

MEETING OF THE PARLIAMENT

Wednesday 5 September 2007

Session 3

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CONTENTS

Wednesday 5 September 2007

SCOTTISH MINISTERS AND DEPUTY MINISTERS
PRESIDING OFFICERS
SCOTTISH PARLIAMENTARY CORPORATE BODY
PARLIAMENTARY BUREAU
COMMITTEE CONVENERS AND DEPUTY CONVENERS

Debates

	Col.
TIME FOR REFLECTION	1353
BUSINESS MOTION	1355
<i>Motion moved—[Bruce Crawford]—and agreed to.</i>	
Iain Smith (North East Fife) (LD)	1356
The Minister for Parliamentary Business (Bruce Crawford)	1357
AFFIRMATION	1361
SCOTTISH GOVERNMENT'S PROGRAMME	1362
<i>Statement—[First Minister].</i>	
The First Minister (Alex Salmond)	1362
SCOTTISH GOVERNMENT'S PROGRAMME	1383
The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon)	1383
Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab)	1386
Murdo Fraser (Mid Scotland and Fife) (Con)	1388
Nicol Stephen (Aberdeen South) (LD)	1390
Roseanna Cunningham (Perth) (SNP)	1391
George Foulkes (Lothians) (Lab)	1392
Mary Scanlon (Highlands and Islands) (Con)	1394
Tricia Marwick (Central Fife) (SNP)	1395
Pauline McNeill (Glasgow Kelvin) (Lab)	1397
Mike Rumbles (West Aberdeenshire and Kincardine) (LD)	1398
Rob Gibson (Highlands and Islands) (SNP)	1399
Sarah Boyack (Edinburgh Central) (Lab)	1401
Margo MacDonald (Lothians) (Ind)	1402
Robert Brown (Glasgow) (LD)	1404
David McLetchie (Edinburgh Pentlands) (Con)	1406
Cathy Jamieson	1407
Nicola Sturgeon	1409
DECISION TIME	1412
ASYLUM SEEKERS	1413
<i>Motion debated—[Sandra White].</i>	
Sandra White (Glasgow) (SNP)	1413
Pauline McNeill (Glasgow Kelvin) (Lab)	1415
Bill Aitken (Glasgow) (Con)	1417
Bob Doris (Glasgow) (SNP)	1418
Bill Butler (Glasgow Anniesland) (Lab)	1420
Hugh O'Donnell (Central Scotland) (LD)	1421
Elaine Smith (Coatbridge and Chryston) (Lab)	1423
Christina McKelvie (Central Scotland) (SNP)	1424
The Minister for Communities and Sport (Stewart Maxwell)	1426

SCOTTISH MINISTERS AND LAW OFFICERS

Office of the First Minister

FIRST MINISTER—Rt Hon Alex Salmond MSP

MINISTER FOR EUROPE, EXTERNAL AFFAIRS AND CULTURE—Linda Fabiani MSP

MINISTER FOR PARLIAMENTARY BUSINESS—Bruce Crawford MSP

Health and Wellbeing

DEPUTY FIRST MINISTER AND CABINET SECRETARY—Nicola Sturgeon MSP

MINISTER FOR PUBLIC HEALTH—Shona Robison MSP

MINISTER FOR COMMUNITIES AND SPORT—Stewart Maxwell MSP

Finance and Sustainable Growth

CABINET SECRETARY—John Swinney MSP

MINISTER FOR ENTERPRISE, ENERGY AND TOURISM—Jim Mather MSP

MINISTER FOR TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE—Stewart Stevenson MSP

Education and Lifelong Learning

CABINET SECRETARY—Fiona Hyslop MSP

MINISTER FOR SCHOOLS AND SKILLS—Maureen Watt MSP

MINISTER FOR CHILDREN AND EARLY YEARS—Adam Ingram MSP

Justice

CABINET SECRETARY—Kenny MacAskill MSP

MINISTER FOR COMMUNITY SAFETY—Fergus Ewing MSP

Rural Affairs and the Environment

CABINET SECRETARY—Richard Lochhead MSP

MINISTER FOR ENVIRONMENT—Michael Russell MSP

Law Officers

LORD ADVOCATE—Right hon Elish Angiolini QC

SOLICITOR GENERAL FOR SCOTLAND—Frank Mulholland QC

PRESIDING OFFICERS

PRESIDING OFFICER—Alex Fergusson MSP

DEPUTY PRESIDING OFFICERS—Alasdair Morgan MSP, Trish Godman MSP

SCOTTISH PARLIAMENTARY CORPORATE BODY

PRESIDING OFFICER—Alex Fergusson MSP

MEMBERS—Alex Johnstone MSP, Tricia Marwick MSP, Tom McCabe MSP, Mike Pringle MSP

PARLIAMENTARY BUREAU

PRESIDING OFFICER—Alex Fergusson MSP

MEMBERS—Robert Brown MSP, Bruce Crawford MSP, Cathy Jamieson MSP, David McLetchie MSP

COMMITTEE CONVENERS AND DEPUTY CONVENERS

Committee	Convener	Deputy Convener
Audit	Charlie Gordon	Murdo Fraser
Economy, Energy and Tourism	Tavish Scott	Brian Adam
Education, Lifelong Learning and Culture	Karen Whitefield	Rob Gibson
Equal Opportunities	Margaret Mitchell	Elaine Smith
European and External Relations	Jackie Baillie	Alex Neil
Finance	Andrew Welsh	Elaine Murray
Health and Sport	Christine Grahame	Ross Finnie
Justice	Bill Aitken	Bill Butler
Local Government and Communities	Duncan McNeil	Kenneth Gibson
Procedures	Keith Brown	Cathie Craigie
Public Petitions	Mr Frank McAveety	John Farquhar Munro
Rural Affairs and Environment	Roseanna Cunningham	John Scott
Standards and Public Appointments	Keith Brown	Cathie Craigie
Subordinate Legislation	Jamie Stone	Gil Paterson
Transport, Infrastructure and Climate Change	Patrick Harvie	Cathy Peattie

5 September 2007

Scottish Parliament

Wednesday 5 September 2007

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

Time for Reflection

The Presiding Officer (Alex Fergusson):

Good afternoon. I welcome members back after the summer recess—it is nice to be back.

The first item of business is time for reflection. Our leader for today is the Rev James McNaughtan from St Marnock's parish church in Kilmarnock.

The Rev James McNaughtan (St Marnock's Parish Church, Kilmarnock): If you have a car that will not start, you might call out the AA, the RAC or one of the other breakdown services, but if you are not a member of one of those organisations, you might call a garage and pay a mechanic to get you going, but if you are my son, you do not do any of those sensible things: you just call your dad instead. So, at 1 o'clock one morning, I got a call to say that he had broken down and that the car just would not start. I shook myself awake and quickly got dressed. I looked out a torch, a tow rope and jump leads and went to the rescue. It turned out to be a flat battery—he had left his lights on, or so he thought. So at half past 1 in the morning in the centre of Kilmarnock, I gave him a lesson on how to bump start a car that has a flat battery—he did the pushing and I did the steering. Anyway, we got it going and I followed him home and got back to my bed.

That set me thinking that, for all the complexities of a modern car, it takes only one piece of equipment to fail and the whole thing will just not work. You can have the latest state-of-the-art onboard electronics and sensors that put your lights on or operate the wipers when it rains, but all are no good if you do not have a battery that works.

St Paul recognised the importance of each part working together in the body of Christ—we are all joined together as different parts of one body, he wrote. He saw that we are dependent on each other—each of us with different gifts and different jobs to do. He also recognised that we are a great strength to each other. That is true not just for the church, but for society as a whole. It is true that we rely on each other, that we need each other and that we are a strength and support for each other. Surely that is what it means to live in community.

May God bless your work here, that it might nurture, encourage and strengthen our communities right across this land.

Business Motion

The Presiding Officer (Alex Fergusson): The next item of business is consideration of business motion S3M-412, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 5 September 2007

2.30 pm Time for Reflection
followed by Business Motion
followed by Member's Affirmation: Shirley-Anne Somerville
followed by First Minister's Statement: The Scottish Government's Programme
followed by Scottish Government Debate: The Scottish Government's Programme
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 6 September 2007

9.15 am Parliamentary Bureau Motions
followed by Ministerial Statement: Foot and Mouth Outbreak
followed by Scottish Government Debate: Tackling Drugs Misuse
 11.40 am General Question Time
 12 noon First Minister's Question Time
 2.15 pm Themed Question Time—Justice and Law Officers; Finance and Sustainable Growth
 2.55 pm Scottish Government Debate: A Sustainable Future for Crichton University Campus
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 12 September 2007

2.30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Scottish Government Debate: The Government's Skills Strategy
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 13 September 2007

9.15 am Parliamentary Bureau Motions
followed by Scottish Labour Party Business
 11.40 am General Question Time
 12 noon First Minister's Question Time
 2.15 pm Themed Question Time—Europe, External Affairs and Culture; Education and Lifelong Learning
 2.55 pm Ministerial Statement: Broadcasting
 3.50 pm Ministerial Statement: National Developments in Planning
followed by Debate on the draft Smoking, Health and Social Care (Scotland) Act 2005 (Variation of Age Limit for Sale of Tobacco etc. and Consequential Modifications) Order 2007

followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 19 September 2007

2.30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Scottish Government Business
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 20 September 2007

9.15 am Parliamentary Bureau Motions
followed by Scottish Government Business
 11.40 am General Question Time
 12 noon First Minister's Question Time
 2.15 pm Themed Question Time—Health and Wellbeing; Rural Affairs and the Environment
 2.55 pm Scottish Government Business
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business—[Bruce Crawford.]

14:34

Iain Smith (North East Fife) (LD): It is with regret that I speak against the business motion. In particular, I regret the contempt that the new Scottish National Party Administration is showing towards Parliament by allowing only one hour 25 minutes to debate its entire programme for government. The SNP either has no confidence that its programme will stand up to scrutiny, or there is so little in it that it does not need much time—or, indeed, both.

Members should contrast that with the record of the previous Administrations, which allowed extensive debates on their programmes for government and legislative programmes. The debate on the programme for government in 1999 was more than four and a half hours long and, after the 2003 election, the debate extended over two days. Separate annual statements and debates on the legislative programme were held each year, all of which exceeded the time that the present Administration has allocated for both the legislative programme and the programme for government.

This week, we are being offered two hours and five minutes tomorrow to allow the Administration to pat itself on the back over the Crichton campus funding that has already been announced, but we are allowed only one hour 25 minutes to debate everything else that the Government is going to do.

Next week, 55 minutes are allocated for a statement on the Scottish broadcasting commission, which can, to be frank, be fairly described as having been extensively leaked in advance, yet only 85 minutes are allocated today to debate the legislative programme that nobody has yet had a chance to see. There is virtually no time for back benchers from any party to participate in the debate.

It is clear that this Administration intends to govern by press release rather than by bringing its proposals before the democratically elected Scottish Parliament. That is unacceptable and I urge Parliament to reject the business motion. Instead, there should be a full and extended debate on the First Minister's statement to allow a proper opportunity for all members of this Parliament properly to scrutinise the legislative programme and hold the Administration to account.

The Presiding Officer: The minister has indicated that he would like to respond. I am happy to let him do so.

14:36

The Minister for Parliamentary Business (Bruce Crawford): I am happy to respond.

It might have been helpful if the member had spoken to me about the issue beforehand. He may not be aware that the length of the debate that we will have this afternoon, and the length of the statement by the First Minister, were discussed at the Parliamentary Bureau on Tuesday and were unanimously agreed by the business managers. To be fair, the issue of additional time was raised. I said to the business managers at the Parliamentary Bureau that I was happy for the time that was being allocated to be extended and I

pointed out that that would mean that members would have additional speaking time: back benchers would move from four-minute speeches to six-minute speeches but, in respect of members who would get to speak, the only gainers would be an additional Labour member and an additional Conservative member. The rest of the business managers accepted that advice and accepted the business motion that is before us. I guess that Iain Smith's fight is therefore not with the Government but with the internal mechanisms of his own party.

The Presiding Officer: The question is, that motion S3M-412, in the name of Bruce Crawford, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

Nigel Don (North East Scotland) (SNP): On a point of order, Presiding Officer.

The Presiding Officer: We cannot have a point of order during a vote.

If you are having a problem with your console, you have time to find another seat, Mr Don.

I gather that a number of members are having problems. I ask that the system be cleared. We will vote again shortly. I point out to members that the system is thoroughly checked before the start of business.

We will run the vote again.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Marwick, Tricia (Central Fife) (SNP)

Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (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, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)

Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

ABSTENTIONS

MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 60, Against 54, Abstentions 1.

Motion agreed to.

David McLetchie (Edinburgh Pentlands) (Con): On a point of order, Presiding Officer. As Mr Crawford said, the motion on which we have just voted was agreed by the Parliamentary Bureau, which you chair. Would it be in order for you to point out that if we constantly revisit such issues, on business motion after business motion, the business of Parliament will not proceed expeditiously or sensibly?

The Presiding Officer: I am not sure that that is a point of order, but the point is made. What is clear is that the longer we extend this debate, the less time we will have to debate the matters in front of us this afternoon.

Affirmation

14:40

The Presiding Officer (Alex Fergusson): I invite our new member, Shirley-Anne Somerville, to make the formal affirmation.

The following member made a solemn affirmation:

Shirley-Anne Somerville (Lothians) (SNP)

Scottish Government's Programme

The Presiding Officer (Alex Fergusson): The next item of business is a statement by the First Minister on the Scottish Government's programme. The First Minister will take questions at the end of his statement, so there should therefore be no interventions.

14:42

The First Minister (Alex Salmond): It gives me enormous pleasure to set out the objectives and legislative priorities of the Scottish Government for the coming year. These should be taken with "Principles and Priorities: The Government's Programme for Scotland", which has been made available to every member.

There is a difference between this speech and similar ones that have been delivered in the past. Some of the reasons for that are obvious. The people of Scotland know that this is a minority Government, which operates in a Parliament that is therefore different from any other that has been elected in the history of the Parliament. It is one that has been created by the people, in which the Government can propose and lead, but cannot compel or dictate. As First Minister, I am responding to that democratic desire for shared political leadership by introducing a programme that seeks to persuade, rather than one that asserts the domination of one party, coalition or world-view. I hope that members will find a great deal in what is announced today that reflects those shared values and objectives.

That was a pledge that was made by this Government when it took office 112 days ago; another was that this Government does not believe that every problem—however big or small—can or should be resolved through legislation. Politicians often like to believe that we exist to make law, and that only through constantly changing the law can we achieve our policy objectives. That view of political leadership is mistaken. In its early days, Parliament perhaps felt that it had to legislate to be seen to justify its existence, but Scotland has moved on: just as we have a Parliament and not an Assembly, so we now have a Government, not an Executive.

Today, I ask Parliament to support the 11 Government bills in this year's programme, but never to confuse that legislative activity—important though it is—with the totality of what Government can achieve. In truth, most people believe that there is already too much legislation, and they yearn for a more considered and restricted approach. I embrace that sense of legislative restraint. It is not the purpose of a

Government to legislate; rather, it is for Government and Parliament to legislate with a purpose.

Presiding Officer, in that context I will doubtless be criticised by some people on the basis that the 11 Government bills in the programme are still more than the eight bills that were introduced by Donald Dewar in his speech in 1999. Others might criticise because the figure is lower than the 15 bills that were introduced by Jack McConnell in 2003. Such are the joys of national leadership. However, each bill has been properly considered and deserves to be passed in this chamber.

The Government has adopted an approach that is based on three objectives. First, we believe that winning and retaining the trust of the people will require an Administration that is willing to focus on showing competence and direction in the day-to-day business of Government. Secondly, we believe that the people of Scotland want a Government that is based on principle, but which is also able to move with mainstream opinion to build consensus in the public interest. Thirdly, we believe that Government will always be about vision. Restoration of belief in the power of a democratically elected Government to effect change—which remains one of the great challenges for any modern Government—is about focusing on the possible, rather than merely accepting the status quo. That means painting a picture of a better and more dynamic society, and offering Scotland a vision—a radical and inspirational choice for the future. Our national conversation seeks to do precisely that.

At the end of the four-year term of this Government, it is those objectives of competence, consensus and vision against which we should be judged. Of course, that judgment could come earlier if the opposition parties wish to force an election. Indeed, I read that an electoral test could come as early as next month. However, that is a matter for the Prime Minister and, of course, I would not dream of treading on a reserved matter. Just for the record, however, I would welcome a Westminster election next month—as long as it is not organised by the Scotland Office and conducted using electronic voting.

It is the stuff of politics that parties like to have a go at each other. A vibrant democracy demands no less. However, I would be disappointed if the parties that are represented in the chamber were not able to acknowledge some of what the Government has already achieved. Its first 100 days have been marked by a sense of purpose. Specific commitments that we pledged in opposition are now delivered, or are on their way to delivery, in Government; some were even things that we did not say we would definitely be able to deliver.

Let us take an area of Scotland that is dear to your heart, Presiding Officer: Ayrshire and the south-west of Scotland. There have been important initiatives there, such as assisting the Duke of Rothesay in the development of Dumfries house for the nation and for Ayrshire and, even more important, not just saving but developing access to university education at the Crichton campus in Dumfries. In February this year, David Mundell MP said that it would take “a miracle” to save the University of Glasgow’s participation in the Crichton campus. It is now official: miracles happen in an SNP-run Scotland.

It is hugely important that all of Scotland should have access to high-quality higher education, just as it is important that all girls in Scotland should have access to cervical cancer vaccination—another announcement that was made beyond our 100-day programme. Looking back on those 100 days, it would be remiss of me not to record my profound thanks to all the people throughout Scotland who united in recent months to face the twin challenges of a foot-and-mouth disease outbreak south of the border and a terrorist attack on Glasgow airport. I know that every member will share my view that both serious episodes were responded to in a way that ensured minimum damage and disruption. Both events, in their different ways, illustrated the immense value of Scottish community solidarity.

Against that background, let me turn to the legislative programme itself. I will attempt to approach the bills and the other Government action in a thematic way. I turn first to the economy. Members will recall our stated ambition to create a wealthier and fairer Scotland. Members will also know that sustainable growth is our highest priority, which is why the first meeting of the council of economic advisers later this month matters so much. We look to that council for expert guidance in driving up the Scottish growth rate.

All that this country can achieve depends on developing our nation as a high-growth and vibrant economy. In the modern global economy, even the greatest political ambition is doomed to failure without an economy that drives employment, investment and research and development and which rewards success.

Our economic strategy will focus on three areas in particular: lowering business tax and simplifying regulation; boosting skills; and improving the focus and delivery of our enterprise network. We have already made our intentions clear on reducing business tax and other burdens; in the view of this Administration, lower business tax for small business will provide an impetus to get our local economies moving. We will also reform the enterprise network to simplify delivery of its

services to business. The cabinet secretary will make early further announcements on that.

In addition, we are committed to assisting businesses by creating a single environment and rural service for those who deal regularly with agencies such as the Scottish Environment Protection Agency and Scottish Natural Heritage.

In terms of the rural areas of Scotland, the coming six years will see a £1.6 billion development programme to support business ventures and encourage business diversification. That is a strong indication of this Government's commitment.

Although much economic policy does not require primary legislation, there are a number of bills that we believe can, and will, make a difference. Accordingly, in this parliamentary year, we will introduce our Abolition of Bridge Tolls (Scotland) Bill in order to make good our commitment to remove the tolls from the Forth and Tay bridges. Parliament is aware of the Government's view that it is unacceptable and unfair to leave the two road bridges in and out of Fife as the only remaining toll bridges in Scotland, and removal of the tolls will undoubtedly be a welcome boost to the local economies in Tayside and around the Forth. As we move forward with key infrastructure projects around Scotland, we have made rapid progress with the consultation exercise on the strategically necessary new Forth crossing.

This parliamentary year, we will also introduce our culture (Scotland) bill to establish a new cultural development body—creative Scotland—by amalgamating the Scottish Arts Council and Scottish Screen. This year, an incredible 1.7 million tickets were sold at the Edinburgh Festival Fringe. Culture has, of course, a value in itself, but it also generates jobs and income for our economy. I believe that the bill will pave the way for a much stronger creative sector in Scotland that will serve our economic interests and promote our culture for decades to come. We will also be informed by the Scottish broadcasting commission on the vital role of broadcasting in our national and cultural life.

Another bill that will assist individuals and companies alike is the interest (Scotland) bill, which will be introduced this year and will develop fair and consistent rules in Scotland for the application of interest rates to payments of debt and damages. As Parliament will be aware, that reform has already been recommended by the Scottish Law Commission and is long overdue. It is my hope that such a measure will achieve cross-party support.

Let me also make brief mention of future legislation in the slightly more contentious area of local income tax. In the coming parliamentary

year, we will begin consultation on our proposals to replace the unfair and discredited council tax with a fair local income tax that will be based on ability to pay.

In the late autumn, our strategic spending review will set out our policies for the next four years in a comprehensive and detailed way. Its purpose will be to explain how we will invest the resources that are available to this Government for the remainder of the parliamentary session in order to achieve our ambitions for Scotland. We will therefore, later in this parliamentary year, introduce the annual budget bill to finance the public services that Scotland needs.

The predictions from Westminster are that there will be a tight budget round, but the level of squeeze in the money that is available to Scotland from Westminster will remain unclear until later next month. However, members can be assured that the Government will bring forward a full, transparent and costed programme to meet that budget.

At a time when the national conversation over the future of this Parliament's ability to raise and spend its own revenue based on the success of our economy is centre stage, I pause briefly to note the absurdity of this Parliament's being responsible for spending money that is passed from London while being in a position in which even higher growth and greater prosperity in Scotland will not alter the sums that are available to a Scottish Government—of whatever political hue—to spend in the Scottish national interest. That is a debate to which we shall no doubt return.

A critical aspect of increasing economic growth is creating a smarter Scotland. Already, in the first 100 days, members will have been aware of our efforts to drive down class sizes and increase the number of teaching places, but we need to do more. That is precisely why, in this parliamentary year, we will introduce our graduate endowment (abolition) bill to abolish the graduate endowment fee for graduates from this year forward. That will benefit 50,000 students in Scotland who will no longer be asked to pay back-end fees after university. We do so in the certain knowledge that, if we are to compete as a nation in the global economy, we need to upskill Scotland. That means more Scots in the workforce with higher vocational skills and it means many more with graduate skills, as well. If we are to turn Scotland into a powerhouse economy, we must remove, not erect, barriers to degree-level education. This, after all, is the country that pioneered the principle of universal free education. I am proud to lead a Government that re-establishes that principle.

On rural schools, it remains our position that there should be a legislative presumption against their closure, so it is our intention to bring

forward—after the necessary consultation—proposals that will safeguard rural schools and the communities of which they are part.

Some matters do not require legislation at this stage. For example, our commitment to an early years strategy has support across the chamber. Regarding the much-debated issue of free school meals, my Government will establish a pilot of free school meals for all primary 1 to 3 children in selected local authorities.

In the coming weeks, the Cabinet Secretary for Education and Lifelong Learning will publish our skills strategy in order to provide a fresh agenda for skills and learning in Scotland.

In the coming months, we will also develop our plans for a strategy on science and innovation, which will play a pivotal role in our future prosperity. A skilled people and an economy that has a competitive edge are the ways in which to transform Scotland's economic performance.

The link between economic well-being and the health of the nation is well established. Therefore we will also focus in the current parliamentary year on progress towards making Scotland healthier. We will do so both from an economic perspective and, more fundamentally, as a moral imperative for Government.

Turning around the Scottish health record is a long-term mission and one in which the Government seeks the support of all parties. During our first 100 days, we have already taken important steps towards helping people to sustain and improve their health. We have made a commitment to a new 18-week guarantee, covering the entire patient pathway from referral by a general practitioner to admission to hospital, by the end of 2011. Moreover, we have pledged to abolish the hidden waiting lists that cause anguish and frustration to so many people, and we have established the Sutherland review to examine the future funding of free personal care. We are determined not only to enhance the provision of free personal care but to secure its place at the heart of the social care agenda. Free personal care is an achievement of which Parliament can justifiably be proud—our priority now is to protect and enhance delivery of that care to those who are in need.

We will work with others in the Parliament to improve the Government's efforts to tackle the scourge of drugs, which afflicts so many of our communities throughout Scotland. We have also made it clear to national health service boards that we fully expect them to deliver the 62-day cancer target from December 2007.

Although I know that our decision to continue accident and emergency services at Ayr and Monklands hospitals was fiercely contested in the

chamber, the decision that we reached was not just popular—it was also the right thing to do. If the debate on those hospitals reinforced anything, it is surely that none of us must ever forget that the national health service is a public service. It is used by the public and it is paid for by the public. As we look to the parliamentary year ahead, we must never forget that it is the duty of health boards and of responsive Government to take full account of local views and circumstances. Accordingly, we will introduce a local health care bill that will give patients and communities greater involvement in delivery of local health services and which will introduce direct elections to national health service boards.

We will also introduce a public health bill designed to comprehensively modernise our public health legislation, which is set out in a number of acts that date back as far as 1897. The purpose of the bill will be to redefine and clarify the relationships between ministers, health boards and local authorities. It will be designed specifically to strengthen the role of health boards and it will contain a range of measures, including provisions that will give effect to international obligations that are designed to prevent the spread of disease.

In relation to future legislation, it is appropriate to consult on how best to implement the draft patients' rights bill, which includes the right to an individual waiting time guarantee.

Away from primary legislation, but also in the current parliamentary year, we will develop our comprehensive health strategy to equip health services for the challenges of the future. In that strategy, we will detail our plans to provide better access to GP appointments, to introduce health checks in schools in disadvantaged areas, and to take action to increase from 16 to 18 the age at which one can buy tobacco. We will proceed on the basis that what Scotland needs is flexible access to care and a move away from the rigidity of the traditional system.

In my view, public health is the biggest social challenge that faces Parliament and this country. We will require a concerted and united cross-party effort to make progress, but let me be clear about why that challenge requires to be met head on. It is unacceptable that eight of the 10 areas in the United Kingdom that have the lowest life expectancy are in the city of Glasgow. It is surely a national scandal that life expectancy in war-torn Iraq remains higher than it does in some areas of the largest city in Scotland. Furthermore, which member is not shamed by reports such as the recent report from the charity Barnardo's, which highlights that, despite all the efforts of previous Governments, one in 10 Scottish children is living in severe poverty, one in five lives in a house with

an income of less than £10,000 and one in three does not have access to a national health service dentist? Those figures challenge our claims to be a caring, compassionate and cohesive society. They should compel Parliament to devise new and innovative ways to reach those in our society whom successive Governments have left behind. Our united belief in social justice demands no less.

It is my hope that Parliament will unite around another bill that we will introduce: the Glasgow 2014 Commonwealth games bill. I know that Glasgow 2014 has support across Parliament and the country. If we are successful, the legislation will help to ensure that we will host games of which all Scotland and all the Commonwealth can be proud. The games represent a massive opportunity to promote Scotland on the world stage, as well as an opportunity to develop facilities and to provide the inspiration to more young Scots to become physically active.

In relation to Scotland's international profile, let me also make it clear that we will positively and fully engage in the crucial debates about the future of the European Union. This Government and this Parliament have an obligation to express the views of the Scottish people on all matters that are of concern to them. We were right to do so in relation to the invasion of Iraq, we are right to do so now and we will be right to do so in the future. We intend to reach out to Scots around the globe and to engage with that diaspora in a more substantial and meaningful way. The broadening and deepening of those relationships is critical to our international profile and economic success, just as developing our international aid effort is a moral imperative for Parliament.

To return to domestic matters, it is the stated intention of this Government to create a safer and stronger Scotland. We have already made significant progress in negotiations with Westminster on the transfer of responsibilities for firearms to this Parliament. We will press ahead for agreement, with a view to introducing later in this parliamentary year secondary legislation to protect Scots from the dangers of airguns.

Furthermore, only a fortnight ago, we announced plans for a new prison in the north-east of Scotland. After years of indecision, we have taken a positive decision to replace the Victorian facilities in Aberdeen and Peterhead with a brand new state-of-the-art prison in the area. Moreover, the new prison—like the replacement prison at Bishopbriggs—will be run in the public sector for the public good and not for private profit. That represents a substantial shift in direction from the previous Administration. I was delighted that the initiative received a broad welcome.

Equally, we know that a visible police presence on the streets is the best means that we have of

reassuring communities throughout Scotland: high visibility policing deters criminals. That is why we shall set out, later this year, our proposal to work with the police and others to increase capacity by the equivalent of 1,000 officers, and to seek to place them in our communities.

We shall also introduce our judiciary (Scotland) bill, which will legally establish a judicial appointments board and help to modernise the organisation and leadership of our judiciary. That means putting the court system under the direction of the Lord President and enshrining the independence of the judiciary.

In criminal law, we will introduce our rape and sexual offences bill, which will reform the law on rape and sexual offences in the light of the Scottish Law Commission's review. I doubt that there is a member in this chamber who does not recognise the need for action in that area.

Members will know that one of our first acts in government was to make clear our opposition to any new nuclear power stations being built in Scotland. We have made that central to our greener Scotland programme. Those who doubt the potential of our green initiatives should note that on Friday—green energy day—we shall mark the fact that the installed capacity of the range of renewables in Scotland has now overtaken the installed capacity of nuclear power. As we make the contribution in electricity generation, we will introduce consultation on our coming climate change bill, to reflect our obligations to planetary security.

To protect people from the implications of climate change, we will introduce in this session our flooding prevention bill, to modernise our defences against the effects of climate change.

I have set out the Government's immediate plans for the coming year and indicated action to follow in subsequent years. I respect the role and rights of back benchers, so I say to Jamie McGrigor and Ken Macintosh that we will discuss with them how to carry forward their legislative initiatives into law in this session.

Demonstration of competence in government means introducing policy initiatives and legislation that are designed to deliver change for the better in Scotland, but to consider government only in the context of annual programmes is artificial. The big challenges—kick-starting the economy and transforming public health—are about the long term. That is why we launched the national conversation on Scotland's future. That is about creating the vibrant economy, the healthy society and the socially and environmentally just society in which all of us believe.

We have a certain vision, and others take a different view. However, as our programme makes

clear, we are ready, willing and able to work in the current devolved Parliament to improve the life of every person in this country. It is vital that we equip Parliament with the tools that will make the progress happen to which we all aspire. Years of underperformance tell us that the status quo is incapable of delivering the step change in Scottish life that we all want. That much is accepted to some extent by every member.

Accordingly, in commending to Parliament our programme for government, I ask that we remain focused not just on this year or next year, but on the country that we can be, the country that we should be and the country that we must be. That is why this is not just a legislative programme, nor even just a Government programme, but a programme for Scotland.

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I thank the First Minister for the advance copy of his statement. As I have said, we will not oppose everything that the Government does simply for the sake of it. Labour will support some measures in the proposed programme. For example, I am pleased that modern legislation on sex offences will be introduced. We all hope that that will improve the unacceptably low rates of prosecution and conviction for rape.

Perhaps most significant is not what is in the statement, but what is not in it. Despite the blizzard of briefing, it is clear that the Scottish National Party does not intend to deliver on some of its manifesto promises. During the election campaign we heard, "We will, we shall and we can." However, in the statement and its accompanying document, we have a list of ifs, buts and maybes.

The First Minister may recall that the last time that he and I shared a platform was at the Scottish Police Federation conference on 24 April, when he made a clear commitment to deliver 1,000 extra police officers. The document that was published today says:

"We will work with police forces to increase policing capacity through the deployment of the equivalent of 1,000 additional police officers".

I am not sure what the equivalent of a police officer is. Are we supposed to tell our constituents to dial 999 to ask for the equivalent officer to attend? When does the First Minister expect to deliver on the clear promise of 1,000 extra police officers? When his promise is met, how many serving police officers does he pledge that Scotland will have?

The First Minister: I welcome Cathy Jamieson's welcome for many aspects of the programme. In particular, I welcome her to her—albeit transient—place. I remind Cathy Jamieson that we are talking about a legislative programme

for the coming year. However, the Government hopes to be in office to deliver a four-year programme. When we announced our achievements in our first 100 days, the Labour Party published a document that said something to the effect that we had not delivered on our proposal to abolish the bridge tolls or on our graduate endowment proposal. I am sure that even Cathy Jamieson now accepts that those proposals have now been delivered in legislative form and that the Administration will implement them.

In "Principles and Priorities: The Government's Programme for Scotland" and through my statement, we have said that we will work with the police and others to increase police capacity by deploying the equivalent of 1,000 additional police officers. That is 1,000 more police officers than there would have been if the previous Administration had stayed in office after the election.

Annabel Goldie (West of Scotland) (Con): The programme seems to be less of a Queen's speech and more the musings of a man who would be king. Mercifully, the programme seems shorter than the speech. Let me not be grudging, however, because the Administration's first 100 days or so have been full of promise, progress, pizzazz and excitement. Tolls are to be abolished on our two main bridges and cuts in business rates are coming. There is a new focus and new political will to tackle the scourge of drug abuse and fresh thinking on how to protect the public from predatory sex offenders. There is an intention to decouple local elections and Scottish Parliament elections and to have a register of tartans. There is a pledge for rural schools and more. We should give credit where it is due—but that is enough about the Scottish Conservatives.

I turn to the programme for government. Being legislation light is not a fault in my book. However, I want to question the First Minister on the details of the programme that he has just announced, as many of the real tests have yet to be addressed.

This session is not just about new laws and acts—it is also about ministerial orders, public service priorities and budgetary matters. The real issue is not so much what is present in the programme, but what is missing from it. When will the First Minister's Government match the Scottish Conservatives' commitment to launch a £1 billion assault on crime and drugs? Why has there been such timidity when it comes to protecting the public? Why the silence on dentistry? Barnardo's has confirmed that there is a crisis in Scotland—what is the First Minister doing about it? Where is the immediate cut in council taxes for Scotland's pensioners? If the First Minister will not commit to the Conservative pledge of 1,500 extra police

officers in our communities, when—that is all that the public are interested in—will his 1,000 additional officers reach our streets?

The programme is not so much the sleek racehorse of Scottish government—it is more a three-legged nag with a limp. The great pundit of the political racecourse promised us milk and honey, but the programme that has been announced is not milk and honey. I would settle for bread and butter, but it is not even that. The honeymoon is clearly over.

The First Minister: That was not very gallant.

I hope that Annabel Goldie will acknowledge that we are doing our best to work closely with her, her spokesperson and others to reach a united view to change the direction of drugs policy in Scotland and therefore better tackle the scourge of drugs in our communities.

Labour says that nothing happened in our first 100 days, whereas the Scottish Conservatives say that everything brilliant that has happened in those days is down to the Scottish Conservative party's wisdom. I think that the success of those first 100 days had something to do with the Government as well as Annabel Goldie's prodding at First Minister's question time.

The council tax proposal that Annabel Goldie mentioned was the Conservative party's proposal at the election, not the SNP's. She will find the progress of the SNP's assault on the iniquity of the council tax on page 4 of the 30-page document. If she reads it, she will see that it contains much of great substance and substantial wisdom.

The other difference between us and the Conservatives—who introduced the council tax in the first place—is the fact that our fundamental proposal is not just to restrict the imposition and burden of the council tax, as on page 4 of the document, but to abolish the council tax because of its unfairness. I live in hope that I will be able to persuade Annabel Goldie of the wisdom of that initiative in the coming months.

Nicol Stephen (Aberdeen South) (LD): I, too, thank the First Minister for the advance copy of his statement.

This is the lightest legislative programme that has ever been presented to the Parliament. Some of the bills will require little more than a single section. It is so light that it is not even called a legislative programme any more; instead, it has had to be padded out with proposals for things that ministers already have the power to deliver. Is not the new SNP Administration characterised by spin and soundbite? Is the priority of the people of Scotland an expensive name change on ministerial buildings or improvements to the environment, education and the economy?

The soundbite is a demand for more powers on air-guns; the reality is silence on knife crime. The soundbite is about more rights for patients; the reality is American-style litigation being brought to Scotland's NHS. Is the most important thing for our health service the injection of an unlimited number of lawyers? The soundbite is about abolishing tolls; the reality consists of cuts in public transport projects. The soundbite is about wiping away all the debts of graduates; the reality is that the Cabinet Secretary for Education and Lifelong Learning has already said that the cost of that is "prohibitive".

That is not the First Minister's only problem with money. Can he explain why 83 written questions on his policy priorities have been shuffled off to await the outcome of the spending review? Key decisions have been put off until November.

Today's grand statement tells us a lot by what is not there. The SNP has made commitments that it does not have the capability to deliver on. Where have they gone, the promises that were made to the many, not the few—to students, on class sizes, and many others? The SNP's sums simply do not add up—does the First Minister not now know that? It is all gong and no dinner. For all the presidential swagger from the First Minister, this could be the first day that people start to notice.

The First Minister: Looking around me, I see that it is Tavish Scott who has gone, not the SNP's legislative programme.

I hope that there is much in this legislative programme with which the Liberal party will agree. I was surprised at Nicol Stephen's slightly snide remark about abolition of the bridge tolls. I understood, from earlier this year, that the Liberals were in favour of abolishing the tolls on the bridges over the Forth and the Tay.

He will find in the document what we intend in our approach to student debt and its burden. I hope that, in this session, we will still have the support of the Liberal party in abolishing the graduate endowment. That is a substantial measure that I and, I hope, he, think is for the benefit of Scottish society.

The Cabinet Secretary for Justice, Kenny MacAskill, introduced a range of initiatives over the summer to tackle crime levels in Scotland. Rightly, we are seeking to legislate on firearms, which I hope will receive broad support across the Parliament. Kenny MacAskill has dealt with the issues that Nicol Stephen raises many times over the summer. I find it surprising that Nicol Stephen chooses to start a series of questions by noting the difference—which I accept—between what is in legislation and Government action but then ignores the Government actions that have been

undertaken by the Cabinet Secretary for Justice. That seems somewhat paradoxical.

Legislation is not, in itself, the be-all and end-all of Government. Eleven bills for the Parliament to consider—in addition to members' bills—is a meaty programme for members to get their teeth into. As we have demonstrated during the first 100 days of Government, and as we will demonstrate throughout the coming year and, hopefully, throughout a four-year term of Government, this Administration is about action and delivery, not just about legislation.

The Presiding Officer: We come to open questions. A large number of members wish to ask questions and it is highly unlikely that we will get everyone in, so I ask members to keep their questions as brief as possible, and it would be helpful if the ministerial response follows suit.

Alex Neil (Central Scotland) (SNP): I congratulate the First Minister on the brilliant start that his Administration has made during its first 112 days. It has achieved more in those 112 days than the previous Administration did in eight years.

On a consensual point, when the First Minister is publishing his economic development strategy, will he include specific proposals to encourage the 180,000 people who are currently looking for work—some are on benefit or incapacity benefit—and who are willing and able to work, to get work in Scotland?

The First Minister: I am sure that when the Cabinet Secretary for Finance and Sustainable Growth introduces our economic plan in the next few weeks, he will bear in mind Alex Neil's comments.

I welcome Alex Neil's public and high-profile support for our programme. Consensus has broken out in the SNP. No doubt we shall spread that consensus right across the parliamentary chamber.

Ms Wendy Alexander (Paisley North) (Lab): One of the First Minister's most high-profile promises to the Scottish electorate was to freeze the council tax in every part of the country. Why, therefore, does this remarkably light legislative programme not propose to introduce any of the necessary legal powers to keep that promise?

The First Minister: Wendy Alexander will find that page 4 of "Principles and Priorities: The Government's Programme for Scotland" says:

"We will work with Local Authorities to freeze council tax at 2007-08 levels and begin detailed consultation on our proposals to replace council tax with a local income tax based on ability to pay".

One of the enormous changes that have taken place in Scottish society during the past few months is that now only two local authorities in

Scotland are controlled by Labour. I am delighted to tell Wendy Alexander that those two local authorities, and all the other balanced administration authorities in Scotland, are substantially content with the approach of the Cabinet Secretary for Finance and Sustainable Growth in using agreement and discussion as opposed to imposition, which was the failed tactic of the previous Administration.

Roseanna Cunningham (Perth) (SNP): The First Minister spoke of governing on the basis of principle and moving with mainstream opinion. No doubt he is aware that, during the past several years, health board consultation in Scotland became a euphemism for managing opposition away. Does he agree that the previous Executive's failure to address the serious alienation that was felt by the majority in the face of changes to the health service was leading directly to a scunner factor amongst voters that leaked into all aspects of public life? Will he confirm that, whatever the outcome of the consultation on the proposed local health care bill, the key problem of alienation will be tackled directly and that everything will be done to reverse the damage of the previous eight years?

The First Minister: Roseanna Cunningham will acknowledge that our early decisions, such as that to reverse the previous Administration's closure of accident and emergency units, shows that our Government is responsive to public concerns about health. More fundamentally, the health legislation encompassed in our programme will put into statute a health service that is responsive to public opinion. Unlike the Liberal Democrats, I do not believe that that is a charter for lawyers—and I am not sure that lawyers should be saying that sort of thing—but that it is a charter for a people's health service and it is the right way to go.

Derek Brownlee (South of Scotland) (Con): The First Minister mentioned simpler regulation for business. If and when he delivers that, he will have our support. What commitment will the Government make to tackling the burden of regulation and red tape on our public services, those who work in them and those who use them?

The First Minister: As Derek Brownlee knows, I have given some examples of simplified regulation. He will be aware from today's papers that the Confederation of British Industry has welcomed our approach to business legislation. There is general acceptance in the chamber that it should be possible to ease the burden of complex legislation, especially because many businesses in Scotland are subject to a myriad of enforcement bodies. The member will see in the Government's programme and in coming statements early moves in that direction.

The Presiding Officer: I remind all members of the letter that I circulated earlier today on chamber etiquette.

Duncan McNeil (Greenock and Inverclyde) (Lab): The First Minister and the SNP promised that a grant of £2,000 would be made to first-time buyers. Today that commitment has been replaced by a housing consultation paper. Will the First Minister take the opportunity today to confirm what his back benchers freely admit—that the SNP's manifesto promise will be ditched?

The First Minister: I will confirm to Duncan McNeil what is in our programme—that we will consult on and bring forward measures to transform the housing position in Scotland. Remarkably, at Westminster an initiative has been taken in relation to housing in England and Wales. It is some sort of comment on the attitude of the previous Administration, which Duncan McNeil was pleased to support, that it has left us with a fundamental crisis in social housing throughout the country, which we will be pleased to address.

Tricia Marwick (Central Fife) (SNP): The First Minister is no doubt aware that the family of Andrew Morton, the young child who so tragically lost his life to the scourge of air weapons, attended yesterday's meeting of the Public Petitions Committee in support of their petition to ban those deadly weapons. Can the First Minister assure Parliament that, in the Government's discussion with Westminster regarding air weapons, he will do all that he can to relay the huge sense of frustration and anger that the Morton family and the people of Scotland feel at the lack of action that there has been to date to tackle the scourge of air weapons and to make it clear that we need legislation in Scotland to address Scotland's problem?

The First Minister: I will certainly do that. I accept the point that Tricia Marwick makes, but it may be of interest to those families for whom the issue is of immediate concern that the Secretary of State for Justice and Lord Chancellor, Jack Straw, has taken a very responsive attitude to the matter in discussions with me.

There are three ways in which action could be taken quickly. The first is to devolve air-gun legislation to the Scottish Parliament. The second is to delegate it, which would be simple for Westminster to do. The third is for Westminster to pass legislation on the matter. For understandable reasons, I would like such legislation to be devolved to the Scottish Parliament; the fact that it is not devolved is an anomaly. However, in talking to the Lord Chancellor I have found him keenly aware that there is a substantial consensus in Scotland that something should be done on the matter. I was given every encouragement that we will be able to make progress in early course.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Today the First Minister has not mentioned the Aberdeen western peripheral route. However, in a letter of 15 June he said that he would

"ensure that the project is not financed by"

public-private partnership funding. Given that the project is vital to the north-east and is subject to a PPP contract, will the First Minister tell us how he proposes to finance the Aberdeen western peripheral route and whether that will lead to further delays, on top of the one-year delay that the Administration has already announced?

The First Minister: Where shall I start? There are two reasons why the construction of the Aberdeen western peripheral route is taking longer than Mike Rumbles would like. First, 8,000 objections have been tabled, largely as a result not of opposition to the route but of the decision making of the previous Administration, which has caused much public anguish.

Mike Rumbles: Answer the question.

The First Minister: I know that Mike Rumbles does not want to hear this, but he will hear it anyway. Secondly, last November the Administration that the member supported laid the wrong orders to progress the route, which was unfortunate and caused another delay. Thankfully, the current Administration has put that right.

Finally, only two projects in the history of Scottish roads have been funded by PPP, one of which was the Skye bridge project. I would have thought that even the Liberal party would not want to go down that road again.

Hugh Henry (Paisley South) (Lab): The First Minister promised in his manifesto that he would reduce to 18 class sizes for primaries 1 to 3. I know teachers and others who voted for him on the basis of that promise. Can he confirm that his promise will be delivered in the lifetime of this parliamentary session?

The First Minister: Yes, I can and that is why we have made early announcements to that effect. I cannot remember whether Hugh Henry's reaction to the announcement of the Cabinet Secretary for Education and Lifelong Learning of increased numbers of teachers, teacher training places and allocations was as enthusiastic as it should have been, given that we hope we will have his support in driving down class sizes, as opposed to failing abysmally as the previous Administration did.

Robin Harper (Lothians) (Green): Today's announcement coincides with the publication of the Sustainable Development Commission's report, which carefully highlights the lamentably muddle-headed approach taken by previous

Administrations, riddled with internal contradictions as they were.

Despite its taking rather longer than hoped, we welcome the commitment to a climate change bill to drive annual reductions in climate-wrecking gases. In the interim, can the First Minister give us an assurance that this year and next, his policy intentions will deliver action for a sustainable Scotland and reduce climate-wrecking pollution before the legislation is in place? If so, can we believe it in the face of the announcement of a bill that would lift bridge tolls and take Scotland in completely the opposite direction?

The First Minister: I am sorry that bridge tolls are one of the issues on which Robin Harper cannot support the Administration, but there are many others on which he does. On the burden of the question, the simple answer is yes, we will get on with such action before making legislation. As I am sure Robin Harper well understands, the impact assessment that is required by regulation dictates our timetable for the bill on climate change. He can be absolutely certain that this Administration will have every urgency in bringing forward that legislation at the earliest possible date.

Kenneth Gibson (Cunninghame North) (SNP): As the First Minister will be aware, hundreds of Scots die each year from hospital-acquired infections, including methicillin-resistant staphylococcus aureus. What plans does the Scottish Government have under the proposed public health bill to eliminate MRSA from Scottish hospitals, something that the previous Administration signally failed to do?

The First Minister: I am sure that Kenneth Gibson heard the announcement of the Cabinet Secretary for Health and Wellbeing that we will introduce a national screening programme to take account of what is a huge and serious problem in our health service.

Margaret Curran (Glasgow Baillieston) (Lab): We have been told in the past few months that we have a new Alex Salmond before us, but I do not know that I am fully persuaded. Although I recognise his commitment today to developing Labour policies on cervical cancer and the proposed judiciary bill, perhaps it is too much to ask that the new Alex Salmond acknowledge them as Labour policies.

I welcome the First Minister's commitment to developing Labour's work on rape. Will he further match Labour's commitment to fund services of support and information to rape victims, notably the Rape Crisis Network, and guarantee that he will continue with the record level of investment of £3 million to which Labour committed? Further, will the First Minister amend provisions that address

issues concerning women's sexual history?

The First Minister: In this atmosphere of consensus, the new Alex Salmond compliments the new Margaret Curran on raising those important issues. They are very much priorities of the Administration and I hope that they are shared objectives of the whole Parliament. I do not think that Margaret Curran will be disappointed by the Government's attitude to those issues.

Margaret Curran: On a point of order, Presiding Officer. I do not wish to make a party political point, but I raised a serious range of issues. I must ask that the First Minister answers my questions.

The Presiding Officer: First Minister, do you wish to respond to that?

The First Minister: Perhaps Margaret Curran is not the new Margaret Curran that I thought she was, but the answer is yes.

Bill Aitken (Glasgow) (Con): This is very much the old Bill Aitken.

I welcome the First Minister's announcement on the changes to the prison estate. However, I have some doubts as to the revenue funding, which the First Minister indicated will be made on the basis of prisons being run in the public sector. Is the First Minister not aware that all the evidence suggests that the private sector has been more effective in running prisons? Does the First Minister not accept that he is in danger of putting political dogma in the way of financial responsibility?

The First Minister: I am sure that Bill Aitken is aware that if we had followed the policies of the previous Administration Scotland would have ended up with the private sector responsible for a larger share of our prison population than is the case in California. It is neither dogged nor dogmatic to take the view that, for the overall welfare of society, we should have a publicly run prison service that is engaged fully not only with the containment of prisoners, but with remedial work and changing people's behaviour. That work addresses some of the most fundamental problems in society and it is work that is well done in the public sector.

On a personal note, I turn to the north-east of Scotland. Given Bill Aitken's strong interest in these matters, he will probably have visited the sex offenders unit at Peterhead prison. The officers who staff that unit do one of the most incredibly difficult jobs in Scottish society. They do it because they believe passionately that they can change behaviour and thus make Scotland safer. That is what gets them up in the morning. They do a job that neither I nor Bill Aitken could do—probably no member in the chamber could do it. The prison officers also believe passionately that

that job belongs in the public sector. It would be very foolish to ignore the views of such brave individuals.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): During the election campaign, the SNP pledged to

“write off the accumulated debt of Scottish students”.

Today, the First Minister has announced discussions with stakeholders on measures to tackle graduate debt. Will the SNP deliver on its election pledge in this term of the Parliament or has it ditched it?

The First Minister: We will work to deliver all our election commitments over the four-year period. Jeremy Purvis can correct me if I am wrong, but I understand that the previous Administration did nothing to abolish the graduate endowment because the Liberal Democrats could not get the agreement of the Labour Party and yet, within 100 days, we announced that commitment, which is included in the legislative statement. Instead of having two warring factions in an Administration, I hope that Jeremy Purvis will welcome a Government that has taken action to relieve the plight of our students in Scotland.

Brian Adam (Aberdeen North) (SNP): In light of the First Minister's remarks at Offshore Europe yesterday morning, will he spell out what the current arrangements are for Northern Ireland to have direct access to revenue from Scotland's oil and gas? What steps does he hope to take to ensure that Scotland gets Scotland's share of the revenue from Scotland's oil and gas?

The First Minister: One of the reasons that David Cairns, the Minister of State at the Scotland Office, was trying to pick a fight with me yesterday was because of his misapprehension that Scotland would have to be independent to gain control over oil and gas revenues and the direction of policy. Of course, it is true that that would be the best status. We need only look at Norway to see a vivid example of that.

As Brian Adam's question suggests, it is a remarkable fact that, in the past, both the Isle of Man and the previous Northern Ireland Assembly at Stormont had direct access to a share of Scottish oil royalties. Given that that is a precedent within the United Kingdom, I appeal to the UK Government to realise that this is a reasonable desire and a reasonable request for Scotland to make: after 30 years of unparalleled wealth that has flowed from the Scottish sector of the North Sea, Scotland should have—and is entitled to have—some sort of share of our own natural resources.

Rhona Brankin (Midlothian) (Lab): Does the First Minister recognise these words:

“The SNP and the Scottish Green Party will work together to put legislation in place early in the new Parliament for binding annual cuts in carbon emissions”?

Can he tell me which SNP politician said that he would place the green agenda

“at the heart of our plans to take Scotland forward”?

Given the total failure to introduce a climate change bill or a marine bill in the SNP's legislative programme, are not those statements today exposed as empty green words? Those broken promises do not just leave Scotland lagging behind the rest of the UK, they represent a huge slap in the face for the SNP's partners in the Green party. I ask for a straight answer. When will a climate change bill be introduced? When will a marine bill be introduced?

The First Minister: It is interesting that the Green party represented by Robin Harper is much more complimentary about our green credentials than Rhona Brankin is.

If she had been listening to what I said to Robin Harper, she would know that we are working as hard as we can to bring the climate change bill to effect as quickly as we can. The delays have been caused by the regulatory impact assessment, which was put in place as a result of legislation by the Labour-Liberal Scottish Executive. I know that there was a gap between her period as an environment minister and her return to the front bench, but Rhona Brankin should understand and accept that the problems and delays have been caused by legislation that her party and her Executive introduced. I hope that she will accept the bona fides of the Government when we say that we will introduce the climate change bill just as soon as we are able to do so properly in legislative terms.

Scottish Government's Programme

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on the Scottish Government's programme.

15:41

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I am extremely proud to open the debate, and I look forward to hearing the speeches of members of all parties.

The First Minister has just laid out very clearly the Government's programme for the coming year. It is a programme that has a clear sense of purpose, which is driven by our determination to build a Scotland that is wealthier and fairer, safer and stronger, smarter, healthier and greener. It is a programme that, for the first time ever in the short history of devolution, will be delivered by a Government that is worthy of the name and not scared to use it.

Already, after less than four months in office, this Government has shown what can be done. We have demonstrated our competence and our ability to lead through testing times. We have shown that we can and will work to build consensus. We have set out our vision for Scotland's future—an independent future—and have invited others to set out theirs, too, so that we can have a real and honest debate about how best to equip our country for the challenges that lie ahead.

Above all else, we have delivered genuine and early progress on the issues that matter—health, education, the economy and fighting crime. All in all, that is not a bad start, but members should not just take my word for it, they should ask the 48 per cent of people who say that they would now vote for the Scottish National Party.

Bill Butler (Glasgow Anniesland) (Lab): Talking of votes and percentages, how many members of national health service boards will be directly elected under the local health care bill? What will the percentage be? Will 50 per cent of members plus one be directly elected?

Nicola Sturgeon: We have made clear our intention to consult on that very issue, on which I look forward to hearing Bill Butler's views. That is one area in which he agrees with this Government and not the previous Government, of which he was a part.

Even the leader-elect of the Scottish Labour Party—if that is not too grand a title for her Westminster colleagues—thinks that we are doing

some things right. When she was asked last week about the Cabinet Secretary for Justice's decision to overturn Labour's policy of privatising prisons, she said:

"the right decision has been made".

That was refreshing confirmation—at last—that her party made the wrong decision.

Ms Wendy Alexander (Paisley North) (Lab): In that spirit, will the cabinet secretary concede that the SNP retreated from its position, which was that prisons should be publicly built and publicly operated? In that respect, both of us moved. Is that true or false?

Nicola Sturgeon: The SNP Government has put the public good ahead of private profit. I wish that the previous Administration had done that.

In our first 100 days, we have taken the first steps towards achieving our objectives and putting Scotland on the right track. The challenge is to build on that solid platform, and the First Minister today pointed the way.

I will highlight in more detail the action that we will take in key areas of our programme and I will start with my portfolio—health and well-being. It is our responsibility as a Government to ensure high-quality health services that are delivered as close to home as possible, with the right balance between hospital and community care. We must do more to improve health and tackle the grotesque inequalities that still scar our nation. We need a sharper focus on prevention and on supporting people to take greater responsibility for their own well-being.

We must always remember that the national health service is a public service. It is paid for and used by the public, therefore it must include the public in decisions about its future. That is why we fulfilled our manifesto commitment to continue accident and emergency services at Ayr and Monklands hospitals—a decision that Labour will no doubt support if the party is serious about consumer-focused public services.

We have set a transformational 18-week waiting time target, we have confirmed the abolition of hidden waiting lists and we have made clear that the cancer waiting times target will at long last be met. We will comprehensively modernise Scotland's public health legislation to make it fit for purpose, we will consult on a patients' rights bill, and our local health care bill will ensure greater patient and community involvement in how local health services are delivered. All those measures are tied together by a vision of a healthier Scotland, where better health and better care go hand in hand.

Affordable housing, which Duncan McNeil mentioned, is another key challenge for this

Government. The issue is important for individuals, communities and our economy. Perhaps one of the more perplexing comments that was made during the summer was Wendy Alexander's expression of surprise about the shortage of affordable housing. She is a former housing minister, so we might think that she would have known better. Indeed, she might have had the grace to admit her share of responsibility. The previous Government's record on housing is the reason for the shortage of affordable housing in Scotland. In its first five years in office, Labour built fewer social houses than even Ian Lang and Michael Forsyth built. When housing organisations call for 10,000 new homes a year, they should bear in mind Labour's legacy—an average of barely more than 4,000 new homes a year since 1997.

Margaret Curran (Glasgow Baillieston) (Lab): Will the cabinet secretary give way?

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

Nicola Sturgeon: I will take one final intervention.

Margaret Curran: Is it SNP policy to abolish the right to buy?

Nicola Sturgeon: The SNP will make the right to buy more flexible, as did the previous Government, because that is important. It is also important to take action on a broader canvas, which is why the consultation paper that we will publish will set out how we will better the record of the past 10 years in building houses for rent. The housing supply task force will identify the steps that we need to take to encourage more private sector homes for owner occupation and across all tenures. We will also give more help to people who are struggling to get a foot on the housing ladder. The new Government will take action to repair the neglect of the last one.

Margo MacDonald: Will the cabinet secretary give way?

Nicola Sturgeon: I am sorry, I am in my final minute.

Another key plank of our manifesto was reform of local government finance. In this as in every other area of policy, we have already started to deliver. We are working with local authorities to deliver the freeze in council tax that will bring relief to many people throughout Scotland. Across the political spectrum in Scotland, there is consensus that the council tax is deeply unfair and that it is time for a new, fairer form of local taxation. That is why we will consult on our proposal to replace council tax with a local income tax based on ability to pay.

The SNP Government offers Scotland an exciting, achievable and deliverable programme, and sound government based on the principles of competence, consensus and a clear vision for the future. Those principles will affect every area of the Government's activity. They are values that we have already demonstrated and will continue to demonstrate in absolutely everything that we do.

15:49

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): The Executive's to-do list includes plans that the Labour group welcomes. We have said many times that we will not oppose everything that the Government does for the sake of opposition. I have said before that we welcome plans to change the sex offences legislation, which we hope will improve the low rates of prosecution and conviction for rape. I also welcome today's announcement of a new prison for the north-east, which is something that the previous Administration considered carefully. Further, I welcome the announcement of a judiciary (Scotland) bill, which I am sure the Cabinet Secretary for Justice found in his in-tray, because I definitely left one there for him.

No right-minded person would disagree with the desire to prevent a repeat of the tragedies that have been caused by air-guns—we on the Labour benches share that aim. However, we would not bite our tongues if any SNP member tried to turn the issue into a political football or an excuse for a political row about the powers of the Parliament. I hope that we can make progress on the issue, in the real sense of trying to do the right thing for Scotland and the United Kingdom, rather than simply have an argument about where power lies. I hope that, during the debate, we will hear more about the First Minister's comment on the use of secondary legislation. I am interested in more details. Is the plan to ban air-guns, to license them or to give councils the opportunity to use byelaws? That third option was mentioned to the previous Administration.

To return to the theme of the debate, the programme is characterised by what is not in it. Where are all the big promises that the SNP made to the people of Scotland and on which it was elected to Government? Where is the commitment to abolish student debt? What has happened to the plan to deal with council tax? Where are the extra police officers that the SNP promised? We have heard no answers to those questions today. What about class sizes? The First Minister has given a commitment on that, so I look forward to hearing more details of how it will be delivered in practice.

The First Minister made much of seeking to build consensus because a minority Administration is in

place. That is all very well, but it is not good enough if that becomes the excuse for failure to act on matters that need to be addressed. The people of Scotland who voted in May simply will not accept that. The SNP made pledges that got it elected, so it is its responsibility to deliver them.

However, today, we have moved from the big promises to the broken promises. The students who thought that their debt would vanish under the SNP will get no consolation from the fact that it now calls itself a Government rather than an Executive. The people who believed that council tax would be abolished are already questioning why that is not happening, but there was nothing in the statement on that.

Creating safer communities is one of the most important issues. The people who live in the communities that are most affected by crime and antisocial behaviour and who were led to believe that there would be extra police officers on their streets will simply not be impressed by today's announcement that there will be further discussion about increasing capacity to provide an equivalent of a police officer—whatever that is. The SNP has dumped the big promises that got it elected. Some people may suggest that that is disappointing; others would suggest that it is dishonest and deceitful.

Those are not the only matters that are missing from the programme. The SNP told us that it will be guided by five key objectives: smarter, healthier, greener, safer and stronger, and wealthier and fairer. The objectives were discussed earlier and are laid out in "Principles and Priorities: The Government's Programme for Scotland". Let me take just one of them. I agree with anyone of whatever party who believes that we must all strive constantly to make Scotland a fairer place, to tackle inequality and to help those who most need help. However, despite the rhetoric on social justice that we have heard today and that is in the document, the SNP's programme simply does not deliver on that aim. Despite Nicola Sturgeon's rhetoric, there is nothing in the programme that will tackle the shortage of affordable housing, which is an enormous problem for many people, and there is nothing specific in the programme about how class sizes will be reduced—no timetable is laid out. There is nothing specific to help the probationer teachers who do not have jobs to get them, nor is there anything to help regenerate the communities that are most in need of a leg-up. There is nothing about community safety or about continuing the funding for community wardens, and nothing to help rejuvenate our town centres, which so many people rightly want to be brought back to life.

Those are some of the issues that matter most to the people of Scotland. They are the problems

that people want their Executive or Government—call it what we like—to tackle through the Parliament. It is the absence of those issues from the Government's to-do list that disappoints me and will disappoint them most.

I said at the start of my speech that Labour will offer support when that is the right thing to do. Labour members are already bringing forward members' bills on important issues. I am glad that the First Minister said that the Administration will look at those bills sympathetically. I hope to see them being supported in due course.

In the spirit of consensus, I conclude by inviting Nicola Sturgeon to see the points that I have made as constructive criticism and to respond to them in her closing speech.

15:55

Murdo Fraser (Mid Scotland and Fife) (Con):

This is the first debate in the Parliament with a new rebranded Scottish Executive. There are numerous examples of significant name changes in recent times: Harry Webb became Cliff Richard, Maurice Micklewhite became Michael Caine, Cat Stevens became Yusuf Islam, Windscale became Sellafield, and now the Scottish Executive has become the Scottish Government.

Of course, people and institutions are entitled to change their names if they wish, and I have no particular difficulty with the rebranding of the Scottish Executive. The only pity is that, unlike in the cases of private individuals such as Mr Richard, in the case of the Scottish Executive it is the poor taxpayer who has to foot the bill. Now £100,000 for a rebranding exercise may not seem like a great deal of money to ministers, but it is an unnecessary extravagance that they may well come to regret during the budget process when they start to run out of money for all their pet projects and finally start having to say no to those who are clamouring for additional cash.

Government is all about difficult decisions. If the evidence of the Scottish National Party group on the City of Edinburgh Council is anything to go by, this Government may find the going harder than it expects. Having said that, today we are here to debate the programme of government for the new SNP Administration. It is, frankly, pretty thin material to work with. This is a string vest of a programme, which is more noticeable for the holes than for the material.

That is not necessarily a bad thing because, as the First Minister acknowledged, Governments are often far too quick to legislate. It should be a rule in any liberal democracy that Governments should pass laws only when there is a compelling reason to do so and only as a last resort when other non-legislative measures have failed.

Sadly, that was not a lesson learned by the previous Administration. It promised, in a famous slogan, to “do less, better”. Sadly for it, most people—including, it seems, most of the electorate—did not realise that there was a comma in that phrase. Over the past eight years we saw unwanted and unnecessary legislation in a whole range of areas, from a ban on fox hunting to the introduction of compulsory landlord registration—tagged on to antisocial behaviour laws—a ban on tail docking of dogs, and the introduction of unwanted single seller surveys. We had eight years of a Labour-Liberal coalition that rushed to legislate as the easy option at every turn. If we are going to see a departure from that practice, it can only be a good thing.

We have here a pretty thin programme to debate, but at least there are some items in it that we wish to support. I was delighted to see the publication of the bill to abolish tolls on the Forth and Tay bridges—a policy that is firmly supported by my party and which formed part of our manifesto. The only issue that surprises me—it requires to be cleared up—is that there has been no mention of the repeal of part 3 of the Transport (Scotland) Act 2001. That piece of legislation, which gives power to local authorities to implement road tolls, was opposed by my party but supported by the SNP. In reply to a question from me in this chamber on 22 February 2007, the then SNP transport spokesman, Fergus Ewing, said that the SNP supported the deletion of that part of the 2001 act. That was a most welcome U-turn, but where is it today in the Government’s programme? Perhaps we will be told later in the debate.

We in the Scottish Conservative party have made it clear that we want to engage constructively with the new SNP Government. Where there are areas of common ground between us, we will be happy to work with the Government—whether it is on tolls, on protecting rural schools or on cutting business rates—but when the SNP proposes measures that we do not agree with we will vigorously oppose them and look to build informal alliances with other parties in order to defeat them.

Above all, we reject the proposal for independence. The option of cutting us off from our neighbours in the other parts of these islands is persistently opposed by a substantial majority of our fellow Scots. What a pity that the SNP Government is wasting time on an unwanted national conversation when it should be tackling the real issues. Whatever it calls itself, if this Government wants to be a success, we will be happy to point it in the right direction.

16:00

Nicol Stephen (Aberdeen South) (LD): As you said, Presiding Officer, time is limited, so let us get on to the substance. On health, the start from the SNP could not have been worse. I campaigned for 100 new local health centres. Under the SNP, we have already seen plans for the expansion of local health care put on hold. Plans have been delayed and building projects are in doubt. The SNP now proposes American-style health care—a lawyer by every bedside, and doctors to decide clinical priorities under threat of court action from a phalanx of lawyers.

On transport, the SNP is at its most slippery. The dualling of the A9 started as a solemn promise, became a woolly aspiration and ended as a vague possibility. Never, though, has the SNP been more cavalier than on the issue of the Edinburgh airport rail link. Parliament expressed a demand that the project should proceed. The cabinet secretary said that the Government would respect that wish, yet within weeks, under ministerial instruction, Transport Scotland suspended the project and stopped all work. SNP ministers may be smug that they have allowed the will of Parliament to be frustrated, but there should be consequences for their role in all of this—consequences in the Parliament.

I do not want to be too unfair. The SNP has been frustrating its own plans as well. I asked a series of written questions about its 100-day document, which states:

“we will introduce early legislation to confirm St Andrew’s day as a full national holiday”.

I asked about that promise of early legislation and when we would see it. The reply from Linda Fabiani said:

“There is no requirement to introduce ... legislation”.—*[Official Report, Written Answers, 20 August 2007; S2W-2499.]*

I asked when the SNP would honour its promise to put science and technology at the heart of the curriculum. There was better news on that one. Fiona Hyslop said that the SNP had met that promise on 23 March this year—42 days before it was elected. That is about as good as it gets for the SNP on education. It still cannot tell us how many teachers it needs for its pledge on class sizes. Its 100-day book promised to identify the schools, but it has not. On higher education, there has been silence on funding for our universities and colleges. For students, there is an abandoned promise to write off the total accumulated debt of Scottish graduates. Those plans are now added to the other 83 policies that written answers have shown have been put on hold and postponed—shuffled off to the spending review.

That is the big challenge now for the SNP. Its sums do not add up and it knows it. It is running scared of criticism. It thinks that it can get away with 1 hour and 15 minutes of Alex Salmond and Nicola Sturgeon, and just 1 hour and 15 minutes for everyone else. It is wary, too, of the advice of its own advisers. The council of economic advisers is forbidden to look at the spending review. It was described in the chamber by the First Minister as “the most formidable ... firepower”, yet it is forbidden to consider the £80 billion or £90 billion of spending power that the SNP will have at its disposal during the spending review period. That £80 billion could be directed to make a difference to the economy, but it is a no-go area for the economic advisers. What is the SNP afraid of?

Across government, the SNP’s 100-day book has been torn up and its promises reinvented and reimagined to avoid embarrassment. Almost everything has been shoved off to the spending review. There has been lots of noise but little substance. The SNP promised everything to everyone. As yet, it has delivered little. People will start to realise that, in this new Parliament, delivery is the big issue.

16:04

Roseanna Cunningham (Perth) (SNP): Well, that has been a right glass-half-empty response from the Opposition. I do not know whether it seriously imagined that somehow everything was going to be delivered by this SNP Government overnight. Not even we believe that we are that strong and powerful. I remind all members that a parliamentary session lasts four years. We have done more in a few months than the previous Administration did in almost a decade.

I listened with some astonishment to Cathy Jamieson listing the many problems that she says we are not tackling. I am astonished that her face was not bright red and her neck shiny bright brass—the implication of what she said was that the problems were of her Government’s making and she was asking us to clean up its mess. We are going to do our best to clean up as much of that mess as we can. I welcome the new Government’s programme enormously.

Many pieces of legislation were passed over the past eight years. Most of it could be criticised, because it was all enabling legislation. Personally, I say thank you very much—the previous Government has enabled us to govern without having constantly to pass more legislation. If members of the previous Administration do not like that, they need to remember that that is what they chose to do.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The member may correct me if

I am wrong, but did not the SNP support most of the Parliament’s legislation?

Roseanna Cunningham: Indeed we did. Now, we are using that legislation to govern in the way that we wish. The Opposition should not be moaning and whingeing about that. We are able to take matters forward in a way that the Opposition never did. It enabled, but it did not do; we are now going to do.

The Government has already achieved something quite remarkable. In a few short months, it has succeeded in uniting all the parties represented in the chamber around a call to increase the powers of the Parliament. That would have been unthinkable a year ago. We might not all agree on the precise nature and extent of the increased powers, but the fact that we are all agreed on the principle is a major step forward. I believe that Scots feel that Scotland has taken a step forward—and it is a step with a spring in it.

Manifest throughout civic Scotland and among individual voters is the feeling that a change for the better has taken place. Change is in the air—make no mistake about it. It is not change for the sake of it, but change for the betterment of Scotland. That is what the SNP has always been about, and it is what the SNP is delivering. It is about the kind of Scotland that we want to see, not “the best small country in the world”. Small countries are already among the very best in the world; we should be aiming for no less than being the best, regardless of size, because we have unlimited ambition.

That unlimited ambition is manifest in some of the key things that have been announced this afternoon. I refer to the council tax freeze, and the consultation on taking that policy forward and tackling that unfair tax, which will be profoundly welcomed by many people in Scotland. The issue of small business rates has been raised with me in my constituency. People are eagerly looking forward to tackling it, and I hope that the Administration will publish an impact analysis showing the enormous benefit of doing so. If we do that, it will make a huge difference to many communities throughout Scotland.

There are many other things about today’s announcements that are to be hugely welcomed and will make an enormous difference to Scotland. So far, the Opposition response, after eight years of combined inactivity, is absolutely astonishing. I look forward to making real change for Scotland.

16:08

George Foulkes (Lothians) (Lab): Like Iain Smith, I find it astonishing that we have less than an hour and a half to debate the Government’s legislative programme for a whole year, compared

with more than two and a half hours to debate the Crichton campus—with no disrespect to Elaine Murray. I also make the comparison with another place, where, starting on 6 November, a five-day debate on the United Kingdom legislative programme will be held.

On sight of the SNP's programme, all is revealed. The SNP Government is long on rhetoric, but short on reality. Its manifesto contained page after page of fine rhetoric and rash promises—promises and rhetoric that gained it enough votes in May to form the Administration. However, the feeble programme before us is the grim reality of the SNP in power. It is very long on promises, but short on performance.

During the election, the continuing problem of relative poverty was highlighted—child poverty, poverty among single parents and poverty among the elderly. What does the SNP propose to do in its programme to even start tackling those problems? Precisely nothing.

During the campaign, the lack of improvements in service delivery, particularly in the health service—in spite of all the money pushed into it—was diagnosed. What remedy is proposed in this programme? Precisely nothing.

There is an increasingly urgent need to provide affordable housing, as Nicola Sturgeon admitted. However, she was blaming people; she did not make any proposal at all, except to have consultation—no action, just consultation.

Margo MacDonald: Will the member give way?

George Foulkes: No; I have only four minutes. I will give a particularly powerful local example, about which I think that Margo MacDonald will agree with me.

The SNP manifesto's rhetoric promised a reduction in class sizes in primary 1 to primary 3 to 18 pupils or fewer and an increase in nursery provision by 50 per cent. We need two things to implement that promise: empty classrooms and more money. Where is the reality in the programme?

The reality is that the leader of the SNP group in the City of Edinburgh Council, Steve Cardownie, and his High Street mob—aided and abetted by their Liberal Democrat accomplices—proposed the closure of 22 schools in the city and a criminal cut in the education budget of £9 million. The SNP was the architect of that educational vandalism, but the education chair of the council, Marilyne MacLaren, is the most culpable, given that she has failed to defend the interests of parents, pupils and teachers. As a former chair of education, I fail to understand how she can continue in her post with any credibility or dignity whatever.

Of course the SNP needs funds to convert rhetoric to reality and to deliver its promises, but it knew that when it made those promises and it inherited a substantial surplus from the previous Administration, so it is possible. Instead of this feeble programme, we need Alex Salmond to start putting his money where his mouth is. If he does that, there will be no problem funding the urgent needs and turning his undoubtedly slick and skilful rhetoric into some semblance of reality.

16:12

Mary Scanlon (Highlands and Islands) (Con):

It would have been the decent thing for the minority Government, at the very least, to have acknowledged the previous Administration's work on cervical cancer, hidden waiting lists and free personal care.

Before my colleague John Scott left the chamber, he asked me to acknowledge and welcome the continuation of accident and emergency services at Ayr hospital. I thank the Cabinet Secretary for Health and Wellbeing for acknowledging the excellent record of previous Tory Governments on housing.

We welcome the light legislative programme, which means that we can draw breath and concentrate on the implementation of legislation such as the Mental Health (Care and Treatment) (Scotland) Act 2003 and legislation on care in the community.

We want better support for mental health services and for the drug and alcohol detox and rehab strategies. I have looked through both "Better Health, Better Care" and "Principles and Priorities: The Government's Programme for Scotland". At first glance, it seems that the only reference to drugs in the Government programme is to drug treatment and testing orders and I have found no mention of them in the health section of the document. I know that the Government is committed to addressing the issue and I look forward to playing a positive role in bringing forward strategies that were outlined in the Conservative manifesto.

There was little mention of prescription charges, which are due to be phased out by 2012. Nevertheless, we agree with the Government that there are anomalies, such as free prescriptions for diabetes and epilepsy but not for asthma.

We stand by our position of electing a proportion of national health service board members and look forward to receiving the information and research to prove that direct elections to health boards will improve patient care and give us all a better health service.

The Cabinet Secretary for Health and Wellbeing will not be surprised to hear that we will support the review of the Public Health Act 1897. After 110 years, even conservatives with a small “c” can accept that some issues need to be revisited.

I have read the Government’s discussion document, “Better Health, Better Care”, and I note its emphasis on self-care strategies for long-term conditions, yet organisations that I have mentioned—such as Depression Alliance Scotland—are struggling to set up and maintain self-care and self-help groups in the Highlands and elsewhere due to lack of funding. The document contains barely a passing reference to the independent sector, which—as Nicol Stephen mentioned—can provide the capacity to help to achieve the waiting times and targets that the SNP promised in its manifesto.

Although the patients’ rights bill has been relegated to a consultation paper for a year, there is no doubt that the bill, which will give the patient a legally binding waiting time guarantee, is more of a charter for lawyers than a charter for patients. It is likely to bog down the SNP in courts and legal wrangles and prevent it from concentrating on health centres and hospitals. For example, NHS Highlands recently offered 90 patients the opportunity to go to BUPA in Edinburgh for diagnostic and investigative work and more than 70 of them took up that opportunity. Patients in Inverness East, Nairn and Lochaber, Argyll, Moray, Gordon, Angus, Aberdeen North, Dundee East, Dundee West, Central Fife, North Tayside and Perth all enjoy the excellent private health care facilities at the regional treatment centre at Stracathro. Will the SNP set its ideology and prejudice against utilisation of the private sector, which undoubtedly benefits patients?

16:16

Tricia Marwick (Central Fife) (SNP): I welcome my friend Shirley-Anne Somerville, who became an MSP today. I first met her when she was a 15-year-old schoolgirl who helped out in a local government by-election in Kirkcaldy. She is bright and articulate and she will enhance the Parliament. *[Applause.]*

I am gratified that we have a Government that understands that governing is not just about using the Parliament as a legislative sausage machine. Whenever a problem arose for the previous Labour and Liberal Executive, regardless of what the problem was, its mantra was that something must be done, and that something was legislation. Whether we needed it or not, we got legislation just to show that the Executive could do something. I am glad that the Government is refusing to go down that road.

In its first 100 days, the Government has shown us what a Government should be. We now have the Parliament that the people of Scotland hoped for when, in 1997, they voted overwhelmingly in favour of setting up the Scottish Parliament. As Donald Dewar said at the opening of the Parliament,

“This is about more than our politics and our laws. This is about who we are, how we carry ourselves.”

In the past 100-odd days, the Government has carried itself well.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I fully endorse the member’s views not only on the role of the Parliament in civic society in Scotland but the fact that it is representative. Why has the Government set up outside the Parliament two major bodies—the Scottish broadcasting commission and the council of economic advisers—that will not report directly to the Parliament?

Tricia Marwick: We set them up to ensure that we bring in talents from Scotland and abroad and to ensure that the Government looks ahead with the best brains that we have so that we do the right things for the people of Scotland.

I listened to Cathy Jamieson. Labour is in denial about losing the election, but it is also in denial about its role in the past eight years. It is in denial about the crisis that it created in housing and about the fact that it forced students into debt in the first place by introducing tuition fees. I welcome the First Minister’s assurance that there has been constructive dialogue with Westminster about legislation on air-guns. I look forward to hearing the results of the talks in the near future.

I am delighted that the Government, in its first 100 years—*[Laughter.]* I expect 100 years. This is the start of our first 100 years. I am delighted that every school pupil in primary 1 to primary 3 in Fife will get free school meals through our pilot scheme. I argued for that measure when Parliament considered the Schools (Health Promotion and Nutrition) (Scotland) Bill, although I was defeated by Labour and the Liberal Democrats.

I welcome the commitment to exempt a person’s main home from the enforcement process of land attachment. We will overturn the draconian measure that was bludgeoned through the previous Parliament by Labour—we had nae consensus then.

On the abolition of tolls on the Forth and Tay bridges, I was crossing a street last week when a man called my name. When I turned around, he gave me the thumbs-up and shouted, “At last—no more tolls. Well done the SNP!” That measure

means a lot to the people of Fife, who know that this SNP Government will keep its promises.

16:20

Pauline McNeill (Glasgow Kelvin) (Lab): At last we have some ideas about the SNP's programme for government. Most of the programme was heavily trailed over the summer and some of it has been carried over from the previous session of Parliament—such as the measures relating to judicial appointments and the reform of rape law. Some clear themes emerge: a debate on the constitution; a series of populist measures; new legislation; some pilots; and a series of commissions and forums, too many of which, as Jeremy Purvis rightly said, will be too distant from the Parliament. Tricia Marwick gave the wrong answer to Jeremy Purvis's question on that matter. She should have said that it is down to the Parliament and the Parliament's committees to hold those commissions and forums to account.

My early plea to this Government is not to allow the national conversation to be the dominant issue. Clearly, that will be hard for the Government to do—indeed, I think that allowing it to become the dominant issue is the Government's strategy. However, if that is allowed to happen, it will be at the expense of the bread-and-butter issues that the people of Scotland elected us to deal with, which are to do with improving their lives. If the Government has a mandate for anything, it has a mandate to work with the other parties and to make progress on the issues of housing, child poverty, tackling crime and so on.

So far, we have learned a lot about the style that the Government seems to want to adopt: a tendency to work outwith the Parliament, a self-congratulatory tone—already, we have heard three back benchers patting the front bench on the back—a legislation-light programme and an inability, as Mary Scanlon rightly said, to give credit to the previous Government on issues such as cervical cancer screening, judicial appointments and hidden waiting lists. The SNP will not command the respect of the other parties in this Parliament if it continues to pat itself on the back when it has only just completed 100 days in office.

There are many aspects of the programme for government that I can and will support. The SNP manifesto said that it will expand preventive health care and services in our most deprived areas. I would agree that that is a good pledge. However, I have heard little today about the strategy for tackling poverty. Not enough prominence has been given to the areas of Scotland in which poverty is at its most intense. The Government must be prepared to redistribute resources if additional resources cannot be found. The

Government must prioritise, do real things and take actual measures. Pointing out the challenge is not enough; the necessary measures must be taken.

I agree with the First Minister that public health represents a huge challenge for this Parliament. However, I think that the most pressing challenge is how to break the cycle of poverty and deprivation for children. Stopping children failing is the challenge that all of us must live up to. That cannot be done without resources.

Members can see for themselves the results of work that was done by the previous Administration. Life expectancy is up by two years and, in primary 1, 54 per cent of children show no signs of tooth decay. That is because of some of the intervention programmes that the previous Administration put a lot of resources into. I urge this Administration not to stop that.

I represent a Glasgow constituency—not the poorest one—and I can assure the Government that it must think seriously about the issues that I am raising. Some 22 per cent of drug users, as against the national average of 11 per cent, live in Glasgow. The addition of the Clyde area to the Greater Glasgow Health Board area clearly means that poverty is intensified in that area. The Government's funding strategy must be clear. It must be prepared to put the funding where its rhetoric is. That means that, if the Government is serious about tackling intense poverty, it will have to redistribute some of its resources to the west of Scotland.

16:25

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I will address two issues with the Government's programme that are important to the people of the north-east. First, I will examine the Government's commitment to continue with the western peripheral route around Aberdeen. Before the election in May, the First Minister made it clear to Road Sense, the group that opposes the western peripheral route, that as First Minister, he would abide by the public inquiry's findings into the road. On 15 June, he wrote a letter to confirm that—I have a copy of it here. However, when the *Aberdeen Evening Express* challenged him about the issue last week, he was quoted as denying that he said any such thing. When the *Evening Express* obtained a copy of his letter, he is reported to have changed his tune and to have said that he meant that he would abide by any decision of the public inquiry on the road's proposed route and not on whether the road should proceed.

The people of the north-east want to know the real position of our First Minister. Is he about to

jeopardise the road? That is what Road Sense believes. Is he committed to delivery, even if the public inquiry reporter recommends to him that the road should not proceed? The M74 provides a precedent for that. What is the Scottish Government's position?

My other issue is the SNP Administration's decision to turn its back on new public-private partnerships to fund projects such as the western peripheral route. Its position is clear from the letter to Road Sense, in which the First Minister said that he would ensure

"that the project is not financed by costly PPP/PFI funding."

During questions on the legislative programme, he would not tell me how he proposes to fund the road. We had no answer from him, clearly and resoundingly.

The PPP issue is hugely important. The SNP's opposition to PPP threatens not only the Aberdeen western peripheral route, but our new schools programme. The previous Administration built three new schools in my constituency. We need more of them—at Laurencekirk, Portlethen, Alford and Drumoak, to name just a few places. However, it is clear that SNP ideology is risking our schools building programme. I thank the Aberdeen *Evening Express* again for exposing that in a major article on Monday evening.

In the period of the previous parliamentary session and the previous Administration, Aberdeenshire Council accessed £63 million of PPP money and built many new schools. All that it has to look forward to in this financial year is a paltry £8 million to maintain and refurbish as needed almost a couple of hundred schools, and the promise that a far-off idea of some kind of trust will rush to the rescue in years to come.

That is not good enough for my constituents. The people of the north-east deserve to know whether the Government will continue previous Governments' commitment to build the Aberdeen western peripheral route and to have spelled out for them how the Government will fund the capital projects of the road and the new schools that we desperately need. We need an answer from the new Administration, not silence.

16:29

Rob Gibson (Highlands and Islands) (SNP): It is a great pleasure to welcome the Scottish Government's programme. It has been long anticipated—too long for people of my generation—and welcoming it is a delight. We have been presented with a series of bills and non-legislative priorities that allow each part of the country to benefit from the Government's lead.

The wealthier and fairer objective leads me to mention why the abolition of bridge tolls is linked with the road equivalent tariff. Bridge tolls were dealt with under the principle of equity. Equity must take into account Scotland's geography and allow us to travel freely from all parts of the country to participate fully in our economy and in national life.

How can the more than 100,000 people in our 89 inhabited islands fully participate in such things unless some form of road equivalent tariff is introduced? The day after John Swinney made his announcement about the pilot in Stornoway, I was on a small Orkney ferry. The 600yd from Wyre to Rousay that the ferry crosses is about the most expensive 600yd in the world to cross. Such issues are now being addressed. We are talking about not simply a 40 per cent discount on air fares, but about allowing people, including businesspeople, to travel back and forward in every part of our country. Exactly the same argument applies to bridge tolls. We must have a far better and fairer way of measuring road use. I expect those issues to be debated during the consultation on climate change targets, which we in the Transport, Infrastructure and Climate Change Committee will deal with next year. The wealthier and fairer proposals hold together in an important programme for the whole country.

I ask the Government to try to step up work on another non-legislative priority. It may want to retrieve the powers of the Crown Estate Commission. That would be widely supported. The most prominent issue relating to the Crown Estate in Scotland will be its approach to managing Scotland's sea bed and foreshore. There are big issues for us in that respect, including renewable energy issues. Addressing the issue within the existing legal set-up would be possible, and an immediate benefit could be had for our harbours. Some 80 per cent of Scotland's harbours are managed by the Scottish Government, local authorities and trust ports in the public interest. We could change the way in which the Crown Estate takes revenue and give a major bonus to operations that are at the heart of our coastal trade. I think that such action would receive cross-party support.

I turn briefly to the proposed culture (Scotland) bill and the creative Scotland body. There has been a lot of talk about education and culture for eight years, but at last, by picking up the threads of what has been discussed during that period, we can allay the artistic community's fears about interference in artistic policy. The new minister with responsibility for the arts recognises that, through creative Scotland, the arts will be able to call on funds that support excellence wherever it occurs in Scotland. Separating the national companies will mean that their needs can be dealt

with separately. When I thought about having a wealthier Scotland, I was heartened by a possibility. Individual donors could give much more to support major companies in the same way that donors gave money to refurbish Kelvingrove Art Gallery and Museum. The big companies ought to look for more such donations while creative Scotland supports arts throughout the country. I saw that issue in the programme and look forward to its being dealt with.

16:33

Sarah Boyack (Edinburgh Central) (Lab): Like colleagues, I am disappointed by the SNP's programme. Many of my constituents will be equally disappointed. They will be looking for action on issues that matter to them. I am particularly disappointed that tackling antisocial behaviour seems to have totally disappeared as a Government priority. Ignoring such behaviour will not make it go away.

I simply do not agree with Roseanna Cunningham's portrayal of the past eight years of our work in the Parliament. Eight years ago, my constituents' top priority was their worry about being able to get a job. That is not their worry now, because in the past eight years, through Government partnerships across the UK, we have created 50,000 jobs in Edinburgh. My constituents' problems now are the impacts of economic success and affordable housing. It is not enough for Nicola Sturgeon simply to say that we need another review: we need action. That means building more houses—particularly more affordable houses—rather than giving people £2,000 to waste on an already overheated housing market.

We need facilities so that families can live in the city, particularly in the city centre. Like George Foulkes, I welcome the withdrawal of the proposed cuts in Edinburgh. Three vital nurseries would have been lost in the city centre alone. Such actions force parents to move out of the city centre. I am therefore glad that the proposals have been withdrawn. They made a mockery of the SNP's manifesto commitments on access to nurseries.

My constituents are concerned about action to reduce our carbon footprint, both individually and through what we do in the Parliament. They will not be impressed by the news that it will take another year for a climate change bill to be introduced in the Parliament. During the summer, the SNP was also not prepared to make a clear commitment to include explicitly carbon emission reductions as a cross-cutting issue in this year's budget review. Those two facts will disappoint a lot of environmental activists. If the SNP calculates that we need to reduce our CO₂ emissions by 3

per cent plus, year on year, we must start now, not next year. We will support the Government if it makes this budget a carbon reduction budget. It is a huge opportunity that the Government must not miss.

For Alex Salmond to blame the fact that we have no climate change bill on the fact that a regulatory impact assessment and a strategic environmental assessment must be produced is just not good enough. He must come up with a better answer than that. It is a complex issue, and that was just not good enough.

The low-carbon building project and the work that the SNP has announced on energy efficiency in buildings is something that we will support. It builds on previous work that was undertaken by Labour ministers, and we support the idea of progressively raising the level of energy efficiency in our buildings. We want to go further, though.

I had a very pleasant conversation with John Swinney this morning. He politely informed me that, although the Government would oppose my bill on energy efficiency and microgeneration, he had a lot of sympathy with its objectives and would seek to include some of them in the proposed climate change bill. My bill is supported by 51 MSPs, and a lot of people outwith the Parliament are keen to see it passed. Unfortunately, John Swinney, who is not in the chamber, was unable to give me any assurances or detailed commitments on the incorporation of the proposals in my bill into the proposed climate change bill. I am not prepared to withdraw my bill without commitments on the detail of the SNP's proposals, particularly the fiscal incentives that will transform people's attitudes towards energy efficiency measures such as cavity wall and roof insulation—which we know make sense—and business rate incentives for businesses. I seek assurances from John Swinney on those issues and a commitment to require all new housing to include microgeneration as standard. I will not withdraw my bill until John Swinney makes those detailed commitments, although I welcomed his phone call this morning.

There will be lots of things on which the Labour Party will work constructively over the next four years in the Parliament. However, we will not support ill-worked-out, unspecific proposals, nor rhetoric about what flag is flown above this building instead of debate about the laws that are passed here.

16:37

Margo MacDonald (Lothians) (Ind): My remarks will pertain mainly to the strategic spending review but, first, I assure the First Minister and his deputy that some of us think it no bad thing to feel the quality, not the width, of bills.

They should also not take too much to heart what Pauline McNeill said about poverty, as that is the legacy of the union, not of a national Parliament in Scotland.

The First Minister said earlier that Scotland needs flexibility, not rigid conventions. I could not agree more. I therefore urge the Government to depart from the rigid formula for funding local government, accepting that Edinburgh has a unique role that the Government should recognise by introducing a capital city funding stream. That could be done through the strategic spending review. Such an initiative should attract the Labour Party's support, given the fact that, during the past week, the city's need to provide affordable family housing to ensure that Edinburgh is a good place to grow up and go to school has been highlighted.

The occupancy rate of schools in Edinburgh is inextricably linked to the fact that many young families cannot afford to live in the city and are living outwith its boundaries. The Government must consider planning, housing and education in the one way. If it does that, it will recognise the need to fund the city for providing those services to the degree that is expected of it while it also carries the burden of promoting and marketing Scotland more than any other single area. Edinburgh is also, perhaps, the main driver for the Scottish economy.

While we are talking about the Scottish economy and money, I should say that I voted for the trams, which are linked to the housing development on the waterfront and the new development that is being planned for Leith, and that I am concerned that the money for phases 2 and 3, which make complete sense of the trams project, might not be found. I urge the Government, now that it is committed to supporting the trams project, to look at the full picture and the funding for phases 2 and 3.

Colleagues in the Labour Party mentioned council housing. I noticed that no one in the Labour Party or in the SNP said that they are willing to go to the Chancellor of the Exchequer, who is an Edinburgh MP, and the Prime Minister to emphasise how Edinburgh tenants have been given a raw deal. They voted against stock transfer and there should be advocacy on their behalf so that they are treated equally with the tenants who voted for it. If that burden were removed from the City of Edinburgh Council's debt, I doubt that we would see deficits of £9 million or £14 million.

The First Minister skated over the issue of the European Union. Will he demand that there be a referendum now, before we are landed with a constitution that gives European institutions governance over our energy sources? It is

important that we hear what the Government has to say about that.

Finally, I suggest to the First Minister that instead of asking for oil revenues—he will not get them right off—he should detail the cost of some of the capital projects and investment needed for Scotland, set that against the extra windfall revenues that have gone to the chancellor, and ask for it to be reinvested in Scotland.

16:42

Robert Brown (Glasgow) (LD): I begin by welcoming Shirley-Anne Somerville to the chamber. I wish her well during her time here. I also wish her predecessor well as he brings his undoubted talents to demonstrating SNP coherence and consistency to the governance of Edinburgh.

I was interested in Roseanna Cunningham's statement that all parties are united around increasing the Parliament's powers, presumably within the United Kingdom. When the cabinet secretary replies, will she say whether that policy, which was until recently a Liberal Democrat policy only, is now a policy of the SNP Government?

The debate has been interesting, but its substance has been about not very much. The SNP has been compelled reluctantly to cobble together a Government programme of sorts. It is manifestly an Opposition's programme, not that of a Government—as, indeed, was its manifesto for the recent elections. It is by far the thinnest and most inconsequential legislative programme the Parliament has seen. If we Liberal Democrats had produced it, it would have been described as unambitious, unexciting and unworthy of Scotland's aspirations. As Mike Rumbles clearly demonstrated in considering the programme's details, it also contains substantial practical holes.

Brian Adam (Aberdeen North) (SNP): Will the member give way?

Robert Brown: I am sorry but I cannot give way: I only have four minutes for my reply.

Of course there are nuggets: I welcome the proposed bill to abolish the graduate endowment, the technical legislation in support of the Glasgow 2014 bid and the proposed changes to rape laws, but seven or eight of the proposed bills would have appeared in any legislative programme.

The national health service is by far the most challenging of our great public services, and the previous Executive made considerable progress on putting in resources, shaping and modernising services, and concentrating on key priorities such as long-term conditions, but the proposed patient services bill, on which we have yet to see any detail, looks like a recipe for political meddling,

short-termism and lack of direction in the health service.

As a member of the Law Society of Scotland, I welcome whole-heartedly and on behalf of my legal colleagues the proposed legal rights for patients. They will provide the most fertile source of business that I have seen throughout my career. Sick and elderly patients in Scotland should not require to go to the law to access their rights to proper treatment under the national health service. After the Kerr report, there was consensus about the future of the health service but, in essence, it has been dumped. Clinicians throughout the country no longer know where or how they are going.

If Nicola Sturgeon could be so kind as to pay attention to what I am saying, perhaps when she replies to the debate she will indicate what has happened to the long-awaited children's services bill to reform and modernise the children's hearings system, on which the previous Administration consulted.

This is not a Government; it is a campaign, the sole object of which is to secure an independent Scotland. It organises the resources of government to advance that objective—wanted by some, admittedly, but strongly opposed by the majority—by carefully picking disputes with Westminster and placating this and that interest group. Its obsession with presentation makes new Labour look like beginners. If members want proof of that, they should go to the Scottish Executive website. Ministers have spent £100,000 on renaming the Executive as the Scottish Government and on changing all the signs, but on the website it is impossible to identify the locations, addresses or contact details of SNP ministers or departmental civil servants. When one attempts to do so, a banner stating

"the requested page cannot be found"

usually comes up. The Scottish Parliament intranet site includes a connection to the Scottish Government directory, with the following message:

"The previous Government Directory available to us has been replaced by a web based search tool. Please note that this offers limited functionality".

Quite so.

In conclusion, I suggest to the First Minister a phrase that the SNP may recognise. The First Minister is Toom Tabard, an empty vessel—the phrase was used to describe King John Balliol's shadow Government in the days of William Wallace. This Parliament and this country deserve better than that.

16:46

David McLetchie (Edinburgh Pentlands)

(Con): Today's statement and debate are a welcome reminder that a programme for government is not just about a series of new bills and passing ever more laws to regulate the lives of our citizens. I recall Donald Dewar's speech in June 1999 on the legislative programme of the new Scottish Executive—Mr Dewar was never a man to have delusions of Government grandeur. He quoted the 19th century Prime Minister Lord Palmerston, who, when asked about his legislative programme, grandly responded:

"There is nothing to be done."

Regrettably, that prescription for limited government was not followed by Mr Dewar or any of his successors. As a result, in its first two sessions the Parliament passed no fewer than 128 bills and 3,382 statutory instruments, many of them of dubious value and worth. Accordingly, the more measured pace of this legislative programme is welcome, even if it is born out of political necessity. However, my friend Mr Brown has pointed out to me a significant omission—the lack of a bill to decouple the council and Scottish Parliament elections, to which I thought the SNP Administration was fully committed.

In the legislative programme, a fair smattering of populist measures is coupled with an avoidance of the real issues. A proposal to abolish the graduate endowment stands in isolation from the real challenge that will face universities and colleges—that of competing with institutions down south that have significant additional streams of income. The abolition of bridge tolls was inevitable on grounds of sheer equity, following the former Scottish Executive's decision to abolish tolls on the Skye and Erskine bridges, but one wonders how that can be done in isolation from the much bigger question of how we fund a new Forth crossing, which in cost terms dwarfs every other transport project that the Parliament has previously considered. We note the proposed abolition of prescription charges, but wonder whether that is really a priority for a health and care system that is struggling to deliver the universal entitlement to free personal care for which the Parliament legislated five years ago.

Today we have seen some soft and easy options; the hard decisions lie ahead, and there is little evidence that the Scottish National Party as an institution is prepared to take them. The U-turn on the school closure consultation in Edinburgh by the SNP group on the City of Edinburgh Council that was highlighted earlier in the debate is an inauspicious straw in the wind. Whereas that bunch of political cowards, dupes and puppets can run with their begging bowl to John Swinney and

ask for more money, there can be no hiding place for ministers.

We must ask whether the party that over the past eight years of irresponsible opposition gave an army of hostages to fortune is a party with the guts to say no when all those markers are called in. Does the SNP have the guts to admit that it got it wrong with the follies of the pledges and promises that it made in its campaign? We shall see.

Over the past few months, we have heard a great deal about co-operation with Her Majesty's Government and about a national conversation, which I prefer to call Alex Salmond's big blether because it is irrelevant to the needs of Scotland and to the responsibilities with which we are charged in this Parliament. I suspect that when the chips are down the big blether will turn into the big bluster and the SNP will blame everything on the parsimony of Brown and Darling, which will simply not do. If this Government is serious about engaging constructively with the Westminster Government in the interests of our people, it must demonstrate its responsibility in the context of the spending review and its overall programme. That will be the real test of its good faith and the real challenge that it will have to address over the next six months.

16:50

Cathy Jamieson: We have had an interesting, if short, debate in which we have not had enough time to go into the detail of what we agree is a limited legislative programme.

As a former minister who perhaps delivered more legislation than any other during my four years with the justice portfolio, I may risk a response from David McLetchie by pointing out that I might have expected this legislative programme to include other bills—for example an arbitration bill and a bill around the children's hearings system, to which Robert Brown referred. Further, what about the reforms that the civil justice review will propose? What about wills and successions? What about a criminal justice bill, which the SNP previously promised?

I believe that the debate's theme has been the notion that the SNP is creating a brave new world of politics for Scotland. It is not, as some members have suggested, that the Labour Party is in any sense in denial about the election result. We know that the SNP got one more seat than we did and, therefore, that it has formed a minority Administration. However, I remind the SNP of something about which it is in danger of being in denial: the majority of people in Scotland do not support its fundamental *raison d'être*, which is to

break Scotland away from the rest of the United Kingdom.

Labour members have highlighted throughout the debate the point that many people in Scotland voted for the SNP because they thought that what the SNP promised during the election campaign would be delivered: extra police officers—we have had no answers on that today; a reduction in class sizes—we have had no answers on that today either; scrapping the council tax and writing off student debt. Nor have we heard anything today about other matters, such as the tightening up of sentencing in the criminal justice system.

The SNP will be held to account for its promises not just by members in this chamber, but by the wider electorate. Today, rather than action on those issues, we have had backtracking and a failure to deliver. We now have a list of broken promises or, at best, delayed promises and a statement that the SNP will think about them at some point.

I say to Roseanna Cunningham, Tricia Marwick and others that government is difficult. The ministers here will learn that during their tenure. It is simply not good enough to say yes to everyone who comes along and asks for money, resources or the implementation of a policy, without knowing where the money will come from to deliver on that. Ministers must be able to translate rhetoric into reality. David McLetchie and a number of Labour members made that point.

Far from our being in denial, it seems to me that the SNP is in denial about the fact that it made certain promises. It now seems to be backtracking on them. The SNP made promises that it has now broken. There has also been a failure to face up to the fact that the sums simply do not add up. The SNP simply cannot take a pick-and-mix approach to politics in which policies are picked and put in a bag without it being known how much they will cost when it comes to paying for them.

We on the Labour benches have been honest enough to say that there are things in the Government's legislative programme that we will support. I was disappointed to hear my colleague Sarah Boyack say that the Government has indicated that it will not support her proposed microrenewables bill. That is a great pity. I urge ministers to consider that proposal further and engage at least in a constructive debate on it, as we have promised to do on the areas in which we want to see progress.

We have been honest enough to say that we will work constructively with the Government when that is the right thing to do. We have also been honest enough to say that some things have been done well, not only in the first 100 days but in the proposals that the SNP has brought before us—it

would have been churlish of us not to do that—but it is time to hear the same honesty from each SNP member on what their party will deliver. The SNP must not mislead the public: it is time for honesty from the SNP on when it will deliver and how it will pay for its proposals.

16:55

Nicola Sturgeon: The debate has been good. It would not be a parliamentary occasion in the Scottish tradition if members did not have robust argument on the things on which we disagree. We also saw some sign of the things on which we can agree and on which we can build consensus in the Scottish interest.

For example, there are broad areas of agreement between the Government and the Liberal Democrats—although as Nicol Stephen spent most of his speech moaning about not having enough time to say anything, we did not get to explore much of that agreement this afternoon. His main contribution was to criticise the Government for saving accident and emergency services at Monklands hospital and Ayr hospital. I respect his view, but I refer him to a motion that was lodged on 9 May 2007, which demanded no less than that the Government keep its promise to save Monklands accident and emergency. It was supported by Nicol Stephen's colleague Hugh O'Donnell, who is a member for the area. I am glad that we have pleased some—if not all—Liberal Democrats.

I thank Mary Scanlon for her constructive speech and for her support for the inclusion on health boards of a proportion of directly elected members. I was about to reassure her that the Government is committed to abolishing prescription charges—I thought that that was what she wanted to hear—until David McLetchie said that the Tories do not want that. Perhaps the Tories need to sort out their position.

Mary Scanlon: I talked about extending the exemptions list and used the comparison between epilepsy and asthma. I did not talk about our view on abolition.

Nicola Sturgeon: That is a helpful clarification, given that I was about to say that I look forward to working with Mary Scanlon to progress some of the points that she made. She suggested, quite fairly, that we should give credit to the previous Administration where that is due. In the spirit of consensus, I am happy to do that. For example, I acknowledge that the commitment on the cervical cancer vaccine was also in Labour's manifesto.

Mary Scanlon also raised the issue of hidden waiting lists, but as Labour has never acknowledged the existence of hidden waiting lists

I cannot see how that party can be given any credit for getting rid of them.

I take the comments that Cathy Jamieson made in her opening speech as constructive criticism and look forward to her continuing in that constructive vein, but I have to say that Labour members' voting against the business motion on the first day back may not be the best evidence of the new politics. Notwithstanding that comment, we live in hope.

Cathy Jamieson's main focus was on the things that she alleges are not in the SNP's programme for government. She forgets that we were elected on a manifesto for a four-year term—not a 100-year term, as Tricia Marwick suggested. As Cathy Jamieson reeled off her questions for me, I could not help thinking up a few questions for her. She asked when we will get rid of student debt. I ask her to remember that it was her party that created a debt burden for graduates that now averages £14,000 a head. She asked me when we will put 1,000 more police officers on the streets. My question for her is, "What party's policies have led to every community in Scotland feeling underpoliced and to people feeling that it is not safe to walk the streets?"

When, after 10 years of Labour government, Pauline McNeill accused us, after 112 days, of not coming up with a comprehensive strategy to tackle "intense poverty", I did not know whether to laugh or cry. She rightly pointed out the key challenges that face Glasgow—challenges such as drugs, crime, poverty—but I remind her that, until 3 May, when the good people of Govan decided to change things, Labour represented every constituency in the city of Glasgow. The Labour Party has been in government in Glasgow for generations.

As Roseanna Cunningham rightly said, the problems that Cathy Jamieson and Labour now want us to solve are the problems of their own making. Unfortunately, today, Labour members have been struck by a dose of collective amnesia about their party's record in office. We will solve those problems because this Government has a clear programme, a clear purpose and a determination to act.

Lord Foulkes complained about the lack of detail on affordable housing. I appreciate that affordable housing probably does not feature much on the agenda of the other chamber in which Lord Foulkes sits, but I point out to him that while he moans on the sidelines, the housing task force is already at work on the practical solutions to the problems that are the legacy of the most recent Labour Administration. That work will enable us to build the extra houses that, as Sarah Boyack identified, Labour failed to build.

We have made a good start to government—it has been some honeymoon, according to Wendy Alexander—but there is more to do. Our programme sets out the legislative and non-legislative action that we will take in the next year. We will take action to improve education and health and to boost the fight against crime, and will provide the opportunity for Scotland to decide its own future. When one reflects on the fact that perhaps the biggest change in the past 112 days has been Labour's transformation from a party that was implacably opposed to the Parliament having more powers to one that thinks that that is not such a bad idea after all, one must conclude that the campaign for independence is going very well indeed.

The programme that we have announced is one to be proud of. It is a programme that will and should unite not just everyone in the Parliament, but everyone in Scotland. With my colleagues in the new Government, I look forward to delivering for the people of Scotland.

Decision Time

17:02

The Deputy Presiding Officer (Alasdair Morgan): There are no questions to be put as a result of today's business.

Asylum Seekers

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S3M-345, in the name of Sandra White, on asylum seekers in Scotland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes discussions between the Scottish and UK governments aimed at tackling the situation of asylum seekers in Scotland and to this end supports calls for asylum seekers to be granted the right to work whilst seeking asylum, which has been backed by Glasgow City Council and the Scottish Refugee Council which comments that "It just makes absolutely no sense to have people sitting at home in enforced idleness when they could be contributing to the economy", and further believes that an amnesty for asylum seeker families who have been in Scotland since before March 2006 would be one which rightly acknowledges that in Glasgow these families have become a valued part of the local community and the vast difference between the situation in Scotland, where roughly 1,500 families would be granted asylum, compared to over 400,000 in the rest of the United Kingdom.

17:03

Sandra White (Glasgow) (SNP): I begin by thanking all the members who have stayed on to discuss such important issues and those who signed my motion, which enabled me to secure the debate. I also thank the Scottish Government for setting out its position on asylum seekers, which I am happy to say echoes the changes that are called for in the motion.

I welcome the people who should be in the public gallery by now—they must have been delayed; they are travelling through from Glasgow—many of whom have first-hand knowledge of the many difficulties that asylum seekers face. I hope that other people in their position and organisations that work with them, such as the Scottish Refugee Council in Glasgow and other voluntary organisations, will take heart from the fact that the first members' business debate after the summer recess will highlight the fact that in Scotland the situation of asylum seekers is an issue of the utmost importance and one that is taken extremely seriously by the Parliament.

Today I will concentrate on the motion before us and, in particular, on what it says about the right to work. Simply by granting asylum seekers the right to work, we can radically change how they are perceived and the conditions in which they find themselves. It is clear that granting asylum seekers the right to work offers fundamental benefits. Rightly or wrongly, many people perceive asylum seekers to be a burden on society and think that their sole purpose in coming to Scotland

is to claim benefits, to the detriment of society as a whole. As we all know, such attitudes lead to a fractured society, in which asylum seekers are viewed with distrust and, often, open hostility.

Members of the Scottish Parliament and people outside the Parliament have worked and continue to work towards creating a Scotland that is free from prejudice or hatred. To that end, let me dispel the myth that asylum seekers are simply benefit seekers. Asylum seekers want to work. Research shows that the money generated for the local economy by asylum seekers would far outweigh the cost of benefits. The message is clear: by granting asylum seekers the right to work we can help to grow the economy and, which is more profound, help to create more harmonious communities throughout our areas.

Many asylum seekers are highly skilled. Recent United Kingdom figures show that more than 900 doctors, 150 nurses and 100 dentists are unable to seek work. The current skills shortage in some professions, especially in health, has led to a bizarre situation in which recruitment schemes are run abroad. We could go some way towards solving the problem if we granted asylum seekers the right to work. The Scottish Refugee Council said that a change in policy would have a major impact on people's future integration into Scottish society. That conclusion is borne out by research that was carried out by the previous Scottish Government, which found that denying asylum seekers the right to work increases the risk that their skills will become outdated, increases isolation and makes it less easy for people to be integrated into the labour market. We cannot let a situation continue that leads to public mistrust, represents a missed opportunity to grow the economy, perpetuates the skills shortage and risks alienating people who will eventually be granted asylum.

I welcome the Scottish Government's support on such matters and I thank Fiona Hyslop, the Cabinet Secretary for Education and Lifelong Learning, for writing to me to outline the Scottish Government's position, which is to press for full implementation of the March 2006 agreement; to ensure that young people from asylum seeker families have the same access to full-time education as is afforded to Scottish children; to call for families with children who arrived before March 2006 to be granted leave to remain; and to press for alternatives to the much-deplored dawn raids and to the unacceptable detention of children and their families.

The motion refers to the right to work and to an amnesty for families who arrived in Scotland before 2006. I will raise wider issues, which no doubt other members will mention in more detail. As I said, by effecting change we can continue to

work towards creating a Scotland that is free from prejudice or hatred. We can also work towards a Scotland in which inhuman treatment of anyone is not tolerated, by ending the barbaric treatment that many asylum seekers face at the hands of the Home Office.

I have seen at first hand the effect of Home Office policy on asylum seekers. People become depressed because they cannot work, which affects their families and communities. Some asylum seekers have been in Scotland for many years. Their children were born here and they have formed friendships and relationships. Many asylum seekers regard themselves as Scottish, yet they live in fear of dawn raids, detention and deportation. We must end those barbaric practices and ensure that an amnesty is granted to families who have become valued members of their communities.

For too long, asylum seekers have been regarded as people who arrive here with no hope. I want to give families the hope that in future they can be valued members of Scottish society. Scotland is held in high regard throughout the world, but the use of dawn raids and the detention centre at Dungavel seriously calls into question our claim to be warm and welcoming. Will the minister consider the issues that I have raised? Will he also consider the situation at Dungavel, especially in the light of the alarming reports in today's press, in which it is claimed that children are being held alongside criminals—rapists and traffickers—awaiting deportation? Even today, after such reports, the Home Office refuses to give figures on detainees.

Members of the Scottish Parliament pride themselves on fulfilling their duty to ensure that there is justice, fairness and accountability to all people in Scotland. Asylum seekers deserve no less. When the minister responds, I ask him to give further information on the legacy review that is going on. I presume that we will hear the results by the end of the month or in October, but we have received no update on the cases involved. Will the minister also tell us about the correspondence between—I think—the First Minister and members of the Westminster Government? Is there, as I believe, a perception that doors are opening for the Scottish Parliament and at Westminster?

Too often, asylum seekers do not get an opportunity to put their case. I am grateful and proud to be able to do that.

17:10

Pauline McNeill (Glasgow Kelvin) (Lab): I have not had much opportunity to prepare for the debate, as I spoke in the previous one, but I want

to say a few words on what is an important subject.

Sandra White should be commended for the work that she has done on the issue. She has ensured that it has been high on the agenda. In fairness, I add that my colleague Bill Butler, too, has done much to ensure that, although the issue is not the Parliament's responsibility, we do not forget people who are less fortunate than ourselves. It is right that the Parliament should debate the issues and express a viewpoint.

Apart from my human interest, my interest in the matter is that my constituency of Glasgow Kelvin has a high number of asylum seekers, in Kingsway Court—it is probably just less than the number in Paul Martin's constituency. The range of nationalities there is amazing—the asylum seekers have brought something to the community and made it a different place to be. I recently went to the Kingsway festival, at which there was a range of nationalities and an opportunity for locals to sample different food and hear different languages. That has definitely added something to the community.

Glasgow has a good record on trying to spread asylum seekers throughout the city and trying not to ghettoise but to ensure that people are integrated as far as possible into communities and schools. However, more needs to be done. I agree that we should consider removing the total ban on asylum seekers working. That is a matter for Westminster to work through, but I do not see why we cannot express a view. We must think through the details, but it is concerning that asylum seekers who have been here for five, six or seven years and who want to contribute have nothing to do when job vacancies exist that they could fill.

The Parliament has acted when it has been able to. The former First Minister Jack McConnell took the issue of dawn raids seriously and I supported him in that, although I agree with Sandra White that more needs to be done. Members will have seen the report today in *The Herald* about what has been happening at Dungavel. I am sure that we all agree that, however we deal with the issue, it is simply not right that children of asylum-seeking families should be held there in a place of detention alongside foreign nationals who are waiting to be deported. That is wrong and I urge the Home Office to act on the matter.

Patrick Harvie (Glasgow) (Green): Will the member give way?

Pauline McNeill: I am just finishing, but I will give way if there is time.

Patrick Harvie: I am grateful to Pauline McNeill and I endorse much of what she says. I apologise to members for being unable to stay for the whole of this important debate.

Does Pauline McNeill agree that we need strong cross-party support behind a call for the Government to take seriously the child protection issues that are raised in the report that she mentioned? Child protection is a devolved responsibility and it would be in keeping with the approach of the previous Administration if we explored the devolved aspects, which we should all take seriously. Would Pauline McNeill welcome cross-party support for that?

Pauline McNeill: I have no difficulty with that. Where there is a clear devolved responsibility, there should be—and I think that there is—cross-party consensus that we should do what we can. That is particularly true with child protection. However, we must also work with those in Westminster who have responsibility for the wider issue.

I thank Sandra White for bringing the debate to the Parliament and I look forward to hearing the other speakers.

17:14

Bill Aitken (Glasgow) (Con): I, too, congratulate and thank Sandra White for bringing the matter before the Parliament. She has a particular interest in the subject and has worked hard on it.

The right to asylum is enshrined as a basic human right. I like to think that this country will always provide refuge for those who find themselves persecuted because of their religion, political beliefs or race and I do not think that any of us would ever have it any other way. When we accept people into this country, we must do everything possible to assimilate them into the wider community as quickly as possible. One of the easiest ways of doing so is through work.

When people are working they are able to contribute, make a bigger circle of friends and settle down much more speedily. The existing system is wrong in respect of the right to work. I remember being on a committee visit some years ago that Sandra White may have been on too. One of the organisations that we visited had a chap working with it as an interpreter whom it could not pay; there was even a legal difficulty about buying him a sandwich and a can of Coke for his lunch as that would have breached the rules. That is foolish and we—or rather, the UK Government—need to look at the issue.

I have no great difficulty with that aspect of the motion. However, I have to say that it is important that we separate in our own minds what is an asylum seeker from what is an economic migrant. Many of the people who come here come for the best of possible human motives in that they wish to make progress and to achieve a higher

standard of living, in many instances not only for themselves but for their families. We must have sympathy for such people. Nevertheless, they are clearly not asylum seekers. If they wish to come here—we would certainly welcome them—there is a laid-down procedure for doing so through the embassy or high commission of their country of origin. That is what we have to look at.

The one part of the motion that I find a little bit difficult to accept is the suggestion of an amnesty, particularly for people who have been here for less than 18 months. If the UK Government were to enact that, it would be a matter of people coming here, registering, lying low for 18 months and then being allowed to stay. That would make a negative contribution to social cohesion and would not be acceptable.

Bill Butler (Glasgow Anniesland) (Lab): I think that Mr Aitken has misunderstood the motion as it refers to asylum seekers who were here before March 2006. I hope that that clarification is of help to him.

Bill Aitken: It is of some help, but it still leaves us with the issue that someone could have a right to stay here once they had been here for a comparatively short time—as I say, a couple of years or so. That is not acceptable.

Of course, the UK Government must take considerable blame for what has happened. There is intolerable delay in resolving asylum applications. There is also the issue of repatriation, sometimes by very harsh methods, which have been criticised by members throughout the chamber. The news that we have heard today about Dungavel is totally unacceptable.

I say to Sandra White once again that it is entirely appropriate that the matter has come before the chamber. Parts of the motion have considerable merit, but I urge great caution in respect of the amnesty.

17:18

Bob Doris (Glasgow) (SNP): I commend the work that Sandra White has done over a number of years for asylum seekers, their families and groups and individuals who support asylum seekers. One of the reasons why I am here for the debate is to show my support for the good work that she has done. As a new MSP in Glasgow, I have seen at first hand the work that she has done. I am now coming into contact with individuals who are asylum seekers and can for the first time put a human face to asylum seekers. That is another reason why I wanted to speak in the debate.

I met a young man called Abdirahman Mohamed. When he first came to Scotland from Somalia, he was 16 years old. He will not go back to Somalia as his mother is one of the legacy cases. Indeed, he cannot go back to Somalia as he has no home there; another family stays there and he most certainly would not be made welcome if he were to return. He now stays in Sighthill in Glasgow.

Over the past month or so, Abdi has been telling me about his case. When he came to Scotland as a 16-year-old, the decision had to be made as to whether it was more suitable for him to go to the local secondary school or to a further education college. It was decided that he should go to the local FE college to improve his core English skills, which he did. After that, he had a desire for higher education, so he took an access course at the FE college. Very quickly—in just under a year—he got the access equivalent of highers in computing and maths. At that point, he had no route into higher education so, rather than stay idle, he did the maximum amount of highers that an FE college would let him do. The next year, he took two highers and got fantastic grades. This year, he did another two highers and got fantastic grades. He had a thirst to learn, despite the fact that there was no obvious funding access into higher education. Learning was a privilege for him. Until recently, the only option open to him was to find roughly £11,000 a year to fund himself through university as an international student. Of course, the irony of it was that neither he nor his family was even allowed to work.

There was light at the end of the tunnel for Abdi, and I was delighted to be able to confirm with the Scottish Government and with the University of Glasgow that he will be starting a full-time course at the university at the end of this month. The University of Glasgow has shown discretion in this case. Fees cannot be paid for young asylum seekers in higher education until next year, but the university has shown a fantastic willingness to accept year 1 fees in year 2. That flexibility shows that our academic institutions are willing to give such young people access to higher education. However, I should mention the situation in which Abdi now finds himself. Normally, young students can find a part-time job to fund themselves through university, but that is denied to Abdi, which is a travesty and a tragedy. It is part of the human experience. A further difficulty is that in three or four years' time, Abdi could be a highly skilled graduate who would not be entitled to use the skills that our taxpayers have invested in him to work in Scotland. That would be appalling.

To me, Abdi is not an asylum seeker but a friend whom I have helped out on a constituency matter. I am keen to have Abdi as an intern, either at the Parliament or at my constituency office. We heard

stories about whether buying someone a can of Coke and a sandwich counts as payment for work. There are real issues there that we must consider again. This is a reserved matter, but a positive dialogue can be built up between the Scottish Government and the UK Government to bring about a positive resolution.

17:22

Bill Butler (Glasgow Anniesland) (Lab): I congratulate Sandra White on securing the first members' business debate since the recess, on an issue of serious concern to members and to people throughout Scotland.

Given that the serious matter of the treatment of asylum seekers and refugees in Scotland has had a direct impact on a number of people in my constituency, over the years I have been involved in a continuing debate, within and outwith the Parliament, and indeed between Holyrood and Westminster. I echo Sandra White's welcome for the continuing discussions between ministers here and our counterparts in Westminster, which build on the work of the previous Executive in discussing ways and means of acknowledging the overlapping nature of devolved and reserved responsibilities in this area.

I acknowledge Jack McConnell's support, without which the agreement of March 2006 would have been much more difficult to reach. That agreement remains significant, as it forms the backdrop for continuing negotiations between the two Administrations. That is good because co-operation, not confrontation, is key to progress in that area.

I shall deal with the two specific areas raised by Sandra White in her motion. First, there is the question whether asylum seekers who are awaiting a decision on their asylum claims should be permitted to work during that period. In my view, there is an overwhelming case to be made in favour of such a development. There is no evidence to suggest that giving asylum seekers such permission leads inexorably to more asylum applications. Additionally, there is evidence to suggest public support for the idea, while cost reductions would result if such a course of action were to be adopted. It would also be of benefit to the future smooth integration of those who are allowed to stay. Even for those who eventually return to their country of origin, work presents an opportunity to build up a source of capital or training, thus making voluntary return more sustainable. I believe that there is support within Scottish society for such a development, and I wish to record my backing for the request from the Scottish Refugee Council and Glasgow City Council to Holyrood ministers to raise the issue with their opposite numbers at Westminster in the

continuing dialogue between the two Administrations. The granting of access to the labour market for asylum seekers over a period not exceeding six months is sensible, and it carries potential benefit to all concerned.

The second part of Ms White's motion relates to so-called legacy cases. The Cabinet Secretary for Education and Lifelong Learning, Ms Hyslop, was kind enough to write to me last month to update me on developments regarding the further steps that are being taken to ensure that

"asylum families in Scotland are treated fairly and humanely, especially when children are involved."

One of the ways in which Ms Hyslop promised to

"work with the Home Office and the Border and Immigration Agency to make progress on the key issues that affect the welfare of children"

was by exploring

"the detail of the forthcoming legacy review."

I welcome that. I hope that an agreement can be reached that recognises that many asylum-seeking families have been here for a significant length of time, have laid down roots in the community and have proved to be an asset to our society. On that basis, I hope that agreement can be reached that allows families with children who were here before March 2006 to be granted leave to remain. I support that unequivocally. I hope that progress can continue to be made on an intergovernmental basis, with both Administrations recognising the reserved responsibility of Westminster for asylum and immigration and accepting the overlapping devolved responsibilities with which Holyrood is charged.

You will remember, Presiding Officer, that when we were both Glasgow city councillors, we were party to the decision to welcome asylum-seeker families and offer them refuge in our city of Glasgow. That was the correct decision to make, and I am proud to this day that my city took it. Asylum seekers and their families are an asset, not a liability. They are our friends, not our enemies. They are our brothers and sisters.

17:27

Hugh O'Donnell (Central Scotland) (LD): I, too, congratulate Ms White on securing the debate—regardless of how often the Parliament has discussed the issue previously. As a new member, I readily acknowledge the work that Ms White has done as well as the knowledge and expertise that other members have in relation to this issue.

It is timeous that the Parliament is raising the issue again now, and not only because of the recent revelations about Dungavel detention centre. I have detected a worrying trend in the UK,

which all of Scotland should stand up against. Some might call it xenophobia, in its extreme form. Although the situation has not reached that pitch yet, in my view, it is clear that some sections of our society, being so obsessed by their fear of strangers, are prepared to turn these islands of ours into something of a police state.

Members might regard those remarks as somewhat provocative. I concede that they might be. However, I ask members to pause and think about where we are going. There are dawn raids, prison for families, identity cards for all and, now, a call for DNA retention for everybody who crosses our borders. What message does that send out? The measures are becoming draconian. If we continue in that way in our relationship with the mysterious other, the terrorists and the gangsters will have won without making another attack.

We need to consider the long-term implications for a society that labels every different emerging group that exists within it or that seeks to become part of it as a threat—whether that threat is perceived as economic, political or religious. Just over 150 years ago, some of my family, together with thousands like them, came to Scotland to escape starvation, destitution and ignorance. There is no doubt that they were economic migrants. They came to a strange country with a different language, a different religion and a different culture. However, they were let in—although there were fewer border controls then.

Those migrants fended for themselves when they got in. They worked, they worshipped in their fashion and they were schooled, married and died. Mostly, they kept to themselves—a community within the wider community. They were viewed with suspicion, physically attacked and discriminated against. Sadly, in some instances, they were imprisoned and killed. They in their turn were suspicious and discriminatory; they physically attacked—and, just as sadly, they killed. Those were two communities that were both suspicious, discriminatory and fearful of the mysterious other.

Today, we in Scotland still deal with the consequences of that approach. I congratulate the previous Administration on beginning to tackle sectarianism and welcome the cross-party support that there has been for that throughout Scotland.

I realise that the situation is more complicated than my simple analogy implies, but we need to be careful that we do not replicate past mistakes in our attitude to those who come to our country.

I am pleased to hear—I was not aware of this previously—that the dialogue between Westminster and the Scottish Government on this matter has been reopened. We in the chamber

and people throughout the country must stand up and be counted.

17:30

Elaine Smith (Coatbridge and Chryston) (Lab): I commend Sandra White for securing the debate and Bill Butler for his work on the issue.

Although asylum and immigration remain on the political agenda, I do not think that enough attention is paid to the reasons why people leave their homes in the first place. It is important to acknowledge that few people leave their country willingly and that most are forced to flee because of repression or poverty. Many asylum seekers have fled from persecution that has been induced by western actions, such as wars. They then face a double insult: not only are they forced to flee their country but when they arrive in Britain they are vilified by some people as welfare scroungers who are sponging off the state and flooding Britain. The reality is that Britain takes less than 2 per cent of the world's refugees and ranks ninth among 15 European countries in the number of asylum applications received.

I turn to the issue of detention. The beautiful Lanarkshire countryside is the setting for Dungavel house, but the house is certainly not beautiful, because there children and their families are locked up behind barbed and razor wire fences. They have committed no crime. All they have done is seek asylum, having fled circumstances in their country that we would find it hard to imagine. Who would want to flee their own country, leaving behind jobs, homes, friends and family, unless the circumstances were dire?

One of the saddest things that I saw at Dungavel house was when, during a rally, a window opened and a hand came out waving a white handkerchief. I felt powerless when I saw that happen.

If children were being incarcerated in that manner abroad, we would hear a lot more shouting about human rights abuses, instead of attempts to justify it, ranging from people being silent and thinking, "It's not our responsibility," to people arguing about conditions. We have heard today that children are being housed alongside criminals, which is completely unacceptable.

I ask the minister to tell us in his summing up what discussions the Scottish Government has had, or will be having, with the Border and Immigration Agency about the code of practice for immigration staff in order to safeguard children in the asylum process. How will that code of practice apply in Scotland?

Should people awaiting a decision on their asylum claim be permitted to work? Yes. Asylum

is of course primarily about human rights and protection, but work is a vital component of helping people to integrate into the society in which they are seeking sanctuary. It gives people a sense of purpose and aids the well-being of individuals and communities. Excluding people from work forces them into poverty and isolation and allows vital skills to remain unused. It also allows asylum seekers to be branded scroungers, which is completely unacceptable.

Skills shortages could be tackled immediately if we allowed asylum seekers to work, but, instead, we turn willing people who offer a wide range of skills into welfare dependents. We allow them to be maligned and hated as scroungers and the cause of all social ills. They are branded as such by people who believe the bad press publicity and rhetoric.

We need to remember that immigrants have enhanced Scotland over many centuries and demand that the right-wing press stops attacking refugees and asylum seekers. We need to give asylum seekers the right to work, and to grant an amnesty, as Sandra White says in her motion. We must stop the imprisonment of children and families at Dungavel, because we should be welcoming people from overseas who are fleeing wars, poverty, oppression and torture, not only because it is right and humane to do so, but because those people can and do enrich our nation.

17:34

Christina McKelvie (Central Scotland) (SNP): I believe that it was William McIlvanney who described Scotland, with pride, as a mongrel nation. His valid point is that we are all descendants of people who have arrived here from all over the world and we can be justifiably proud of our internationalism.

As Scots, we like to believe that we have a world view that chimes with Burns's lines

"That man to man, the world o'er
Shall brithers be for a' that",

or with Martin Luther King's dream, if we are looking for a modern equivalent. That is why so many of us find the treatment of asylum seekers in Scotland so abhorrent.

This morning's *Herald* carried a report into Dungavel and the claims made by staff working there about the conditions in which they find themselves and the detainees whom they have in their custody. I am aware that the Border and Immigration Agency will deny the story all the way down the line, and will insist that the staff have all the training and support that they need and that Dungavel is suitable for holding criminals as well as innocent families. I am sure that the agency will

also claim that no sex offenders or violent criminals are held there. I find the staff at Dungavel to be, overwhelmingly, good people who do their job conscientiously and well, and who care about the people who are detained there. They are not the ones who set the objectionable policies and rules that govern asylum cases, but they are the ones who have to enforce the policies and rules while trying to inject a little humanity and dignity into the proceedings. If the staff at Dungavel tell me one thing and the Border and Immigration Agency tells me another, I know who I will believe.

I am led to believe that the Border and Immigration Agency does not know how many foreign criminals are held in Dungavel, so we cannot even be made aware of the balance of prisoners and asylum seekers in that institution. The idea of keeping children on the same premises as prisoners, no matter what their crime, is shameful and should not be countenanced. We would not lock up children alongside prisoners in Barlinnie or Peterhead. Why is it thought acceptable to have children locked up alongside prisoners in Dungavel?

I welcome the commitment that the SNP Government has already made to act as if the United Nations Convention on the Rights of the Child is in force in relation to asylum-seeker children. I would expect nothing less from nationalist politicians and it is nothing more than those children deserve. The state of political affairs in the home country of such families can in no way be described as the responsibility of the children, and the children should not be punished for where they were born.

We can debate the rights and wrongs of individual points of asylum-seeker policy—I would be on the side of people who seek to welcome those who are in need rather than rejecting them as someone else's problem—but surely there can be no debate about whether we protect asylum-seeker children, just as we would not debate whether to protect our own children.

I appreciate that the Cabinet Secretary for Justice—with his hinterland of fighting and campaigning for social justice—will consider what he can do to address the issues that arise every time asylum seekers are discussed. I also appreciate that the Cabinet Secretary for Education and Lifelong Learning will continue her hard work to ensure that the protection of asylum-seeker children is maintained.

However, it is not enough for us to leave action to the Scottish Government, no matter how good it is. As has been said repeatedly in the past, morality cannot be reserved and decency cannot be apportioned according to law. That means that pressure in support of those who are in need has

to be applied by all those who care. We should all be intent on removing the blights that we see in our society. One of those blights is the treatment that is meted out to asylum seekers who come here seeking succour but instead find themselves being treated with suspicion and distrust. As a wealthy nation, it could be said that we owe a debt to the world and that we should be seeking to improve the world's peace, security and prosperity. It is regrettable indeed that the cheque that asylum seekers who come here are trying to cash is being returned as if there are insufficient funds to cover it. I refuse to believe that the bank of justice is bankrupt or that the vaults of human decency are empty.

There is no acceptable alternative for Scotland—or indeed for any decent modern nation—but to welcome those who are in need into our country when we are asked, as set out in the 1951 UN convention on refugees. Scotland is a nation that is proud of its internationalism. Scotland should be a nation that works to be an example of how a modern state should treat asylum seekers and refugees.

I thank Sandra White for bringing the matter to the chamber and I urge all Scotland's politicians to join Scotland's people in calling for decent and humane treatment for asylum seekers in this country.

17:39

The Minister for Communities and Sport (Stewart Maxwell): As other members have done, I begin by congratulating Sandra White on bringing this extremely important debate to the chamber and on securing the members' business debate on our first day back after the recess. I also welcome the thoughtful and thought-provoking comments that she made in opening the debate and—of course—the contributions by members throughout the chamber. They confirm once again that Parliament is concerned about the current United Kingdom asylum policy and that we have a shared desire to improve things.

The Scottish Government supports the motion. We are committed to improving the situation of asylum seekers in Scotland, particularly the many children and families who have made Scotland their home. We support the right for asylum seekers to work and we believe that all families that have been here for some time, other than those that are involved in criminal or fraudulent activity, should be granted leave to remain.

By way of background, it is important to acknowledge that Scotland has a different cohort of refugees and asylum seekers from other parts of the United Kingdom: they are mainly families, rather than single people. Some have children

who were born in Scotland or who have spent many years in Scottish schools. That has led inevitably to greater integration for the young people and their parents. We in Scotland can be justly proud of our record on integrating asylum seekers and refugees, and of the excellent services that they receive in education, health, social work and the assistance of the police. However, there is always room for improvement, as everyone who has spoken recognises.

We must continue to ensure that people who come to our country feel welcomed into our communities, that they see the best that Scotland has to offer and that they are willing to share their culture, their lives and their futures with us. We want Scotland to be at ease with its diversity and to be a place where people want to live and work and feel welcome.

Many of our asylum-seeking young people are high achievers academically as well as in sports and the arts, and have helped to drive up results in our schools by displaying a positive work ethic and a strong desire to learn. They are exactly the kind of young people we need in Scotland. Many of the adults are also highly motivated and skilled, and are keen to contribute to their new country and communities. At present, however, they do not have the opportunity to achieve their full potential, economic or otherwise, while they are waiting for decisions on their claims.

Scotland needs bright, talented and hard-working individuals to live, work and study in Scotland to help to ensure the long-term economic and cultural growth of our Scotland so that we can achieve our goal of a wealthier and fairer Scotland.

The Scottish Government agrees wholeheartedly with the statement from the Scottish Refugee Council in the motion that

"It just makes absolutely no sense to have people sitting at home in enforced idleness when they could be contributing to the economy".

I also want to reaffirm the Government's commitment to ensuring that, regardless of where they come from and why they have come to this country, any child living in Scotland receives the care, protection and education that they need. We recognise our responsibility for all children in Scotland and our obligations under the United Nations Convention on the Rights of the Child and we are clear that the welfare and rights of all children are paramount.

The Cabinet Secretary for Education and Lifelong Learning has already announced plans to deliver fairer access to education for asylum-seeking children. Those children currently go to school and, by giving them the same access to higher and further education and to nursery

education as Scottish children have, we will ensure equity of opportunity.

At the same time as we make those changes, we will continue our discussions with the United Kingdom Government on issues that are outwith our direct control. We have already made it clear to the UK Government that we are fundamentally opposed to dawn raids and to the detention of children in Dungavel and elsewhere.

As many members have pointed out, the story in today's *Herald* highlights yet again why the detention of children is wrong. I share many of the concerns that were raised by colleagues during the debate. As things stand, I am not in a position to say how much of that story reflects the reality of the situation in Dungavel, but the Border and Immigration Agency claims that most of the story is inaccurate. However, it is clear that we need to find out the truth of what is happening at Dungavel. I can tell Parliament that, in the light of that story, we will write to the Border and Immigration Agency in the next few days to seek reassurances about, and information on, the situation in Dungavel. However, to put it simply, if children were not detained, there would be no story to discuss and no reassurance to be sought.

I understand that the Border and Immigration Agency is currently exploring alternatives to detention for families. We welcome and support those initiatives. We have also urged the agency to move quickly to conclude the legacy review that affects 1,400 families in Scotland, and we have called for all of those who arrived here prior to the March 2006 agreement with the previous Administration to be given leave to remain.

In terms of legacy review cases, there are a number of issues that are of some concern. I hope that we can rapidly come to conclusions on them.

We will hold Home Office ministers and the Border and Immigration Agency to account for each and every element of the March 2006 agreement and we will press for further progress where that is in the interests of children, families and communities in Scotland. The Cabinet Secretary for Education and Lifelong Learning has had an initial discussion with the immigration minister and is seeking another early meeting with him to explore those matters further. She will also raise the right to work. Many asylum seekers who have been here for some time are highly motivated and highly skilled and could contribute significantly to their communities: not allowing them to work is a missed opportunity.

I am encouraged by many of the speeches, and particularly by the unanimity on the right to work, which was mentioned by many members, including Bill Butler, Elaine Smith, Bob Doris, Bill Aitken and Pauline McNeill—in fact, by everybody.

However, as Bill Butler said, I think that Bill Aitken misunderstood the point in the motion about March 2006. That is not a rolling 18-month deadline that moves forward, but a cut-off date.

I welcome Bob Doris's speech, which brought home the reality of the situation and its effect on individuals.

Elaine Smith asked a specific question about discussions. The Border and Immigration Agency is drafting a statutory code of practice. Scottish Government officials have been involved in that and have worked to ensure that the code takes account of child protection procedures, of legislation and of all the possible effects on Scotland. The code will apply to BIA staff who work throughout the UK.

The draft code will go to the House of Lords. One matter that we are most concerned about is to ensure that Home Office ministers understand that the code will have an impact on Scotland, and that they are sure of and aware of our position on the issues that affect people in Scotland. We will pursue those matters with ministers in the near future.

At the beginning of the debate, Sandra White talked about a letter that the First Minister wrote. After meeting the Glasgow girls in Bill Butler's constituency, the First Minister took up issues that had been raised and wrote to Jacqui Smith in the UK Government. I have just received the reply from her and I will be more than happy to make copies of both letters available to Sandra White. In fairness, I will put copies of the letters in the Scottish Parliament information centre, so that other members can see them.

Asylum is a key issue for the Scottish Government and the Scottish Parliament. In the previous session, many members raised the need to treat asylum seekers fairly and humanely, particularly when children are involved. One of the Cabinet's earliest discussions was on asylum. The Government has moved quickly to make positive changes and to explore key concerns with our counterparts in Whitehall.

We are committed to helping and supporting the asylum-seeking community in Scotland now and in the future. That is a continuing and lasting commitment to make a continuing and lasting change for the betterment of all people in Scotland.

Meeting closed at 17:48.

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