise my next point. There is an organisation, of which I was once upon a time a trustee, called the Highland Buildings Preservation Trust. It was started with seedcorn money from the enterprise network and from the local authority, but over the years it has pulled in around £4 million of funding on an additionality basis, and that money has been spent on protecting the built heritage of the area. I am thinking of Forss Mill near Thurso, which has been beautifully restored, and of the procurator fiscal's office in Tain, which has also been restored. However, because of changes—which I have to admit I do not quite understand—funding could be more difficult for the trust in the future, not in relation to the flow of money, because the Executive and other bodies are generous about that, but because of accounting and administrative regulations. I ask the minister to look into the matter in a peaceful way and at her leisure. Mr Nigel Graham, the chairman of the trust, is concerned that the good work that has been done in the past could become more difficult in the future.

As we try to develop and sell Caithness and other parts of my constituency, the idea of displaying artefacts in local museums, which is mentioned in Christine May's excellent motion, has become a cause célèbre. There was a time when all the artefacts went straight down the A9 to Edinburgh. We cannot get them all back, but a share-and-loan scheme with the powers that be would be a great help. I see that Tricia Marwick is nodding in agreement. It is not that we are going to rape and pillage Edinburgh and take all the artefacts north again, but something clever could be done. We have heard that when young people can see, touch and look at artefacts it brings history to life. I cannot think, as a historian myself, of anything that enriches one's life more than that. I again congratulate Christine May.

17:40

The Minister for Tourism, Culture and Sport (Patricia Ferguson): I join colleagues in thanking Christine May for bringing the motion before Parliament. I also thank members for what has been, as Jamie Stone rightly said, an interesting

and informative debate. I cannot help but agree with a lot of what has been said and a lot of what is in Christine May's motion.

I am pleased that we have had the opportunity to debate the historical environment again in Parliament this year and that the Parliament recognises the support given to the historical environment by the Scottish Executive. Overall, ministers will provide, through Historic Scotland, about £13 million of funding in the current year to the historical environment, including grants to owners of buildings and monuments and to the voluntary sector.

Support can be given in many ways and the sustainable management of the historical environment can be guaranteed only if the Executive works in partnership with many others. I join Christine May in thanking the myriad other organisations that contribute experience, energy, funding and enthusiasm, in particular those who, as Christine May and Stewart Maxwell rightly pointed out, do so on a voluntary basis.

We all work hard together on the historical environment, because we recognise that it adds greatly to our quality of life in many ways. Jamie Stone was right to pick up the fact that those who wish to visit our country do so at least partly because of the diversity of what we have to offer. I may have said in the chamber once before—or perhaps even more often than that—that one of the ways in which VisitScotland markets our country is as a national dish with regional flavours. The whole area of heritage works well in that regard.

I will respond to a number of points that members have made before I go on to the substance of my speech.

Stewart Maxwell, and perhaps some other members, mentioned battlefields. It is important to remember that in Scotland, battles tended to take place over a wide area, involving skirmishes and guerrilla-type warfare, so there is a lot of dispute about the location of battlefields, particularly as often no visible evidence of them is left today. However, Historic Scotland, having produced a gazetteer of important sites in Scotland, is now working on a policy for their protection, which will in due course be issued for public consultation.

Stewart Maxwell mentioned the Antonine wall. Personally, I think that no parliamentary debate on the historical environment would be complete without mention of it, not least because it runs through my constituency. It is important to mention it for several reasons. It is very visible, and we have a responsibility to protect it.

The fact that the Antonine wall is part of a larger area nominated for world heritage site status is interesting. The wall crosses many areas within

Scotland and the bid crosses many current national boundaries, which reflects the Roman world as it was then and the boundaries that existed to protect those within it. The bid also gives us an opportunity to work with colleagues in other countries on our shared history. From that point of view, the way in which the matter is being taken forward is extremely interesting.

Ted Brocklebank mentioned what I think he referred to as Bothwell's bones. He described them as an artefact, so it would be remiss of me if I did not say that in fact they are not an artefact—they have a different legal status. They are remains and, unfortunately, in law there is no ownership of human remains. Although the idea of repatriating those remains is interesting, and perhaps even attractive, it is a matter for Bothwell's ancestors and the Danish authorities.

Christine May mentioned gardens, and I will talk about our proposals a little bit later.

I was interested in what Tricia Marwick said about the Wemyss caves, not least because Christine May has spoken to me about them on a number of occasions. The cost of preserving the caves from the encroaching sea would be colossal. The task would also be extremely technically challenging, and the effect of the work would probably be to direct the force of the sea towards other parts of the coast and into other caves. Moreover, the caves are geologically unstable.

When prioritising our work on the historical environment, we have to consider where funding can do the most good. In the longer term, the continuous struggle with the sea at Wemyss would eventually be lost, as would the money that had been spent. However, I understand that a great deal of work has been done by a local society that takes an interest, and that all the carvings and paintings have been extensively recorded. A good job is being done in publicising the existence of the Pictish drawings in that part of Fife and in teaching people about them.

Scotland has effective legislation and systems to identify and protect important monuments and buildings, which is to be welcomed, but it is vital to acknowledge that alterations to the historical environment to suit society's changing needs are inevitable. I stress again that the purpose of legislation in this area is not to halt development but to manage change in an intelligent, responsible and sympathetic way. Statistics for scheduled monument consent and for listed building consent show that Historic Scotland and local authorities do just that.

I noted with interest Christine May's comments on the opportunities to improve the protection of our historical environment through legislative

measures. Members are aware that the Historic Environment Advisory Council for Scotland—which, for ease, I will refer to as HEACS—has recently submitted a number of reports to me. Two of them are particularly relevant to this evening's debate. The first is on whether there is a need to review heritage protection legislation in Scotland, and the second is on the role of local authorities in the conservation of the historical environment.

The reports make recommendations on issues such as a duty of care for the historical environment and minimum standards for local authority historical environment services. I know that such matters are of considerable interest to Christine May, Stewart Maxwell and everyone who has taken part in this debate. Both reports contain detailed and interesting recommendations, some of which raise complex issues. I have advised HEACS that I will give a preliminary response to the reports this year, and that work to consider the recommendations in more depth will continue at least through the first half of 2007. I am sure that members will understand that it would be inappropriate for me to pre-empt my response to the reports today.

The final part of the motion asks that

"all MSPs and ministers should consider what further support can be given to protect Scotland's historical places and artefacts."

Ministers are setting out a vision and strategic policies for the historical environment through an important series of documents called the Scottish historic environment policies—which, again for ease, I will refer to as SHEPs. The policies were the subject of a stimulating debate here in April. Following public consultation, SHEP 1, which sets out the overall framework for the historical environment in Scotland, is being finalised as we speak. It is planned to issue SHEP 1 in its final form and to release four further SHEPs for consultation—on subjects such as the listing of buildings and access to properties in the care of the Scottish ministers—before the end of March next year.

Gardens and the designed landscape have been the subject of consultation as part of the same series. That consultation ended in June, and the policy implications are still being considered.

Mr Stone: On that point, concern has been expressed in recent times that some town centre gardens in our historical towns in the Highlands have been built on, even though some of them have existed for 100 to 200 years. Was that issue included in the consultation?

Patricia Ferguson: The entire issue of gardens and designed landscapes was the subject of that SHEP consultation. Albeit that the consultation is closed, I am happy to get a copy to Mr Stone. I am

sure that he will be interested to read the responses.

I am sure that members will be interested to note that Historic Scotland will publish operational policies for many areas of its work. That will make the way in which the agency conducts its business even more transparent.

I hope that members will agree that our historical environment is vital to Scotland and its people. For that reason, we must ensure that effective policies and systems are put in place to protect and manage it. The recent HEACS reports and the SHEP series represent important and substantial contributions to this key aim of the Scottish ministers and our partners. I look forward to bringing more information on those matters to Parliament in due course.

Meeting closed at 17:51.

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