

MEETING OF THE PARLIAMENT

Thursday 8 November 2007

Session 3

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Scottish Parliament

Thursday 8 November 2007

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

Holding the SNP Government to Account

The Presiding Officer (Alex Fergusson): Good morning. The first item of business is a debate on motion S3M-788, in the name of Jackie Baillie, on holding the Scottish National Party Government to account.

09:15

Ms Wendy Alexander (Paisley North) (Lab): This debate is a chance for the SNP to go “homeward” and “think again”, in the words of the popular song, before it brings its budget to Parliament next week.

We were all told that in the first 100 days of an SNP Government we would witness consensus, competence and co-operation. Let me rehearse what Alex Salmond said to Parliament in May:

“the challenge for this Government is to share power with the Parliament”.

He continued by saying that

“leading a minority Administration—certainly not one with a thumping majority—is perhaps an enormous advantage in leading that change towards consensus governance.”—[*Official Report*, 23 May 2007; c 58, 59.]

I do not doubt the Scottish electorate’s sympathy with those sentiments. Indeed, I am sure that the voters still hold that view, but does the SNP? As the summer turned to autumn, everything changed. The approach became another day, another excuse, and another broken promise or another fight. Now the SNP even fears proper debate.

Today, we invite the SNP to live up to what it promised in its first days in office—to do what you said you would do. Next week’s budget will lay out plans to spend £17,000 for every man, woman and child in Scotland over the next three years. Every pound of it is hard-earned taxpayers’ cash. Despite that, the SNP is content to have less than three hours’ parliamentary debate about its budget plans.

The election meant that there was no stage 1 to the budget process—no chance for the committees to offer their views to Parliament. We want to have that opportunity, but the SNP wants no more debate in Parliament until at least the middle of January, and then a couple of brief

debates just before the financial year starts. What is the SNP so afraid of?

We get a sense of the SNP’s discomfiture from the fact that no minister—not one—could be found to defend that lack of debating time on the airwaves this morning, while its attack dog, Alex Neil, took the position that it undermines Parliament to have a debate in Parliament. Who is he kidding? He then went on to complain that it undermines the committees to have a debate in Parliament. Who is he kidding? Finally, he said that civic Scotland does not want a parliamentary debate. I challenge him to find a big business, trade union or voluntary organisation that would not like the arguments to be heard in Parliament.

The Minister for Environment (Michael Russell): I wonder whether Wendy Alexander recognises the following quotation from the Labour Party’s former Minister for Finance and Public Service Reform on the budget process of which she is now so critical. He said:

“The Scottish budget process is uniquely tailored to ensure that as many people as possible can contribute to the debate, which ensures that our budget is spent transparently and efficiently”.—[*Official Report*, 26 January 2006; c 22818.]

That is the budget process that you enjoyed last year, but you seem to be against it now. What has changed, apart from the Government?

Ms Alexander: I will make it absolutely clear: stage 1 of the budget process provides the chance for Parliament to look forward and back, but the last time we had a stage 1 was in 2004. After three years, surely all members deserve the opportunity to debate the nation’s spending priorities. Somehow, the SNP can find no parliamentary time for that, although we are hardly falling over legislation.

The people elected Parliament—all of it—to hold a minority Government to account. Our request is modest: we want five short debates between now and Christmas. That would be less than one hour’s debating time for every £6 billion that the Government will spend over the next three years. Why is the SNP so scared of parliamentary debate? Is it afraid that its spending plans will expose its broken promises? Is it scared that its sums do not add up?

Alex Neil (Central Scotland) (SNP): Why did Wendy Alexander insist that I go after her on “Good Morning Scotland” this morning and why did she refuse to debate with me on the programme?

Ms Alexander: That question comes from the party that refuses any parliamentary debate for 10 weeks. I suggest that you are more interested in having your spin doctors scuttle around the press gallery claiming, “We wis robbed.” We have had

weeks of them whispering to journalists, rallying the troops and claiming that a bad boy from Westminster did it and ran away. There has been endless spin but there will be a studious lack of debate in Parliament after next Wednesday. Why is that? The SNP fears the facts.

In next week's budget, Scottish spending will reach its highest level ever—Alex Salmond will have double the budget that Donald Dewar had available to him. All through the election campaign, we and the other Opposition parties said that the SNP's sums did not add up. We said that we did not know how the SNP would pay for its promises. We now know that it did not know, either.

Blaming London is simply a diversion. The real story is that the SNP is picking fights and avoiding scrutiny to cover the weakness of making undeliverable promises. No wonder it wants to avoid debate—we now face the prospect that the SNP could break every one of its flagship pledges. Who now believes the pledges to provide 1,000 extra police officers and to cut class sizes to 18? Who now believes that the promises to cancel student debt, provide a first-time buyers grant and impose a national council tax freeze will not all suffer the same fate?

Next week's budget will make or break the SNP's reputation. The SNP will have allocated all the money that it has from now until the next Scottish election. If it does not commit that money to fulfilling the promises that it made to the people of Scotland in May, after next week, it will not be able to escape the charge that it is the party of broken promises. However, a greater accusation will be levelled against the Government: not only will the SNP be seen to break all those flagship promises, but it will be seen that the SNP always knew that it would not deliver on them. SNP members will not like to be reminded of that, but we know that they consciously set out to buy off the electorate in May with promises they knew they could not keep. It was a gamble on a liberal sprinkling of fairy dust to seduce the voters. The breach of faith is not only in the fact that the SNP is breaking its flagship promises but in the fact that it always knew it would. It is an act of cynicism for which the SNP should be held to account promise by promise, department by department, minister by minister.

Christine Grahame (South of Scotland) (SNP): On a point of order, Presiding Officer. I am concerned that Wendy Alexander is not speaking to the motion in hand. Can you please advise on that?

The Presiding Officer: That is not a point of order. It is entirely up to the person who is speaking.

Ms Alexander: A few weeks ago, our First Minister told an interviewer, "Government is easy"; this week, he will have to eat those words. The SNP promised a new politics but has returned to its comfort zone of grudge, grievance, bluster, blame and one excuse after another. It has used the excuse of the spending review for not addressing 60 issues its Government should have tackled.

When we finally got the spending review, the First Minister resorted to attacking the characters of both the Chancellor of the Exchequer and the Prime Minister, but the people of Scotland will not be fooled by those tactics. We have seen every cabinet secretary—not one of whom is present for this debate—follow suit. The public see Kenny MacAskill categorically denying that he ever meant that there would be 1,000 extra policemen. The public see Fiona Hyslop flip-flopping on cuts to class sizes and they see Nicola Sturgeon squirming about grants for first-time buyers. They see Richard Lochhead failing to speed up payments to support Scottish farmers. *[Interruption.]*

The Presiding Officer: Order.

Ms Alexander: I recall providing £30 million when we were in government.

If the public have any residual doubts, they should consider local government. The SNP's manifesto made 10 pledges that local government would have to implement. There are only four full working days before the budget, but local government does not know which of those 10 promises the SNP still wants it to keep. The Cabinet Secretary for Finance and Sustainable Growth should stop stalling. Which promises do you expect local government to keep, or have you dropped them all in a last-ditch attempt to force a council tax freeze?

The SNP is not only backtracking on its own commitments; it is ignoring things that are critical to the future of Scotland. It is not matching the school building programme, it has not committed to increase modern apprenticeships, there are no skills academies, there are no extra nursery places for vulnerable two-year-olds and town centre renewal has been shelved. We have had backtracking, blustering and blame, but no debate. The public will come to the inescapable conclusion that the SNP cynically overpromised and is now systematically underdelivering. The last thing that it wants to do is talk about that any time soon.

Back in May, the First Minister said:

"the challenge for this Government is to share power with the Parliament".—*[Official Report, 23 May 2007; c 58.]*

Today, I challenge the Government to live up to those words of a few months ago. The voice of the

people demands to be heard, and it is the people's money that the Government will spend. You will spend £17,000 for every man, woman and child in this country, and you cannot bring yourselves to debate it. Parliament should have the opportunity to scrutinise the budget in the way that the people of Scotland expect, not in the way that suits the SNP. It is time the SNP went home and thought again.

I move,

That the Parliament recognises the critical importance of the forthcoming three-year spending review to meeting the hopes and aspirations of the people of Scotland; welcomes the detailed scrutiny of the SNP Government's spending plans by parliamentary committees as a central part of the budget process; believes that there should be the widest possible debate about the spending priorities for the next three years, and therefore resolves to set aside chamber time for individual debates on the budget priorities for each Cabinet Secretary's portfolio: Finance and Sustainable Growth, Health and Wellbeing, Education and Lifelong Learning, Justice and Rural Affairs and the Environment not later than the conclusion of Stage 2 of the budget process.

The Presiding Officer: I remind members that the second person singular—that is, the word “you”—should be used only by me.

09:28

Derek Brownlee (South of Scotland) (Con): Labour's motion talks of “Holding the SNP Government to Account”. My proposition is simple: we should instead consider how Parliament holds the Government—whatever party forms it, and regardless of whether it is a coalition, majority or minority Administration—to account. We should not change the rules merely because we have changed Government. We should not change the rules merely because Labour is in opposition.

Iain Gray (East Lothian) (Lab): Will the member take an intervention?

Derek Brownlee: I will give way in time.

Those of us who want to enhance Parliament's standing will not play fast and loose with its procedures for party-political advantage. That applies to the budget and the procedures that are in place to enable us to scrutinise it.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Will the member give way?

Derek Brownlee: Let me make progress.

Jackie Baillie (Dumbarton) (Lab): Will the member take an intervention?

Derek Brownlee: There are two reasons why we do not support Labour's motion. First, in seeking to add the debates that are mentioned in the motion, Labour seeks, in effect, to amend the budget process without consultation or

consideration and to do so outwith the procedures that are in place to handle such amendments. If the debates were not there to influence the budget process, what would be the point of adding them?

Jackie Baillie: Will the member take an intervention?

The Presiding Officer: I think the member has made it clear that he is not doing so.

Derek Brownlee: If the debates are to influence the budget process, should they not be part of it? If such debates would be valuable, should not they form part of every budget process? Is Labour arguing today that such debates should be part of the budget process only when Labour and the Liberal Democrats are not in government? *[Interruption.]*

Iain Gray: Will the member take an intervention?

Mike Rumbles: Will the member take an intervention?

The Presiding Officer: Order.

Mike Rumbles: Are you going to take an intervention?

The Presiding Officer: Order.

Derek Brownlee: The second reason why we do not support Labour's motion is that, if what is being sought is greater scrutiny, we do not consider that the proposal in the motion is the best way of delivering that. I support greater scrutiny of the budget, which can be achieved by MSPs of all parties participating in the current budget process.

Tavish Scott (Shetland) (LD): Does Mr Brownlee agree with what he said in the Finance Committee's meeting on Tuesday 11 September? He said:

“I am not particularly happy for us to signal that we should not scrutinise spending as widely as possible ... we need to send a clear message that, particularly in a spending review year, Parliament can and will scrutinise any and all expenditure areas across portfolios.”—*[Official Report, Finance Committee, 11 September 2007; c 10.]*

Derek Brownlee: Indeed I do agree. We do that through the current process, which Tavish Scott described in 2003 as

“a demonstrable improvement in scrutiny.”—*[Official Report, 17 December 2003; c 4345.]*

We will scrutinise expenditure by doing what we have done in the past eight years—questioning ministers in committee, lodging parliamentary questions, and seeking the views of experts on budget areas who are unable to participate in debates in the chamber. I do not argue—and my amendment does not argue—that the budget process cannot change or that it is perfect. I argue merely that, if we are to change it, we should do

so having carried out a thorough and detailed review of the implications, rather than by passing a motion that the Labour Party dreamed up a week before the parliamentary budget process commences.

I mentioned some changes that might improve the process in an article for *The Scotsman* in June this year, which so many Labour and Liberal Democrat members obviously chose not to read. I said then and I say again today that we will not support proposals to amend the budget process in isolation, but only as part of a balanced package of reform that strengthens parliamentary scrutiny and which has been properly consulted on and debated. My amendment sets out the appropriate way to initiate such reform.

Robert Brown (Glasgow) (LD): Against that reasonably stated background, what is the difference between this year and future years? Why is it so important to change the process in future years but not in this key year of the comprehensive spending review?

Derek Brownlee: The key difference is that we should not change the process six days before it starts. That is a reasonable suggestion.

The budget process has been lauded by many members. Earlier this year, the then Minister for Finance and Public Service Reform would have had us believe that our budget process is so good that people from all over the world were flying to Edinburgh to congratulate him on it—as he put it, the process is

“the subject of comment and praise in other places.”—[*Official Report*, 14 February 2007; c 32029.]

He is not alone. Elaine Murray described the Scottish budget process as “far superior” to that of Westminster—[*Interruption*.] I can tell the former minister that he will not be in a Government for a long time. Tavish Scott said that Scotland has

“one of the most open and transparent budget processes.”—[*Official Report*, 24 June 2004; c 9534.]

His point has been echoed by Peter Peacock, who described the process as being

“more open and transparent than any other of which I am aware.”—[*Official Report*, 19 December 2002; c 16536.]

Wendy Alexander talks of enhancing scrutiny. In effect, she says that unless we support Labour's motion today, we will not have sufficient scrutiny. Three years ago, before I entered Parliament, members were warned to consider the budget process in the light of the looming spending review and a tightening of the budget. Members were told:

“The year after an election is the one when politicians sometimes seek to rise above the political fray ... We are fast approaching a spending review, which it is anticipated will be tighter than for many years ... So today, instead of

focusing on the specific measures in the budget ... I will focus on the budgetary process.”—[*Official Report*, 29 January 2004; c 5400.]

The speaker was Wendy Alexander. In that debate, she had nothing to say about increasing the number of debates on the budget in the chamber or even in committees. Instead, she talked about trend data.

Last year, Wendy Alexander returned to the subject of the budget process in her role as the new convener of the Finance Committee. She focused—rightly, in my view—on how the roles of committees in the budget process could be enhanced. Once again, however, there was no mention of additional plenary debates. However, let me be fair to her—she is not alone in not having suggested previously that we should have such debates.

Ms Alexander: Given that there will be no stage 1—the stage at which Parliament debates priorities—why have the Tories decided in the past 48 hours that they favour less scrutiny of a minority Government's budget than of a majority Government's budget? So much for sticking up for the hard-pressed taxpayer. There will be no stage 1.

Derek Brownlee: I assure Wendy Alexander that it is not the Conservative party that has changed its view on the appropriateness of the budget process. [*Interruption*.]

The Presiding Officer: Order.

Derek Brownlee: I said that Wendy Alexander was not alone in having failed to suggest that we should have such additional debates. I have taken the opportunity of reading every budget debate since devolution. It is the nearest that we get to the collected works of Des McNulty—and it is as near as it should remain. [*Interruption*.]

The Presiding Officer: Order. The member has a right to be heard.

Derek Brownlee: There have been many changes in the budget process over that time, and others have been debated. However, at no time in any of the debates have members advocated what Wendy Alexander advocates today, whether in a spending review year or not. However, we are expected to believe today that what is proposed is a sensible way of improving the scrutiny process. Anyone who still believes that Labour's proposal is about enhancing scrutiny of the budget in a spending review year, rather than being about trying to obtain party-political advantage, need only remember that the reason why the spending review has not been scrutinised so far is that it was delayed by Gordon Brown in 2006 to enable it to occur when he was Prime Minister—without a second thought for the consequences on the Scottish budget or its process.

Did Labour propose additional debates for the spending review year when it thought that the review would occur when it was the Government in Scotland? Did Labour put forward to the Procedures Committee proposals for such a change knowing that with a coalition majority they would have been passed? Did Labour even mention such a change? It did not.

Mike Rumbles: In the interests of openness and transparency, will Derek Brownlee confirm whether a deal has been done with the SNP that means that the Conservatives have changed their view?

Derek Brownlee: We know which parties in this Parliament make deals—it is still evident today, six months after they were kicked out of office. We have done no deal and will do no deal. We will do what we said before the election, which is to consider everything issue by issue. I am not surprised that Mike Rumbles has difficulty with the concept that a party should do after the election what it said it would do before it.

Let me take members back to the points that Wendy Alexander made about the need for budget debates. If Labour thinks that we should cover the issues in chamber debates, it can use its Opposition business time—such as today. Today could have been used to set out the base on which the comprehensive spending review has taken place, to challenge the detail of the SNP budget, and to challenge the SNP comments on the adequacy of the spending allocation from Westminster. We could have moved on next week to questioning the Cabinet Secretary for Finance and Sustainable Growth.

Iain Gray: The member makes a perfectly valid point that we could have used our debate this morning to examine the comprehensive spending review. Does he accept that, instead of that, we chose to use the debate this morning to try to ensure that members have five opportunities to discuss exactly that topic and how it affects Scotland? Why can he not support that?

The Presiding Officer: Mr Brownlee, you have one minute.

Derek Brownlee: Those are five opportunities that would not have occurred if Labour had still been in government. If Labour wants to have such short debates, it has Opposition time in which to have them. It could do what the Conservatives have been doing for eight years: questioning in committee, lodging parliamentary questions, taking evidence from outsiders and challenging the budget day by day. That is what Parliament should do.

If we believe that we should change the budget process, we should do so in a measured way.

Jackie Baillie: Will the member take an intervention on that point?

The Presiding Officer: The member is in his last minute.

Derek Brownlee: My amendment rejects calls to make fundamental changes to the process less than one week before it begins. Parliament has the opportunity today to take forward reform in a considered fashion.

Mike Rumbles: Shameful.

Derek Brownlee: I say to Jackie Baillie only that if anyone is to hang their head in shame, it should be her and members on the Labour benches for failing in Government to do what they now say we should all do. It is time Parliament rose to the game of scrutinising the budget. If the Labour Party is not up to the job, that is not my fault.

I move amendment S3M-788.1, to leave out from “there should be” to end and insert:

“an effective budget scrutiny process is critical in ensuring that public services are delivered in a way which provides optimal value for money; believes that the process should be sufficiently robust to cope with majority and minority government; believes that there is scope to review the operation of the current procedures as laid down in the Standing Orders and the agreement between the Finance Committee and the Scottish Government; believes that the appropriate vehicle for such a review would be the Standards, Procedures and Public Appointments Committee, in consultation with the other committees of the Parliament, particularly the Finance Committee, and requests that the Standards, Procedures and Public Appointments Committee undertakes a review of the budget process for future years.”

09:39

Tavish Scott (Shetland) (LD): What a Tory sell-out that was: the Government amendment, moved by the deputy minister for finance, in the most pathetic fashion.

The Liberal Democrats will hold the SNP budget proposals to account, even if others have sold out on that. We will judge the Government on how it has worked with Parliament to build support for its proposals—it has obviously done that a lot with the Conservatives. We will test whether the SNP has kept its promises to the people of Scotland and whether its sums add up on its key pledges and proposed efficiency savings. We will assess whether its budget gives sufficient priority to the real challenges facing Scotland.

Liberal Democrats want an informed and transparent debate. We want that debate on the budget this month, next month and throughout this year's budget process. There must be “effective budget scrutiny”, a process that is “sufficiently robust” in which there is “scope to review” the current procedures. Those are the words in the

Tory amendment today, but neither the Tories nor the nationalists want effective and transparent scrutiny of the budget because they have stitched together a grubby back-alley deal. Those parties oppose having five subject debates on the budget in the chamber in addition to full committee scrutiny. The Tories say that they are not needed, and the SNP agrees.

There is no Government amendment today.

Derek Brownlee: Will the member take an intervention?

Tavish Scott: The deputy minister for finance can certainly explain why there is no Government amendment if he wants to.

Derek Brownlee: I simply wonder whether the Liberal Democrat, or indeed Labour, members on the Finance Committee had ever put forward that proposal for us to consider as part of the budget process.

Tavish Scott: Some of us made proposals last summer. Derek Brownlee says that he made proposals as well, but I have not noticed him taking any to the Procedures Committee or to any other committee in the past four months.

Liberal Democrats spent eight years being attacked by the Tories and the SNP for being in a coalition with a clear document of policy—it was transparent, accountable and easily scrutinised. But today, 24 hours after the Tories agreed that there should be parliamentary budget debates, they are backing the nationalists to block such scrutiny. They are voting together—a budget stitch-up. We know now that the Tories will vote for the budget come what may.

What we have today is confirmation of what many of us have believed to be in place since May: a marriage in waiting between Alex and Annabel. The ring is in Mr Salmond's suit pocket, and Annabel is halfway down the aisle. They had their lovers' tiff last week—for appearances' sake.

Alex Johnstone (North East Scotland) (Con) rose—

Tavish Scott: Tory back benchers are shifting, or rising, uncomfortably in their pews, longing to shout, "Object", but they are very hesitant over there. Now, with a sweet message from Colombo, all is well. The ceremony is back on, and the Tory page boy Derek Brownlee is pushed out today to lead the singing.

Today is the last day on which there is any pretence that the once mighty Conservative and Unionist Party has a shred of principle left. It has sold out.

Alex Johnstone: Given the content of the member's speech so far, I wonder whether he

would like to remind us just for how many years he served as a minister in a Labour Government.

Tavish Scott: Not one day.

Iain Gray: Perhaps looking back to his ministerial career, the member can remind members on how many occasions in stage 1 budget debates we undertook exactly the debates that we are seeking to introduce.

Tavish Scott: That happened on all the occasions that it happened during the spending review periods. It happened on those occasions but it is not happening this time.

It did not need to be this way. The Tories said that they would voice the views of the people. They had stunts with megaphones, and they used to say minority government was good for Scotland, but they never meant it. They have fallen hook, line and sinker for Alex's charm. Oh, the fools.

The Tories budget red lines last weekend were well trailed—with the SNP. We do not need red lines from the Tories; they should take 100 lines: "I will stop helping the nationalists achieve independence."

Alex Salmond spent much of May, a little of June but none of September, October and November acknowledging that we are all minorities in Parliament. He was obliged to the Liberal Democrats for our leadership on renewables, he welcomed Labour's thoughts on skills, and he drooled over Miss Goldie's war on drugs. As usual with Mr Salmond, it was all spin and bluster. A minority Government it was not. There was a deal not just with the Greens but under the counter, behind the altar and over candlelit dinners at Bute house: a deal with the Tories is now in place.

The Liberal Democrats will properly scrutinise the proposals that the minority Government publishes next week, even if others have sold out.

We have consistently argued that, on class sizes, student debt, transport and the council tax freeze, the SNP's sums do not add up. The SNP lacks financial wriggle room because it promised to fund its election commitments from efficiency savings. Before the May election, and with great fanfare, the SNP had deep discussions with civil servants. It said that it would fund its £4.4 billion of spending with £4.3 billion of efficiency savings, so there could be no excuses, no spin, no bluster and no war of words with London. However, that was not to be.

Parliament needs to scrutinise the SNP targets. We can be sure that next week's budget will contain no target on new police on the beat, nor one on class sizes. Alex Salmond would never have allowed himself to be thumped at successive question times if John Swinney were about to

appear, galloping over the hill on his white charger, pulling the proverbial rabbit out of the hat. That would, in truth, be a demanding feat of equestrianism even for a man of Mr Swinney's talents. The budget will say little on those broken promises, but the Liberal Democrats will say a lot. No matter how the SNP might try to downplay next Wednesday's budget by making a pre-budget statement on the Commonwealth games, we will hold them to account.

I do not doubt that Mr Swinney wants to freeze council tax, nor do I doubt that Ms Hyslop wants to cut class sizes—I believe that they are sincere in their objectives. However, even with pre-election access to civil servants, their sums did not add up in May and they do not add up now. That is why the SNP will break the promises that it made to the electorate. This week, local government told the Lib Dems that the SNP must find at least £100 million to fund its council tax policy and £275 million to cut class sizes.

The budget will also be about whether the SNP takes away resources from tackling Scotland's long-term challenges: to make Scotland the renewable energy powerhouse of Europe; to make sustained capital and resource investment in Scotland's further and higher education; and, as the impact of climate change hits, to develop better and more sustainable public transport. Starting from this week, we want Parliament—in its committees and in the chamber—to ensure that the minority Government's proposals are fully scrutinised. It is a scandal and a disgrace that the Tories want the opposite.

I move amendment S3M-788.2, to insert at end:

"further recognises that no one party has a majority in the Parliament and, therefore, requires that the Scottish Government commits to enhancing the existing arrangements to provide early access to the civil service to support the Finance Committee and opposition parties wishing to pursue recommendations for amendments to the budget to ensure that they are fully aware of the consequences of any change proposed to the budget."

09:47

The Minister for Parliamentary Business (Bruce Crawford): Let me start by making it abundantly clear that the Government opposes the irresponsible proposals in the Labour motion. Labour's proposals would fundamentally breach the Parliament's founding principles. Parliament is being asked to make major changes to the budget process without consultation, without proper consideration and at the last minute. Labour's proposals are ill thought out and half-baked and represent the worst of posture politics. We accept that, after eight years of the Parliament, there is a case for reviewing the budget process, and we will support the responsible position that has been adopted in the Conservative amendment.

Everyone knows that the current procedures are not a creation of the Government and are not a recent innovation. They reflect the recommendations of the consultative steering group and are intended to provide a proper opportunity for Parliament to scrutinise the budget by using the expertise of the committees. The CSG reached its conclusions following a thorough process of independent consideration and discussion. The recommendations came from the independent financial issues advisory group, which was made up of distinguished members from industry, the voluntary sector, local authorities, the civil service and the media. FIAG was a serious and responsible group of people if ever there was one—in stark contrast to the members on the Labour benches.

Iain Smith (North East Fife) (LD): Will the minister take an intervention?

Andy Kerr (East Kilbride) (Lab): Will the minister take an intervention?

Bruce Crawford: I will not take any interventions at this stage.

Yes, the CSG recommendations were refined through the experience of the first parliamentary session. The current arrangements are now embodied in the agreement between the Finance Committee and the Government. That agreement was also the result of reflection, proper consideration and consultation, and it reflects the experience and consensus that emerged from practice.

Ms Alexander: Did not the CSG recommend that the budget process should have a stage 1, in which the entire Parliament could debate the budget priorities? Yes or no?

Bruce Crawford: Had we not had delay after delay from the Labour Government in London on the comprehensive spending review, perhaps we could have had a proper process.

Even Tom McCabe recognised the strength of the current system. In a previous debate, the then Minister for Finance and Public Service Reform said:

"We have one of the most open budget scrutiny processes of any Parliament".—[*Official Report*, 26 January 2006; c 22819.]

It is always interesting to look back at the findings of the Parliament's committees. The legacy paper that the previous Finance Committee produced in March 2007 suggested that changes to the budget process should be made through formal channels—in other words, only after proper consideration and consultation. The committee made no recommendation on holding plenary debates in the way that Labour has now

suggested. By the way, the convener of that committee was none other than Ms Alexander.

Karen Gillon (Clydesdale) (Lab): Will the minister take an intervention?

Bruce Crawford: Labour is today guilty of the worst kind of opportunism and hypocrisy. It does not really care about the reputation of Parliament. All that it cares about is political advantage for the Labour Party—nothing more and nothing less.

Karen Gillon: Will the minister take an intervention?

Bruce Crawford: We are aware, of course, that other changes to the budget process have been suggested since the election. For example, it was widely reported in June that Tavish Scott believed that the budget process should be reviewed. In *The Herald* of 13 June, referring to the budget process, he said:

“I want to see the Procedures Committee take forward this proposal to ensure that the parliament can effectively hold to account the decisions of ministers on how they plan to spend the taxpayer’s money.”

We agree with Tavish Scott that the proper route for full consideration of changes to the budget process is through the Standards, Procedures and Public Appointments Committee. Is it not strange that, to date, Tavish Scott has never made the slightest approach to that committee, either in writing or even in an informal discussion with the committee’s convener? The truth is that, in June, he had still not recovered from a bad election result for the Liberals, so he gave a quick and cheap soundbite. He never had the slightest inclination of taking any constructive steps to follow through on his comments. Tavish Scott has his chance today to follow through with action on his mighty and fine words. Will he vote for the Conservative amendment or will he sell out on his own words?

Let me take the chance to comment on the Liberal Democrat amendment.

Karen Gillon: Will the minister take an intervention on that point?

The Presiding Officer: I think that the minister heard you, but he is not taking an intervention.

Bruce Crawford: I cannot see how the civil service could possibly provide the support that is suggested in the Liberal Democrat amendment. The civil service code states:

“Civil servants are accountable to Ministers, who in turn are accountable to Parliament.”

Civil servants could not be accountable to Opposition politicians even if they were instructed by ministers to support them. Clearly, that would put civil servants in an impossible position. It is clear that civil servants could not properly provide

support to the Finance Committee in the way that is described in the Liberal Democrat amendment.

Tavish Scott: If Mr Crawford had described my amendment fairly, I would agree with him, but he exaggerated our request. The amendment—which he should read, instead of reading the exaggerations that his special advisers have written for him—simply highlights the importance of committees and Opposition parties being able to provide costed assessments of their proposed alternatives. That is not too much to ask.

Bruce Crawford: The amendment calls on the Government

“to provide early access to the civil service”.

I have read the amendment.

The Presiding Officer: Minister, you have one minute.

Bruce Crawford: Clearly, civil servants could not properly provide the support to the Finance Committee that the amendment seeks.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Will the minister give way?

The Presiding Officer: He is in his last minute.

Bruce Crawford: The role of the committees is to scrutinise the Government’s proposals; the role of the civil service is to formulate policy and to provide advice to the Government. As I have said, civil servants are accountable to ministers. In any case, committees have their own clerking staff and the resources of the Parliament. There would be a clear conflict of interest if civil servants, whose role is to advise ministers, were asked to advise the Finance Committee.

As I have said, the Government recognises that all procedures need to be reviewed from time to time to ensure that they are up to date and remain fit for purpose, which is why we will support the Conservative amendment. It is also why I will look closely at how the Liberals vote at decision time. Tavish Scott asked for the Procedures Committee to examine the process. We will see how much his words really mean.

The Presiding Officer: We now come to open debate. I strongly recommend that the number of sedentary interventions be reduced from now on. Speeches should be of six minutes.

09:54

Bill Butler (Glasgow Anniesland) (Lab): This has been quite a robust debate. It might not be too cynical to say that a deal has been made. People out there watching this morning’s Punch and Judy show will not be too impressed. Given the political composition of the Parliament, what is proposed in

the motion is fair and reasonable. [*Laughter.*] See? Punch and Judy again.

The notion of having five subject debates on the budget priorities for each cabinet secretary's portfolio is perfectly sensible and is hardly revolutionary. It would be a valuable supplement to the budget process and would complement and enhance the necessary detailed scrutiny that the Parliament's committees will carry out. In short, it would allow members to discuss in plenary session the strategic thrust of the Government's budget—nothing wrong with that. It would not interfere with the committees' interrogation of the detailed proposals that will be contained in Mr Swinney's—that is to say, the Government's—budget, which is a good thing. What fair-minded minister or Tory backbencher could object to that?

Roseanna Cunningham (Perth) (SNP): Will the member take an intervention?

Bill Butler: Be quiet please, Ms Cunningham—you will get your chance.

We know that the SNP minority Government will have double the budget that was available to Donald Dewar in 1999. Even if we accept the SNP's criticisms of the budget baseline, it still has 99 per cent of the budget it expected to receive. The Parliament is quite entitled to discuss, in as thorough a fashion as possible, the SNP's spending priorities when they are at last revealed by Mr Swinney on 14 November.

Questions that have been asked of various Government ministers over the past six months, only to be met with, "We must wait for the outcome of the comprehensive spending review," will at long last require to be answered. Labour will support the minority Government's spending priorities when they are demonstrated to be properly costed and are for practicable measures that build upon the work of the two previous Labour-led Executives to push forward an agenda that I and most other people believe is important—an agenda that has at its core the creation of a more socially just, more economically balanced, safer and more inclusive society.

In that vein, I will focus on education. As a former classroom teacher of 20 years' experience, I know from first hand how central education is to the proper development of our young people's talents and abilities, and to the wider aim of a more prosperous, egalitarian Scotland. A debate on education and lifelong learning would allow members a chance to question ministers on matters on which the SNP has until now—except for chanting the mantra, "Wait for the CSR"—been uncharacteristically silent. It is not so uncharacteristically silent now—perhaps it is to cover its embarrassment—but I say to Bruce Crawford that bluster will not do it.

In its May manifesto, the SNP made a number of extravagant promises on the education spend. Perhaps the most breathtaking was the pledge to end student debt. Will the promise be kept and, if so, how? The SNP was told by Labour that it would cost £1.7 billion to clear current student debt and that a further £3 billion would be required to introduce grants. During the election campaign, the nationalists loudly claimed that Labour was wrong, but, since 1 May, the SNP has been uncharacteristically—indeed, deafeningly—silent.

I hope that a subject debate would release the Cabinet Secretary for Education and Lifelong Learning, Fiona Hyslop, from her vow of silence on the issue and that we would finally obtain an unambiguous answer from the Government. I believe, as does my party, that if promises are made and targets are set, they should be costed and capable of being delivered. The previous, Labour-led Executive promised to cut class sizes in English and mathematics for secondary 1 and secondary 2 by September of this year, but that target was met with derision and ridicule by the nationalists. Such derision and ridicule was undeserved, because that target—promised to the people of Scotland—was met. Our new Government's assurances on delivering class sizes of 18 in primary 1 to 3 by May 2011 also deserve the closest possible scrutiny. We are entitled to ask, "How realistic, rational and deliverable is that undertaking?" After 14 November, we will be entitled to answers.

Given time, I would like to have referred to the promise of 1,000 new police officers by May 2011. I say to Mr MacAskill that the promise was for new, extra, additional police officers, not equivalent, retained and redeployed police officers. I fear that that particular promise has not been properly costed or thought out. It is one reason—but not the only reason—why a subject debate on the justice portfolio is not only desirable but necessary, as are all the debates that are proposed in the sensible and rational motion.

The budget process can be viewed as technical and esoteric because it is technical and esoteric. However, at the heart of any budget lies a Government's priorities. Not only do Government spending priorities drive our economy, they help to shape our society. A Government must be held to account on its budget. The proposal in the motion would assist us in doing just that, which is why we should support it. That is what the people out there expect of the Parliament—rational debate.

10:01

Roseanna Cunningham (Perth) (SNP): If Bill Butler wants rational debate, he needs to speak to his front bench about lodging rational motions. I do not see the point of lodging a motion if the lead

speaker does not even address its subject matter. Perhaps Wendy Alexander realised when she read the motion that it was complete rubbish, because she spent 13 minutes—she did not take her full 15 minutes—avoiding its subject matter. Bill Butler managed to avoid it for most of his speech as well.

Jackie Baillie might have been a bit more honest with her motion if she had titled it, “How to make it as difficult as possible for the SNP Government to govern.” That is what this is actually about. I can see it now: Jackie Baillie and her pals huddled over a Chinese meal in the west end of Glasgow, trying to come up with some spiffing wheezes to create maximum aggravation for cabinet secretaries. I do not blame them; it is what Oppositions do, and Labour is in opposition. It is tough, guys—we know, we did it for long enough—but let us not pretend that the motion is seriously about holding anybody to account. It is nothing but a panic response to try to stop the Government governing as effectively as it has been.

Robert Brown *rose*—

Roseanna Cunningham: Here is the truth. Labour had eight years in Government, including when Tom McCabe—remind me, he was the finance minister, was he not?—said:

“We have one of the most open budget scrutiny processes of any Parliament”.

In the same debate, he said:

“The Scottish budget process is uniquely tailored to ensure that as many people as possible can contribute to the debate”.—[*Official Report*, 26 January 2006; c 22819, 22818.]

The previous Finance Committee’s legacy paper is worth quoting at length. At point 40, suggestions were made about improving budget scrutiny. The committee suggested

“that its successor committee approach the new Presiding Officer to engage in a dialogue initially with the Conveners’ Group to look at the issues raised in this paper and to think about appropriate solutions.”

I am on the Conveners Group, and none of that has been raised. It is interesting that it has been brought to the chamber the week before we have the debate on the comprehensive spending review. What has changed over the past wee while? Oh yes, of course, Labour lost. Well, boo hoo to you.

Somebody needs to remind the Lib Dems of that as well, particularly when they start demanding that civil servants be freed from their duty to support and promote the views of ministers. Why not just tear up the entire process of government while we are at it? Tavish Scott spent much of his speech wittering on about grubby little deals. Grubby little deals? The Lib Dems are past

masters at grubby little deals. It is pretty much a case of pots calling kettles black.

We had eight long years during which there was no indication that the budget process procedure that is being suggested today would be a better method. Why? Because, of course, it is not; nor is it intended to be a better method. Furthermore, since May, no proper suggestions have been put to the Standards, Procedures and Public Appointments Committee.

If the Opposition is so keen on its changes, we might have expected it to take them forward through the normal processes of the Parliament. Is that not what we do if we want to change how things are done in the Parliament? That is what the Standards, Procedures and Public Appointments Committee is for. If it was so desperately important to examine parliamentary procedures, why was no approach made to that committee? That none was made gives the game away.

The motion is student debating society stuff and the tactic is to make more and more demands on the time and energy of ministers. What is the master plan here? Is it to tie up ministers so severely that they do not have time to do the governing bit? They would no doubt be attacked for that, too. Frankly, where is recognition of the committees’ role in any of this? It is not even mentioned.

Robert Brown: Can Roseanna Cunningham give us a starting point against which the budget can be compared? In the previous session, Parliament had the transparent partnership agreement. Where is the comparable document for this session? We certainly cannot start with the SNP manifesto as a comparison document for the budget.

Roseanna Cunningham: Where is the document from the Liberal Democrats and the Labour Party in respect of the motion? It does not exist.

As the convener of a parliamentary committee—the Rural Affairs and Environment Committee—I want to speak about the committees. Richard Lochhead, the Cabinet Secretary for Rural Affairs and the Environment, came before our committee on 27 June to talk about his part in achieving the Government’s priorities. He came before us again on 19 September to talk about foot-and-mouth disease. He will be back before us on 5 December in the context of our budget scrutiny. As always, other members are welcome to come to our meetings. If they cared enough, they would ask to come along. Three other MSPs did join us on 19 September. Interestingly, no one from the Labour Party came to that meeting, and nobody else showed up on 27 June.

The key point is that the parliamentary committees are just as important as parliamentary business in the chamber. Maybe Wendy Alexander does not believe that. Maybe she does not think that the committees would afford her the same grandstanding opportunities. That is what the motion and the debate are really all about—grandstanding. Well, Labour has had its fun this morning. Can we now get on with the serious business of governing? All I can say about today's effort is, "Nice try, but no cigar."

10:06

Elaine Murray (Dumfries) (Lab): I am becoming increasingly concerned about SNP members' paranoia. However, I am not surprised by the Tories' and the SNP's complicity. I am sure that David Cameron has reminded them of the importance of supporting the SNP Government in Scotland.

We have had a number of policy debates since we returned from the summer recess. There have been ministerial statements on cultural policy, the restructuring of the enterprise network, planning and housing—well, maybe not. There have been debates on the skills strategy and on early years. In all cases, ministers could not tell Parliament how policy intentions would be backed up financially, because that was dependent on the spending review.

Bruce Crawford: Will the member give way?

Elaine Murray: No, I must make progress.

Only yesterday, Linda Fabiani said under questioning:

"I will not discuss funding until members have heard Mr Swinney's budget statement next week."—[*Official Report*, 7 November 2007; c 3083.]

We have also had dozens of written and oral answers to questions to the Executive that have remained incomplete, pending decisions that are to be announced in the spending review. There have been questions on the freezing of council tax, the savings that are to be made by restructuring the enterprise network, funding for initiatives to tackle antisocial behaviour, support for carers and class-size reductions.

Michael Russell: Will the member take an intervention?

Elaine Murray: No. I will take an intervention from Mr Russell when he informs me about a ministerial engagement in my constituency—please sit down.

Members: Oh!

Elaine Murray: We have also had questions on flood prevention, future funding for Scottish universities, personal care for the elderly, and

funding for housing and community regeneration. We have had questions on the Howat review recommendations and on how many of them will be accepted. We have had many other questions, but we have not been given answers to them, pending the spending review.

Nobody is arguing that the fact that the spending review and the Scottish budget have had to be announced later than normal is the fault of this Administration or, indeed, of the previous Administration. I say to Mr Brownlee that I stand by my comments and those of my colleague Tom McCabe that the current budget process is exemplary. However, this time we have lost a component that we would normally have in a spending review year.

Bruce Crawford rose—

The Deputy Presiding Officer (Alasdair Morgan): The member is not giving way.

Elaine Murray: Normally, in a spending review year, the Parliament would have undertaken stage 1 of the budget process by this point. That would involve publication of the annual evaluation report in March, which would be considered by the Finance Committee and the subject committees between April and the summer recess. The Executive—or the Government, as it now is—would have submitted a provisional expenditure plan, assessed its progress towards its priorities and submitted views on the future priorities for the coming spending review. Parliament, through its committees, would have had the opportunity to consider ministers' spending priorities and progress across the current spending review, and would have been able to make recommendations for the future spending review.

As my colleague Wendy Alexander pointed out, that process has not happened since 2004, because we changed the procedure in years when there was no spending review. The stage 1 process has not been possible this year for several reasons: the delays in the United Kingdom Government's comprehensive spending review, the Scottish parliamentary elections and the change in Government. Consequently, we are asking for some additional debate—that is all. However, according to the people in the SNP, one would think that we were asking for some gross violation of parliamentary procedure that would bring democracy in Scotland crashing down. All we are asking for is a few little debates about areas of policy—that is all.

I make no criticisms of ministers; in fact, I welcome the Cabinet Secretary for Finance and Sustainable Growth's effort to preserve time for the Finance Committee and the subject committees to consider the budget. The proposal for additional debates in Parliament is no

disrespect to any of the committees. If I may speak on behalf of Labour colleagues, I assure ministers that we all intend to be extremely rigorous in our respective areas of budget scrutiny. However, the proposed parliamentary debates would fulfil a different function.

Guidance from the Finance Committee to subject committees will be published once the budget documents are published next week. Committees do not have to accept the Finance Committee's recommendations, but we have already agreed to recommend that committees select a particular area of their subject portfolio, examine how it contributes to the Government's spending priorities and put forward any alternative proposals that they want to make.

In the absence of stage 1 of the budget process, our proposed parliamentary debates would provide all interested MSPs with the opportunity to scrutinise how the Government selected its priorities within each portfolio and how they contribute to its overall priorities.

Much has been said about the tightness of the settlement in the comprehensive spending review. I do not agree that the baseline budget has been increased by only 0.5 per cent or, indeed, that Scotland has been treated any differently from other UK departments. I believe that the real increase is more than three times what the Government claims, but we will have that argument at another time. However, we all knew that the increases would be less than they were in previous spending reviews. We all knew that long before our election manifestos were published. Indeed, there were references to the tightness of the settlement in the Chancellor of the Exchequer's pre-budget statement in 2006, so we all knew what was coming.

The SNP made promises in order to achieve power. Now that it is in power, the Parliament is entitled to scrutinise how, and if, the SNP Government is delivering what it promised. If it intends to deliver, the Government should have no fear of our proposed debates.

10:13

Alex Neil (Central Scotland) (SNP): Elaine Murray is the deputy convener of the Finance Committee, which had a meeting with John Swinney, the Cabinet Secretary for Finance and Sustainable Growth, at the beginning of September. At that meeting, the cabinet secretary outlined his timetable and the process and procedures for the consideration of the forthcoming budget. At no time did the deputy convener or any other committee member—Labour or Liberal—raise any objections; indeed, they endorsed the cabinet secretary's proposals.

Therefore, how can they come to the chamber now trying to undermine what they agreed to at the beginning of September?

Robert Brown: Is the SNP Government frightened of debate? What is the difficulty with having parliamentary debates on detailed subject matter, as the motion proposes? How would that interfere with the budget process?

Alex Neil: I have to laugh at the likes of Robert Brown, who was a minister in the previous Executive, which suppressed the Howat report for months. He and his colleagues now want a debate, but they would not have a debate on Howat and would not even publish the report. Now, they call for an open-ended debate on the Government's spending priorities. When we invited them to publish the Howat report, they refused to do so until after the election. Every Labour and Liberal member in the chamber endorsed that policy. They have a cheek preaching openness and transparency when what they did with the Howat report was reminiscent of the practices of the Kremlin in Moscow.

I will not engage in hyperbole, but Labour and Liberal members are telling us that they want a debate on the responsibilities of every cabinet secretary, and that that was always intended. I have been a member of the Scottish Parliament since 1999—which is regrettable for some—and remember the first two comprehensive spending reviews. I remember that Donald's Cabinet had nine members, Henry's Cabinet had 10 members and Jack's Cabinet had 11 members, but I do not remember Labour and Liberal ministers proposing nine, 10 or 11 debates on each Cabinet member's responsibilities. What is good for the Lib-Lab goose is good enough for the SNP gander.

Jackie Baillie: Will the member give way?

Alex Neil: I will in a wee minute. Poor Jackie.

The Deputy Presiding Officer: You should use full names, please, Mr Neil.

Alex Neil: Jackie has fouled up again. The rumour is that Wendy is sending her to read the caterpillar book to find out whether she can improve her performance. She talks about consensus, but she did not even talk to the Tories about the draft of her motion—or did she? Did she try to stitch up a grubby deal? I sit next to the Greens in the Parliament so that they can keep an eye on me, and I can tell members that Jackie was parading on the floor last night trying to do a grubby deal with the Greens. It seems that the only deals that are not allowed are deals that do not involve the Labour Party. Word is that the Labour Party will need to move to new headquarters because of its financial crisis. Why does it not call its new headquarters "Tammany hall"?

Labour has the cheek to complain about the timetable, but that timetable resulted from Gordon Brown's refusal to have a comprehensive spending review while Tony Blair was Prime Minister, as they did not talk to each other.

Jackie Baillie: Will the member give way?

Alex Neil: I am in my last minute, Jackie. I suspect that, in your job, you might be too.

There was a delay in the comprehensive spending review for the same reason that we did not have an election—so that Gordon could be Prime Minister and could tell all of us about his vision. We are still waiting for that. The only vision that I have seen is the vision of stuffing the Scottish Government and not giving us the money to which we are entitled for the Scottish people. Is it not ironic that we are having this debate on the day that oil reached \$100 a barrel?

The Deputy Presiding Officer: I remind members that they must refer to other members by their full names, even in the pursuit of humour.

Jackie Baillie: On a point of order, Presiding Officer. Is it in order for the member to mislead Parliament in the pursuit of humour? It was him I was looking for last night in order to do a deal.

The Deputy Presiding Officer: The member knows full well that that is not a point of order.

10:19

David McLetchie (Edinburgh Pentlands) (Con): Today's debate is about the process by which the Parliament scrutinises the Government's budget, holds ministers accountable for their spending decisions, and ultimately decides whether to approve those decisions when it considers the budget bill. In essence, the Labour motion seeks to add an additional level of scrutiny to the existing process in the chamber by requiring the Government to timetable a series of five short debates, as Wendy Alexander said.

On the face of it, the proposition that there should be an enhanced degree of scrutiny is perfectly reasonable and deserves serious consideration. However, the difficulty for the Labour Party, as members have pointed out, is that the proposition would have been equally valid in any of the eight years in which Labour and the Liberal Democrats made up the Scottish Executive, including the years in which there was a comprehensive spending review. Accordingly, one must ask what has changed, apart from the blindingly obvious fact that those parties are now on the Opposition benches. The answer that Labour will give to that question is that we now have a minority Government and that procedures and processes that were previously lauded to the skies when Labour and Liberal Democrat ministers

were running the show are somehow inadequate for the purpose when there is a minority Administration. My colleague Derek Brownlee regaled us with some of the fulsome praise that Labour lavished on the existing processes when it was in office. One cannot help but feel that Labour becomes alive to the possible inadequacies of the system only when the boot is on the other foot.

Jeremy Purvis: Before the summer recess, the Government introduced a series of themed debates on the programme for government and the approach to government. Indeed, it said that its approach was new and novel. I seem to recall that the Conservatives welcomed that approach. Why did the member not refer those themed debates at that stage to the Procedures Committee?

David McLetchie: The Government and the Parliamentary Bureau are entitled to propose parliamentary business that is suitable to the circumstances of the time. A change in the Parliament's rules or procedures is not required to have a series of themed debates. Indeed, I recall debates on many themes when Labour and the Liberal Democrats were in government.

Eloquent though Wendy Alexander is, I am not, on balance, convinced by her argument that there should be one set of rules when there is a minority Government and another set of rules when there is a majority coalition, and that grafting on a series of additional parliamentary debates as an ad hoc measure without considering the process as a whole is a course of action that we should adopt.

In an article in *The Scotsman* in June, my colleague Derek Brownlee outlined the Conservative approach to the budget scrutiny process. He said that, although we do not rule out any particular change to the process, we would not support any one proposal in isolation. He said that we would support proposals only as part of a balanced package of reform that has been properly consulted on and debated.

Ms Alexander: The member justified his position with respect to past practice. I have two questions. Does he acknowledge that this is the first-ever time that we will have had a spending review without there having been prior consideration of proposals by the entire Parliament? Does he regard five debates as interfering with procedure in any way?

David McLetchie: We know why we will not have a stage 1 debate—because of delays for which the Labour Government in Westminster is responsible. We will, of course, have a debate, as agreed, following the budget statement next week in the Parliament.

The article that Mr Brownlee wrote in the summer was in the context of a proposal that was

mooted by Tavish Scott and which Professor Arthur Midwinter, Ms Alexander's new guru, supported: that, under our standing orders, the right to move amendments to the budget should not be limited to Scottish ministers alone. The same comment that Mr Brownlee made applies equally to the current Labour proposal.

In that context, we might also consider the further proposal in the Liberal Democrat amendment, which seeks to enlist the support of civil servants for Opposition parties in the scrutiny process. I see significant problems in that proposal for the civil service. It would require the civil service to be a servant of two masters: the Government and the Parliament. It must have been difficult enough for our civil servants to meet the demands of two masters in the form of the Labour Party and the Liberal Democrats in the previous Executive, but at least Labour and the Liberal Democrats were on the same side—at least nominally, as it turned out that they were only temporarily on the same side. In fairness, however, the idea could be refined for the further benefit of parliamentary scrutiny. Should members, for example, have our own budget office as an adjunct to the Scottish Parliament information centre that is staffed by experts on public finance, who could provide detailed advice to individual members and parties on the Government's spending plans and the cost of alternatives? That might be better than the present system, whereby parliamentary committees end up engaging budget advisers on a freelance, ad hoc basis.

The budget that the SNP Government will present next week will receive, at the very least, the same level of scrutiny and examination as the eight previous budgets that the previous Executive submitted to the Parliament. Indeed, it should receive a much higher level of scrutiny and examination for the simple reason that there are far more Opposition members in the Parliament and on its committees to conduct that forensic examination of the budget figures. If Labour does not think that it is up to that job, we most certainly are.

I always take as my guiding light the principle that if it is not necessary to change, it is necessary not to change. I submit that that is a good maxim for all lawmakers and parliamentarians. We should not rush to judgment but should carefully consider all the options before we act. That is the essence of our amendment, which I invite members to support.

10:26

Jim Tolson (Dunfermline West) (LD): A recent survey has confirmed what most of us knew before the election: that the vast majority of the

Scottish electorate do not want Scotland to become independent. The sooner SNP members wake up and smell the coffee on that issue, the better, because they are spending a lot of time posturing on independence, which is helping no one.

The SNP's assertion that independence would allow us to have a much better economy is fatally flawed, as it does not consider the wider social or economic consequences of such a change, which include the setting-up of embassies in many countries around the world, the loss of UK defence-related jobs in Scotland—including those at Rosyth naval base in my constituency of Dunfermline West—[*Interruption.*]

The Deputy Presiding Officer: Order. Will you address the motion, please?

Jim Tolson: Yes. As many of my English friends and family have told me, there is concern that some people's fervent nationalism will incite even greater anti-English racism in Scotland. [*Interruption.*] My SNP colleagues may jeer and deny that such behaviour goes on, but a recent example that it does was relayed to me—

Sandra White (Glasgow) (SNP): On a point of order, Presiding Officer. When will the member address the motion? Nothing that the member has said—

The Deputy Presiding Officer: Sit down. I am dealing with the matter.

Mr Tolson, you must address the subject matter of the motion and the amendments.

Jim Tolson: As was the case last week, I would have got to the subject matter of the debate much more quickly if I had been allowed to continue and had not been interrupted by such interventions.

Christine Grahame: Will the member get on to it, then?

Jim Tolson: SNP members are not giving me the chance to do so, but I will certainly do my best.

Such anti-English behaviour does go on.

I will move on from the Government's disappointing past actions to its future actions and, in particular, next week's budget statement. For many people in Scotland, one of their biggest disappointments will be that, although they voted SNP in May's elections on the basis of the promises that that party made on class sizes, police numbers and major health improvements, for example, the SNP has been told by all the Opposition parties—and, I am sure, by many officials—that the country simply cannot afford to fund the scale of improvements that it promised before the election. It simply cannot pull a financial rabbit out of a hat or make £1 into £1.50.

Despite recent pressure from Nicol Stephen and many others members, the SNP minority Government has not been willing to confirm many of the commitments that it placed before the electorate in May. The issue is not so much whether the SNP will break its promises—it already seems clear that it will—but more which promises it will break and whom it will let down. Will it let down the elderly because of lack of funding in the care sector? Will it let down our kids in overcrowded classes? No, it will let down all of Scotland because a promise, once broken, is not forgotten. Even if the SNP manages to hold on to its fragile lead for four years, the people of Scotland will not forget that its promises are not worth the paper that they are written on—especially if that paper says,

“Alex Salmond for First Minister”.

The people of Scotland will hold the SNP to account on 5 May 2011.

I am not saying that everything that the SNP Government has done is wrong—well, not quite everything. The Liberal Democrats have supported it on bridge tolls, graduate endowments and early years education. Subject to detailed discussion, we may also support the Government in the future, on issues such as the right to buy and local income tax. We will look fairly and impartially at all the proposals that the Government makes and will decide on a case-by-case basis whether they merit our support.

However, it seems to me and to many other members that, thus far, the Government has been highly selective in the issues that it has put before the Parliament for debate. It has constantly courted support from other quarters in the Parliament on issues on which it thinks that it can get such support. Moreover, because of the arithmetic of a minority Government, it has deliberately not put any bills, contentious or otherwise, before the Parliament for full and open public debate.

Bruce Crawford: We will do that next week.

Jim Tolson: That is a bit late, given that the SNP has been in power for six months.

It is difficult to believe that the Government can continue to run and hide in that way for four years of minority government, but that seems to be its game plan. The end result can only be great disappointment for the people of Scotland.

In summary, the SNP misled the people of Scotland on the ballot papers, it has the slenderest of majorities—it has just one seat more than Labour—and it is about to break the biggest list of promises since George Bush and Tony Blair said that there were weapons of mass destruction in Iraq. A fine mess that got Britain into, and now the

SNP's broken promises will get Scotland into another fine mess.

10:31

Hugh Henry (Paisley South) (Lab): SNP and Conservative speakers—it is sometimes difficult to tell the difference between them—have tried to suggest that there is no difference between this year's budget process and previous budget processes, but there is a significant difference. Whether we like it or not, and whether we want to make political arguments about it or not, the delays in the comprehensive spending review and in our knowing how much we have to spend necessitate the adoption of an approach that is different from the one that was employed previously. Elaine Murray spelled out in great detail why the situation is different this time round.

Another issue is the fact that, this time, we do not have what we could describe as a detailed programme for government to scrutinise, so we do not know how much we have to scrutinise. The Scottish Conservatives talk about re-examining the process next year, but by that time the budget will have been set, the decisions will have been made and it will be too late to have any great influence on the process.

Brian Adam (Aberdeen North) (SNP): Six days before the budget, the Labour Party tells us that there is a problem with this year's budget process. Why has it made no proposals to the Standards, Procedures and Public Appointments Committee to change that process?

Hugh Henry: There are two different issues. The procedures could be examined and I am sure that the Standards, Procedures and Public Appointments Committee will do that, but members have a responsibility to deal with the reality that confronts them. As many speakers have said, we are about to enter a budgetary process without having had a stage 1 debate and without a detailed programme for government—we must look at a list of promises that, frankly, are not worth the paper on which they were written.

Jeremy Purvis was right to make the point that it was good enough for the Parliament to have a series of themed, portfolio-based debates before the summer recess. It was all right for the Parliament to have such debates when there were no decisions to be made and when there was no detail available, but now we are told that having such debates when there are decisions to be made and when the figures and the budgets are available would somehow be an affront to parliamentary democracy and undermine the Parliament's procedures. There is not only flawed logic but complete dishonesty in that position. An

attempt is being made to avoid any detailed scrutiny of decision making.

The biggest difference between this year's budget process and that of previous years is the fact that the present Administration was elected on a specific set of promises, which now need to be examined in detail and costed. We all knew before the election that those promises could not be met or delivered on. Given that the SNP had access to the civil servants just as the other parties did, it would have been advised that those promises could not be met. We all knew the budgetary parameters within which our proposals had to be worked out, so the SNP must have known that it could not sustain its extravagant promises.

All those promises persuaded many people to vote in the present Administration but, even so, it is still only a minority Administration. It has only one representative more than the Labour Party and it received very few votes more. Those promises were significant enough to change the result of the election. That is why we need to know exactly what has been going on and why the Parliament and its committees have a duty to look into the details.

However, there is something more substantial than all that, and the Parliament will have to confront it. This has not just been the usual broken promises that politicians sometimes offer. This time round, we have to examine whether the SNP knowingly and wilfully told the electorate something that it knew not to be true, and we have to examine whether the SNP has knowingly misled the Parliament with details and statements that were not true. In some of their comments since the election, ministers have wilfully and deliberately misled Parliament. I will come back to that in a minute.

The Deputy Presiding Officer: You have only one minute left.

Hugh Henry: The SNP said that there would be 1,000 extra police, but now, in an answer to a parliamentary question, Kenny MacAskill has said that there are no targets.

The SNP also misled us all on class sizes. It is using the freedom of information legislation to hide the fact that officials held meetings with the universities following which ministers were advised that the targets could not be met during this session of Parliament. Despite the SNP's attempts to hide, the information will come out. Following those meetings, on 5 September, after I had asked whether his promise on class sizes in primaries 1, 2 and 3 would be delivered during this session of Parliament, Alex Salmond said that he could confirm that it would, which was why he had made early announcements to that effect.

If the SNP believes that it is on solid ground, let it release the information. I believe that the SNP has been misleading the Parliament.

10:37

Christine Grahame (South of Scotland) (SNP): I say to Mr Henry that it is as plain as a pikestaff that, when a party has the slimmest of majorities, it will not be in a position to deliver all its manifesto pledges and will have to seek consensus among the various parties in the chamber.

I am astonished at how much we have achieved in 100 days, especially when we compare it to how little was achieved in the previous eight years.

Des McNulty (Clydebank and Milngavie) (Lab)
rose—

Iain Gray *rose—*

Bill Butler *rose—*

Christine Grahame: I have only just got started.

There is a whiff in the chamber today. Is it of self-righteousness, political opportunism, hypocrisy or plain raw sabotage? I think that it is a cocktail of all four, stirred up with the raw grief of political bereavement. I say to Labour members that they should get used to it—they lost. That is what is at the back of all this.

Let us picture this. The Scottish public vote and no party gains an overall majority. A deal is done, Tavish Scott—a deal, a marriage of convenience. The Lib-Lab pact is born. Eight years pass. Budgets come and budgets go, and subject committees scrutinise and then report to the Finance Committee on a very short timescale.

Eight long and weary years pass, but the processes remain the same, as everyone is saying. Events at Westminster, beyond the control of this chamber, delay the SNP in coming forward with its planning for budgets. It is no fault of this Government that that has happened.

But now let us picture this. After the 2007 election, Labour has a majority of one over the SNP, but it does not form a coalition. Pinch me, but I do not think that, in such a case, we would be having all this posturing. I do not think that we would have a motion from that Labour Government like the motion that we have before us this morning. And if the Liberals had again gone into a coalition—although, thank goodness, not with us—would we be having this debate? Of course not.

As many members have asked, why, if the process is so flawed, did the previous Executive not approach the Procedures Committee in eight years? The coalition had a majority, so it could

have changed the rules for the scrutiny of the budget.

Tavish Scott: Will the member take an intervention?

Christine Grahame: Let me remind the chamber that we are all minorities in here. Let us park the political posturing.

Tavish Scott: An intervention? Go on!

Christine Grahame: Begging does not become the member.

Let us consider committee scrutiny. The Health and Sport Committee will be taking evidence on one budget line—on alcohol and drugs—from a range of witnesses such as alcohol and drug action teams, health boards and local authorities. We will have a budget adviser. That is the proper way to help a committee to scrutinise a budget. Together with the Local Government and Communities Committee and the Justice Committee, we are planning a joint meeting at which three Cabinet ministers will be before us. We will consider drug and alcohol budget lines, we will consider how the money is spent and we will try to ensure that money is not put into silos. We will consider how we can remedy this dreadful scourge affecting individuals and communities. The approach will be innovative. We will be taking the Government at its word and saying, “Okay. You say that you are cross-fertilising and are discussing issues across boundaries, so come before three committees and let us take evidence so that we can report to the Finance Committee.” The idea came from the Finance Committee itself, which is well aware that the scatter-gun approach to considering the budget—the approach that we have been trapped in for eight long and weary years—did no service to the Parliament or to the Finance Committee.

We agree that the scrutiny of the budget is not satisfactory; it never has been. However, Labour’s suggestions for change are just opportunism. If Labour members feel that the scrutiny of the budget should be better, they should seek changes through the Standards, Procedures and Public Appointments Committee. Those changes should be binding on all Governments, now and in future. The changes should not be just for the coming weeks.

Let us have more light and less heat. If Labour members want to sharpen the focus and to shine a light into dark corners of the budget, they should leave it to the committees. The balance of power in the committees is not with the Government but with the other parties.

I give members on the Labour benches this advice: they lost the election, and they have to acknowledge that they have no divine right in this

chamber or in our council chambers. They should acknowledge that before they lose all dignity and waste the Parliament’s time.

To the Liberal Democrats I say this: please stop sulking with that torn face.

10:42

Des McNulty (Clydebank and Milngavie) (Lab): According to today’s *Herald*, Alex Salmond does not think that the electorate reads election manifestos. Maybe not, but voters expect those in Government to live up to the main promises that they have made. In its manifesto, the SNP made very strong commitments to tackling climate change. Announcing a higher target is easy, but without any detail from ministers about the progress necessary to achieve even the UK target reductions—which SNP ministers said were inadequate—such an announcement is simply hot air.

Delivering the kinds of reductions in carbon emissions that are needed is the real challenge. Very significant changes will be required. Whether they involve charging regimes to provide disincentives, or shifts in infrastructure investment priorities to limit or reduce carbon use, or shifts in regulations affecting building standards and planning policies to require greater energy efficiency in new and existing buildings, the policy changes in energy, transport, housing and planning—changes across the whole portfolio of government, affecting every business, every household and every consumer in Scotland—are certain to be controversial. So far, in six months, this Government has in practical terms achieved nothing.

Under devolution, the Scottish ministers are answerable to this chamber, not only for ensuring that Scotland delivers its share of the UK reduction but for delivering their own manifesto commitment, which was an 80 per cent reduction. That means a reduction slightly in excess of 3 per cent per year between now and 2011. Delivery of the measures required to mitigate the effects of climate change requires hard political choices, which this Government has repeatedly ducked. Climate change legislation will play only a small part. It cannot be a fig leaf for ministers to hide behind. The real impact will need to come from changes in policy priorities and patterns of spend that the Government will announce next week.

If the Government is serious about climate change and meeting its short-term and longer-term targets for reducing carbon use, the budget proposals will have to contain detailed indications of how its policy and spending package will contribute to a reduction in greenhouse gas emissions of more than 3 per cent a year between

now and 2011, and to provide us with an assurance that the target will be met. When our carbon footprint is calculated, the carbon savings from mitigating measures are estimated and aggregated, to see what impact climate change policies are having. However, very little that the Government has done so far can be seen as providing additional carbon savings. The 9,000 additional tonnes of carbon that are estimated to result from additional traffic on the Forth road bridge are just one instance of Government policies having a negative impact.

Michael Russell: Will the member give way?

Des McNulty: No; I will let the arts minister sit down.

We have been asked to accept a spending statement in one afternoon, with scrutiny then being passed to parliamentary committees. I am probably the last person in the chamber to underestimate the importance of the scrutiny role of committees. As convener of the Finance Committee, I scrutinised ministers rather more vigorously than some of them found comfortable. However, let us be clear about the basis on which the committees' role operates. The basis of committee scrutiny is to ask whether the policy objectives and targets that have been set out are reflected in the allocations and management of budgets. The scrutiny review that the Parliament agreed in 2005 reflected the central importance of the spending review cycle in setting spending plans, which at that time were biennial, and recommended extended detailed scrutiny in spending review years. The practical effect of the current position is that that process of extended scrutiny will not take place, because the time to achieve it is not available.

The Labour motion proposes clearly that there should be a process that will allow scrutiny to take place in detail and in principle. There is an in-principle level of political scrutiny that is best carried out in the chamber.

Alex Neil: Will the member give way?

Des McNulty: I will give way to the minister for "Newsnight".

Alex Neil: What representations did the member and his colleagues make to number 10 about bringing forward the comprehensive spending review?

Des McNulty: I am interested in the good governance of Scotland, not in whether blame lies elsewhere. We have a job to do in the chamber—to scrutinise and to hold the Scottish Government to account. We require that to be done in detail in the committees and in political terms here in the chamber. I return to the issue of climate change. Put bluntly, if ministers do not come forward with a

plausible plan for reducing emissions by more than 3 per cent per year for the next three or four years, or if their proposals in transport, housing and energy do not demonstrate that mechanisms have been identified and budgeted for that will deliver those reductions, or if the proposals that are flagged up have not been assessed for their carbon impact, nothing that ministers have said or propose to do will achieve the objective that they have set. That process of scrutiny needs to take place in the chamber as well as in the committees.

Over the next few weeks, we should have debates on climate change and all the other issues that we have identified, so that we may hold ministers to account. That is what the people of Scotland expect from us.

10:48

Sandra White (Glasgow) (SNP): I would have liked to begin by expressing the hope that the members who are here today have come with an open mind on the merits, practicalities and consequences of today's motion. Sadly, the speeches that Labour and Liberal members have made suggest otherwise. I say to Labour and Liberal members that the Government will take no lessons from the previous Executive, which presided over Scotland for eight years and delivered nothing but failure, which is why they lost the election. Perhaps they should take heed of that and learn from it.

I see that Jackie Baillie is talking to her partners in crime, the Lib Dems; perhaps she is asking them to drop their amendment. Surprisingly, I agree whole-heartedly with the ringing endorsement of the Parliament's committees that is contained in Jackie Baillie's motion, which recognises the important role that they play in scrutinising the budget and, hence, the spending priorities of the Government—regardless of who is in government.

I may be making assumptions, but I believe that each member is aware of the procedure for the Parliament's budget process. However, in case some members have forgotten, I will take the opportunity to remind them of it. The 2005 agreement between the then Scottish Executive and the Finance Committee states:

"Once the Scottish Ministers have submitted their expenditure proposals, the Finance Committee will, in consultation with other committees of the Parliament, produce a report. This will comment on the Scottish Ministers' proposals and may include an alternative set of proposals."

I assumed that all members know that. To clarify the matter further, each committee is charged with debating, evaluating and making recommendations on the budget priorities for each cabinet secretary's portfolio, as they apply to that

committee's remit. I see that procedure as robust and practical.

Jeremy Purvis: The member will be aware that the legislative process for the budget, which allows only the Government to amend the budget, is quite separate from debates on spending priorities that can be held in the chamber. Is the member saying that it is inappropriate between now and the conclusion of the budget process for the Parliament to have an opportunity to debate the spending priorities for health or education?

Sandra White: We have that opportunity. I thought that every member realised how the budget process works. It is pretty sad that members of the previous Executive never gave others the opportunity that they are now seeking. The Lib Dems are asking for money for civil servants to help them to scrutinise the budget. When they were in government, they did not give that to anyone else. Wendy Alexander is asking for more money for Opposition leaders. Labour and Liberal Democrat members cannot have it both ways.

Iain Gray rose—

Sandra White: I will not give way, as I need to finish. If the member allows me to continue, he will find that what I have said is true.

In committee, members are able to call on expert witnesses, to call ministers to account—as has been mentioned, one minister has already appeared three times before a committee—and to spend many hours on deliberation before making recommendations to the Finance Committee. Plainly, it is impossible to achieve that in a parliamentary debate. Practically, it would be impossible to duplicate the work that the committees do. For that reason, the motion is not desirable. The Labour motion that is before us has not been scrutinised and is ill thought out.

In its legacy paper, the Finance Committee recommended that we implement with due care and attention the many recommendations in the Howat report, which has been mentioned. That is the correct course of action. Acting in the best interests of Scotland is also the best course of action. Two weeks ago, the Finance Committee questioned the authors of the Howat report, to seek their expert opinion. That could not be done in a parliamentary debate, which is why the committees are so important.

Elaine Murray mentioned other issues in her speech on the motion, but at the committee meeting in question she concluded that the Finance Committee

“should ask ministers for their road map over the next three years for reaching the position at which the budget review group's recommendations on changing the culture have

been reached.”—[*Official Report, Finance Committee*, 23 October 2007; c 79.]

She said nothing about having this debate or about debating the budget with ministers in the Parliament. Elaine Murray and others who have spoken today should look to themselves—we are talking about the Scottish people and the Scottish Parliament.

Members: Indeed.

Sandra White: Perhaps Labour members should have thought of that before lodging such a ridiculous so-called motion, which makes no sense whatever.

Jackie Baillie: Will the member give way?

Sandra White: No, I want to continue.

As we know, the changes to the budget process that are recommended in the Finance Committee's legacy paper were proposed through the proper channels, which is right. Any other method that is used to bring about changes is disrespectful to the Scottish Parliament and to the people who have elected its members. It also sets a dangerous precedent, as it undermines everything that we have all worked so hard to make successful in the Parliament. If a member of the Parliament wishes to change the budget process, they must approach the Standards, Procedures and Public Appointments Committee. If a member of the Parliament wishes to propose chamber business, they must approach the Parliamentary Bureau. [*Interruption.*] I see that certain members are doing another grubby deal—they cannot do it out in the open, but must do it in secret in closes and in corridors. [*Interruption.*] Jackie Baillie can shout from a sedentary position, but the truth of the matter is that they are making another deal out in the corridor.

Sadly, today's motion seeks to circumvent the proper parliamentary procedures. I hope that today we will all stand up for the integrity of the Parliament, as that is the issue. The Labour motion is not about integrity—in fact, it would bring the Parliament down. Labour members should be ashamed of themselves.

10:55

Duncan McNeil (Greenock and Inverclyde) (Lab): Thank you for the opportunity to speak in the debate, Presiding Officer. We have heard many excited words about something that I would have thought was very simple. More debate and more accountability in the chamber are not a bad thing—they are a good thing, and they are what people expect of us. Committee conveners—who have now left the chamber—have expressed what I presume are personal views that Labour's proposals would be detrimental to the work of the

Parliament's committees. My view is that that would not be the case; our proposals would complement committee work.

The reaction from the SNP this morning is depressing, but not surprising for a party that, in government, has studiously avoided parliamentary accountability. SNP members are in denial that they are in government, and they have tried to avoid that accountability week in, week out. That is understandable—their manifesto was one of promises and bribes that do not bear scrutiny.

There have been press briefings outside the Parliament about new policy initiatives, and vanity debates, rather than real ones. The SNP prefers backroom deals with other parties, which exclude members, including members of the Government party. Are there any SNP back benchers here who can tell me what their ministers and whips have been discussing with the Greens and the Tories? Such discussions exclude not just the Parliament as a whole, but SNP back benchers, who meekly accept a situation that demeans their position as parliamentarians.

There are cross-cutting departments. For example, four cabinet secretaries and three ministers have some responsibility for drugs policy, yet not one of those cabinet secretaries or ministers is actually accountable for drugs policy.

How far we have travelled since the early days of this session, when we heard from the First Minister a recognition that we are all minorities in the Parliament and warm words describing a new politics. That was commendable, but is now forgotten. It was commendable in being consistent with the founding principles of the Parliament: access, participation, accountability and power sharing. The Parliament encourages all members to play a part in applying those principles through the full range of their work. This debate is entirely consistent with those founding principles—with the sharing of power between the people of Scotland, the legislators and the Scottish Government. The Scottish Government should be accountable to the Scottish Parliament; the Scottish Parliament should be accountable, open and responsive. It should develop procedures that make possible a participative approach to the development, consideration and scrutiny of policy and legislation.

We are faced, however, with a Government that indulges in so much trickery and sleight of hand that it should be led by Paul Daniels. Against that background, debates such as this, now and in future, are not only permissible and correct but essential.

10:58

Bill Kidd (Glasgow) (SNP): It is a wee bit sad that the respect that members showed one

another and the Parliament last night, when the parties sat here together, debated and reached a joint conclusion about justice for the victims of pleural plaques and other asbestos-related illnesses, has gone out of the window with the motion before us. All debates in the chamber should be treated with seriousness and respect. However, the mischief-making agenda behind the Labour motion makes it difficult to believe that that party—I am in fact talking about Labour and the Lib Dems—is treating the Parliament with due deference.

Since day one of the SNP Government, Labour members have found it difficult to be constructive in their opposition. With a few honourable exceptions, they have sat with faces like a bulldog chewing a lemon-flavoured wasp and have exhibited signs of collective social Tourette's at every ministerial announcement. That has culminated in an obvious attempt to unsettle confidence in the Government as we approach the budget statement next week.

Following Ms Alexander's futile attacks on the First Minister week after week, Labour and the Lib Dems have made a spurious attempt today to suggest that, six months into office, we have broken every election manifesto pledge that was made in the run-up to the historic victory of 3 May.

Jackie Baillie: That is—

Bill Kidd: Sit back and listen to what I have to say next, thank you, Ms Baillie.

Only six months into the session, with three and a half years to go, our party has the opportunity to make the difference for Scotland that members of the previous Administration failed to make over eight years. I hope their mummies have got a lot of spit in their hankies to wipe the egg off their faces at the end of the parliamentary session.

There is a lot of highfalutin talk in Labour's motion of "aspirations", "scrutiny", resolutions to "set aside chamber time" and so on. In reality, it displays a lack of confidence in our much-admired committee system, and a desire to swamp this place with grandstanding puerility by Labour spokespeople.

Keith Brown (Ochil) (SNP): And Liberals.

Bill Kidd: And the Lib Dems—I have just been corrected, and my colleague is absolutely right. This time last year, Tom McCabe, the last Labour Minister for Finance and Public Service Reform, stated that the Executive was committed to working with the Finance Committee. That was last year, and the process was right for Labour when it was in control. Now it is this year, the SNP is in charge and Labour, on the evidence of the motion, is out of control.

Jeremy Purvis: Even though the member was not a member of the Parliament in the previous

two sessions, he will be aware that the SNP did not seek to amend previous budgets. If the SNP had sought to do so, through the Finance Committee, there was an informal agreement that access to civil servants would be provided for the clarification of figures and so on. That is what our amendment proposes. The system was never tested—it was never required. Our proposal is that that should be the process. What would be the objection, if the Finance Committee wished to lodge amendments to the budget bill?

Bill Kidd: It is up to the ministers to achieve that. Jeremy Purvis said that the approach was informal. His party was in the Executive for eight years, it should have formalised it.

Jeremy Purvis: The point is that it was never used.

Bill Kidd: It was not me that was using it.

Jeremy Purvis: It was his party.

Bill Kidd: That was last year, when his party was in control; now, it is out of control again.

People might believe that democracy is a fine idea as long as they are in charge. The truth is that, in its passion to attack the content of the SNP's budget next week, Labour is suffering from premature political ejaculation. What is left for next week now? What is left for budget day? Will Tavish Scott and the Lib Dem poodles still yap ineffectually? Will Wendy Alexander and her Labour attack dogs still be barking?

I can tell them that the SNP Government will deliver our full programme over the full four years of this session. That programme will be delivered for the benefit of the people of Scotland, and the shabby display of hiding in corners by Labour and the Lib Dems will be blown away as the SNP shows what can be done with this Parliament for the Scottish people.

The Deputy Presiding Officer (Trish Godman): We move now to the winding-up speeches. I call Robert Brown, who has six minutes.

11:03

Robert Brown (Glasgow) (LD): I am slightly puzzled to be called at this stage, given that the Government party, which is without an amendment, has not yet been called. It might be that the SNP is ceding to the Conservatives to lead for them.

The issue is whether, in the lead-up to the budget, the SNP Government will allow debate in the chamber on issues such as its health and education priorities. Such debate does not change the budget process; it informs it. We ask only for debate, and the synthetic agitation from the SNP

benches during this debate has been designed to muddy that central point. Is the SNP Government running scared of debate? What is the matter with its ministers? Are they a bunch of fearties on those issues? Today is the day to compare the rhetoric with the reality of the third session of the Scottish Parliament. In closing for the Liberal Democrats tonight, as the long, dark nights draw in, I want to set the context for the debate.

The preparation and scrutiny of the budget is complex. Much of the Scottish Government's spending is effected by local authorities, health boards or other bodies, rather than directly. It is therefore sometimes difficult to follow the money and to establish that it achieved the purpose for which it was allocated. Over the years, the Parliament has refined its procedures and tools. The committees of the Parliament are now more expert and, as Des McNulty said, the Finance Committee has sharpened its claws. We learn from the Auditor General for Scotland's reports, from our advisers and from our own experience. As has been said, in that context the Opposition parties and the committees have in the past had the support of civil servants in costing proposals. I therefore think that the rhetoric from Bruce Crawford and others is overblown.

Over the past eight years, we have been able to take as starting points the two partnership agreements. They defined the Scottish Government's objectives and priorities and were published, available and transparent. In 2007, we have only the SNP manifesto, and we have seen in relation to police numbers, class sizes, student debt, transport projects and school buildings that it is, to put it mildly, an imperfect instrument by which to test the Government. In those circumstances, the budget and the comprehensive spending review assume even greater importance than usual. All over Scotland, people are left in a state of uncertainty about their future. Bruce Crawford last night hosted a reception for a number of voluntary groups. I am sure that he picked up, as I did, anxiety among a number of them about the future. Every council service and every local voluntary sector project in Scotland is on tenterhooks and will be under stress for months until both this Parliament and the councils decide the way forward—the proposed council tax freeze adds another layer of complexity.

That is the background against which the Parliament approaches its public duty of challenging and scrutinising the budget. If the SNP rhetoric were to be believed, there should be an opportunity to make this a genuinely parliamentary budget—created by consensus and informed by incisive debate in this democratic chamber and in the committees—that provides assurance to the public and to civic Scotland that the policy priorities have been properly tested and the

money has been well spent. That means transparency, openness and honesty on the part of ministers.

Keith Brown: Tavish Scott demanded, after the election, that the Standards, Procedures and Public Appointments Committee should consider changes to the budget scrutiny process. Can Robert Brown advise us what has changed since then? Is it simply the case that the Lib Dem-Labour Opposition coalition has seen the chance of a transient headline, and in taking that chance, has shown contempt for the Parliament's committee system?

Robert Brown: The point has been made during the debate that we are not against the Standards, Procedures and Public Appointments Committee examining the procedures. The issue is that this year's is the crucial debate: it will set the tone for this session of Parliament. I therefore ask the SNP directly: is the Government prepared to be open and transparent, to seek consensus, to look for the best and to expose its calculations to full and detailed scrutiny, or is it a minority Government with a majority ego, shifty with the figures and truculent when it comes to the rights of this Parliament?

I ask the Tories to look me in the eye and say that there has been no deal with the SNP over the budget. That is the important point.

I will move on to the political challenges. For the SNP Government, the challenge is primarily to show that it is competent to govern. It has had its honeymoon and no one grudges it that. The SNP Government is a bit like Gretna, which shot up the leagues, but in the premier league the lack of top-rank ideas is apparent and the support and backing for its product is at its lowest level for years. In the budget process, the Government can choose either to show courage and statesmanship or instead to demonstrate the lower political skills and flirt outrageously with Annabel Goldie in a political alliance so undesirable that it is formally forbidden by the SNP's constitution—it is the love that dare not speak its name.

Tricia Marwick (Central Fife) (SNP): Will the member give way?

Robert Brown: No. There must be more than a few stalwarts on the SNP benches who will pause this evening before voting to support a Tory amendment, behind which their front-bench leaders take shelter.

I will finish with the Conservatives—the other party in the amorous tryst that we see acted out weekly at First Minister's question time. The Conservatives are right to say that we need a proper re-examination of the budget procedures, but is it not passing strange that they want it in later years when the pattern is set and the vital

decisions have been taken, rather than this year when it counts? The Conservative party claims to be the proud defender of the union, but it makes deals with the separatist SNP behind closed doors, in the bowels of the Parliament.

The chamber today has to make a decision of major importance, which will mark the character of the third session of Parliament. It is a junction point that is familiar to many Parliaments in many countries at many times. Control of the finances and of the budget is, throughout the world, the ultimate litmus test of a democratic legislature. The question of grant or refusal of supply is the big one.

The Parliament can either set in place procedures under which we are satisfied—in the chamber and in our committees—that across the board the budget serves the best interests of Scotland and our people, or it can surrender the pass to the ministers of a minority Government, which has no policy or programmatic mandate from this Parliament and a challengeable track record on a dubious IOU of a manifesto, the figures in which have repeatedly been demonstrated not to add up. It is a momentous challenge. I urge those Conservatives who have shifted uneasily in their seats throughout the debate and have now vanished, and the Greens, who are steadily losing any pretensions to the moral high ground in the Parliament, to stand up for the Parliament and for Scotland in the vote this afternoon.

11:10

Alex Johnstone (North East Scotland) (Con): Aye, right.

Robert Brown opened his speech by questioning the order in which the final speeches are being made. I will not do that, because I know the procedures in the Parliament and how the order is decided. Sadly, I cannot say that the Liberal party's lack of understanding of the procedures is the reason why it has behaved in the way that it has today, but I will say more about that.

First, I want to talk about the Labour Party and what it proposes in its motion. It is a disappointment that, once again, the rump of the Scottish Labour Party has come to the Parliament and demonstrated that it neither understands nor can cope with the notion of opposition.

Jackie Baillie: Will the member give way?

Alex Johnstone: The tradition in this Parliament is that if a member mentions someone in their speech, they give them a chance to reply—so I give way to the rump of the Scottish Labour Party.

Jackie Baillie: I advise the member that the Presiding Officers care about the language that is employed in the chamber.

I ask the member, who is evidently confused—along with his colleague Mr Brownlee—whether he is aware that David McLetchie contributed to the Labour motion that is before us? Could he perhaps tell me what rule or standing order has been changed? Does he agree that no motion that is contrary to the standing orders would be accepted by the Presiding Officer? Why are the Tories rejecting the opportunity for debate on the budget priorities? Perhaps the answer lies in the price that the Tories extracted from the SNP for denying the Parliament the right to debate.

The Deputy Presiding Officer: I remind Mr Johnstone to be very careful with his language—I was not happy about your last comment.

Alex Johnstone: I apologise for any implication that the combination of words I chose to use may have given. I apologise most profusely.

I brush aside the intervention, because the assumption that some deal has been done between the Conservative party and the Scottish National Party minority Government is a complete misunderstanding of the position that we present.

Let me address, in the short time that is available to me, some of the issues that have been raised in the debate. It is extremely important that we address the issue, which a number of members have raised, of what a Government is expected to do to implement its manifesto commitments. The Conservative party will work hard to ensure that as many of our manifesto commitments as possible appear in decisions that are made by the Parliament and implemented by the Government over the next four years. Complaints that the SNP minority Government is not successfully implementing its manifesto ring hollow to someone like me, who has watched the Scottish Labour Party and the Liberal Democrats stand on their manifestos at successive elections. The moment that their members were elected, they went into a huddle in a smoke-filled room to negotiate a partnership for government, which often completely denied the policies on which they had stood. Those parties should look at their history and see what hypocrisy that might reveal.

I want to talk about our position in relation to the scrutiny of previous budgets. In the early days of the Parliament, the problem was that the Labour-Lib Dem Government changed the figures that it published and the way in which it published them every year. It was, therefore, almost impossible for a committee to scrutinise budgets properly. It is important that we do not change procedures lightly. This year, however, something slightly different is going on. Gordon Brown's late publication of the comprehensive spending review has made the situation difficult, but there is no reason to suggest that that process—or that failure—should change the way in which we rely

on committees to scrutinise the budget process in the Parliament.

Jeremy Purvis: Will the member give way?

Alex Johnstone: No.

The Labour Party's action in lodging the motion demonstrates a complete failure to understand the importance of the procedures in the Parliament. Worse still, it is an attempt to grandstand today on this motion, and then to grandstand again on the five other motions that it is proposed we debate. Let the committees do their job.

Bill Butler: On that point—

Alex Johnstone: No, I need to move on quickly.

The Liberal Democrats have come out blustering as usual. Tavish Scott's approach of attacking the Conservatives at every opportunity is an indication that the Liberal Democrats are afraid of the Conservatives in electoral terms. They have seen what is happening in national elections and opinion polls. We must remind them that they have done the deals in the past, and any attempt to accuse anyone else in the Parliament of doing deals behind anybody's back is a complete misrepresentation. The Liberal Democrats' amendment, which suggests that we have open access to civil servants, is perhaps worthy of consideration, but it is a complete misrepresentation of their position—they were only too happy to hide behind the procedures when they were ministers in government.

Tavish Scott, let us remember, was the Deputy Minister for Finance in a previous Scottish Government.

Tavish Scott: Will the member give way on that point?

Alex Johnstone: No, I will not.

It is important that we also remember who denied the rest of the Parliament access to the Howat report in the build-up to the last election. If a Government can take that decision, and then, when in opposition, complain about lack of openness and scrutiny, we need to look at our own hearts and our own integrity in the long term.

Tavish Scott: Will Mr Johnstone give way on that point?

Alex Johnstone: No, I am just coming to a close.

The Deputy Presiding Officer: The member can take the intervention if he wishes.

Alex Johnstone: Let me rephrase that—I do not wish to take an intervention from Tavish Scott.

I reinforce the Conservatives' position—we believe that it is important for us to consider the

ways in which we scrutinise the budget in the Parliament. It is important that we ensure that the budget is properly scrutinised this year and in future years. However, the changes are designed to accommodate an uneasy Opposition and to facilitate its need to justify itself—and that is not a reason for changing the procedure.

I support the amendment in the name of Derek Brownlee, and I hope that members of the Parliament will have the good sense to support it at decision time.

11:18

The Minister for Environment (Michael Russell): I hope to give some advice, to offer an apology and to make an accusation.

My advice is for members of the Labour Party, including Frank McVeety. My colleagues and I are experts at losing elections. We have spent our entire political lives losing elections, so we know how to lose them. In those circumstances, I must tell Labour members the right way to do it, because they are exhibiting the wrong way. After losing an election, the right thing to do is to reassess, regroup and rethink. The wrong thing to do is to get a sour look on one's face, to start whingeing, to pretend that it has not happened—and, finally, to insult the voters, because that is what we have heard this morning. That is not the right way to lose an election.

I would have more sympathy with Labour members if I thought that the motion really was about scrutiny. However, every speech that we have heard from Labour members has been about politics, not about process. It has been about Labour members' anger that the SNP manifesto was popular and Labour's was not, and the fact that we in the SNP are delivering and Labour never did. It is about not process or scrutiny, but sour grapes, and the people of Scotland should know that.

I apologise to Elaine Murray if, in some forgetful way, I have done something to offend her; I noticed that she was offended when I tried to intervene. I make my apology, and I will set it right. People become forgetful as they get older; I was struck by that during Elaine Murray's speech, because she appeared to have forgotten that she was deputy convener of the Finance Committee when the agreement was made with the Executive with regard to the budget process. That is important, because there is an agreement in place, and the attempt to alter it six days before the budget announcement is bizarre.

I move to my accusation. Wendy Alexander asked a question—in fact, she asked it repeatedly: why is there no stage 1 process at this stage? When Des McNulty, her predecessor as convener

of the Finance Committee, rose, I thought that he might have given the answer. However, in the words of Ayr academy's motto, which I remember my friend Alex Neil talking about, there was much *prospice*—a lot of looking forward, but no looking backward. The reason that there is no stage 1 process is contained in "The Budgeting Process Agreement between the Scottish Executive and the Finance Committee", which is still in force. Mr McNulty convened the committee at that time, and he was succeeded by Wendy Alexander. Paragraph 7 of that document states:

"The Finance Committee and the Executive have therefore agreed a biennial cycle, with a full three stage process in Spending Review (even numbered) years, and a more limited process in non Spending Review and election ... years".

The answer to the question is in that document, and if Wendy Alexander did not know that the document existed, she should have done. I offer her some further advice—if she is going to ask rhetorical questions, she should ensure that the answers will not undermine her case.

The debate should, in reality, have been about process. Despite Mr McCabe's view about the perfection of the budget process, it is probably not perfect. In those circumstances, it is right to review the process through the mechanisms of the Parliament, and primarily through the work of the Standards, Procedures and Public Appointments Committee. As Wendy Alexander recommended in her legacy paper as convener of the Finance Committee, other mechanisms could also be used—for example, involving the Conveners Group. That process should take place in the proper way and not in an improper way.

Members should have learned the lessons of having things imposed upon them at the last minute. Such impositions turn out to be disastrous, and the Labour Party has been responsible for two of the most disastrous—let me remind members about them. The first took place in June 1999, when the then Labour Minister for Finance, Jack McConnell, sprang on members a system of expenses and allowances without going through process and without getting agreement from members across the chamber. That system remains to haunt us to this day—indeed, it is being reviewed again.

Secondly, there was the Parliament building. Once again, Labour imposed a disaster on Parliament and on members, which damaged our reputation for years. If Labour wants to review the budget process, and has a genuine commitment to change, it will find willing support in discussing how that change should come about.

Jeremy Purvis: Will the minister give way?

Michael Russell: No, I am sorry.

The proper way to undertake that process is to allow the Standards, Procedures and Public Appointments Committee, or another committee of the Parliament, to look at the budget process and come back with recommendations. I would be more convinced by that idea if I did not think that it was being suggested not because of a great commitment in principle to scrutiny, but due to—as I said at the beginning—sour grapes.

The Parliament is too important to be treated in that way. Its members should—in the words of my friend Robert Brown—speak for Scotland. The voice of Scotland should be heard clearly, consistently and in a way that the people of Scotland will understand. If all that we hear is the sour whingeing of a party that has lost an election, that does no credit to Scotland, to members in the chamber, and to the things that this Government is determined to achieve—and will achieve.

11:24

Iain Gray (East Lothian) (Lab): This morning's debate is about the nationalist Government living up to its rhetoric. In the first days of this session of Parliament, much was made of the recognition that we are a Parliament of minorities. There was much rhetoric about recognising that no single party had a majority, and what that would mean for our deliberations. The First Minister was clear on that. On his first day in post, he made a solemn pledge:

"My pledge to the Parliament today is that any Scottish Government that is led by me will respect and include the Parliament in the governance of Scotland over the next four years. ... We will appeal for support across the chamber policy by policy."—[*Official Report*, 16 May 2007; c 36.]

Later in May, he said:

"Good ideas—well researched and well argued—will be welcomed and considered."—[*Official Report*, 23 May 2007; c 58.]

Fair enough. As Mr Purvis and Mr Henry have pointed out, the Parliament then spent several weeks debating the Government's priorities. Ideas were suggested from all sides of the chamber—ideas on skills, justice, energy and the renewal of our towns. However, in those weeks, one idea grew on all sides of the chamber: the idea that it was all a charade and that the Government had not the slightest interest in being prepared to listen and learn. What the Government was interested in was avoiding the chamber's scrutiny by any tactic to hand.

Even the present Government could not avoid for ever facing real votes on real debates. It had, eventually, to produce a programme for government—a legislative programme—and submit it for the scrutiny of the chamber. It did that for the grand total of less than one and a half

hours. Members will recall that, the following day, the Government found rather more time for a debate in which it congratulated itself on finding additional funding for the Crichton campus.

We all know the importance of the spending review that Mr Swinney will present next week. It will set the direction of health, education, housing and transport for the next three years. It will affect every aspect of public policy so much that, for the past six months, the nationalist Government has been unable to tell us anything of what it will do. On no fewer than 60 occasions in the chamber, ministers have refused to answer questions until the comprehensive spending review is announced—questions on care of the elderly, higher education funding, support for carers, mental health provision and student support. The list goes on and on.

There is a great deal to hear and a great deal to debate. Our premise is simple: a statement followed by technical questions and a short debate next Wednesday afternoon does not allow enough time for Parliament to scrutinise the budget properly. Of course, the Parliament's committees will scrutinise departmental budgets in great detail, as Christine Grahame eloquently described. We have no intention of compromising that process. Those who have argued against our motion today on the basis that it seeks to change committee procedures have missed the point entirely. It does not do that.

The point is that the SNP is seeking to bring us a budget that is greater than the sum of its parts. To prevent that, the budget process normally features a stage 1 debate on strategic spending priorities. We want to scrutinise Mr Swinney's budget line by line, but we also want to see a budget that, as a whole, drives economic growth, builds social justice and addresses the challenge of climate change. Those are big, strategic challenges that must be met by the shape and thrust of the budget in its entirety. It is good sense and good democratic practice that the Government's budget be judged as a whole against those yardsticks by the entire Parliament. It is simply nonsense to suggest, as Mr McLetchie did, that the chamber can debate any topic that it wants except the budget.

David McLetchie: The member says that it is important to debate the budget as a whole. Why, then, is the proposition that the Labour Party has brought to the chamber not for a debate on the budget as a whole, but for a series of five mini one-hour debates? That would hardly be a strategic overview.

Iain Gray: The proposition is to take time to consider how each departmental budget drives the strategic priorities of the Government and what we think those strategic priorities should be.

The SNP's position puts me in mind of something that Clement Attlee said:

"Democracy means government by discussion, but it is only effective if you can stop people talking."

Clement Attlee was being ironic, but the Government is being serious. As for Mr Neil's claim that parliamentary debates undermine democracy, what kind of Orwellian doublespeak is that? The next thing we know, the SNP will be rewriting its manifesto to pretend that it did not make the promises that it made. No—it has done that already.

Margo MacDonald (Lothians) (Ind): Will the member take an intervention?

Iain Gray: No. I am sorry, but I need to move on.

The SNP Government loves to talk about its strategic vision and aspiration for Scotland. It loves to talk about it on TV and in newspaper interviews, and the First Minister loved going to America to talk about it there. Why will the SNP not talk about its strategic vision in this chamber for more than an hour and a half? Roseanna Cunningham gave the game away when she said that bringing the budget here would make life too difficult for ministers. Christine Grahame said that that would be "sabotage". It is impossible to escape the conclusion that the SNP is afraid that it will be found wanting.

Margo MacDonald: If the five mini debates were to be introduced into the process, would they be part of the budget process or simply an addition to the information that we can all draw on? If they were part of the budget process, they could be voted on and the Government could lose its budget. Is that correct or incorrect?

Iain Gray: I disagree with the final part of that intervention. We are asking for additional, high-level scrutiny of the strategic priorities of the budget as a whole.

Whatever the SNP is afraid of has sent it running off for help, and it has found help where it always does—in the age-old tartan Tory alliance. The Tories' position this morning is St Augustine's position, is it not? "Lord, give me chastity and continence, but not yet." Their amendment says, "Give me proper scrutiny of the budget, but not this year." It says, "Give me a spine as a proper Opposition, but not yet."

Derek Brownlee *rose*—

Iain Gray: I am sorry, but Mr Brownlee would not take my intervention. He must sit down.

Perhaps the Tories, too, do not want to consider the big questions about the budget—how it drives economic growth and social justice, and how it addresses climate change. After all, the last time

that the Tories had control of an economic strategy, they delivered two recessions and black Wednesday. The last time that they pursued their version of social justice, we had 3 million people on the dole and society was so divided that there were riots in the streets. Or perhaps the Cameron effect has arrived, not in any rise in poll ratings but in the Tories' craven willingness to be the nationalists' fellow travellers—the useful idiots of separation—for whatever short-term political gain they can find. Whatever the reason, they are letting the Government off the hook this morning, and that is to their shame.

Next week, a budget that will shape the spending of almost £90 billion will come before the Parliament. It will determine how our economy grows, how just our society is and how sustainable our future will be. We ask simply that a Government that boasts of its vision and transparency bring that budget to the chamber and defend it. It is not too late. The Government has until 5 o'clock to find its bottle and do that. The Tories have until 5 o'clock to find their spine. What are they afraid of?

The Deputy Presiding Officer: As we have finished the debate early, I suspend the meeting until 11:40.

11:33

Meeting suspended.

11:40

On resuming—

Question Time

SCOTTISH EXECUTIVE

General Questions

A9

1. Roseanna Cunningham (Perth) (SNP): To ask the Scottish Government what effect improvements on the A9 will have on communities through which it runs. (S3O-1127)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): Our current programme of improvements on the A9 will improve access to communities served by the A9, improve safety, reduce accidents and save lives.

A study of the A9 from Stirling to Perth has been undertaken to identify where future improvements would be beneficial. The study has identified where grade-separated junctions would be best sited on the A9 from the Keir roundabout at Dunblane to the Broxden roundabout at Perth to improve safety.

The study will feed into the strategic transport projects review, which will consider the proposals in the corridor study to improve safety, including the provision of grade-separated junctions, along with proposals on improving journey times.

Roseanna Cunningham: I know that the improvements that the minister has talked about in respect of the whole of the A9 will be widely welcomed. I am grateful for his acknowledgement that dual carriageways have their own safety issues, particularly at junctions with local access roads where the junctions are not grade separated. He has rightly anticipated my concern about the number of accidents that occur on the A9 around the Auchterarder, Blackford and Aberuthven area, where we have a number of such junctions. What is the likely timescale for the potential improvements that he has indicated might be on the cards? The situation in the area is becoming difficult, particularly given that there is a railway station there too.

Stewart Stevenson: The member will know that I share her concerns, and those of members throughout the chamber, about road safety. Transport Scotland has agreed in principle to a developer contribution for the improvement of the Loaninghead junction at Auchterarder. The timing of the scheme is linked to development proposals, but we know that the developer is anxious to proceed.

At Blackford, a number of minor improvements have been made in the past couple of years. A video study has identified how the junction operates and further improvements are expected to be undertaken during this financial year.

David Stewart (Highlands and Islands) (Lab): What timescale does the minister envisage for dualling the whole of the A9 north of Perth? He will be aware from my written questions that the Scottish Government does not own even a fraction of the land necessary to dual the A9. Is that another Scottish National Party broken promise?

Stewart Stevenson: I always feel uneasy when Labour members use that sort of language, given Labour's long track record of broken promises. The member should be absolutely assured of our commitment to ensuring that the A9 is dualled. That is why we are planning for the dualling of the A9 and doing intensive studies to identify the next part of the A9 to dual.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Although I completely understand why Roseanna Cunningham asked the question that she asked, I remind the minister that the A9 extends much further north than Inverness—it extends right up to Caithness. What about the Berriedale braes and the Navidale bends? Will the investment in the southern part of the A9—welcome though it is to Roseanna Cunningham—mean that the much-needed improvements in my constituency are going to be kicked into the long grass for a long time?

Stewart Stevenson: It is slightly ungracious of Gentleman Jamie to express things in those terms. He will of course know that I was up in his constituency to initiate a project in Helmsdale relatively recently. Of course the A9 all the way to the very north of Scotland is an important part of the road infrastructure that receives my close attention.

Murdo Fraser (Mid Scotland and Fife) (Con): The minister has been telling us for some time, and has repeated today, that the SNP Government's commitment is to plan for the dualling of the A9, yet we read in today's press that transport improvements are likely to be the victims of a tight budget round. Will he give us a commitment today that by 2011 we will see real progress in dualling the A9, or is his commitment to plan for dualling simply an empty slogan?

Stewart Stevenson: I give an absolute commitment not to believe everything I read in the press. There will be real improvements on the A9 in the timescale.

Dave Thompson (Highlands and Islands) (SNP): A recent report in *The Press and Journal* highlighted research that showed that upgrading the A9 to a dual carriageway would boost the

Highland economy by around £1 billion over 30 years and would create 4,500 jobs. Based on those figures, the Highlands could have missed out on a boost to its economy worth £333 million during the past 10 years of Lib-Lab Executive mismanagement, as well as on the opportunity for much-needed employment. Will the minister do all that he can to redress that lack of action and to put the Highland economy back on track?

Stewart Stevenson: The *P and J*, that ever-reliable publication, quoted directly from the source in question—the report by the Highlands and Islands transport partnership and Highlands and Islands Enterprise. The report is a useful contribution to the debate on the value to the Highland economy of the A9 as a dual carriageway. I note that the area of Scotland where the greatest growth may be being experienced is Inverness, and the Highland economy is absolutely vital to sustainable economic development in the north. That is why we are looking at the figures, planning for the dualling of the A9 and making real progress on the A9, and members on other parties' benches should listen carefully.

Sports Facilities (Resources)

2. Mr Frank McAveety (Glasgow Shettleston) (Lab): To ask the Scottish Executive what additional resources will be made available to develop sports facilities across Scotland. (S3O-1153)

The Minister for Public Health (Shona Robison): Future levels of funding for the development of sport will be made known following the strategic spending review announcement on 14 November 2007.

In the meantime, I am sure that Mr McAveety, and even Mr Foulkes, will join me in wishing the Minister for Communities and Sport and the 2014 bid team all the best for tomorrow.

Mr McAveety: I am delighted to give that endorsement. As the minister with responsibility for sport when the Commonwealth games bid concept was developed, I wish Scotland success tomorrow. I am particularly aware of the benefits that the Commonwealth games could bring to my constituents in the east end of Glasgow.

Irrespective of the decision at lunch time tomorrow, will the Scottish Government continue to match the previous Executive's spending levels for sporting facilities? Will the minister tell us whether those with responsibility for those matters have submitted growth bids to the present spending review, to ensure the generosity of the Cabinet Secretary for Finance and Sustainable Growth?

Shona Robison: As Mr McAveety will understand, a number of discussions are taking place with local authorities on specific local bids. Those discussions are on-going and will continue after the comprehensive spending review.

Mr McAveety will be aware that we have a secure budget of £298 million for the games. A huge benefit will follow on from that for the people of Glasgow and Scotland, and particularly for people in his constituency, who will have a huge legacy if we are successful tomorrow.

Spending Review

3. Andy Kerr (East Kilbride) (Lab): To ask the Scottish Executive how the forthcoming spending review will support capital projects, such as the building and refurbishment of schools in South Lanarkshire. (S3O-1149)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): I will set out our spending plans to deliver on the Government's purpose, its five strategic objectives and our manifesto commitments on 14 November.

Andy Kerr: We all look forward to that with great interest. However, my local council, the Labour-led South Lanarkshire Council, has at the past two elections sought and secured the support of the community to increase council tax not only by inflation but by inflation plus 1 per cent in order to fund new primary schools all over South Lanarkshire. That policy is supported by Mr Swinney's party locally in South Lanarkshire.

In the event of there being a council tax freeze that is fully funded by the Government, such as I keep reading about, will Mr Swinney ensure that the required £4.3 million—1 per cent over the normal figure—will be made available to ensure that the children of South Lanarkshire continue to be provided with education in first-class primary schools throughout the area?

John Swinney: We are engaged in substantial and constructive discussions with the Convention of Scottish Local Authorities on the application of the Government's programme and the funding for that programme and on meeting the needs of local authorities throughout Scotland. We will take into account a whole range of different issues in the formulation of that programme and in developing it in the light of the spending review, which I will announce on Wednesday. I assure Mr Kerr that I am working extremely hard to ensure that Scotland's public services are strongly and adequately funded by the spending review, and that the spending review will have particular relevance to the refurbishment of schools in South Lanarkshire and in other parts of Scotland.

The Deputy Presiding Officer (Alasdair Morgan): Question 4 was to have been asked by

Ross Finnie, but he is not present, so we shall move on to question 5.

Free Central Heating Scheme (Cap)

5. Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive whether it will lift the £3,500 cap that it has introduced on the free central heating scheme. (S3O-1172)

The Minister for Public Health (Shona Robison): As the Minister for Communities and Sport has already said in a written answer on 13 September 2007, there are currently no plans to lift the cap that was introduced by the previous Administration.

Mike Rumbles: Is the minister aware that people applying for free central heating in rural areas are being offered only electric heating on a take-it-or-leave-it basis? It is the cheapest option to install, but no consideration is being given to running costs or energy efficiency issues. Will she re-examine the issue? This is not about the policy but about the implementation of the policy. What we need is a sensible approach to the implementation of the scheme, not an inflexible one.

Shona Robison: We are aware that electricity can be a more expensive fuel option than mains gas, but we have to strike a balance between the sometimes not insubstantial capital costs of preferred systems in specific circumstances and helping as many people as we can to keep warm. Mr Rumbles might be interested to know that we are running a renewable heating pilot to see whether technologies such as air-source and ground-source heat pumps would be more affordable alternatives for homes that are off the gas grid. I would be pleased to have further discussions with him about that if he so wishes.

Elaine Smith (Coatbridge and Chryston) (Lab): Does the minister agree that there does not seem much point in lifting the cap at the moment in any case, as elderly people who are currently assessed and deemed eligible will not be provided with a central heating system until next spring? Will she tell Parliament today what she proposes to do about the unacceptable situation in which Scottish Gas is telling vulnerable people in Coatbridge and Chryston and in other parts of Scotland that they will have to face the winter with no central heating and perhaps no hot water? Does she consider that acceptable?

Shona Robison: Scottish Gas has had a number of problems in delivering the programmes, but it has now prepared a remedial plan and has given assurances that it will meet its contractual target this year. Elaine Smith can be assured that we will be holding Scottish Gas to that.

Christine Grahame (South of Scotland) (SNP): In her discussions with Scottish Gas, will the minister consider the introduction of prioritisation in the scheme for people with special health needs, such as those who have been diagnosed with a terminal illness?

Shona Robison: Christine Grahame will be aware that the Minister for Communities and Sport is considering how certain aspects of the policy can be improved. There is a debate to be had about whether other groups, such as those mentioned by Christine Grahame, should be included, and I am sure that the minister will be prepared to discuss that with her and with others.

Farmers Markets

6. Sandra White (Glasgow) (SNP): To ask the Scottish Executive how it aims to enhance the role and profile of farmers markets. (S3O-1125)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Scottish Government supports farmers markets through the Scottish Agricultural Organisation Society, which provides advisory services to the Scottish Association of Farmers Markets.

Sandra White: The cabinet secretary will be aware of the excellent farmers markets in Partick and in other areas of Glasgow, which have grown substantially in popularity and use. Will farmers markets be included in the food policy that was debated yesterday? If so, will those involved in farmers markets be consulted?

Richard Lochhead: I assure Sandra White that the role and future of farmers markets will certainly be part of the national food policy, on which there will be consultation with the people of Scotland and with all relevant parties, so that they will be able to have a great say in the contents of the policy.

Farmers markets are very popular in Glasgow and elsewhere in Scotland. More than 60 are now up and running, and they provide a fantastic opportunity for a link between the primary producers and the consumers. The Scottish Government will give them all the support that it can.

John Scott (Ayr) (Con): I declare an interest in the matter.

The minister will be aware of the growth in farmers markets, farm shops and food networks over the past five years. Does he agree that expanding the concept of food networks—namely, matching food suppliers of all sizes with food purchasers of all sizes, perhaps through a call centre—could and should be part of his proposed national food policy?

Richard Lochhead: Yes, I certainly agree with the sentiments that John Scott outlines. We would certainly support maximum co-operation along the supply chain—from farmer to markets to the consumer. Indeed, one of the primary purposes of developing a national food policy for Scotland—which I know that John Scott supports—is to bring everyone together to work towards the best possible policy.

Climate Change

7. James Kelly (Glasgow Rutherglen) (Lab): To ask the Scottish Executive what measures it is taking to tackle climate change. (S3O-1148)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): The statement that the Cabinet Secretary for Finance and Sustainable Growth made to Parliament in June committed us to consult on proposals for a Scottish climate change bill. The bill will propose a statutory target to reduce emissions by 80 per cent by 2050. It will establish a clear, long-term statutory framework to help us to hit that target and thereby contribute to the global effort that is required to tackle climate change. In the meantime, we are taking forward emission reduction measures in addition to developing additional measures.

James Kelly: I am sure that the minister agrees that microgeneration is an excellent mechanism by which to reduce both carbon emissions and fuel bills and thereby tackle fuel poverty. Does he agree that the swift passage through Parliament of Sarah Boyack's proposed energy efficiency and microgeneration bill would provide immediate benefits to householders and the environment?

Stewart Stevenson: We have convened an expert panel on building standards and have had helpful contributions from experts from Norway, Denmark and Austria. Microgeneration is included in the considerations to which they have applied their minds. I expect to publish the results of their deliberations in the near future, and James Kelly should expect microgeneration to play an important part in future plans.

Supermarket Code of Conduct

8. Robin Harper (Lothians) (Green): To ask the Scottish Executive what its timetable is for delivering the SNP manifesto commitment to consult on replacing the supermarket code of conduct with independent regulation. (S3O-1103)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Competition Commission has published the initial findings of its review of the groceries market. We need to digest that comprehensive report in detail. Nonetheless, I welcome the commission's

recognition that the supermarket code of practice could and should be improved. The Scottish Government will seek to influence its further development or, indeed, replacement.

Robin Harper: I am sure that the minister agrees that there is a mountain of evidence to back the case for imposing regulation of supermarkets' power in the marketplace. The Green party raised the matter for debate in 2004 and is glad that, despite the echo of discord across the chamber then, the SNP and MSPs from other parties now back the case for action. The regulation of supermarkets was in our manifesto and the SNP's; in yesterday's debate, Labour, Liberal Democrat and Conservative MSPs all raised concerns about the supermarkets' power. Does the minister have a timetable for action? When does he expect to introduce proposals to help the high street and the many small businesses and suppliers throughout the country that want action to be taken?

Richard Lochhead: I recall Professor Donald MacRae of Lloyds TSB Scotland telling the Parliament a few years ago that primary producers receive only 13p of every £1 that is spent on groceries in Scotland. I assure Robin Harper that the Scottish Government takes the issue seriously and will act on it. Indeed, in our first few months of government, we have had many meetings with the chief executives of the supermarkets at which we have asked for action to be taken. We will pursue that point, but it would make sense to await the outcome of the Competition Commission's final report so that we can ascertain exactly what the situation is at the moment and take appropriate action.

Town-centre Regeneration (Funding)

9. Marilyn Livingstone (Kirkcaldy) (Lab): To ask the Scottish Executive what funding it will make available for town-centre regeneration over the next three years. (S3O-1151)

The Minister for Public Health (Shona Robison): The Government is currently considering funding across all policy areas as part of the Scottish spending review. All funding decisions will be announced in due course.

Marilyn Livingstone: Is the minister aware that just 10 per cent of retail development that is completed in Scotland between 2007 and 2011 will be in town centres and that a £16.5 billion increase is predicted in out-of-town retail sales? When faced with such stark facts, what opportunities exist for town centres and their communities? Where does the regeneration of our towns and city centres stand in the SNP Government's priorities?

Shona Robison: The Government is committed to a range of actions that will benefit town centres and support their regeneration. We are committed to reducing business rates for thousands of small businesses. We intend that measure to help to kick-start the revival of town centres throughout Scotland. I am aware of the regeneration activity that is being taken forward by the Kirkcaldy renaissance partnership and I support the role of local partnerships in resolving local issues. Any further measures will have to be considered as part of the spending review.

First Minister's Question Time

12:01

The Deputy Presiding Officer (Alasdair Morgan): Questions to the First Minister will be answered by the Deputy First Minister.

Engagements

1. Ms Wendy Alexander (Paisley North) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S3F-248)

I welcome the Deputy First Minister to her place and I pass on the best wishes of members in this part of the chamber to the First Minister and the entire Glasgow Commonwealth games delegation in Sri Lanka. The whole Parliament is right behind Glasgow's bid, which is great for the city and for Scotland. [*Applause.*]

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I thank Wendy Alexander for her remarks. Later today I will attend the *Daily Record* health awards to honour all those who work so hard in our national health service, and the First Minister will attend the opening ceremony of the Commonwealth Games Federation's general assembly in Sri Lanka. I know that the whole Parliament echoes Wendy Alexander's comments and wishes the First Minister and the entire bid team the best of luck for tomorrow's vote. [*Applause.*]

Ms Alexander: I associate myself with those comments.

Next week's budget will see Scottish spending increase to nearly £30 billion, which will be its highest ever level. With that record amount of money, will the SNP make good its promise on police numbers? Does the Deputy First Minister agree or disagree with the comments of Alasdair Gillies of the Scottish Police Federation, who said that the additional police officers should be

"new officers, not reconditioned, rehashed, second hand, slightly used, but new"?

Nicola Sturgeon: I remind Wendy Alexander that the comprehensive spending review settlement is the worst settlement for Scotland since devolution. Back in 2004, the increase to the Scottish budget was 11.5 per cent. Next year, the increase in the Scottish budget will be 0.5 per cent.

George Foulkes (Lothians) (Lab): Stop whingeing. What about the real growth?

The Deputy Presiding Officer: Mr Foulkes!

Nicola Sturgeon: That is the fiscal reality in which the Government operates.

I assure Wendy Alexander that, within that tight financial settlement, the Government, unlike the previous Government, will deliver on the promises that it made to the people of Scotland. I assure her that the Government will deliver 1,000 more officers on the streets and in the communities of Scotland. That will be a promise kept by the Government.

I take this opportunity to endorse the Scottish Police Federation's comment that when only 7 per cent of police officers in this country are on operational duty at any one time, it is time to ensure that we get them out from behind their desks and on to the streets of Scotland to make our country safer.

Ms Alexander: The Deputy First Minister has at least taken some lessons from her master's voice, with an attack as well as an answer. She knows perfectly well that the budget has doubled in a decade. It is more than Donald Dewar ever had as Secretary of State for Scotland. It is 99 per cent of what the SNP predicted, and there was £900 million on top of that as a windfall.

The real difference between Labour and the SNP is that we delivered whereas it does not. I remind Ms Sturgeon that, in coalition, Labour trained not 1,000 but more than 4,000 new police recruits. We increased civilian staff by 60 per cent to free up police officers for our streets, and we delivered more than 1,500 extra police officers.

This morning, Alex Neil offered a new definition of extra police: he said that any officer not now retiring will be counted as a new officer. How can the SNP possibly suggest that an officer with 20 years' experience counts as a new police officer?

Nicola Sturgeon: That question prompts another question. *[Interruption.]* I will answer Wendy Alexander's question, but if Labour's record on police numbers was as good as she says, why are only 7 per cent of police officers on operational duty at any one time? Why does every community in the country think that there are not enough police on the beat and why do people not feel safe in their own communities?

I do not know how many times—*[Interruption.]*

The Deputy Presiding Officer: Order.

Nicola Sturgeon: I do not know how many times Wendy Alexander needs to hear the same answer to the same question, but let me give her it one more time. This SNP Government will deliver 1,000 more police officers on the streets of Scotland, where they are needed. That was our commitment, that is what we will deliver, and that is what the people of Scotland will hold us to account on.

Ms Alexander: The Deputy First Minister asked for an answer. The answer is 4,000 new police

recruits, an increase of 60 per cent in civilian staff and 1,500 extra police officers.

Just last week, in a parliamentary answer to Hugh Henry, the Cabinet Secretary for Justice said:

"The Scottish Government has not set a numerical target for the number of police officers that forces should employ."—*[Official Report, Written Answers, 29 October 2007; S3W-5268.]*

The Deputy First Minister says one thing, Alex Salmond says another, Kenny MacAskill says a third, and Alex Neil this morning suggests something else. Who on earth are the public to believe?

Nicola Sturgeon: Wendy Alexander really is flailing about. Everybody who is watching this exchange will be wondering, "If Labour really recruited all these extra police officers, where are they?" They are not on the streets of this country.

I will make it clear, yet again, to Wendy Alexander: the Government will deliver on our commitment to put 1,000 extra police officers on the streets of Scotland. We will recruit new police officers and we will retain police officers. We will also redeploy police officers, out from behind desks and on to the streets of Scotland, where the people of this country want them to be.

Ms Alexander: I think that we must take it from that answer that a police officer with 20 years' experience is to be counted as a new officer. I suggest to Ms Sturgeon that she might recall these words:

"With the SNP what we promise is what you will get. No ifs, no buts, no cover ups, no lies."

Those were Ms Sturgeon's words at her party's conference in 2005.

The Deputy First Minister knows, we know, the Scottish Police Federation knows, the public knows and even the Deputy First Minister's colleagues know that the SNP has no intention of keeping its manifesto promise of 1,000 more police. Is it any wonder, with that kind of wriggling, that the SNP is running so scared of debates? Will the Deputy First Minister do the decent thing and admit that the SNP will not keep its manifesto promise of 1,000 more police?

Nicola Sturgeon: I will give Wendy Alexander some friendly advice. I spent some time asking the questions from where she now sits. One lesson that I learned early on was that when someone gets the answer to their first question the first time they ask it, they should think of a new question rather than keep asking the same one.

Police officers around the country will be wondering why she is so dismissive of people with 20 years' police experience. I would have thought

that that is exactly the experience that we want to keep in our police forces.

I stand by everything I said in the chamber when I was in Wendy Alexander's position. What we promised to the people of Scotland is what they will get. We promised 1,000 more officers on the streets of Scotland and that is exactly what the Government will deliver.

Secretary of State for Scotland (Meetings)

2. Annabel Goldie (West of Scotland) (Con): I, too, welcome the Deputy First Minister to her place and entirely endorse the comments that she and Wendy Alexander have made about the Commonwealth games bid.

To ask the First Minister when he will next meet the Secretary of State for Scotland. (S3F-249)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The First Minister has no immediate plans to meet the Secretary of State for Scotland.

Annabel Goldie: I am very interested in the Deputy First Minister's concluding observation to Ms Alexander. I remind the Deputy First Minister that, in the chamber in December last year, she said:

"The SNP is absolutely clear that we will freeze council tax".—[*Official Report*, 14 December 2006; c 30530.]

Statements do not come any clearer or more absolute than that.

The Scottish Conservatives proposed a 50 per cent council tax cut for all pensioners aged 65 and over in Scotland. That pledge was fully costed, guaranteed and deliverable by Government. Is the SNP pledge fully costed? How is it deliverable by Government? In other words, how is it guaranteed at all? How could Ms Sturgeon be absolutely clear a year ago that she would freeze council tax? How could she give that guarantee?

Nicola Sturgeon: I thank Annabel Goldie for her welcome. Not only did I give that guarantee a year ago, I will say the same thing today: this Government is determined to freeze council tax. Under the previous Government, council tax went up by 60 per cent. The people of Scotland have had enough of council tax rises under Labour and the Liberals. That is why they want the Government to freeze council tax. The policy is fully costed. Later this afternoon, the Cabinet Secretary for Finance and Sustainable Growth will continue the very constructive discussions with local government to ensure that the commitment is delivered to the people of Scotland.

Annabel Goldie: Here we go again. I have never doubted that the Deputy First Minister is a determined woman—heaven knows, we have

seen evidence of that in all directions—but I just wish that her energies were better directed at times. She may be determined, but that is not the same as a guarantee. The SNP was clear and strident in opposition but, given the keys of government, it has ducked and dived and bobbed and weaved and broken its pledges one after another. Whether on police numbers or class sizes, on student debt or council tax, it seemed that the SNP would do anything and say anything just to get its hands on power. Is the Deputy First Minister's manifesto commitment a Government-guaranteed pledge or is it—like so much else—just a vague aspiration, full of ifs, buts and maybes?

Nicola Sturgeon: I can tell Annabel Goldie that the real story of the past six months of this SNP Government is of promises delivered. Promises to save accident and emergency units have been delivered. Promises to abolish the back-door tuition fee have been made good. Promises to abolish the tolls on the Tay and Forth bridges have been delivered. Our pledge to freeze council tax will also be delivered. In just six days' time, when we publish our budget, all the waiting will be over and all the other parties in the Parliament will see exactly how we intend to honour that commitment.

Cabinet (Meetings)

3. Nicol Stephen (Aberdeen South) (LD): I wish the Glasgow Commonwealth games bid all the very best.

To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-250)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The next meeting of the Cabinet will discuss issues of importance to the people of Scotland.

Nicol Stephen: I, too, welcome the Deputy First Minister to her position today. It does not seem long ago that our roles were reversed, when she asked me questions for the first time at First Minister's question time. In fact, that was on 27 October 2005, when she asked me this question:

"Does the Deputy First Minister think that there are enough police officers in Scotland?"

In my reply I said that we were only halfway through the parliamentary session, but that we had already recruited 700 new, additional, extra police officers in Scotland. She said that that was not good enough. I ask her exactly the same question that she asked me: are there enough police officers in Scotland?

Nicola Sturgeon: No, there are not enough police officers on the streets of Scotland, which is

why this Government will put 1,000 more police officers on the streets of Scotland: that is where the people of Scotland want them to be, making our streets and communities safer. Next week, the Cabinet Secretary for Justice will announce plans to recruit new officers to Scotland. Even if that is not welcomed in the chamber, I am sure that it will be warmly welcomed by people around the country.

Nicol Stephen: For all that bluster, members will never guess what Nicola Sturgeon asked me next:

"Has he forgotten that his party's Scottish manifesto, which was produced in May, said that we need 1,000 more police officers than we currently have, or is that just another policy principle that he leaves outside the Cabinet room?"—*[Official Report, 27 October 2005; c 20091.]*

That was Nicola Sturgeon's view in opposition: 1,000 new police. The Association of Chief Police Officers, the Scottish Police Federation and others agree, and it is what the Parliament wants, too. What is stopping her?

Since May, Kenny MacAskill has flipped and does not now support 1,000 new police. His First Minister has flipped and does not now support 1,000 extra police, but Nicola Sturgeon's personal promise on the record was stronger, clearer and more adamant than either of theirs. Will she stand up for her personal pledge? Will she stand up for the police and local communities and deliver 1,000 new police, or will she flip as well?

Nicola Sturgeon: We all know who has flipped, and flopped, and flipped again, and it is not Kenny MacAskill. Those words were invented to describe the Liberal Democrats.

When I asked Nicol Stephen that question, he had already been in office for five long years and he had delivered absolutely nothing. Within the first few months of this new, SNP Government, the justice secretary will announce plans to recruit additional police officers—plans that will be welcomed around the country. This Government will deliver on the commitment I made, the commitment we made at the election, and the commitment we have made ever since, to put 1,000 more police officers on the streets of Scotland.

Jamie McGrigor (Highlands and Islands) (Con): The Deputy First Minister will be aware of the closure of the A83 lifeline road to Argyll and Kintyre due to a landslide 12 days ago near the Rest and be Thankful. Is she aware of the disastrous financial consequences to businesses in Cairndow, Inverary and Strachur, that people cannot get to work, and that workers are now being laid off? Is she aware of the thousands of pounds per day that the closure is costing haulage businesses? Is she aware of the number of road

accidents that the diversions have caused? Why was no action taken on the 2005 report, which identified the road as being at high risk of landslide? When will the A83 be open to traffic again?

Nicola Sturgeon: Jamie McGrigor asks a very serious question. We fully appreciate the disruption and impact on businesses in mid-Argyll due to the road closure. The transport minister visited the site on Monday. Measures have already been taken temporarily to stabilise the area below the road and work commenced on Monday afternoon to remove the unstable ground above the road. Unfortunately, that work had to be suspended yesterday due to the high winds. I understand that there is currently an assessment under way to determine whether it is safe for the work to restart.

I am sure that members will understand and agree that the road can be opened only when it is safe to do so. Due to adverse weather and the unstable material well above the road, it is not possible to give an exact estimate of when the road might be opened, but we will do everything possible to expedite that and, of course, we will keep local MSPs and local businesses fully informed of developments.

Jack McConnell (Motherwell and Wishaw) (Lab): Will the Deputy First Minister join my constituents in looking forward to hosting the 2014 Commonwealth games triathlon in Strathclyde Park in my constituency? It is clear that Manchester showed in 2002 how to leave a lasting legacy of facilities and confidence from the games. Our bid in Melbourne in 2006 demonstrated that Glasgow is the best place for the 2014 games and that Scots can win in the swimming pool and elsewhere. Hosting the Commonwealth games will transform Glasgow and benefit all Scotland. Will the Deputy First Minister pass our thanks to the team who have helped install Glasgow in pole position and pass my best wishes and good luck to all those involved in this week's final effort? For the future of Glasgow and Scotland, and for sport, we hope that they bring the games to Glasgow.

Nicola Sturgeon: I thank Jack McConnell very much for that question. Given our history at First Minister's questions, I suppose I should be grateful that he did not take the opportunity to get some of his own back.

I agree with him 100 per cent about the long-term, lasting benefits that the Commonwealth games will bring to Glasgow and Scotland. I will pass on his personal good wishes to the First Minister and the rest of the team.

I take this opportunity to pay tribute to Jack McConnell for the work that he did as First Minister to ensure that the bid we have taken to

Sri Lanka is simply first class. It has been a privilege for the new Government to pick up the baton for the last lap. I know that the First Minister would want me to say that, if we are successful tomorrow, it will be in no small measure down to the commitment shown by Jack McConnell. I want to thank him genuinely for that. *[Applause.]*

Town and Village Centres (Growth)

4. Roseanna Cunningham (Perth) (SNP): To ask the Deputy First Minister whether the Scottish Government has any plans to encourage the growth of town and village centres, in light of the challenges faced by high street businesses throughout Scotland. (S3F-253)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The Government has made clear its commitment to increasing sustainable economic growth across the whole of Scotland, including in our town and village centres.

Roseanna Cunningham: I thank the Deputy First Minister for her response. Is she aware of a recent report that indicates that between now and 2011 only one in 10 new shops will open on Scotland's high streets—that is, 90 per cent of all planned retail developments will be out of town? She may know that I now have the dubious honour of representing Scotland's new "Tesco town"—Perth—but I also represent, of course, many small towns and villages whose high streets are under huge threat. Will she indicate how the Government can help to provide those town centres with the level playing field that they need in order to begin to turn things round? Will she take into consideration the huge advantage of the free parking that is available to out-of-town centres compared with our high streets? That situation not only creates an economic imbalance but has environmental implications.

Nicola Sturgeon: I thank Roseanna Cunningham for that question. I am of course aware of the report from the Association of Town Centre Management and I agree with her that it is of great concern. I also agree that we need to breathe life back into our town centres. I will say a word or two about some of the things that we are doing that I hope will contribute to that process.

Planning policy has a role to play. Scottish planning policy 8 reinforces the role of town centres as locations for retail and indicates clearly that town centres should be the first choice for shopping and related developments. In addition, the Government will shortly publish proposals to remove or reduce the burden of business rates for a substantial number of small businesses across Scotland, thus supporting small businesses in town centres. Those proposals will help the smallest businesses, many of which are located in

town centres. I think that that will have a very positive impact indeed.

I assure Roseanna Cunningham that the Government will look closely at her proposal about car parking.

Jim Tolson (Dunfermline West) (LD): What action will the Scottish National Party Government take to encourage small towns, including Dunfermline, to develop the business improvement districts scheme, after the recent pilot, to ensure that Dunfermline and other towns can grow and prosper?

Nicola Sturgeon: The legislative framework is now in place to allow local businesses in any area to establish, in partnership with their local authority and other local partners, a business improvement district if they think that doing so would benefit their area. That is very much a matter for those businesses in engaging with partners in local areas. If an appetite for such an approach exists in the member's area, I am sure that matters will be progressed.

Local Authorities (Funding)

5. Andy Kerr (East Kilbride) (Lab): To ask the First Minister whether sufficient resources will be made available to local authorities to fully fund the cost of current local authority services, a council tax freeze and all SNP manifesto commitments that relate to local government. (S3F-264)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The outcome of the spending review, which will be announced on 14 November—I say that in case anybody does not know—will set out the basis of the local government settlement for the next three years.

Andy Kerr: That answer was entirely predictable. The Cabinet Secretary for Finance and Sustainable Growth will, of course, meet local authority leaders this afternoon. Will he, through the Deputy First Minister, guarantee that the Government will commit the necessary funds to deliver on the council tax freeze, the free school meals pledge and the promise to reduce class sizes, to increase access to nurseries, to improve sports facilities in schools, to provide extra support for carers and to deliver on other pledges that are to be delivered through local government? Will local government be left to pick up the bill for those uncosted and ill-thought-through pledges or will they, like many other SNP pledges, simply be broken? It appears that they will be.

Nicola Sturgeon: It feels a bit like groundhog day.

I have already made the Government's position on the council tax freeze clear. The Government's

other manifesto commitments that require partnership working with local authorities are the subject of on-going and constructive discussions with those authorities. Those discussions will continue this afternoon.

It is a bit rich of Labour to suggest that existing services will suffer so that we can fund our manifesto commitments. The suggestion is absurd for two reasons. First, it is wrong. Secondly, during the election campaign, Labour bragged that other services would have to suffer to fund its manifesto commitments. The former First Minister said that every penny of new money would go to education and that other services would have to “cut their cloth”. That would have meant cuts in health and police services and in social work services for older people—and no doubt yet another massive Labour hike in council tax. Labour would have followed that course, but that is not the course that the SNP Government will pursue.

Alex Neil (Central Scotland) (SNP): What impact will the Westminster-imposed financial squeeze have on the money that will be available for local authority services? Now that the price of oil has reached \$100 a barrel, will the SNP Government submit an additional request for our share of the oil money to help to fund services in Scotland?

Nicola Sturgeon: I am sure that nobody in the chamber will be surprised that I am more than happy to agree with Alex Neil that it is Scotland's oil. I also agree that the financial settlement is the worst there has been under devolution, as I said in response to a question that Wendy Alexander asked. In 2003-04, there was an 11.5 per cent real increase in the Scottish budget; next year, the increase will be 0.5 per cent. That is the reality. Those figures highlight the poor deal that Scotland has had at a time of historically high revenues from our oil and gas industries. However, I reassure Alex Neil and other members that even within that very tight financial settlement the Government is determined to deliver on our commitments to the Scottish people.

Teachers (Protection)

6. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the First Minister how teachers in schools will be protected from violence. (S3F-252)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The Scottish Government is committed to supporting schools to create peaceful and positive learning environments. We will develop guidance on that and on dealing with more serious indiscipline.

Murdo Fraser: I am sure that the Deputy First Minister agrees that before we can begin to tackle

the problem of protecting teachers in schools from violence, the fullest and most accurate statistics on school assaults should be available. I know that she will agree with that because that was the SNP's position when it was in opposition. The then shadow education spokesman, Fiona Hyslop, said in the chamber on 17 March 2005:

“If we regard indiscipline as a serious issue, it is important that regular statistics should be produced so that there can be accountability. The production of statistics every three years is not good enough.”—[*Official Report*, 17 March 2005; c 15454.]

Why, in government, has the SNP done a U-turn on its promise to publish such statistics? Is that not just another SNP broken promise?

Nicola Sturgeon: We should always remember that the majority of children in our schools behave extremely well. However, a minority do not, and I know that we all share the sentiment that violence against teachers is absolutely unacceptable.

I agree with Murdo Fraser: we want to have openness on indiscipline and to know what is happening in our schools. That is what the Cabinet Secretary for Education and Lifelong Learning said when she wrote to the Conservatives' education spokesperson just this week. Fiona Hyslop is reviewing how we might provide information that is accurate, reliable and robust, because there is no point in having information that is not accurate, reliable and robust. She is also considering the cost-effectiveness of providing such information. I am sure that all members agree that, when possible, money should be spent on the front line, to improve discipline in our schools, to cut class sizes and to improve the learning experience for our children. Those will always be this Government's priorities.

Rhona Brankin (Midlothian) (Lab): The Deputy First Minister will be aware that a great deal of important work is done to combat indiscipline in schools through the national priorities action fund, which funds work on discipline, alternatives to exclusion, additional support staff and additional support needs in-service training. Can the Deputy First Minister assure us that that important targeted support will continue?

Nicola Sturgeon: I agree that a great deal of good work is done in our schools to combat indiscipline, and I take this opportunity to pay tribute to the teachers and headteachers who work so hard to do that.

As Rhona Brankin knows, funding decisions are subject to the comprehensive spending review. Such matters will be addressed when the Government's budget is published next Wednesday. I assure her that we are determined to take a range of measures that will improve the

learning experience for our children, which is vital for the future of our country.

Duncan McNeil (Greenock and Inverclyde) (Lab): On a point of order, Presiding Officer. Do you consider it appropriate for a minister to announce during First Minister's question time that the Government is to introduce a car park tax across Scotland? Do you agree that the hard-working families who use out-of-town shopping centres pay enough tax—

The Deputy Presiding Officer: Order. The member should sit down. That is not a point of order. I refer Mr McNeil to the announcement that the Presiding Officer made prior to decision time on 25 October and ask him to read in the *Official Report* what the Presiding Officer said about points of order in which members simply attempt to rerun questions that have already been asked.

12:33

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Europe, External Affairs and Culture

Immigration (Representations)

1. Bashir Ahmad (Glasgow) (SNP): To ask the Scottish Executive what recent representations it has made to the United Kingdom Government regarding immigration to Scotland. (S3O-1106)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government is in regular contact with the United Kingdom Government and has made a number of representations relating to immigration.

Bashir Ahmad: Does the minister agree that Scotland values and relies on the contribution of skilled immigrants from all over the world? Is she worried that Scotland's ability to attract such skilled immigrants may be affected by the constant stream of negative press and comments from UK politicians on immigration? If so, what steps will she take to resolve the matter and ensure that Scotland's immigration needs are not ignored?

Linda Fabiani: I am sure that all members have despaired at times at many newspapers' negative reporting about immigrant communities in the UK. Comments from certain politicians over the years have not helped the cause at all.

Migrant workers make an important contribution to Scotland, because they help us to stem the projected decline in our population and grow our economy. We want Scotland to be wealthier and fairer, and we need to be able to attract the brightest and best from around the world, as well as nurture and retain our home-grown talent, which is important.

Last night, I hosted a reception in Edinburgh castle for international students who have come here through the British Council's scholarship programme. It was marvellous to see the enthusiasm with which those masters students from around the world have come to Scotland and how much they already enjoy being here. It is important that we maintain such links for the benefit of us all.

Ted Brocklebank (Mid Scotland and Fife) (Con): Most of us recognise the invaluable contribution that migrant workers make to Scotland. In my part of Fife, people from overseas bring skills and talent to many areas, including dentistry, the hospitality industry and the local

produce industry. Does the minister agree that her Administration needs to act urgently to ensure that necessary services—such as English language provision, health care and, of course, policing—are available to people who come to our country?

Linda Fabiani: In the years since Scotland got a devolved Administration, needs have been recognised across political parties. A lot of what has been done in Scotland for migrant workers and asylum seekers who have come to live in our communities could lead the way for other parts of the UK.

Of course there are issues, and we actively try to address them all the time. To give Mr Brocklebank an example, the Polish information guide that was published in 2006 has recently been updated. The guide offers Polish-speaking migrant workers advice on employment issues, including their employment rights, health and safety legislation, the minimum wage and the role of trade unions. There is an issue of bad employers exploiting some of the communities that are coming to live with us.

European Parliamentary Committees (Executive Contributions)

2. Patrick Harvie (Glasgow) (Green): To ask the Scottish Executive how it contributes to inquiries being conducted by European parliamentary committees. (S3O-1104)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government seeks to influence the work of relevant European Parliament committees. Our Brussels office is very useful in that regard but, for me, the most important way to exert that influence is by working closely with Scotland's seven MEPs.

Patrick Harvie: On 25 April, the European Parliament agreed to establish a Temporary Committee on Climate Change—most of us were busy with election leaflets and hustings then, so we can be forgiven for not having spotted it. The committee's remit is to formulate proposals on the European Union's future attitude to climate change and to engage with the Parliaments and Governments of member states as part of that work.

Does the minister agree that that committee's work will have a profound impact on the context within which our domestic proposals on climate change sit? Does the Scottish Government expect to contribute to the work of the committee directly or will Scotland's contribution be routed through the United Kingdom as the member state? Will the minister make a commitment to keep the relevant parliamentary committee at Holyrood fully apprised of any engagement that the Government has on the issue?

Linda Fabiani: The Scottish Government, with input from the Parliament's committees, tracks everything of importance to Scotland.

With regard to the question, it is probably apposite that this evening I will chair a meeting of the European members information and liaison exchange—or EMILE—network, at which will be MEPs, MPs and MSPs, so it is an ideal forum in which to discuss issues that affect Scotland. I will raise the matters that Patrick Harvie has raised. I will also look further into how we are dealing with them and check which of our seven MEPs, if any, are on the committee that he mentioned.

Even if the Scottish MEPs are not on the committee, our Brussels office has great input and puts Scotland's position to MEPs not just from the UK but from throughout the member states. I will check what is happening with that, too. Obviously, the relevant committee in the Scottish Parliament will be kept informed by the relevant minister.

Public Art

3. Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): To ask the Scottish Executive what role it will give to public art in the regeneration of Scotland's towns. (S3O-1147)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): We are supportive of the positive role that public art can play in regeneration. The Scottish Arts Council is developing a national strategy on public art, which will promote the use of such art in regeneration for the considerable benefit of communities in Scotland. I expect the Scottish Arts Council to publish the strategy early in 2008.

Cathy Jamieson: The minister will have heard me in last week's debate on environment and culture waxing lyrical about the many community-led projects in my constituency in which public art features. In her discussions with the Cabinet Secretary for Finance and Sustainable Growth, has the minister asked for funding to be made available for artist-in-residence schemes for towns, such as Cumnock in my constituency, that are about to undergo major regeneration work in their town centres?

Linda Fabiani: I enjoy hearing Cathy Jamieson waxing lyrical—I always have.

The Scottish Arts Council is considering an artist-in-residence scheme and I expect it to come back to me with further details.

Scotland-Cuba Relations

4. Elaine Smith (Coatbridge and Chryston) (Lab): To ask the Scottish Executive what steps have been taken to strengthen relations between Scotland and Cuba. (S3O-1168)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government has not been approached by the Cuban Government and has not sought to establish links.

Elaine Smith: I hope that the minister will be able to meet the Cuban MPs who will visit the Parliament next week. I invite her to join me and, indeed, the United Nations in calling for an end to the illegal United States blockade of Cuba, which includes the tightening of extraterritorial elements, thereby directly affecting relations between the European Union and Cuba. Will she join me in congratulating Cuba on exporting its socialism by sharing with the poor and dispossessed around the world its advances in medical science, education, sport and agriculture? Further, I ask the minister to explore options for strengthening relations between Scotland and Cuba, particularly through cultural, scientific, sporting and trade links.

Linda Fabiani: I am aware of the friendship between Scots and Cubans and of the many links that have been set up. Lots of work is done by great agencies such as Scottish Medical Aid for Cuba. Many Scots are horrified by the trade embargo—the blockade—which is against UN resolutions.

I will be happy to meet the Cuban MPs next week. In fact, only two weeks ago I met the Cuban ambassador—as did the First Minister—and his colleague Luis Marrón in Aviemore. I very much enjoyed the discussion with them, which I hope to be able to continue.

Sandra White (Glasgow) (SNP): The minister will be aware that I visited Cuba a number of weeks ago. I saw its excellent education facilities and health service.

In her response to Bashir Ahmad's question, the minister mentioned the British Council's scholarship programme. Will she explore the possibility of inviting the Cuban MPs, when they visit the Parliament on 15 November, to take part in developing a scholarship exchange, in education or another area, perhaps through Scottish universities or the British Council Scotland?

Linda Fabiani: The Cuban health service is revered worldwide. It is fabulous that Cuba sends health professionals to developing countries to try to develop health services—Cuba is to be applauded for that. The member's idea about scholarships through the British Council is interesting, but of course it is a matter for the British Council to consider and then put to us. However, I am more than happy to raise the issue.

European Union Reform Treaty

5. Bill Aitken (Glasgow) (Con): To ask the Scottish Executive what legal advice it has

received about the possible consequences for devolved matters if the EU reform treaty is ratified, in particular the consequences for justice. (S3O-1100)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government does not generally disclose the legal advice that it might have taken on any particular matter. Any such advice would, in any case, be confidential.

Bill Aitken: On the basis of the confidential information that the minister has received, and bearing in mind the negative impact on Scots law of many aspects of the European convention on human rights, does she agree that she should prevail on her colleague the Cabinet Secretary for Justice to carry out a full review of the impact of the treaty on Scots law and to take remedial action if necessary?

Linda Fabiani: Unlike on marine conservation competencies, for example, the Home Office and our Cabinet Secretary for Justice have worked closely on justice and home affairs issues. Dialogue has been co-operative. There are no specifically Scottish justice and home affairs issues that require special treatment in the treaty. Our approach is correct, in that our interests on justice and home affairs matters are, in essence, the same as those of the United Kingdom Government. We favour increased practical co-operation throughout the EU and we will support legally binding measures if they are necessary and in our best interests. That is our position and the approach that we and the UK Government have taken.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): Under the EU reform treaty, the UK Government has complete control over whether we participate in any particular justice and home affairs issue. Does the minister welcome the excellent opt-in arrangements that have been secured by the UK Government?

Linda Fabiani: As the member knows, as Minister for Europe, External Affairs and Culture, my role is to ensure that there is co-operation across all departments, to ensure that Scottish interests are represented by our cabinet secretaries and ministers. If there is an issue of concern to Mr Chisholm, I will ensure that he receives a response from the Cabinet Secretary for Justice.

European Union Funding

6. Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Executive what role the Minister for Europe, External Affairs and Culture plays in supporting community groups in applying for EU funding. (S3O-1158)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): Scotland has a well-developed structure in place to support and guide organisations in applying for structural funds, which come under the portfolio of Jim Mather, the Minister for Enterprise, Energy and Tourism.

I understand that support to smaller-scale community organisations in rural communities is provided through LEADER, the EU's programme for community-led rural and economic diversification, which is administered by our rural directorate.

We have governmental contracts with two organisations to provide support for applicants for structural funding in the lowlands and uplands and in the Highlands and Islands. The support includes the delivery of workshops and seminars throughout Scotland to promote and explain the use of structural funds.

Duncan McNeil: If John Swinney is responsible for European structural funds, Stewart Maxwell is responsible for community organisations and Jim Mather is responsible for something else, I am tempted to ask what the Minister for Europe, External Affairs and Culture is responsible for.

Is the minister aware that her Government's refusal to resolve the community regeneration funding crisis is not only forcing vital community projects in my constituency to issue redundancy notices to its dedicated workers but preventing projects from accessing crucial European funds? Can we have an assurance from the minister today that she will do everything in her and her Government's power to ensure that our communities are not deprived of European funds to which they are entitled?

Linda Fabiani: I state clearly that before the last election, when I was convener of the previous European and External Relations Committee, we warned the then Government that it had to put in place decent interim arrangements for the new structural funds. Although I am more than happy to pass on to my appropriate colleagues Mr McNeil's concern, I tell him that the situation has been going on for a very long time.

Johann Lamont (Glasgow Pollok) (Lab): The minister spoke about how important it was to put in place structures before the last election. Would she like to comment on the fact that the Minister for Communities and Sport informed me that it was impossible to make any commitment on the community regeneration fund ahead of the comprehensive spending review, but then made a U-turn last week and announced transitional arrangements that could have been put in place two months earlier? Does she recognise that such hesitancy means that community planning partnerships, as the strategic delivery bodies for

European funding, might end up being unable to access money because we cannot guarantee them the necessary matched funding? Will she urge her ministerial colleague to ensure that the £40 million of community regeneration funding that currently comes to Glasgow continues to play its critical role in enabling access to further funding to benefit our local communities?

Linda Fabiani: I remind the chamber that the responsibility for delays to the comprehensive spending review rests with Westminster; it does not rest with the Scottish Government.

Fèisean Movement

7. Peter Peacock (Highlands and Islands) (Lab): To ask the Scottish Executive what contribution it considers that the fèisean movement has made to the development of music, language, culture and confidence in the Highlands and Islands and more widely. (S3O-1165)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): For many years, I have been a fan of the artists, performers and, indeed, the organisers of the fèisean movement. Earlier this summer, I had the pleasure of attending Fèisean nan Gàidheal's annual conference in Aviemore, where I heard about the tremendous work that the organisation carries out.

I believe absolutely that the fèisean movement enriches the lives of all the people who are involved in its activities, and that has been happening for 25 years. We support the strong, diverse and confident cultural life in Scotland, and organisations such as Fèisean nan Gàidheal contribute to it.

Peter Peacock: On a visit to the Royal Scottish Academy of Music and Drama a few weeks ago, I am aware that the minister learned about exciting plans to develop a fèis academy. Does the minister share my belief that that exciting proposal would support established success and further develop great local talent? Will she look favourably at supporting the proposal, which could also serve as a tangible and highly appropriate legacy of the year of Highland culture?

Linda Fabiani: The proposal is very interesting, and I am sure that the member will be interested to know that I have arranged a meeting with its proponents. I think that Bryan Beattie and Arthur Cormack are coming to see me in December to discuss the matter further. As in any other situation, we will consider the plan that is put before us, but the idea is certainly very exciting.

"Making the Act of Union" Exhibition

8. John Lamont (Roxburgh and Berwickshire) (Con): To ask the Scottish Executive whether it will make efforts to find a permanent public home

for the “Making the Act of Union” exhibition after it leaves the Parliament. (S3O-1090)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The excellent exhibition shows the shared history of our nations on these islands. The archive documents cannot be exhibited permanently. I have checked, and I understand from experts that exposure to light could cause irreversible and cumulative damage. The documents and oil paintings in the exhibition were loaned by the parliamentary archives at Westminster, the House of Commons, the royal collection and the National Archives of Scotland, and they have to be returned shortly.

I opened the exhibition and found it extremely interesting, so I am pleased to note that a feature based on the exhibition, including images of the documents, as well as text and illustrations selected from the exhibition, will be placed on the website of the National Archives of Scotland when the exhibition closes.

John Lamont: Does the minister agree that, given the great economic and cultural benefits that Scotland has enjoyed by being part of the United Kingdom, the subject should be promoted more in our schools? Does she therefore agree that the Act of Union exhibition should remain in Scotland and could be toured around some of our schools to demonstrate the importance of Scotland remaining part of the United Kingdom?

Linda Fabiani: First, I tell Mr Lamont not to be quite so silly. Did he not listen to my answer? He wants the exhibition to tour round schools, but I have already said that exposure to light would cause irreversible and cumulative damage to the documents. I am sure that no member—whether nationalist or unionist—wishes that to happen.

Alasdair Allan (Western Isles) (SNP): I am interested to hear that exposure to light could cause irreversible damage to the Act of Union. I am sure that many of us agree with that sentiment.

In the light of the many controversial criminal aspects that surround the Act of Union and the circumstances of its creation, will the Government consider the Lothian and Borders Police museum of crime on the Royal Mile as a potential home for the Act of Union?

The Presiding Officer (Alex Fergusson): A brief answer will suffice, minister.

Linda Fabiani: I am sure that the Presiding Officer will consider it fair that I give no more credence to Mr Allan’s comments than I did to Mr Lamont’s.

Education and Lifelong Learning

Pupil Indiscipline

1. David McLetchie (Edinburgh Pentlands) (Con): To ask the Scottish Executive when it will introduce new guidelines to help schools tackle pupil indiscipline. (S3O-1099)

The Minister for Children and Early Years (Adam Ingram): The Scottish Government will develop in the next 12 months a new strategy on behaviour in schools, including guidance on promoting positive behaviour and dealing with more serious indiscipline. It will do so in consultation with relevant stakeholders. *[Interruption.]*

David McLetchie: The commitment to publish new guidance was made in the Scottish National Party’s election manifesto, to which the Opposition now pays much more attention than the Government pays. Earlier this afternoon, my colleague Murdo Fraser asked the Deputy First Minister why the SNP no longer supports the publication of annual statistics on violence in our schools, which used to be published under the previous regime until it discontinued them. The Deputy First Minister told Mr Fraser, and the Cabinet Secretary for Education and Lifelong Learning has confirmed it, that the Government is considering how that information might be published and in what format, but that cost factors must be considered.

Will the minister confirm that that means that the Government is prepared to publish guidance without having at its disposal all the relevant information about the number and nature of violent incidents in our schools? If having such information was desirable in the past before publishing such guidance, why is it unnecessary now?

Adam Ingram: As David McLetchie is aware and as the Deputy First Minister has said, the statistics to which he refers are currently neither robust nor reliable. The cabinet secretary has therefore instigated a review of the costs and benefits of producing a viable data set. We will make a judgment at the end of that process and in consultation with relevant parties, such as the discipline stakeholder group, about whether publishing annual statistics would add value to our efforts to tackle indiscipline in schools. We are predisposed to openness but also to cost-effectiveness. *[Interruption.]*

The national discipline survey “Behaviour in Scottish Schools”, which was published this time last year, showed that bad behaviour had not increased since 2004, that violence against teachers was rare and that the key classroom concern was the drip, drip effect of low-level

indiscipline such as talking out of turn and making unnecessary noise.

Tricia Marwick (Central Fife) (SNP): On a point of order. It is appropriate that the minister has talked about indiscipline and talking out of turn, as we have heard yet again obnoxious comments from Mr Foulkes from a sedentary position. Given your previous strictures on the matter, Presiding Officer, is it now time to deal with Mr Foulkes, whose behaviour is unacceptable?

The Presiding Officer: That is a judgment for the chair, as I know you are aware, Ms Marwick. I will deal with the matter at the appropriate time and in the appropriate place.

Rhona Brankin (Midlothian) (Lab): Is discipline a national priority? If so, will the minister assure us that the national priorities action fund, which ring fences money to deal with indiscipline, will be maintained?

Adam Ingram: The Deputy First Minister addressed that question in an answer this morning. I say to Labour members that all those with the well-being of Scotland's schools at heart are thanking their lucky stars that the SNP Government is having no truck with the daft policy that is being pursued by their counterparts down south, under which young people who do not want to be at school will be compelled to stay on. It is hard to think of a policy that will have a more disruptive impact on the learning environment in our schools.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): On 10 September, I lodged a question in which I asked the Scottish Government

"how many meetings of the Ministerial Taskforce on School Discipline have taken place since May 2007".

On 25 September, I received the answer that

"The Discipline Stakeholder Group has not met since May 2007."—[*Official Report, Written Answers*, 25 September 2007; S3W-4154.]

Has the group met subsequently? If, as the minister said, the matter is a priority for the Government, why did the task force not meet in the first six months of the Administration?

Adam Ingram: As I have indicated, the discipline group will meet shortly. We are also awaiting input from bodies such as Her Majesty's Inspectorate of Education, which is currently reviewing the effectiveness of extended provision, by which I mean on-site or off-site units to support pupils' behavioural needs. Advice and guidance from those bodies will need to feed into the process.

The Presiding Officer: Question 3—I am sorry, I am at it again. Question 2.

Dumbarton Academy

2. Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Executive whether it considers that a new school is required to replace Dumbarton academy. (S3O-1129)

The Minister for Schools and Skills (Maureen Watt): West Dunbartonshire Council had an offer of financial support from the former Scottish Executive for a schools public-private partnership project that included the replacement of Dumbarton academy, an offer that remains open. It is, though, entirely a matter for the council to decide on the components of the project.

Jackie Baillie: From her answer, the minister may not be aware that, only yesterday, the SNP members of West Dunbartonshire Council's schools project board voted to remove entirely Dumbarton academy from the schools regeneration project. The consequences of the decision are that there will be no new school and there will be no investment of almost £30 million that had been promised—nothing to improve the educational environment for children at the school. The First Minister promised to match Labour's school building programme "brick for brick". Where have all the bricks for Dumbarton academy gone?

Maureen Watt: The member is disingenuous in saying that the SNP removed that project. The member, if she was telling the truth, would of course have said that the decision was to refuse planning permission. [*Interruption.*] The decision was taken unanimously by the whole council and has turned the entire PPP project into a complete and utter mess.

The previous Administration took the project to the planning stage but the application was unanimously rejected by the whole council. As a result of political issues in the administration of the previous West Dunbartonshire Council, the project is well behind other PPP projects. As a result of the planning decision, the SNP Administration is left having to decide whether to continue with the rest of the PPP project, or to abandon it.

Jackie Baillie rose—

Bill Butler (Glasgow Anniesland) (Lab): On a point of order, Presiding Officer.

The Presiding Officer: I think that I am about to deal with it, Mr Butler. If you wish to come in again, you may do so.

I say to the minister that I am slightly concerned that she used the phrase,

"if she was telling the truth".

That comes very close to accusing the member of deliberately misleading Parliament. I offer you the opportunity to clarify the situation, minister.

Maureen Watt: I apologise sincerely for that, Presiding Officer.

Jackie Baillie: May I come back in, Presiding Officer?

The Presiding Officer: On this occasion, you may, Ms Baillie.

Jackie Baillie: I am grateful, Presiding Officer. It is important to correct inaccuracies that are spoken in the chamber.

The minister may wish to be aware that the planning committee is not, of course, a committee of the whole council; it involves only a small number of members. Will she join me in trying to seek solutions? Her Scottish Government official, who attended the schools project board meeting yesterday at which the decision was taken—it was taken not by the planning committee, but by the schools project board—said that the Government would be prepared to extend financial close. Will she do so now?

Maureen Watt: How the PPP project in West Dunbartonshire Council proceeds is a matter for that council. As I said, the offer of financial support for a PPP project remains. It is up to the council to decide on any proposals that it presents to the Government in relation to the project. It is the council's decision that has put the project into disarray.

Traditional Music (Teaching)

3. Rob Gibson (Highlands and Islands) (SNP): To ask the Scottish Government what plans are being made to spread the teaching of Scottish traditional music and song in primary and secondary schools across Scotland. (S3O-1113)

The Minister for Schools and Skills (Maureen Watt): The opportunities for children and young people to access traditional music and song in schools across Scotland are generally healthy. Of the 32 local authorities, 30 and Jordanhill school offer some form of Scottish traditional music as part of their primary 6 target provision under the youth music initiative. Provision is also made at the school of traditional music in Plockton.

The curriculum in Scottish schools is not based on statute. Arrangements for determining the curriculum are for schools and education authorities to decide. The curriculum for excellence will establish a new framework for those decisions, which will include a Scottish perspective on the expressive arts.

Rob Gibson: I thank the minister for that answer but, sadly, I must draw her attention to the occasional hostility of conventionally trained music teachers to traditional music tutors who are delivering the youth music initiative. Will the minister investigate the means to train and deploy

fully-qualified teachers of traditional music and song in our schools to promote the rightful place of our popular and unique indigenous music in our education system?

Maureen Watt: I am disturbed to hear of that hostility among conventional music staff and I would like to hear about examples of it from the member. I am aware of good work that is being done through the fèisean movement, which my colleague Linda Fabiani mentioned in reply to an earlier question. In the north-east, many talented musicians give master classes; for example, Paul Anderson, with fiddle music. As Linda Fabiani mentioned, we are awaiting Fèisean nan Gàidheal's proposals for a skills academy in the traditional arts. We will make progress from there.

Elizabeth Smith (Mid Scotland and Fife) (Con): In answer to Mr Gibson's question, the minister outlined some plans with regard to music education. What plans does the Scottish Executive have to expand outdoor education in Scottish schools?

The Presiding Officer: The original question was about music and song, minister, so I do not require you to answer that.

People not in Education, Employment or Training

4. Mike Pringle (Edinburgh South) (LD): To ask the Scottish Executive what progress is being made on its strategy on people not in education, employment or training. (S3O-1176)

The Minister for Schools and Skills (Maureen Watt): Our ambition is for all young people to stay in learning post-16 so that they develop the skills that will enable them to succeed in life. A concerted national effort is under way through the curriculum for excellence and skills for Scotland, which is designed to achieve transformational change in learning, teaching and leadership in the Scottish education system.

We recognise that significant changes to the system are required to help young people who need more choices and chances. To that end, we have built considerable momentum in local authorities, schools, Careers Scotland, training providers, colleges, employers, the third sector and the many other partners that are necessary if we are to make real progress on the agenda. All local authorities have established robust partnerships to transform the learning and support that are on offer to that group of young people.

My ministerial colleagues and I have already visited areas that have a higher than average number of young people who are not currently in education, employment or training. We intend to work in close partnership and on an on-going

basis with those areas to produce real improvement in them.

Mike Pringle: Does the minister agree that, although a focus on the poorest performers is necessary, we must also ensure that those who are on the cusp of that group have more opportunities to prevent them slipping further? Is she aware of the jobs, education and training—JET—programme in my constituency, which provides work experience and training for young people while they are still at school? Will the minister give a commitment to examine that highly successful programme closely and to consider how its success could be replicated throughout Scotland as part of the approach to tackling the NEET problem?

Maureen Watt: The JET programme is a year-long work-based learning programme run by the South Edinburgh Partnership. As Mr Pringle said, it combines school education with vocational training and work experience in the City of Edinburgh Council. The one-year programme is currently aimed at secondary 4 pupils, who study for their standard grades at school and undertake a work-experience placement one day a week. The young people study for a level 2 Scottish vocational qualification in business and administration or customer services. Additionally, the young people will develop core skills and the abilities that they need to become active, enterprising and responsible members of society. They will also learn key skills and attitudes for employability, particularly those that employers are looking for in the workplace.

There was a recent review meeting with the City of Edinburgh Council to discuss the progress towards introducing more choices and more chances. The council highlighted the JET programme as being particularly successful. It currently operates in eight schools in the city.

Jamie Hepburn (Central Scotland) (SNP): On 5 September this year, in response to written question S3W-3451, the Cabinet Secretary for Education and Lifelong Learning indicated to me that in 1999 some 20.4 per cent of people aged between 16 and 19 in the NEET category had a disability and that, by 2006, the figure was 21.7 per cent. That suggests that there is a persistent number of people in the NEET category who are disabled. What recognition of the position of those disabled people who are not in education, employment or training will there be in the Government's strategy?

Maureen Watt: The strategy was published and sets out what we want to achieve. We are now in the process of discussing how it can be achieved. I am well aware of the particular needs of disabled people who fall into the NEET category. Clearly, they require extra care and support and we will

ensure that that issue is part of our deliberations when we take the skills strategy document "Skills for Scotland: A Lifelong Skills Strategy" to the next stage.

Classroom Assistants

5. Cathie Craigie (Cumbernauld and Kilsyth) (Lab): To ask the Scottish Executive what action it has taken in respect of classroom assistants since the publication of the Equal Opportunities Commission's report, "Valuable Assets: A General Formal Investigation into the Role and Status of Classroom Assistants in Scotland's Primary Schools". (S3O-1136)

The Minister for Schools and Skills (Maureen Watt): My officials have had several constructive meetings with the former Equal Opportunities Commission about the recommendations made in its report. The Scottish Government has already confirmed that it will be represented and participate fully in meetings of the national action group that will be facilitated by the Equality and Human Rights Commission. The first meeting is due to take place on 20 November 2007.

Cathie Craigie: I appreciate that response, but I have some concerns. The Labour Party's manifesto promised to offer formal training for classroom assistants, but the Scottish National Party's manifesto made no direct mention of classroom assistants. Is the Administration truly committed to the further steps that are needed to gain a stronger recognition and integration of the work of schools' support staff, such as classroom assistants, in Cumbernauld and Kilsyth and elsewhere in Scotland? Does the minister agree that the Executive should, along with local authorities, investigate how to improve the qualifications, career paths and personal development of classroom assistants and school support staff?

Maureen Watt: As Cathie Craigie rightly points out, the terms and conditions of service for classroom assistants are a matter for local authorities as employers. On the day of its publication, the EOC report received quite a dusty response from Pat Watters, a member of Cathie Craigie's party—she will correct me if I am wrong—and president of the Convention of Scottish Local Authorities, who described it as "emotive" and said that there was no need for an action group, which was one of the EOC's recommendations. I regret that response.

As I said, the matter is the responsibility of local authorities. I have said that we are prepared to work with them in that regard.

There have been changes in the roles and responsibilities of classroom assistants in various authorities. However, I am determined to ensure

that classroom assistants have a career path. Many classroom assistants have degrees, and many want to see whether they like the classroom environment and whether they will want to go on and take a teaching qualification. I am exploring the possible career paths for classroom assistants. I want to ensure, in discussion with colleges and universities, that assistants are given such opportunities.

Inner-city Schools Closures (Guidance)

6. Lewis Macdonald (Aberdeen Central) (Lab): To ask the Scottish Executive whether the guidance issued by the Cabinet Secretary for Education and Lifelong Learning on 11 October 2007 imposed any new requirements on local authorities in relation to the closure of inner-city schools. (S3O-1155)

The Minister for Schools and Skills (Maureen Watt): There has been no change in the statutory framework and requirements relating to school closures, inner-city or other. The Cabinet Secretary for Education and Lifelong Learning reissued the 2004 guidance as it was, but with a covering letter to education conveners emphasising certain aspects of its application.

Lewis Macdonald: Does the minister agree that any efforts of her Government to reduce class sizes to 18 in primaries 1, 2 and 3 will mean that cities such as Aberdeen will need more primary schools rather than fewer? Will she reassure parents of children at schools that are under threat in my constituency that current underutilisation of capacity will not be accepted as an excuse for school closures?

Maureen Watt: The member will be aware that the current administration in Aberdeen City Council has said that it is reviewing its estate. It has not earmarked any schools for closure. The only people who are talking about school closures in Aberdeen are people in the Labour Party, and the only people who are putting fear into pupils and parents in Aberdeen are people in the Labour Party. Perhaps the member will speak to his Labour colleagues on Aberdeen City Council. They approved the budget to take our measures forward.

European Union Priorities

The Presiding Officer (Alex Fergusson): The next item of business is a debate on motion S3M-793, in the name of Linda Fabiani, on the Scottish Government's European Union priorities.

14:57

The Minister for Europe, External Affairs and Culture (Linda Fabiani): We set out in our manifesto a commitment to make Scotland's voice louder in Europe. We are committed to achieving that for the benefit of the people of Scotland as a whole—to help Scottish businesses become wealthier for the good of all, and to allow our communities to live in a fairer society.

I say unequivocally that this is a pro-European Scottish Government. Fundamentally, we are committed to ensuring that Scotland plays the fullest role, and a positive role, in developing an effective European Union. Yes, we want to secure from the EU opportunities for regional development funding, for research funding, for learning opportunities for our students, and for business opportunities for our entrepreneurs. However, we also want to contribute from our Scottish traditions and heritage of justice, equality, democracy, opportunity and acceptance to a European Union that also protects and cherishes those values and makes them integral to its internal workings and its dealings with the rest of the world.

John Scott (Ayr) (Con): Will the minister take an intervention?

Linda Fabiani: Not yet, thank you.

Yes, we acknowledge that there are some imperfections in the existing regulatory framework that are not helpful to Scottish interests. We will strive to improve those. And yes, we recognise that—in a very diverse EU of 27 member states and many more nations, regions, communities and identities—solutions have to be found that are inevitably compromises that cannot fully please everyone. However, we will do our utmost to ensure that Scotland is not disadvantaged by them in the areas that matter most to us.

Our first step towards ensuring this, and towards securing our interests, has been to agree what really matters to us in the European Union. We cannot waste our resource by trying to fight every battle; we have to concentrate on the things that matter most. We have determined that our six most important political objectives are: fisheries and aquaculture; EU treaty reform; the EU budget review; justice and home affairs issues; EU energy policy; and agriculture.

Margo MacDonald (Lothians) (Ind): Does size matter in Europe? That question might sound facetious, but I am interested in whether, in contributing to a better Europe, this Government believes that there is no end to the size of Europe. Is there a limit to the number of countries that could join the European Union?

Linda Fabiani: I am disappointed, as I thought that Ms MacDonald was going to give me the chance to say—and I will say it anyway—how wonderfully small independent nations do in Europe. In some ways, the eventual size of the European Union is constrained by what Europe is. The European Union is dependent on the countries of Europe.

The six objectives that I have set out are the Government's longer-term political goals. I hope that members can support them as representing the core of Scottish interests in Europe at present.

John Scott: Will the minister give way?

Linda Fabiani: No.

We shall focus a good deal of our efforts on ensuring that the developments in relation to our objectives are, at least, acceptable and, preferably, advantageous to us. In addition, we have compiled a table of 21 proposals that make up the Scottish Government's EU priorities. They include better regulation, energy, climate change and financial services, to name but a few. When addressing shortly forthcoming EU policies, the Government will focus its immediate attention on that table of priorities.

I am keen that the priorities should be accessible to all and that everyone should have the opportunity to contribute to their development. That is why the table is available on our website and has been widely distributed to our stakeholders. In determining our EU priorities as the Scottish Government, we have taken decisions that we consider to be in the overall Scottish interest. However, we have tried to base those decisions on discussion and consultation with others.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Part of the issue is what the Scottish Government does in Scotland once European policies have been set. One of the priorities that it has identified is structural funds. Is the minister as concerned as I am that, since May, there has been a tightening of the approach to structural funds in the south of Scotland that will make it harder for the area to access European regional development funding under the lowlands plan? Will she commit herself to re-examining the plan before it is signed, sealed and delivered, to allow the south of Scotland greater flexibility in that regard?

Linda Fabiani: Everyone knows that Scotland got a much less generous structural funds settlement in the 2007 to 2013 round. However, the decision to have a set-up that distinguishes between lowlands and uplands and Highlands and Islands was taken many months ago. I am sure that Mr Swinney, the cabinet secretary with responsibility for structural funds, will read Mr Purvis's comments with interest.

The European and External Relations Committee of the Scottish Parliament is obviously a key player in European affairs in Scotland, tasked with scrutinising the Government's performance. As a former convener, I believe strongly in the role that the committee plays in parliamentary scrutiny and that its views are important in helping to inform the Government's policies. For that reason, I have committed myself not only to presenting our EU priorities to the committee on a six-monthly basis but to doing so ahead of official publication, ensuring that the committee has the opportunity to comment on the EU priorities that have been selected and to suggest others that it wishes to see included.

John Scott: Will the minister give way?

Linda Fabiani: Go on then.

John Scott: I thank the minister for giving way at my third attempt. She will be aware that new route development funding is under threat as a result of revisions to current EU guidelines. Can she assure Parliament that the Government is doing all that it can to protect that funding, which is vital to the future of Prestwick airport in my constituency?

Linda Fabiani: My role as minister with responsibility for Europe is to bring about co-ordination across portfolios, to ensure that Scotland's interests are looked after in the best possible way. The appropriate cabinet secretary will be extremely interested to read Mr Scott's comments.

In addition, I am keen for EMILE, which stands for European elected members information liaison and exchange—the EU is very good at acronyms—to play a role in the process of identifying priorities. The network is very useful, as it brings together members of the Scottish Parliament, the European Parliament and local government, as well as Westminster. I shall ask for members' views at our meeting this evening.

Each of the priorities relates to one or more of the Scottish Government's overall objectives, and I hope that the outcome of each will contribute to those objectives. For example, we have prioritised the European structural funds programmes in support of a wealthier and fairer Scotland. As I said in response to Jeremy Purvis's question, Scotland has fewer resources from those funds

than it has had in previous years, largely reflecting the fact that the enlarged European Union has many new areas in need of significant economic growth. We will continue to work to ensure that those funds are channelled appropriately and effectively into supporting projects in communities that will benefit economically from them.

We are working to deliver a greener Scotland, and we have identified several EU issues as important in that regard. One that I will single out, partly because it does not always receive much attention, is the soil thematic strategy. Scotland has an extremely good record on soil protection that we are keen to continue and develop. We have carried out a formal three-month consultation on the implications of the proposed soil framework directive in Scotland. Ultimately, we need to ensure that the Scottish position is incorporated into negotiations, as Scotland's soils are different from those in the rest of the United Kingdom—they contain large amounts of carbon.

The EU proposal for the exchange of information on criminal records should also assist our objective of a safer and stronger Scotland. We welcome that proposal, as information on the criminal behaviour of citizens from other member states who live and work in Scotland will assist Scottish police forces in their efforts to prevent or detect crime. Exchange of information will also ensure that criminal activity by people from Scotland who are elsewhere in the EU will come to the attention of the Scottish police service.

Margo MacDonald: Will the minister give way?

Linda Fabiani: I have to move on—I am sorry.

We are working closely with the UK Government in taking forward the implementation of the framework decision on that proposal.

As part of our delivery of a healthier Scotland, we are carefully considering the EU white paper "A Strategy for Europe on Nutrition, Overweight and Obesity related health issues", which was published in May. We all know that that is an extremely important policy area. We already have strong strategic policies in place on physical activity and healthy eating, which jointly contribute to tackling obesity and overweight. We shall be happy to participate in the sharing of best practice, as recommended in the white paper. We hope to share our positive experiences with others and to learn from others to assist with continuously improving Scotland's health. There are many other initiatives on which I would be more than happy to give details.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Will the member take an intervention?

Linda Fabiani: No, thank you. I am running short of time.

The list of our priorities contains both reserved and devolved issues. It is important to recognise that, although the Scottish Government does not have jurisdiction over certain areas, that does not mean that those areas do not affect Scotland. We will of course seek to work constructively with the UK Government to ensure that, when a proposal emerging from Brussels in a reserved area would potentially have an impact in Scotland, our interests are protected and appropriately represented by the UK Government.

The Deputy Presiding Officer (Trish Godman): You have one minute left.

Linda Fabiani: Am I allowed longer, Presiding Officer, given the number of interventions that I have taken?

The Deputy Presiding Officer: No.

Linda Fabiani: I apologise to the Parliament as I cannot share all the extremely interesting information that I have in front of me.

In relation to all our priority issues, we acknowledge that, at present, the UK is the EU member state. Of course, we would rather it were different. However, we will work constructively with the UK Government to ensure that Scotland's interests are properly pursued through the existing mechanisms. In many cases, we find that what we want is in line with what the UK wants, and there is no difficulty. In cases in which that is less true, I assure members that we will press Scotland's case very firmly with UK ministers to ensure that their position reflects what Scotland needs, as far as that is possible under the existing system, which tends to constrain Scottish demands.

We will also work closely with the other devolved Administrations, with which we very often share common EU interests, and with other member states, with which we can exchange experiences and best practice.

I am happy—

George Foulkes (Lothians) (Lab): Oh!

Linda Fabiani: I am always happy—and Lord Foulkes looks very happy too.

I am happy to acknowledge that the Westminster Parliament has for many years undertaken excellent work on EU matters through the scrutiny committees of both its Houses. I recently met Michael Connarty, the chairman of the House of Commons European Scrutiny Committee, and I was very encouraged by that committee's approach to the devolved Administrations. I want to continue to work with him to ensure that that work becomes a reality, particularly in relation to our EU priorities.

Scotland needs a European Union that works for us, yet neither we nor any one other country or person sets the EU's agenda. Therefore, we will concentrate on ensuring that, as the European Union continues to evolve, it does so in a way that we can support, along with the people of Scotland.

I am sorry that I have not been able to cover some of the other things that I know members are interested in, but I will be closing the debate and I will try to pick up on members' queries.

I move,

That the Parliament notes the importance of EU policies and legislation to the Parliament, its Committees and to Scotland and notes the priorities identified by the Scottish Government for particular attention.

15:09

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I am delighted that the minister began by saying that she represents a pro-European Scottish Government, although I am not sure whether that can be said for all of her party. I am also not sure whether it is demonstrated by the SNP's somewhat bizarre attitude to the European treaty.

I am also glad that the minister mentioned, among other issues, the soil thematic strategy—not least because our own Sarah Boyack led for the United Kingdom in discussions on the framework directive on the protection of soils. That is relevant to remarks that I will make later in my speech.

I am pleased that the minister will, like her predecessor, attend the European and External Relations Committee every six months to present her EU priorities.

I will outline the background. In December 2005, the then Scottish Executive implemented a new process for selecting its EU priorities. Instead of focusing on the short-term plans of the presidency and the European Council, the Executive devised a more strategic approach, which focused on dossiers over the medium to long term. That comparatively new approach is based on the European Commission's legislative and work programme, the European Council's operational programme for the following two presidencies and the current European Parliament work programme.

Of the 21 dossiers before us today, 20 are from the list of 24 dossiers that was agreed by the previous Administration in February, when four overarching priorities were also identified: energy and climate change; sea fisheries; structural funds; and the draft spirit drinks directive. Issues with the draft spirit drinks directive have been successfully resolved, but it would be useful to

know whether the current Scottish Government also has overarching priorities and, if so, what they are. It would also be useful to know which of the priorities listed by the Government involve positive action—and the timescale for that action—and which merely require a watching brief.

I do not complain about the fact that there is a mixture of reserved and devolved issues in the list of priorities, since that replicates the pre-election situation. However, the Parliament and its committees may wish to pay most attention to the issues that are devolved or which impact directly on devolved matters—as the reform treaty does.

If there is a great deal of continuity between the previous Administration and this one when it comes to EU priorities, the same cannot be said of this Administration's new category of EU political objectives. We may wonder what the connection is between the priorities and the objectives. My initial thought was that the priorities had been written by civil servants and the objectives by politicians.

The objectives are full of SNP obsessions. The first objective, on fisheries and aquaculture, is dominated by the "capital importance" of Scotland's fisheries minister acting as UK lead minister at the fisheries council. Scottish ministers have led EU negotiations for the UK at not only the fisheries council but a number of EU councils. As I said, in February, Sarah Boyack led on the framework directive on the protection of soils, which is one of the 21 dossiers before us today.

If Scottish ministers lead for the UK, that is, of course, based on their securing an agreed UK position—something that has been achieved on many occasions on many subjects for EU councils. The benefit of that approach is that the Scottish position gets the backing of the UK, with its powerful voice at every EU council. Scotland gains strength in Europe through being part of the UK delegation—that is the opposite of what the SNP persistently claims.

Margo MacDonald: Can the member give an example of how we benefited from being part of a strong UK delegation when the matter under discussion was the banning of British beef, given that in Scotland we did not have any of the infection concerned?

Malcolm Chisholm: There are hundreds of examples of when we have benefited. I am not saying that one or two exceptions cannot be found, but the fact is that, on an enormous number of occasions, Scotland has benefited from being part of the UK delegation.

What effort has the SNP put into securing an agreed position on fishing rather than posturing about constitutional arguments? How does Richard Lochhead help his chances of leading the UK delegation by telling the SNP conference that

he is being gagged by the UK and that he is not allowed to have his say or represent the Scottish interest? He should instead build up trust with the UK Government and satisfy it that he would stand up for the Scottish fishing interest as part of standing up for the UK fishing interest.

Today is not a day for detailed debate on fishing, but my understanding is that there is not such a great gulf between Scottish fishermen and the UK Government as we are sometimes led to believe.

Mike Rumbles: Will the member take an intervention?

Malcolm Chisholm: I have not got time to take interventions now—time is running away from me.

At yesterday's meeting of the Rural Affairs and Environment Committee, the head of the Scottish Fishermen's Federation gave the impression that he was, to a considerable extent, content with the negotiations as they have been led by the UK Government. I should perhaps also refer to the cod recovery plan, as it is one of the dossiers that is before members today. As the Scottish Executive, we helped to negotiate that plan as part of the UK, and it is now leading to a significant degree of recovery, opening up the possibility of review as outlined in the dossier. Perhaps it is time for the SNP to start negotiating and to stop its counterproductive posturing.

The Administration's second EU political objective, and the minister's immediate priority—according to what she said at the European and External Affairs Committee on 18 September—is our old friend the EU treaty. There is specific reference to the red line of our exclusive competence over marine biological resources—about which more in a moment—but also a welcome endorsement in the statement of political objectives for the rest of the treaty. The Government says that it acknowledges the value of institutional reforms that will make the Union more efficient and yet also more transparent and democratic in its decision making.

The Scottish Government is therefore in the ridiculous position of endorsing the whole treaty apart from one line, on the basis of which it is calling for rejection and a referendum. That position is all the more absurd because that one line does not change the status quo in any material way. The fisheries provisions in the reform treaty replicate the existing division of powers and merely put the existing position into legal form. Why has the Scottish Government got itself into that ridiculous position, and what does it hope to gain from such pointless posturing? We can speculate, but perhaps the minister will tell us in her winding-up speech.

On the treaty more generally—I anticipate what the next speaker will perhaps say in covering the

most controversial points—the mandate for the intergovernmental conference made it clear that the constitutional concept has been abandoned. Of particular relevance to this Parliament is a secure, comprehensive and legally binding opt-in on all justice and home affairs measures. On qualified majority voting, several of the extensions do not apply to the UK, many are of a purely technical nature and the rest are modest and sensible—for example, decisions on emergency humanitarian aid to third countries will be taken by qualified majority voting. Any extension of qualified majority voting will be subject to a triple lock comprising the Council of Ministers, national Parliaments and the European Parliament. Any transfer of powers is massively less significant than those that were contained in the Maastricht treaty and the Single European Act, both of which were signed by the Conservative Government without a referendum.

The EU treaty is a traditional amending treaty, with some pragmatic evolutionary changes that will streamline decision making, improve efficiency and safeguard democratic accountability. It will also allow the EU to move on from debates about institutions to creating the outward-looking Europe that we desperately need to meet the fundamental challenges of globalisation, climate change, terrorism and international development. The UK Government will propose a declaration that will spell out those new priorities at the next Council meeting in December. The new agenda is about tackling climate change and energy security; combating terrorism and organised crime; reducing global poverty; reforming the EU budget; renewing the focus on completing the single market through, for example, the liberalisation of the energy sector; and making a commitment to free trade and openness, but in a way that does not damage the developing world.

With regard to that, we should give full support to the efforts of David Martin MEP to delay the European partnership agreements between the EU and some of the poorest countries in the world that are due to come into force at the end of the year. That is the outward-looking, globally-focused Europe that we desperately need, and that will be the ultimate prize of signing the treaty.

15:19

Ted Brocklebank (Mid Scotland and Fife) (Con): I am fond of the Yiddish word "chutzpah". It is perhaps best exemplified by the story about the Jewish boy who admitted murdering his parents, but begged for leniency on the ground that he was an orphan. We cannot fault this Administration for a lack of chutzpah in its aspirations concerning Europe. The SNP Government has announced no fewer than 21 headings that are priorities for its

relations with the EU and, as we have heard, it has identified a further six EU political objectives, which, we are told, are issues that will remain to the fore over the longer term.

The SNP says that it is also developing a more detailed Europe strategy, which will be published next year. Leaving aside the question whether having so many priorities across such a diverse range of areas means that nothing is really a priority, the Government can rightly be accused of chutzpah because so many of the EU policies that it seeks to influence are on reserved matters.

Scottish Conservatives believe that the most important EU priority currently is the reform treaty. We whole-heartedly support the campaign to give the British people a referendum on the treaty, as was promised in Labour's election manifesto.

George Foulkes: Will the member take an intervention?

Ted Brocklebank: I will later, but I want to make a little progress. I intend to return to the topic but, first, I will say a word or two about the Government's stated priority of fisheries and aquaculture.

I am probably the last person in the chamber to need convincing that the common fisheries policy has been an environmental, social and economic disaster for Scotland. However, I do not think that it is realistic of the SNP to argue that Richard Lochhead should act as lead minister for the UK at the fisheries council. Although around 70 per cent of Britain's fishing industry is based in Scotland, other parts of the UK—including Northern Ireland and the west country—are home to relatively large fishing communities.

Alex Neil (Central Scotland) (SNP): Will Ted Brocklebank take an intervention?

Ted Brocklebank: I will in a minute.

The UK minister has a clear obligation to represent fishermen not only in England, but in the devolved territories as well. His Scottish counterpart has no such obligation. Indeed, for certain species, Scots fishermen could be in direct competition with fishermen from other regions. Frankly, the only person who can represent those competing interests is the UK minister.

Alex Neil: Can the member clarify the Tory position on the common fisheries policy? Is it still that Scotland should come out, or is it that Scotland should stay in?

Ted Brocklebank: David Cameron shares my view that the CFP has been an unmitigated disaster not only for Scotland, but for the rest of the UK. As the member will be aware, the Conservatives are currently reviewing their whole fisheries policy.

Where the SNP Government can have influence over the EU is in backing the Scottish Conservatives' demand for a UK referendum on the reform treaty.

George Foulkes: Can the member explain why the Conservative Government did not have a referendum on the Single European Act, the Maastricht treaty or—above all—the major decision initially to enter the European Economic Community?

Ted Brocklebank: The simple reason is that we gave no commitment to do so in any manifesto at the time.

I am not going to step into the spat between Linda Fabiani and Malcolm Chisholm over the SNP's so-called red-line issue of competence over marine resources. I am in little doubt that competence over UK fisheries was ceded to the EU in the 1973 treaty—a principle that was enshrined in the declaration that member countries should have equal access to a common resource. Sovereignty over UK waters was never abandoned; management of our fisheries was. It is because the reform treaty affects the ultimate sovereignty of the United Kingdom that we really need to hear the voice of the British people. Those who argue—as Gordon Brown tries to—that the treaty is not the constitutional treaty and that, therefore, the Labour manifesto pledge does not count have only to listen to the Labour-dominated European Scrutiny Committee of the House of Commons, which says that the treaty is virtually identical. No wonder that Gisela Stuart, a Labour back bencher, calls the Prime Minister's position "neither competent nor coherent".

We accept that enlargement requires changes. It makes sense to reorganise some aspects of EU voting and to modify the rotation of the presidency to cope with new members. However, that does not mean that a charter of fundamental rights and majority voting on issues such as energy and justice should piggyback on those changes. Despite what the Europhiles tell us, our tax and benefits systems are not safe from Europe, and our freedom in foreign policy will undoubtedly be curtailed. The reform treaty is very far from the harmless, tidying-up exercise that Malcolm Chisholm tries to portray it as; it is yet another step on the road to political union. In all its essentials, it is the constitutional treaty writ large.

Members should not take my word for that; they should listen to Valéry Giscard d'Estaing, who masterminded the whole idea. As recently as 29 October, he said that the treaty has been drafted in a way that is "impenetrable for the public". He went on to say:

"In the Treaty of Lisbon, the tools are largely the same. Only the order in which they are arranged in the tool-box has been changed."

Could anything be clearer?

Irene Oldfather (Cunninghame South) (Lab): Will the member take an intervention?

Ted Brocklebank: I have only a minute left.

Gordon Brown tries to convince us that our vaunted opt-outs, which of course can be overturned by the European Court of Justice, mean that we are safe from interference for perhaps as long as a decade. However, the one thing that we understand about the Eurocrats is that they are infinitely patient and determined.

When the voters are allowed to express an opinion, they repeatedly reject the European juggernaut. The Norwegians said no to membership; the Danes said no to Maastricht, the Irish said no to the treaty of Nice; the Swedes said no to the euro. Each time, the governing class sent the people back to the polls to get the answer right.

The SNP can show real chutzpah by joining with this most unionist of parties to make a UK referendum on the reform treaty its top EU priority and by holding a debate in this chamber sooner rather than later to send a clear warning to Gordon Brown that if he fails to honour his party's election pledge to give the British people a say on Europe, he will do so at his peril.

15:25

Iain Smith (North East Fife) (LD): I missed the debate on the European treaty in September and the European and External Relations Committee's evidence session with the minister on EU priorities, so I welcome the opportunity to contribute to this debate.

I have a confession to make: I am a committed European. It is pertinent that we are having this debate in remembrance week, because we must remember that the European Union came about after the European continent was devastated by two massive world wars. It is also pertinent to note that, of the 27 member states of the European Union, 25 have been under occupation or dictatorship at some point in the past century—only Britain and Sweden managed to avoid those fates.

I believe strongly that Britain and Scotland should have been more involved in Europe right from the start and that we have suffered as a result of being the tail-end Charlies of Europe. Rather than being in at the start and helping to shape and mould it, we have spent too much time sitting on the sidelines carping and moaning. We were not in at the start when the Community was formed 50 years ago but had to fight to be allowed in 16 years later. We were not in when the single European currency was being developed. We lost

the chance to bid for the European Central Bank, which could even have been located in Edinburgh, which would have cemented our position as a leading world financial centre.

I am just about old enough to remember the UK joining the EEC in 1973. I certainly remember the 1975 referendum; it was snowing and our school sports day was cancelled, but I was delighted that the UK voted to stay in Europe. However, even with that membership confirmed, Britain and Scotland have not been served well by either Conservative or Labour Governments because of the negative approach that they have taken to Europe throughout the time that we have been a member.

I hope that we do not see the same from the SNP Government. I hope that its number 1 priority will be to engage positively with Europe both directly and through the member state, the United Kingdom. I am not saying that it should do so uncritically or that we should not act to protect Scotland's specific interests where necessary, but we have to do that in a way that will build good will for Scotland so that our concerns are listened to when it matters. It is particularly important that the Government does not get hung up on constitutional niceties with the United Kingdom Government, but concentrates on putting forward the best possible case in Scotland's interests.

We have already heard much about fishing. The SNP is obsessed with whose name is on the name-plate on the table when the fisheries council has its vital meeting in December. However, everyone who has had the pleasure of having supper—as I have many times—with Europe's longest-serving fisheries minister, Ross Finnie, following the fisheries council, knows that what goes on at the council meetings does not always take place in the formal meetings at which the formal decisions are taken. Much of it goes on at length in bilateral negotiations with the Commission and other member state delegations. Scotland's minister has been fully involved in such discussions—I have had verbatim reports of them from Ross Finnie on many occasions, as have many of my colleagues.

The process starts much earlier than that. The Scottish Executive puts forward its case to the Commission long before any proposals are drawn up. That has improved the quality of the scientific evidence that the Commission has to base its information on. The minister acknowledges that in the EU priorities document, which was presented first to the European and External Relations Committee in September. It states:

"As in previous years, the Government will ensure that the EU Commission is fully aware of the importance of fisheries issues to Scotland."

Ross Finnie should be congratulated on his efforts over eight years to ensure that Scotland's interests were taken seriously by both the Commission and the UK Government. I hope that the SNP Government will not blow that by concentrating on who sits at the table rather than on what is said at the table.

Ted Brocklebank: Does the member also think that Ross Finnie should be congratulated on the fact that the Scottish white-fish fleet dropped from 650 boats to 120 boats on his watch?

Iain Smith: Bertie Armstrong said yesterday that the fleet is at about the right level right now, and the Government has acknowledged that we needed to reduce the fishing effort in order to protect the long-term interests of the fleet.

The problem with the Conservatives' position on fisheries is that they have never come up with anything that they would put in place of the common fisheries policy. They would have had a free-for-all in the North Sea and there would be no fish left to fish for.

Fisheries are also at the heart of the debate on the draft EU reform treaty. I believe that ratification of the draft reform treaty is not only necessary but vital to protect Scotland in Europe in the long term. The draft treaty enshrines the principles of subsidiarity and specifically prevents the EU from acting in areas where it does not have competence or where it is more appropriate for action to be taken at a more local level. It also specifically recognises the role of sub-member state legislatures such as the Scottish Parliament and requires member state Parliaments to consult with devolved Parliaments where legislative competence is solely or jointly held. That is a significant improvement on the current situation.

Modernising the procedures of the European Union is vital in light of the changes that have happened to a European Economic Community that had a membership of six and a European Community that had a membership of 12 or 15. It is recognised throughout the chamber that the old rules are no longer appropriate for a European Union of 27. More powers for the European Parliament will lead to democratic legitimacy, and the extension of qualified majority voting means not only that Britain will lose its veto on some things but that Britain's interests on certain issues cannot be vetoed by other countries. That is important.

I will conclude by considering briefly the issue of exclusive competence over marine resources. The minister said that the SNP was pro-Europe, but I want the Government to consider the issue carefully. In summing up the debate on 19 September, Bruce Crawford said:

"we are profoundly opposed to the inclusion of the conservation of marine biological resources under the CFP

as an exclusive competence of the union."—[*Official Report*, 19 September 2007, c 1883.]

However, that has always been the case. Article 102 of the Act Concerning the Conditions of Accession and the Adjustments of the Treaties 1972, which preceded the UK's entry into the EEC, stated:

"From the sixth year after Accession at the latest, the Council, acting on a proposal from the Commission, shall determine conditions for fishing with a view to ensuring protection of the fishing grounds and conservation of the biological resources of the sea."

In case anyone still does not know what that means, the European Court of Justice ruled in 1979 that

"since the expiration on 1 January 1979 of the transitional period laid down by Article 102 of the Act of Accession, power to adopt, as part of the Common Fisheries Policy, measures relating to the conservation of the resources of the sea has belonged fully and definitively to the community."

There are no ifs and no buts. The act of accession that was negotiated by the Conservative Government in 1972 gives exclusive competence over the conservation of marine resources to the European Union.

The SNP must answer this question: given that the draft treaty does not change the position, if the draft treaty is not ratified and the position remains exactly the same, what will be the SNP's position on Europe? Will it be in Europe or out? It must answer that question; the current position is untenable.

15:33

Alex Neil (Central Scotland) (SNP): Nothing illustrates better than the history of the fishing industry in Europe the need for Scotland to be independently represented at the top table. If we study the history of the Scottish fishing industry over the past 35 years, since Ted Heath threw away many of our fishing industry's rights and protections in return for very minor concessions, we see that, during the intervening period, the Scottish fishing industry has been the giveaway part of the negotiations by Westminster at every cut and turn. Fishing does not matter all that much in the English economy, but in the Scottish economy it is vital. It is a vital Scottish national interest, although it is not such a vital interest south of the border.

Mike Rumbles: Will the member give way?

Alex Neil: I will not give way just now.

The result has been that, in the intervening 35 years, fishing—one of Scotland's key industries—has been the main area to suffer in negotiations in Europe.

Iain Smith and Malcolm Chisholm describe the issue of a seat at the top table as a nicety, but that nicety means that we get votes. If we have votes in Europe, we have power. If we have power, not only can we defend the fishing industry and other vital Scottish national interests, we can promote our interests as well as our wider view of how Europe and the wider world can develop.

Let me give members a very good example of where the argument that the big countries in Europe decide matters falls down: who supported George Bush on Iraq and who did not. Tony Blair, the leader of one of the big four countries in Europe, was George Bush's biggest supporter, but he could never persuade the other member states to support and pursue Bush's policy in Iraq. That is a good example of why Malcolm Chisholm and Iain Smith were—as usual—talking nonsense when they said that only the big boys have any influence in Europe.

Mike Rumbles: Will Alex Neil give way?

Alex Neil: I will take an intervention from somebody who never talks nonsense: Mike Rumbles.

Mike Rumbles: Alex Neil, the Scottish National Party minister for "Newsnight", is a little bit behind the times. At the Rural Affairs and Environment Committee yesterday, Bertie Armstrong made it clear that the Scottish Fishermen's Federation's policy is in line with UK fishing policy and that the size of the fishing fleet for Scotland is about right. He was very pro the UK position. Does Alex Neil not accept that we are in the right position with the UK Government arguing for the Scottish fishermen's interests, as Bertie Armstrong said?

Alex Neil: When we listen to the fishermen, I do not think that we find them thinking that Europe or the UK has been in the right position. We have a minister down in London who will not even answer a phone call from our Cabinet Secretary for Rural Affairs and the Environment on vital Scottish interests. When it comes to other areas of policy, many of the developments in Europe are vital to Scotland's economic interests. A seat at the table is not just a nicety.

Malcolm Chisholm tries to rubbish people who say that the so-called reform treaty is the constitutional treaty by another name but, as Ted Brocklebank pointed out, the recent report by the House of Commons European Scrutiny Committee, which is chaired by Michael Connarty and has a Labour majority, stated that the reform treaty was

"substantially equivalent to the Constitutional Treaty."

It went on to say that it was "likely to be misleading" for the UK Government to claim that the treaty no longer had the characteristics of a

constitution and warned that the special UK opt-outs and protocols that the Government has secured to protect its so-called red lines may not prove effective in practice. It also criticised the secretive process by which the draft of the new treaty was compiled.

Criticism of the process and substance of the so-called reform treaty is not confined to the SNP or Tories but is shared with many Labour MPs in the House of Commons. It is important that Scotland is at the heart of Europe. Many of the big decisions that were previously made in London are now made in Brussels but, until Scotland gets a seat at the top table as a member state with a vote and the power that goes with it, we will not be truly at the heart of Europe.

15:38

Irene Oldfather (Cunninghame South) (Lab): I had hoped that the debate would move beyond who sits in what chair at what table in what room. To be fair to the minister, she tried to move beyond that. I will talk about the things that I believe matter to the people of Europe.

Like Iain Smith, I think it important to reflect only a few days before remembrance Sunday that one of the most important benefits that the architecture of the European Union has delivered is peace in Europe. Robert Schuman, who was French foreign minister and one of the European Union's founding fathers, said:

"Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create ... solidarity."

It is no coincidence that the first European Community was set up to regulate coal and steel—the raw materials of war—and use them for the economic prosperity of the people of Europe. The extension of Europe to the east consolidates that principle. The fall of the Berlin wall must be one of the most significant democratic events of our generation.

As well as being a force for peace, the European Union has provided us with opportunities. Export is vital to the Scottish economy, and many of our key markets lie in mainland Europe and, increasingly, in the new Europe. The enlarged Europe provides us with a consumer base of more than 400 million citizens. About 300,000 manufacturing jobs in Scotland depend on that trade. Trade between the UK and the bloc of 10 new member states has increased by 400 per cent since 1990, which is 10 times faster than trade with the rest of the world. Our tourism industry relies on visitors from Europe. Our economy is intrinsically linked to that of the European Union,

However, Europe is more than just a trading bloc. There are social benefits and opportunities, and there is a social agenda that must be driven

forward. We must look for opportunities for our young people to learn together and benefit from exposure to different languages and cultures. Those opportunities not only promote understanding but equip young people with the language and information technology tools to compete in the job market of the 21st century. Programmes such as Erasmus, Socrates and Comenius have allowed young Scottish people from all communities and backgrounds to broaden their linguistic and cultural horizons. We must look for every opportunity to continue that work. The Government should consider making the promotion of strong educational links one of its EU priorities.

Europe has also been a force for equalities. It was to the European Union that we looked for legislation to improve the rights of mothers and part-time workers. The Daphne initiative, which promotes projects that tackle violence against women and children, is one of the principled programmes that have been set out by the Commission, although to my mind it is not promoted enough. The Daphne II programme extends to 2008 and there could be a Daphne III programme after that. If we influence that agenda, we can ensure that Scottish groups have access to information and resources. I hope that we will take forward work in that area.

The minister will also be aware of the 60 per cent target for female employment by 2010, which will be influenced by progress on child care. In deciding on our European priorities, we must not forget the links between domestic programmes and European programmes.

I hope that, in the spirit of consensus, I have given the Government one or two things to ponder, but I want to say a few things about the SNP's position. The minister provided the European and External Relations Committee with a helpful table of the Government's priorities. I note that the table contains 21 priorities, 20 of which are exactly the same as those in the helpful table that Tom McCabe provided to the committee when he had responsibility for Europe. We can only conclude that there is a great deal of consensus and that, in standing up for Europe, the SNP recognises that we in the Labour Party did a pretty good job of that too.

We still have not heard whether the SNP will vote no on the treaty. I hope that the minister will tell us that when she sums up. If marine biological resources remain an exclusive competence, will the SNP vote no? It must make its position clear to the Parliament.

Linda Fabiani: Will the member give way?

Irene Oldfather: I am in my last minute and I want to finish my speech, but I hope that the minister will tell us the answer when she sums up.

Will the SNP put our manufacturing jobs, our trading position and our export market at risk? Will it return us to a position of isolation in Europe? It cannot be right to do that. How can our interests be represented from the outside?

Europe is on our doorstep. It is not a wish or an aspiration. It is not an idea, a dream or, as it is for Eurosceptics—I miss Phil Gallie in this debate—a nightmare. It is none of the above. It is a reality. We must move forward to create from that reality opportunities for our businesses, our young people, our communities and our citizens.

I say to members whose agenda is to withdraw from Europe and to say no to reform: the choice is between integration and isolation. It is a choice between moving forward or anchoring in the past. Scotland and the UK can fulfil their potential as key players in the new Europe of the 21st century. We can leave to our children and grandchildren a heritage of peace and prosperity, but if we are to do that, we need to be at the heart of Europe, as part of a strong United Kingdom.

15:45

Liam McArthur (Orkney) (LD): Unlike Iain Smith, I have an overpowering sense of déjà vu and feel that I have stumbled into what the Deputy First Minister called “groundhog day” at First Minister's question time. This morning, we enjoyed one of the more lively debates that we have had. It was a debate about debates and whether the Parliament should have more debates as a means of better fulfilling its scrutiny role in relation to the forthcoming budget. I do not want to pre-empt the result at decision time, because I might be proved wrong, but it looks like the outcome is a foregone conclusion—members who do not want to know the result should look away now. It seems clear that the Tories are intent on helping the SNP minority Government to prevent debate.

Meanwhile, here we are debating ministers' EU priorities, weeks after the previous debate on the subject. I do not dispute that the subject is important. Our role in Europe and our relationship with European partners are central to our future success, as the minister and other members pointed out. However, I wonder why there is enough parliamentary time to schedule two debates on Europe in as many months, given that there is time only for a statement and questions on a minority Government's entire budget.

In a nice piece of political and parliamentary symmetry, it seems that the Tories and the SNP are in political harmony again, as they were this morning. Both parties demand a referendum on the EU reform treaty. The Tory objective is clear. Tories would campaign to strike down the reform treaty. They make no secret of their dislike of the

EU, and their rage against most aspects of what the EU stands for and does is genuine and runs deep.

The SNP's froth and fury appear a little more synthetic. The SNP has set out its red-line issues—that is what grown-up Governments do, I understand. I will certainly not dispute the importance of fishing and energy to Scotland and in particular to the future success of constituencies such as Orkney. However, the suggestion that the reform treaty that is to be signed in December proposes radical changes to fisheries or energy policy does not stand up to scrutiny.

On energy, article 176a states:

"measures shall not affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply".

It is not about the UK Government foisting nuclear new build on reluctant Scots—among whom I count myself—or a desperate attempt to grab Scotland's oil in the unlikely event of Scotland deciding to embark on the road to independence. Indeed, as the current EU priorities document makes clear, there are opportunities for Scotland to seek additional funding in partnership with other member states, particularly in relation to offshore grids, carbon storage, clean coal and green and renewable energy.

Margo MacDonald: Could there be a parallel between energy policy and the steel policy—the member might be too young to remember it, but I do—whereby a quota was allocated from Brussels? Could exploitation rates and recovery be set in Brussels rather than in London, as currently happens?

Liam McArthur: I thank Margo MacDonald for making the point, but I do not regard that as a risk. Article 176a should reassure us on that.

The European reform treaty will streamline the role of the European Commission, clarify responsibilities of institutions and increase the role, not just of the directly elected European Parliament but of national Parliaments. It safeguards UK red lines and, in keeping with the approach adopted for previous amending treaties, does not require to be ratified by referendum in this country.

Liberal Democrats and many other members agree with Irene Oldfather that the SNP minority Government's priorities for Europe bear a striking resemblance to the priorities that were published by the previous Scottish Executive.

I focus on two issues of particular importance to my constituency and to Scotland as a whole: fishing and agriculture. We have heard much from the current Administration about the importance

that it attaches to our fishing industry. I support the sentiment, but I question the obsession with seating plans in the Council of Ministers, which other members have mentioned. Ensuring that the position that is adopted by the UK delegation and backed by UK votes supports Scottish interests is what is vital. Making the case in bilateral negotiations with the Commission and in the council chamber based on the best available scientific evidence is where our energies should be directed.

However, changes are needed to the way in which the important EU-Norway talks take place. More political oversight by member states is certainly required. I would be interested to know whether the minister can share any more detail on what the EU priorities document refers to as

"a number of specific proposals"

in this regard.

It was interesting to note what the document says in relation to the cod recovery plan. It states:

"A wide range of actions have been taken ... which have significantly reduced fishing mortality rates ... the Scottish whitefish fleet has been reduced by over 150 vessels in order to bring fishing capacity more in line with fishing opportunities".

As Malcolm Chisholm implied, all those measures to bring catching capacity more into line with available stocks were opposed tooth and nail by the SNP in opposition. More mature members will recall that rarely a day went by in Decembers past without the current cabinet secretary feverishly sounding the death knell for Scotland's fishing industry, like a demented cross between Cassandra and Quasimodo.

I am encouraged by a great deal of the strategy that relates to agriculture. The commitment to increasing simplicity and reducing bureaucracy for our farmers and crofters is not new, but it needs to be pressed ahead with urgently. The cabinet secretary made clear his support for reviewing the system of penalties and appeals. I welcome that announcement because I have been arguing for such a change for some time. I hope that there can be progress in short order, not just to improve how we operate the system but to secure a more proportionate approach at EU level.

In the short term, the need to reach agreement on the Scotland rural development programme is paramount. The difficulties that are faced by Scotland's farming communities are well documented, so agreement on the SRDP in early course would be welcome.

The document highlights many opportunities for Scotland in energy, financial services and education. It also makes clear a number of genuine challenges in structural funds and

aquaculture, as well as in farming and fishing, as I said. However, it will require the Government to work collaboratively and constructively with our EU partners, nations and regions. It will also require Scottish ministers to adopt a similar approach in relation to their UK counterparts.

15:52

Christopher Harvie (Mid Scotland and Fife) (SNP): Listening to the various contributions to the debate has been rather like studying one of those gardening programmes that goes on about flowerbeds and paths without ever mentioning the elephant standing in the middle of the lawn. Something has to be done to alter the balance.

There are two aspects to the elephant. The first is that there is no longer a contest between a core Europe and a peripheral Europe. There is a core Europe—France and Germany—that goes back to the old geography of the European steel and coal community. There is a peripheral Europe based on the Locarno pact of the 1920s that set up a satisfactory barrier between that area and Russia. That takes us back to the realm of realpolitik and it is as well that we understand its geography.

The second aspect concerns questions of transportation and energy. We saw earlier this week the opening of the new St Pancras station in London, which gives London two world-class international rail terminals, one of which—the one at Waterloo—is already derelict. However, there is no fast connection to the north of Britain—to Scotland or the north of England—and no likelihood of one in the foreseeable future.

The other element is energy. When this Parliament was established in 1999, oil stood at \$10 a barrel; it now stands at almost exactly 10 times that. Oil is the thing on which European production depends fundamentally. There exists off the Scottish coast the capability to transform tidal and wave energy into electricity to the extent that Siemens of Germany is greatly interested in it. It is an enormous resource in Scotland's favour and, whether we like it or not, it will be developed in the next five years. I wrote a history of North Sea oil; I know the importance of timetabling in the past and I know how it will affect us today. This nation could step in and steer the development of that resource, which would give us enormous political clout in Europe, but we can do so only if we start to plan for that now and in negotiation with the European core.

I make that point explicitly. Who owns our resources? Who owns the freight operations that were British Rail's, for example? The German state railways took them over at the beginning of July and no one noticed. Who owns our airports? Who owns our transmission systems? Electricité

de France is the owner of London Electricity. Its chief public relations officer is one Andrew Brown, who may know something that his brother does not.

We must concede that Europe has won in that regard. I will quote Rudyard Kipling's famous poem:

"For, now De Ruyter's topsails
Off naked Chatham show,
We dare not meet him with our fleet—
And this the Dutchmen know!"

I have lived among Dutchmen, or at least Kipling's version of Dutchmen, for the past 25 years, and I have seen the machine in operation—it works well. We can make our peace with it. We can, after all, supply to Europe some idealistic conviction about a united Europe. That goes back to our relations with the Hansa in the 14th century or to Professor Lorimer who, in the 19th century, was the first person to suggest a European federation.

The question is not of co-operation but of takeover, to a great extent. We must realise that, in a deindustrialised United Kingdom, we do not have much alternative. Thank you.

Margo MacDonald: Will the member give way?

Christopher Harvie: I have.

Mike Rumbles: On a point of order, Presiding Officer. The practice has been to have a minister on the front bench to listen to the debate. Have we dispensed with that?

The Deputy Presiding Officer: I have noted that.

15:57

John Park (Mid Scotland and Fife) (Lab): I am not sure how to follow that.

I welcome the opportunity to speak in the debate. I will start on a positive note by paying tribute to our MEPs, whom I do not think that we have mentioned. It is widely acknowledged that they regularly work together in Scotland's best interests, and long may that continue.

Work is done in Brussels not just by our MEPs, but by the Scottish Government's Brussels office, which the European and External Relations Committee visited recently. The impressive team there provides an effective and loud voice for Scotland at EU level. Other Scottish interests are also represented at Scotland house. I would not like to speak in a debate about Europe without mentioning the role of Scotland Europa, which is one of the most effective member-led organisations that I have encountered. It does an excellent job of co-ordinating wider Scottish interests in Brussels and, as I said of the MEPs' work, long may that continue.

I have a keen interest in how European matters relate to Scotland. I am particularly interested in how Europe shapes the key issues that face Scottish workers, such as employment, employability and globalisation. I will focus on those issues today, because it is vital that Scotland works in partnership with the UK and the EU to meet the challenge that the rise of globalisation poses.

The EU's main response to the threats that low-wage economies pose has been the Lisbon strategy for growth and jobs, which is about sustaining employment and delivering more and better jobs throughout Europe. Delivering more and better jobs would be a worthy EU priority for the Scottish Government.

That is important because the threat of globalisation is not going away. If members do not believe me, they just need to ask the workers at Young's Seafood in Annan—we debated them and some of their problems last week—or the people who lost their jobs not long ago at Lexmark International in Rosyth. If we are to have a wealthier and fairer Scotland, surely employment and productivity should be in the Government's EU priorities. However, what we are seeing is the better regulation agenda. I support that priority, as long as it is about more effective regulation as opposed to deregulation. If Scotland is to have high performing workplaces and a vibrant economy, treating workers fairly, protecting their health and safety, and investing in their talents is absolutely fundamental. For that reason, I agree with the stress that the European Congress of Trade Unions places on the social dimension of the EU being an essential driver to innovation, productivity and sustainable growth.

There is a fixation in Scotland with business regulation. The myth out there is that EU regulation adds to the pressures that UK and Scottish businesses face. Recently, I dug up the interesting fact that the World Bank currently places Scotland, as part of the UK, at 6th out of 178 countries in its "ease of doing business" rankings. In the wider discussion on regulation and business performance, that point is interesting to note.

The ranking is clear evidence—as it should be to all members—that Scotland, as part of the UK, is not over-regulated. Instead of fixating on red tape, our focus should be on helping the Commission in that regard. One of the most effective ways of influencing policy on red tape is to do that at the developmental stage in Europe. We should work with the Commission to ensure that the better regulation agenda is a priority. We need to make a real difference in that regard: the Scottish voice must be heard.

It has long been recognised that Scotland punches above its weight in terms of influencing

the wider policy agenda in Europe. John Purvis MEP highlighted that in evidence at a recent meeting of the European and External Relations Committee. He said:

"Scotland house does an excellent job. Scotland has a high profile in Europe—its profile rates at least as highly as the profiles of Bavaria and Catalonia. Scotland has that profile as part of the United Kingdom; because the United Kingdom is one of the big countries in the Council of Ministers and has a large number of MEPs and so on, we punch way above what one might think would be our weight."—[*Official Report, European and External Relations Committee*, 18 September 2007; c 54.]

The contribution was an interesting one for him to have made.

Alasdair Allan (Western Isles) (SNP): I hear the member's argument that Scotland punches above its weight by being part of a larger country. Can he list any countries in Europe that are keen to give up their place on the Council of Ministers to benefit from such a situation? Are there any analogous situations around Europe?

John Park: It is pretty clear that independent opinion out there considers that we are doing very well. Scotland is punching well above its weight. We have heard that from MEPs and interest groups around Europe. I am quite comfortable about where we are on the issue.

If members are wondering whether I am genuinely worried about the sort of message that I am putting about on red tape and regulation, I ask them to look at the comments that Sir George Mathewson made last week when he gave evidence to the Economy, Energy and Tourism Committee. I am a little bit concerned about the issue. In her summing up, I seek reassurance from the minister that the SNP Government will make no attempt through the better regulation agenda to undermine progressive social legislation at EU level. When the minister gives the chamber that reassurance, will she confirm that she will ensure that Scottish interests are at the forefront of her discussions with Westminster on EU issues? Will she also confirm that the Government will stand up for workers' rights in Scotland at all times?

16:03

Keith Brown (Ochil) (SNP): It is my belief that one of the key priorities for the Scottish Government—it is probably the key priority for the Government and the Parliament—is to represent effectively the interests of Scotland and its people in the EU. I realise that that is much easier to say than it is to do, but it would be much easier to do if the Scottish Government sought to do that as an independent member of a confederal Europe. I am talking about a European Union that is based on the authority of sovereign nation states that

voluntarily pool their sovereignty in key areas of common purpose.

As things stand, I know that too often the Scottish Government has to provide a corrective to the distorting prism of the representations of UK ministers. Even so, it can do that only to the extent that the priorities of the people of Scotland are represented at all by those ministers in the EU.

As we know, there was no red line on fisheries for Gordon Brown when he signed up to the new EU reform treaty. I acknowledge and support the Scottish Government making internal and external fisheries negotiations a top priority. In particular, I support the Government in seeking radical reform in the Scottish interest with a view to the competence over conservation of marine resources being returned to coastal states.

Jeremy Purvis: I am not sure whether the member listened to my colleague Iain Smith, who set out the evidence, which was confirmed by the European Court of Justice in 1979, on the powers over the conservation of marine resources. If there is no change on that, will the SNP Government's position be to oppose the treaty?

Keith Brown: There is no change; we are seeking a change—that is the point of what we are saying.

The Scottish Government may not be surprised that I support it on the issue, but it will be surprised to find support for the proposition among other members. During a previous debate on the issue in 2004, a then Westminster member of Parliament, who is now a member of this Parliament and who is still at Westminster, was quoted in *The Herald* newspaper on 26 April 2004 as saying:

"I think there is an argument for repatriation of control over fisheries and that the SNP has a valid point".

That was quoted in the *Official Report* of 29 April 2004. The MP was not Alex Salmond, but Lord Foulkes. It is a shame that Lord Foulkes has left the chamber, but perhaps one day he will extend his support for the principle of repatriation of powers to Scotland to the powers that are currently exercised by the Westminster Parliament, in which he sits, at least on a Tuesday.

The fisheries issue exemplifies the difference between the representations that can be made by an independent nation state in its own interest and the misrepresentations of a nation's interests when pursued by another state on its behalf. Simply put, if we choose not to exercise power over ourselves, we allow others to exercise power over us. The problem is that those others may not, and usually do not, exercise that power in our interest, but in theirs. Fishing is a vital Scottish

interest but, as far as Westminster is concerned, it rates only as a bargaining chip that is to be used to promote other interests. That is why we should have as our first priority the independence that will allow us properly to represent the interests of the people of Scotland within the EU.

On independence, I should highlight what may appear to a disinterested observer to be a puzzling development, whereby Wendy Alexander, the leader of a unionist party in Scotland, accuses the SNP of being in league with the Tories to undermine the union while, at the same time, she is sitting down with her fellow unionists in the Tories to devise a strategy to save the union—Tartan Tories and grubby deals. If that is not confusing enough, I remember that on 4 May, when I had the privilege of appearing with David Whitton on the "Scotland at Ten" programme on the night of the election, he sneeringly suggested that the SNP might look to do a deal with the Tories and laughed off my suggestion that it was much more likely that his party would work with the Tories. I have often wondered since then how he feels about his party's coalition with the Tories on his local council, East Dunbartonshire Council, as well as the rainbow alliance of Tories, Liberal Democrats and Labour in the Parliament.

One of the Government's priorities is its vision for a fairer Scotland. That vision must include priorities, which are shared with the EU, for Scotland to be a welcoming place where respect for and celebration of the diversity of cultures and communities in the EU have resonance in a Scotland that welcomes people from throughout the EU who seek to visit, work and live here. In that context, I associate myself with the remarks of another Labour MP, Keith Vaz, who said in a debate this week that Gordon Brown's mantra of British jobs for British workers could be regarded as "employment apartheid", with its implication that foreigners are stealing our jobs.

In my constituency, and throughout Scotland, a significant number of EU nationals, mainly from Eastern Europe, have contributed hugely to the local economy and to the enrichment of our culture. I agree that the Westminster Government's unemployment figures are hopelessly fiddled, to the extent that they describe those who claim benefit, rather than those who are not in gainful, meaningful employment, but even those figures are declining. With the claimant count decreasing, how can it be that jobs are being stolen by EU nationals? More crucially, how does Gordon Brown seek to fulfil his promise of British jobs for British workers? The immigration and other EU provisions that his Government has willingly and rightly signed up to do not allow the exclusion of other EU nationals from employment opportunities in this country. Could it be that that will be Labour's latest broken promise?

By contrast, I hope and believe that the Scottish Government will promote the real priorities of the people of Scotland—on EU reform, which has to happen; on competence over fisheries, which must happen for the sake of our fish stocks and fishing industry; and on the raft of justice and home affairs measures, which must acknowledge and accommodate Scotland's distinct legal system. That is the way forward to a fairer Scotland and a fairer EU.

16:09

Helen Eadie (Dunfermline East) (Lab): Patrick Harvie is right that there is a core Europe and a peripheral Europe, but neither he nor any ministers have addressed the key question of how the Scottish Government will work with peripheral Europe.

Christopher Harvie: On a point of information, I am Christopher Harvie, not Patrick Harvie.

Helen Eadie: I beg the member's pardon. There is a Patrick in one place and a Christopher in another—I apologise.

The other regions in Europe meet that challenge by working with and through the Conference of Peripheral Maritime Regions of Europe. I wait with interest to find out how the minister proposes to carry out that task.

I endorse all that was said by Irene Oldfather and Iain Smith this afternoon. Their words were particularly apposite, given that we all believe that one of the fundamental reasons for the existence of the EU is to ensure peace.

As Malcolm Chisholm said in his speech, we question the SNP's key priorities in relation to its EU work. When I was reflecting on all the priorities that have been set by the Scottish Government, I looked at the relevant website and asked myself, "How is the Government matching its priorities with the priorities of the people of Scotland?" The Government's key priorities in Europe are listed as fisheries; agriculture; energy policy; EU treaty reform; institutional structure and EU budget reform; and justice and home affairs. However, even though the EU has only limited competence in health matters, I believe that Parliament must demand that the Scottish Government makes health one of its key EU political objectives, for the sake of our people. As we have all witnessed in the eight and a half years since the Parliament was opened, health has commanded the greatest number of column inches—more than any other issue raised by the people of Scotland. However, again, the SNP is more exercised about creating a constitutional argument than engaging directly with Europe on key health issues.

I agree with the point that was made earlier by

Patrick Harvie—I think that it was Patrick Harvie, anyway. Have I got it right this time?

Members: No.

Helen Eadie: Christopher Harvie, then; I am sorry.

Last week's debate on poets and prose featured political posturing on landscape and the environment. This is our second debate on EU matters within a few weeks. What are the people of Scotland to think about the Scottish Parliament? We all have finite energy and the Scottish Government, while energetically pursuing a referendum on the reform of the treaties, simply will not have the time or energy to pursue some of the real issues of the people of Scotland, such as health, which—as our postbags tell us—must be one of the matters of greatest concern to the public. In fact, a member of the public would have to read to the very bottom of the page on the Scottish Executive's website that deals with its European priorities before they found even a little mention of health. Further, that mention—at the bottom of the pile—is limited almost entirely to lifestyle issues and does not mention any of the bigger health issues that appear on the EU website's page on its programme of work for 2008, even given the limitation of the EU's competence in health.

The Scottish Government would prefer to have debates about poets and landscapes instead of the big issues that are exercising the minds of our people. It would prefer to spend energy and financial resources on structures and referendums while individuals die without care in the community packages—that is caused by SNP-inspired cuts in local government. The Government should dwell instead on EU-wide action to stop hospital-acquired infections and on addressing, with the rest of the EU, how we can best secure more research resources for cancer. Let Scotland help set, and not simply follow, the EU agenda. It has limited competence to do so, but it would be possible.

I know that the people of Scotland would prefer that we concentrate our finite energy and resources on health, which should be one of the key political objectives in relation to the EU. It is scandalous that it is not one of the key EU priorities of this Government, given all the claims that the SNP has made in recent years to be fighting on behalf of the people. We should not be in any doubt that, although health is a matter of limited competence for the EU, those health matters in which it can play an important part are of critical importance for clinicians in Scotland.

Linda Fabiani: You keep going on about political objectives in relation to the EU. May I say to you—

The Deputy Presiding Officer (Alasdair Morgan): No, not to me.

Linda Fabiani: Sorry, Presiding Officer. May I say to Helen Eadie that this is the first time that a Scottish Government has had EU political objectives.

Helen Eadie: That is simply not true, as Irene Oldfather made clear earlier. If Linda Fabiani had been listening, she would have picked that up. Obviously, she was not listening.

Community co-operation on health is clearly regarded as important on, for example, major health threats including pandemics, bioterrorism and dealing with issues relating to the free movement of goods and services. That has special importance in the context of EU policy, because health workers from eastern European countries are taking up employment opportunities in this country, leaving their own countries denuded of professional expertise. It also has special importance in the context of waiting times for patient care in hospitals. The cabinet secretary recently announced that she will, in certain cases, allow patients to go abroad. How is she addressing the issues identified by the EU's high-level group on health services and medical care? Issues arise across Europe in relation to the quality control of health services, and yet the cabinet secretary is proposing to send patients from Scotland while those issues are apparently not on her radar screen.

The European Commission is considering issues relating to the current legal uncertainty and is considering the incorporation of key European Court of Justice rulings regarding treaty provisions on the free movement of patients, professionals and health services. Another critical issue on the EU agenda is that of hospital-acquired infections. That has to be one of the issues of most concern for everyone in Scotland.

I feel sure that this Parliament will join me in saying that we want the Scottish Government to engage energetically with the EU. I do not want to read in newspapers or policy papers that only Richard Lochhead or Kenny MacAskill has gone to EU meetings—wherever they are held and whatever sign is in front of them. I want to read that this Government has sent its health minister to contribute where possible and to bring back examples where Scotland can co-operate productively for the health of our nation. The time is now for the Scottish Government to stop playing politics with the lives of our nation's people and to be energetic on people's real-world issues. It should stop being obsessed only with fisheries and the names on the nameplates at meetings of councils of ministers. Instead, it should ensure that the cabinet secretary does a job of work for us in the EU on public health matters.

16:17

Jamie Hepburn (Central Scotland) (SNP): Unlike Helen Eadie, I shall try to confine my remarks to the Government's EU priorities—rather than rant about the health service.

I welcome the chance—

Helen Eadie: On a point—[*Interruption.*]

The Deputy Presiding Officer: Order.

Jamie Hepburn: I welcome the chance to debate in this Parliament our country's place and role in Europe. Some members would have us confined to our own kailyard, but I am a member of an outward-looking and progressive party and I think it important that we consider how our Parliament and our country can engage with the rest of the world community—primarily with our fellow European citizens.

Despite sharing with Linda Fabiani the perspective of independence in Europe for Scotland, I strongly support her efforts and those of the Scottish Government to represent Scotland's interests in the devolved context. The Scottish Government's long-term key EU political objectives are especially welcome in that regard. The Government has established those objectives clearly, in relation to specific policy areas—fisheries, the EU budget review, agriculture and so on.

I would like to focus briefly on an area that has already been discussed at length—fisheries. Members will be aware that negotiations on the common fisheries policy are on-going. I sit on the Rural Affairs and Environment Committee and it is my very great pleasure to be involved in considering that policy in some detail. To that end—as Malcolm Chisholm and Mike Rumbles mentioned—the Scottish Fishermen's Federation attended yesterday's committee meeting. However, Malcolm Chisholm and Mike Rumbles did not mention that during the evidence presented by Bertie Armstrong of the SFF, we learned that, since the SNP came to power, the British Government has suddenly started to listen to the voices of Scottish fishermen, giving them access that they did not have before. We can therefore see that, merely by the election of an SNP Government, the position of Scotland's fishing industry has been strengthened. I am glad to see that Mike Rumbles concurs.

By the actions that the Government proposes to take, the industry can be strengthened even further. That is why I am squarely behind the Government's view that Richard Lochhead should act as the UK's lead minister in the EU fisheries council.

Liam McArthur: Will the minister take an intervention?

Jamie Hepburn: I have just been called a minister by Liam McArthur, so I will gladly take an intervention.

Liam McArthur: That proves that flattery gets you everywhere.

Does the member believe that if the cabinet secretary took the advice that the current First Minister offered Ross Finnie back in 2002—that he should pull out of the negotiations and stop negotiating at all—it would necessarily be in Scotland's interests?

Jamie Hepburn: Not necessarily. I will deal with that point later in my speech.

It is an incontrovertible fact that the Scottish fishing fleet has the most significant share of the UK fleet. It is also incontrovertible that fishing is of greater significance to the Scottish economy than it is to the UK economy as a whole. Therefore, I think that all Scotland's fishing industry will be behind the Scottish Government's proposal that our minister should take the lead at the fisheries council.

I know that my colleagues in the Government will not mind when I say that although I support that measure, I believe that it is only a half measure, albeit a welcome one. As long as we remain suspended in the halfway house of devolution, half measures might sometimes be all that we can take. Any logical analysis of the situation will lead to the realisation that Scotland's position in the EU would be better served by its being an independent, full member state—although logic has always been in short supply among some members of the Parliament. However, that is certainly my position and that of the Government.

I note that just last week, on 30 October, Linda Fabiani told the Parliament's European and External Relations Committee that she was not convinced that the UK joint ministerial committee on Europe

"is working as it should be in relation to how the UK Government deals with the devolved Administrations."—[*Official Report, European and External Relations Committee*, 30 October 2007; c 126.]

Only independence in Europe will deliver for Scotland. Only when we have our seat at the top table will we be able to contribute to the EU's deliberations on how to protect the environment, on how countries will continue to trade with one another and on how they will continue to coexist.

Many members, including me, are wearing the red poppy or the white poppy, lest we forget. My grandparents' generation saw our continent being scarred by war—not once, but twice. As Iain Smith and Irene Oldfather said, the EU has ensured stability for our continent. I welcome that—it

represents the ultimate success of the EU as an institution—but the EU is changing. Big is no longer beautiful; power does not reside exclusively with the larger members.

In July 2006, Margot Wallström, the vice-president of the European Commission, said that big states do not have the same clout in the EU that they once had. Power now resides with small members such as Luxembourg, Malta and Cyprus and with medium-sized members such as Ireland, Denmark and Finland. John Park suggested that Scotland punches above its weight in the EU, but the real issue is that all the countries that I have just listed have greater weight in the EU than we do. I look forward to the day when Scotland joins those states as a member of the EU.

Irene Oldfather: On a point of order, Presiding Officer. Can you clarify whether, when a member makes a point of order, proceedings should be halted so that all members can hear it? I did not hear Mrs Eadie's point of order because the member who was speaking continued to speak and proceedings were not halted.

The Deputy Presiding Officer: Unfortunately, it is sometimes a feature of proceedings in the chamber that members are unable to hear what other members are saying. That happens all the time. I very much deprecate the fact that it does and I hope that members have heard what you have said.

16:23

Margo MacDonald (Lothians) (Ind): "Este tratado? Nada mau ... para Sócrates!" I apologise for not using one of the Parliament's normal languages. I was in a Portuguese bar when that was said to me. A very understanding Portuguese gentleman and I were watching the Portuguese Prime Minister being interviewed on television in a way that Gordon Brown has not been interviewed on television here. The Portuguese Prime Minister was having to answer some very hard questions.

Portugal is a country that, like Ireland, embraced the European Union but has found, since the EU's expansion, that it is perhaps not all a bed of roses for the country's economic development. Many of the factories that took advantage of Portuguese membership of the EU have now gone to the newer members of the EU, and there is very bad unemployment in Portugal.

The Portuguese gentleman, of short acquaintance, explained to me that there would be plenty work in the new European Union "para Sócrates"—for the Prime Minister and his like; for the grandes senhores—because plenty more bureaucrats would be needed in Europe. His comment made me think about what is in it for us. That is why I was interested to hear what Liam McArthur said about energy.

I have been concerned that control over energy policy will move to Brussels and away from London—further away from us. I can see strategic reasons for that. We know that Russia is prepared to use oil as an economic and political weapon. We can see the temptation for Europe to ensure that it has the same level of control over the supply of energy and the concentration of investment in different forms of energy. I would like Scotland to be represented in the international forum that takes that decision.

We have spoken a great deal about fishing, and I will not even attempt to talk about fish—I like mine with black pepper and a twist of lemon. We have not got down to the level at which most folk understand fish and fishing. I will say no more about it, however, other than that I am glad that the SNP has—I think—now widened its reasons to be a little more critically analytical of the new treaty when it is finally published. There is more in the treaty that we should be concerned about than fishing.

We should be concerned about what Michael Connarty said, having examined the claims that were made by Gordon Brown, about the possibility of rubbing out the red lines that have been drawn in fields such as legal affairs through application to the European Court of Justice. I am also concerned about what Chris Harvie said: he told us that there is a future for us in Europe, and he mentioned all sorts of academic co-operation. I am reminded that, without the sort of status that independent representation would give us, that is a bit like the discussion at Yalta after the war, when Stalin asked, “And how many battalions does the Pope have?” People thought that the Pope and the Catholic Church would be influential in the post-war settlement, but in fact they did not have power; rather, they had influence. I would prefer us to have power.

Christopher Harvie: How would Margo MacDonald estimate the influence of Pope John Paul II on events in east Europe after 1989?

Margo MacDonald: His influence was immense, because he came straight from Poland and he was in tune with the times. He did not have to push water uphill, which we would have to. I think that there is a difference, with all due respect.

I am much more inclined to listen to Valéry Giscard d'Estaing and to Margot Wallström. They have explained that there are two types of player in Europe: the big players and the small players. We will not even be a small player; we will be the small cousin of a smaller player. I do not see how we can possibly venture into the new Europe without taking people with us and having people understand.

That is where the referendum comes in. Portugal, Ireland, the Netherlands, France and other mainly pro-European countries still want to hold referenda. That way, we spread information and people have to analyse things and look at them honestly and openly. I do not know why Gordon Brown does not want to hold a referendum. Does he think that he would lose it, because there is a fear in England that sovereignty would be lost? That is probably the answer. We should have a discussion on whether sovereignty would be lost, bearing in mind what Michael Connarty's European Scrutiny Committee has come up with.

I will not take up my full time. I am happy to have been able to contribute to the debate, and I am glad that it was not too much about fishing.

16:30

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Linda Fabiani said at the start of the debate that fisheries policy is at the top of the Government's list of six objectives for Europe, but she then failed to mention the subject in the rest of her speech. If fishing is the SNP Government's top objective for Europe, I would have thought that Richard Lochhead and Mike Russell, or another minister, would have given Linda Fabiani a hand this afternoon. There was, at one point, nobody on the front bench. Having said that, I see that just five minutes ago Mike Russell came in for the closing speeches.

Linda Fabiani: I apologise to the chamber for having had to go to the toilet.

Mike Rumbles: I am sure that that is a case of too much information, although the front bench would not have been left vacant if the minister had been appropriately accompanied.

Unlike the Minister for Europe, External Affairs and Culture, members throughout the chamber have focused on fishing, which has been a theme of the debate and is one of the most important European issues. I will not be the exception.

In December last year, when the SNP was in opposition, it published 10 priorities to place our fishing communities on the road to recovery. At the time, the shadow fisheries minister, Richard Lochhead, outlined the priorities: decoupling cod management from other species; increased quotas, including a substantial increase in the haddock quota; an increase in the number of days at sea; a revised aid package for the onshore industry; a haddock promotion campaign; a campaign to scrap the common fisheries policy; securing the quota from decommissioned vessels for active vessels; a reduction in industrial fishing; a review of the scientific assessment methodology; and, last but not least, an insistence

that Scotland must lead the UK's delegation at the EU fisheries council next month.

Parliament would like the minister to tell us in her closing speech how many of those 10 priorities she believes Richard Lochhead will successfully deliver. I suspect that he will deliver very few, if any, of them. Is that why the minister steered clear of fishing in her speech? In the previous session of Parliament—and during the election campaign—we heard a great deal about how important leading the UK's delegation at the talks is for Scotland and how Richard Lochhead would not take no for an answer. Now, we hear nothing about that—except from Jamie Hepburn. He forgot that he is not supposed to remind everybody that Richard Lochhead demanded to lead the UK delegation. I am afraid that Jamie Hepburn will have gone down the pecking order because of his comments. He forgot the party line.

Can the minister tell us the reasons for the ministerial silence on the subject?

Linda Fabiani: Yes.

Mike Rumbles: Good. Would she like to do that?

Linda Fabiani: I am happy to.

As I explained at the end of my speech, the Deputy Presiding Officer did not allow me extra time to make up for the many interventions that I took in the interests of debate, so I had to cut a lot out of my speech. I presume that Mr Rumbles will not get any extra time for taking my lengthy intervention.

Mike Rumbles: The minister did not, in that lengthy intervention, address my question. Of course, that is what we have come to expect from the Government.

Malcolm Chisholm dealt with the issue very effectively. For the Conservatives, Ted Brocklebank—

Alex Johnstone (North East Scotland) (Con): A fine speech.

Mike Rumbles: He often gives fine speeches, which I enjoy, but in this debate he betrayed the anti-Europeanism of the modern Conservative party. In contrast, Iain Smith, who opened the debate for the Liberal Democrats, reminded us about the genesis of the European Community. He alluded to remembrance day, when we remember the fallen, especially in two world wars. Another European war between EU member states is inconceivable. When we criticise aspects of the European Union, let us not forget the big picture. Fifty-five million people died in the second world war—that must never, ever happen again. That is one of the major reasons why the Liberal Democrats are proud pro-Europeans.

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

Does the member accept that the peace was kept in Europe for all those years not by the EU, but by NATO? Many countries in Western Europe were not members of the EU during that time, whereas they were all members of NATO, with some singular exceptions.

The Deputy Presiding Officer: Mr Rumbles, you are now well into your last minute.

Mike Rumbles: Thank you, Presiding Officer.

I will treat Murdo Fraser's intervention with the contempt it deserves. Peace in Europe had nothing to do with NATO—I will take the debate about NATO and Europe at a different time.

Alex Neil, the SNP minister for Newsnight, made an entertaining contribution—as ever—but I am afraid that his views are completely out of date. Unfortunately, as I am running out of time, I will have to skip my comment on Alex Neil's performance.

The SNP's Minister for Parliamentary Business, Bruce Crawford, has made it clear that a referendum on the European treaty is a red line for the SNP due to its position on marine conservation—but the treaty does not change that. We have a new alliance between the SNP and the Conservatives—an alliance that we will see again at decision time. My Liberal Democrat colleagues and I look forward to exposing that new alliance to the people.

16:36

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

For eight years in this Parliament, no debate on Europe was complete without a robust contribution from our erstwhile colleague Phil Gallie, who is sadly no longer with us. I am sure that members are aware that he has ambitions to join the European Parliament and that they wish him well in that ambition—if only so that we can see more colourful debates in the Parliament in Strasbourg.

I have no wish to be seen as the poor man's Phil Gallie, but I thought it might be worth reflecting on what he might have made of this debate and the Government's EU policies. To pick up a point that John Scott made in his intervention, Phil Gallie would have wanted to reiterate the point that was made about the air route development fund. There is a serious threat to the future of that fund, in particular to the development of new routes. The air route development fund is vital to airports such as Prestwick, and to the wider Scottish economy. The fund was robustly supported by the SNP when it was in opposition—Fergus Ewing spoke up for it on many occasions—and it would be helpful to get some reassurance from the Government that it will fight to retain it.

We have heard throughout the debate that the Government has announced no fewer than 21 priority areas relating to EU policy and six political objectives. Like Ted Brocklebank, I wonder whether, if we have so many priorities, any of them can be a singular priority. I also wonder why the Government has identified so many areas that are reserved to Westminster. I look forward to reading the more detailed Europe strategy document when it is published in the new year—it will make excellent bedtime reading, particularly for insomniacs, at that time of year.

Phil Gallie would have been disappointed if I did not spend most of my time addressing the European reform treaty, which many members have spoken about. The issue is: should there be a referendum? It does not necessarily follow that there should be a referendum on every treaty the UK Parliament enters into, but this treaty is simply the old EU constitution, which was rejected in a referendum by people in France and by people in the Netherlands. It is that same old EU constitution, dressed up and given a different name.

Malcolm Chisholm said that the treaty is simply another amending treaty. Let us look at some of the characteristics of the new reform treaty. It creates an EU president. The holder of the new post will control 3,500 civil servants and, unlike the current arrangement whereby the presidency rotates every six months, it is a semi-permanent position.

There will be a new EU foreign minister, but we will not call him or her the foreign minister—we will call them the high representative of the Union for foreign affairs and security policy. The Irish Prime Minister, Bertie Ahern, let the cat out of the bag when he said:

"It's the original job as proposed but they just put on this long title".

We will have a single European external affairs action service—which will effectively be an EU diplomatic service.

We will have a single legal personality for the EU, allowing it for the first time to join international organisations in its own right. The treaty will be self-amending, which will allow further adjustments to be made without the need to go back to an intergovernmental conference. The national veto will be abolished in 60 new areas and we will have new powers for the EU over criminal justice matters. To all intents and purposes, it is simply the constitution rewrit.

Members should not take my word for it; they should consider what other European leaders have said. Angela Merkel, the German Chancellor, said:

"The fundamentals of the Constitution have been maintained in large part".

Bertie Ahern said that,

"thankfully, they haven't changed the substance—90 per cent of it is still there".

Valéry Giscard d'Estaing, who drafted a lot of the constitution, said that

"the public is being led to adopt, without knowing it, the proposals that we dare not present to them directly".

That sums it up.

Its supporters say that the treaty is not the same as the constitution because we are not having an anthem or a flag, but at any European event one hears the "Ode to Joy" from Beethoven's ninth symphony—unless, perhaps, I misheard it. And did I imagine seeing flying on a flagpole outside this building the European flag that one sees flying everywhere—12 gold stars on a blue base? Was it a mirage? Does a European flag not already exist, as does an anthem? Of course it does. That is why we need a referendum. As Margo MacDonald said, the Labour party does not want a referendum because it is afraid that it will lose it.

Shamefully, the Labour party is supported in its stance by the Liberal Democrats. The Liberal Democrats will not back a referendum on the treaty because they say that they want a referendum on the wider issue of whether we sign up to the treaty or pull out of Europe altogether. That creates an entirely false choice between swallowing the lot or getting out. It is like taking somebody to a restaurant with an extensive menu and telling them that if they will not eat the tripe they will have to go hungry. That is what the Liberal Democrats are saying, and it is neither liberal nor democratic. Only the Conservatives are prepared to offer a referendum because only we trust the people.

The treaty represents another massive transfer of sovereignty to the EU, and the people are not being consulted. It is time to say no. I hope that, in proposing a referendum, we will have the support of the SNP. By all means let us have a debate in Parliament on the issue. Presiding Officer, you know that that is what Phil Gallie would have wanted.

16:42

Malcolm Chisholm: The debate has been wide ranging and interesting; it has strayed way beyond the EU treaty, although that has been a central feature. I will go through what we have heard from the political parties one by one, starting with the Conservatives. I will comment mainly on the EU treaty.

I was astonished by Murdo Fraser's remarks at the end of his speech and amazed that he had the gall to talk about massive transfers of sovereignty to the EU—transfers that pale into insignificance

compared with those of the Single European Act and the Maastricht treaty, which the Conservative Government passed at Westminster without any concessions or talk of a referendum.

I did not think that I would have to repeat the points about the proposed EU president. Murdo Fraser must know that he or she will have no executive powers. Indeed, the Commission opposed that because it would have strengthened the hand of Government against the Commission.

We heard the same old scare stories about the proposed high representative for foreign affairs, who will express a view only when it is agreed unanimously by EU foreign ministers. Murdo Fraser also talked about massive powers over criminal justice, but surely even he realises the secure, comprehensive, legally binding opt-in on justice and home affairs matters that the UK Government has secured.

Murdo Fraser: Does the member believe that, when Valéry Giscard d'Estaing said that the treaty is simply the EU constitution under a different name, he was wrong?

Malcolm Chisholm: He was referring not to the opt-ins that the UK Government has negotiated, but to the wider treaty for the rest of Europe. There is more truth in that, but it is still not the whole truth. As I said, the constitutional principle has been abandoned.

Ted Brocklebank was honest enough to admit that no changes to the common fisheries policy would be made through the treaty, but he suggested that he wanted the CFP to be rejected. That raised the question in my mind whether rejection of the CFP was code for coming out of the EU altogether. The same question could be asked of the SNP, given its attitude to the common fisheries policy.

I agreed with what Iain Smith said in the preamble to his speech. The idealistic vision of Europe that he painted is one that I have had throughout my adult life. It is particularly appropriate to remember that vision in armistice week, as Irene Oldfather and Helen Eadie said.

Iain Smith reminded us that Ross Finnie should be congratulated on ensuring that our interests were taken seriously in Europe. I agree, but I remind Iain Smith that other ministers who were involved in Europe at the time ought to be congratulated, too.

Liam McArthur made an interesting speech. I am glad that he quoted article 176a of the treaty, on energy, in detail, because it addressed Margo MacDonald's concerns about energy policy. We should all be pleased about the role that the EU will play in relation to promoting energy efficiency and the development of new, renewable forms of

energy. That does not take away from the energy policies of member states.

Margo MacDonald: Will the member take an intervention?

Malcolm Chisholm: I gave way to Margo MacDonald in my earlier speech and I suspect that I will be pushed for time in this one. How long do I have, Presiding Officer?

The Deputy Presiding Officer: Five minutes.

Malcolm Chisholm: Five minutes altogether—I do not have very long at all.

I have dealt with the energy point. Margo MacDonald's question, what is in it for us, was answered very well—

The Deputy Presiding Officer: Mr Chisholm, you have five minutes more at this stage.

Malcolm Chisholm: Right. I am still not taking an intervention from Margo MacDonald at this point. I might take an intervention from her if there is time left.

What my Labour colleagues said answered Margo MacDonald's question on what is in it for us. Margo MacDonald overstated the point about the Westminster European Scrutiny Committee and the argument that the red lines had all been rubbed out. Even the chair of the committee, Michael Connarty, said that three of the four red lines were absolutely sound and I believe that David Miliband has since clarified the fourth. I have reason to believe that all four red lines are absolutely sound.

Irene Oldfather emphasised the economic advantages of the European Union. We could give many facts to illustrate that, such as that more than 3 million jobs in the UK are related to exports to the EU and that half our trade in goods and services is with other EU countries—we could go on. Irene Oldfather also reminded us helpfully about the social programmes. I am sure that those of us who know about the Daphne II initiative would join her in commending its excellent work in combating violence against women.

I echo John Park's tribute to the MEPs. I mentioned some of David Martin's recent work, but let us pay tribute to all the MEPs, Scotland House and Scotland Europa for the sterling work that they do. I hope that all members agree with John Park's emphasis on ensuring more and better jobs in Europe and on the social dimension of the EU. I was pleased that the UK Government's document "Global Europe: Meeting the Economic and Security Challenges", which was published a couple of weeks ago, placed heavy emphasis on jobs and prosperity as part of the new agenda for Europe.

Helen Eadie made a passionate speech about health issues and emphasised that one of the fundamental reasons for Europe is that it has kept the peace. I agree with that and I hope that everyone else does, too.

I turn to the SNP. Christopher Harvie started with an interesting metaphor about a three-part elephant and made interesting points about transportation, energy and geography. I agreed with him entirely—as I did this time last week—when he emphasised the importance of tidal and wave energy. I thank him for once again providing a historical perspective and emphasising how we in Scotland can help create an idealistic perspective on the notion of a united Europe.

Alex Neil talked a great deal about fishing. I was pleased that Mike Rumbles intervened on him to remind us what the president of the Scottish Fishermen's Federation said at yesterday's meeting of the Rural Affairs and Environment Committee. Mike Rumbles, who was at the meeting, said that the president said that Scottish fishing objectives were now in line with UK objectives.

Alex Neil: Will the member take an intervention?

Malcolm Chisholm: How long do I have now, Presiding Officer?

The Deputy Presiding Officer: Just under two minutes.

Malcolm Chisholm: In that case, I had better just carry on.

Alex Neil talked about the special UK opt-outs, as he described them, and said that they would not prove effective in practice. I have already dealt with that point, although I will take an intervention from Mr Neil if he so wishes.

Alex Neil: I thank Malcolm Chisholm for taking a quick intervention. He mentioned the contribution to yesterday's meeting of the Rural Affairs and Environment Committee by the leader of the Scottish Fishermen's Federation, but he forgot to mention the point that Jamie Hepburn made—that the leader of the fishermen told the committee that, since the SNP Government came to power, London has listened to the fishermen for the first and only time.

Malcolm Chisholm: The main point of Jamie Hepburn's speech was that it was vital that Richard Lochhead take the lead at the fisheries councils. However, he went on to say that the views of Scottish fishermen were already being taken into account, so there was a total contradiction at the heart of his speech.

Keith Brown, unlike all other SNP members, at least tried to address the issue of the red line and

marine biological resources. It was interesting to hear him say that that red line, which is what the Government says its whole case against the treaty is based on, did not represent any change. Is that the Government's view? The situation seems to be getting even more bizarre as we go through the afternoon. However, I agreed with what Keith Brown said about the contribution of EU nationals to the economy and to society more generally.

It is vital that Linda Fabiani uses her winding-up speech to clarify the Scottish Government's attitude to the EU reform treaty and a referendum on it. She said at the European and External Relations Committee that that was her immediate priority, and we heard from one of her colleagues that nothing is changed by that one line in the treaty. Does the minister think that that one line about marine biological resources changes anything in the treaty, and does that lead her to support a referendum?

16:52

Linda Fabiani: The debate has been interesting. I cannot address all the points that have been made, although I will say at the outset that some interesting contributions have been made. The debate is about the Government's EU priorities; I thank those who recognised that, and those who talked in a decent way about the European background and the benefits that Europe has brought.

There seems to be some confusion about political objectives and the Government's priorities, so it might be helpful if I were to restate our position on the main EU political objectives. Those are the things that we believe are the most fundamental to Scotland's interests and the things for which we will work hardest to get the best outcomes for Scotland. This is the first time that a Government in Scotland has published and spoken about its key EU political objectives. The current positions on those objectives are not always positions that we would fully accept; that is one of the reasons why they are priorities. In being constructive about Europe, I emphasise that there are a number of issues on which we think that the EU has got it wrong; we are not afraid to say that, nor are we afraid to work tirelessly for improvements.

We believe that the EU, regrettably, has persistently got many major decisions on fisheries wrong, as others have said. Fisheries and fish farming are important elements of the Scottish economy. As a result, we will continue to push to take the UK lead in EU fisheries negotiations, to ensure that the UK position in those negotiations properly represents what our fishing communities need. We will continue strongly to oppose the inclusion of the conservation of marine biological

resources under the common fisheries policy as an exclusive competence of the EU, as the text of the reform treaty now states.

Iain Smith: Will Linda Fabiani take an intervention?

Linda Fabiani: No.

The conservation of marine biological resources as an exclusive competence would be set out in the treaty for the first time. There is legal opinion that the current position depends only on case law, following a decision by the European Court of Justice based on a particular, and perhaps questionable, reading of one article of the UK accession treaty. Case law would be much easier to overturn than treaty text. For the first time, that exclusive competence will be written in a treaty.

The Deputy Presiding Officer: Order. There are far too many conversations going on in the chamber. Members should listen to the debate.

Linda Fabiani: We have worked closely with the UK Government to protect Scottish interests as the negotiations have progressed but, unfortunately, it has not pressed our case for the amendment of the wording on exclusive competence on the conservation of marine biological resources. There is still time for the UK Government to push for that wording to be changed. Unless or until it is changed, the Scottish Government will continue to believe that it is not in Scotland's best interests and will ask the UK Government to fulfil its own manifesto commitment to hold a referendum on a treaty that Michael Connarty—a member of the Government party and the chairman of the European Scrutiny Committee at Westminster—says has not changed substantively from the constitutional treaty. It is entirely disingenuous for some members to suggest that those who wish a referendum to be held on the reform treaty are anti-Europe and want to come out of the European Union. That is ridiculous.

I turn to our changing priorities on Europe. There has been talk about how 21 priorities is too many and how that is three fewer priorities than the previous Administration had. Like the previous Administration, we consider what comes out of Europe that is of importance to Scotland. That is how we will define our priorities. The previous Administration had 24 priorities, three of which are now complete, and we have picked up on the others. That is right; most members have Scotland's interests at heart, although we have different political means of meeting that objective.

We will formally revise the priorities table every six months. However, I realise that EU issues can often become hot political topics almost overnight and I intend to be flexible with our list of priority issues. Should an EU issue suddenly arise that a

stakeholder considers merits immediate attention, I will consider adding it to our table immediately. The aim of our European engagement will always be to protect Scottish interests, and I consider the table of priorities as one tool with which to achieve that aim. Indeed, Kenny MacAskill, my other ministerial colleagues and I have identified a further issue that has arisen since we initially agreed the list in August. We have agreed to add to the list the framework decision on the recognition and supervision of suspended sentences and alternative sanctions, which is being discussed at working group level in the European Council.

The framework decision seeks to establish a system by which member states would recognise arrangements for post-custodial statutory supervision and certain non-custodial sentences that were made in one another's jurisdictions. In situations in which an offender was sentenced in an EU country other than his normal state of residence, that would allow him or her to return home and have the sentenced supervised by the home authorities.

We support the general aims of the framework decision, largely because it makes successful rehabilitation more likely and can allow for better public protection. Therefore, it is important that we work closely with the UK Government to ensure that our concerns are taken into account in all the negotiations, which can have significant implications for the Scottish justice system. We will devote significant time and effort to achieving that in the coming months. Hence the framework decision's inclusion in our list of EU priorities.

I hope that members will take that inclusion in the spirit in which it is intended: we are willing to listen to concerns about European legislation and to consider others' priorities. However, I say to Helen Eadie that she should not be under any illusion that the Cabinet Secretary for Health and Wellbeing is not speaking to anyone in Europe. She is discussing with many small independent countries and other regions in Europe how best we can defend our health service. Helen Eadie must have a basic understanding of how the system works before she comes to the Parliament and starts saying terrible things.

Helen Eadie *rose*—

The Presiding Officer (Alex Fergusson): The minister is in her last minute.

Linda Fabiani: It is important for me to stress that I want the Government to move beyond the necessary degree of reaction and set out a wider vision of Europe from a Scottish perspective, looking into the future. We want to publish a proposed European strategy, which will set out our European ambitions for the Government and for

Scotland. My intention is that, following a period of consultation, we will publish a European strategy document that sets out our ambitions for fulfilling our EU manifesto commitments. When we do so, we will always act in the best interests of Scotland.

Decision Time

17:00

The Presiding Officer (Alex Fergusson):

There are four questions to be put as a result of today's business. The first question is, that amendment S3M-788.1, in the name of Derek Brownlee, which seeks to amend motion S3M-788, in the name of Jackie Baillie, on holding the SNP Government to account, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

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)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 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)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (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)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)

Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 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)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 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)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 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)

The Presiding Officer: The result of the division is: For 64, Against 59, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The second question is, that amendment S3M-788.2, in the name of Tavish Scott, which seeks to amend motion S3M-788, in the name of Jackie Baillie, on holding the SNP Government to account, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

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)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 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)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 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)

AGAINST

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)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 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)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (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)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 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)

ABSTENTIONS

MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 59, Against 63, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The third question is, that motion S3M-788, in the name of Jackie Baillie, on holding the SNP Government to account, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

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)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 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)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (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)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)

Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 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)
 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)
 Foulkes, George (Lothians) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (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)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 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)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

ABSTENTIONS

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 Hume, Jim (South of Scotland) (LD)
 MacDonald, Margo (Lothians) (Ind)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 O'Donnell, Hugh (Central Scotland) (LD)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)

Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)

The Presiding Officer: The result of the division is: For 63, Against 44, Abstentions 16.

Motion, as amended, agreed to.

Resolved,

That the Parliament recognises the critical importance of the forthcoming three-year spending review to meeting the hopes and aspirations of the people of Scotland; welcomes the detailed scrutiny of the SNP Government's spending plans by parliamentary committees as a central part of the budget process; believes that an effective budget scrutiny process is critical in ensuring that public services are delivered in a way which provides optimal value for money; believes that the process should be sufficiently robust to cope with majority and minority government; believes that there is scope to review the operation of the current procedures as laid down in the Standing Orders and the agreement between the Finance Committee and the Scottish Government; believes that the appropriate vehicle for such a review would be the Standards, Procedures and Public Appointments Committee, in consultation with the other committees of the Parliament, particularly the Finance Committee, and requests that the Standards, Procedures and Public Appointments Committee undertakes a review of the budget process for future years.

The Presiding Officer: The fourth and final question is, that motion S3M-793, in the name of Linda Fabiani, on the Scottish Government's European Union priorities, be agreed to.

Motion agreed to.

That the Parliament notes the importance of EU policies and legislation to the Parliament, its Committees and to Scotland and notes the priorities identified by the Scottish Government for particular attention.

Autism Parliamentary Network

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S3M-91, in the name of Nanette Milne, on the autism parliamentary network. The debate will be concluded without any question being put.

Motion debated,

That the Parliament affirms its commitment to work during the new Parliamentary session to improve the lives of people with autistic spectrum disorder; is concerned that, while progress has been made, individuals with autistic spectrum disorder still experience difficulties in accessing the appropriate services and support necessary for them to fulfil their potential, both in Aberdeenshire and across Scotland, and welcomes the development of an Autism Parliamentary Network, co-ordinated by the National Autistic Society Scotland, which will serve as an information channel to support Members of the Scottish Parliament in their endeavours to create a society where autism is fully understood and where people with autistic spectrum disorder are fully respected and supported and receive timely, quality services that are appropriate to their individual needs.

17:05

Nanette Milne (North East Scotland) (Con): Towards the end of the previous session of the Parliament, I lodged a motion to mark the setting-up of the autism parliamentary network. However, there was no time for a debate on the motion, so I resurrected the idea on my return to the Parliament and lodged a new motion. I am pleased that, of the 41 signatories to the motion, 15 are from the new intake of members. That augurs well for the network, which has been developed and coordinated by the National Autistic Society Scotland to serve as an information channel to help members in our efforts to promote better understanding of autism in Scotland and to create a society in which people with autistic spectrum disorder are fully respected and supported and receive quality services that are appropriate to their individual needs.

It is fitting that the debate is taking place the day after the launch by the Minister for Children and Early Years of the Celtic nations autism partnership and during the think differently, act positively campaign, which was launched recently by the National Autistic Society. The campaign aims to tackle persisting misconceptions about autism and to change public attitudes towards people who are affected by the condition. I am delighted that the campaign has the backing of *The Scotsman*, which has published a couple of excellent articles by Fiona MacLeod, in which she exposed ignorance and myths about autism and highlighted problems that are faced by people who have the condition, such as bullying at school and difficulty in obtaining full-time employment. I hope

that the campaign will raise awareness sufficiently to make a positive difference to the lives of many people on the autistic spectrum who face discrimination and disadvantage because they are misunderstood by the people with whom they come into contact during their day-to-day lives.

I am sure that members know that autism is a lifelong developmental disability, which causes difficulty in communicating with and relating to other people and in making sense of the world. People with autism vary enormously, depending on where they are on the autistic spectrum, from the often highly intelligent individuals who have Asperger's syndrome, who might be regarded as somewhat eccentric and obsessive but otherwise quite normal, to people who have minor communication difficulties, right through to people who are severely affected and have extremely complex needs and require highly specialised handling, peaceful surroundings and well-established routines if they are to have any hope of achieving their potential, however limited it might be.

It is estimated that there are around 50,000 people in Scotland with autism—one in every 100 people. The incidence is quite high in the north-east and is rising throughout Scotland, as more people are recognised as having the disorder. Early diagnosis and therapeutic and educational interventions are needed to help people and their families and carers, so it is sad that there is still a lack of awareness among professionals and services are patchy. A survey of families and carers, which was carried out earlier in the year, revealed a dearth of support for adults with autism.

I confess that, when I entered the Parliament in 2003, autism was little more than a name to me and I knew next to nothing about the variety of needs of people with the condition. However, I was soon approached by a concerned group of Aberdeenshire parents who were determined to secure the best upbringing possible for their children and who were quick to tell me and my north-east colleagues about the lack of appropriate services, such as speech and language therapy and wheelchair provision. I take my hat off to those parents, who as well as coping with the day-to-day problems of having one—or more than one—child on the autistic spectrum, battle tirelessly for greater understanding of the condition and for appropriate services to support their families. Those people should not have to fight for the facilities that they need. I hope that via the autism parliamentary network we will be able to help them to achieve what should be theirs by right.

In the previous parliamentary session, I fought a battle, which I hope will be won, to retain the provision of special schooling for people who need

it, instead of putting everyone into mainstream education. The presumption that one size fits all simply does not work for people with autism. I fought hard, along with parliamentary colleagues and parents, to retain facilities such as the excellent St Andrew's school in Inverurie as free-standing special schools, rather than as special needs units attached to a mainstream school. St Andrew's is a happy school, with highly trained and dedicated staff and parents who are willing to travel many miles each day to get their children there because of the great benefits that they gain from the school's ethos and facilities. I hope that it will be able to deliver its highly specialised service for many years to come.

A current worry that was highlighted to me just this week may be of interest to members. The Grampian Autistic Society has operated in Aberdeen and Aberdeenshire since 1988, running services to support people in developing their independence, helping to reduce anxieties and behavioural problems, and ultimately improving the quality of life for affected individuals and their families. Those services are now at risk because Aberdeen City Council has decided to categorise the society as a general home-care service and to fund it accordingly, which means that income from fees will be well short of running costs. If the society cannot continue its provision, the council is willing to commission non-autism-specific services for clients, which will suffice for some individuals but not for others who need the specialist provision that is currently on offer.

The society seeks my help in trying to persuade the council to change its decision. I am willing to do what I can to assist, but I flag up the issue today because I know that several charitable organisations in Aberdeen face similar difficulties. Given the budgetary problems that many councils are experiencing, it may well be an issue in other parts of Scotland, too.

There is no doubt that many children with autism struggle to access an appropriate education. Research has revealed that over a third of children with autism surveyed have experienced bullying at school; a third of parents surveyed have had to wait for over a year before their child received any support at school; and, although 1 per cent of children in Scotland are on the autistic spectrum, there is no requirement for teachers to undertake any training in autism and only one in three parents is satisfied with the level of understanding of autism at their child's school. To help children with autism to access the education that they deserve, the National Autistic Society's make school make sense campaign calls for

"The right school for every child. The right training for every teacher. The right approach in every school."

I hope that the debate will help to highlight the needs of an important group of people who are currently not well recognised by society. I hope that the autism parliamentary network will help us to work alongside the National Autistic Society Scotland and other concerned organisations to improve attitudes and understanding of the condition. I hope that the minister will take on board our concerns at Government level by looking at appropriate teacher training, by allowing the retention of specialist schools for those who do not sit well in mainstream education and by increasing awareness of the condition among employers and others who could make such a difference to the quality of life of people on the autistic spectrum and their families and carers.

17:12

James Kelly (Glasgow Rutherglen) (Lab): I very much welcome the opportunity to take part in the debate and I congratulate Nanette Milne on lodging the motion and giving some much-needed profile to autism.

The Parliament can make a difference on this important issue. The point of being in politics is to make a difference. As Nanette Milne said, autism sufferers throughout the country are looking for assistance and want politicians and the Parliament to play a positive role. We can make an impact through supporting the autism parliamentary network, which has a vital role to play, working in tandem with the National Autistic Society, linking with autism campaigns throughout the country and bringing the issue to the Parliament and the committees. It will help to raise awareness of the issue in the Parliament and throughout the country and enable us to make a difference to the lives of autism sufferers and their families.

Nanette Milne touched on the crucial importance of raising awareness of autism. Fifty thousand people in Scotland have autism, but 92 per cent of people are unaware of how common it is. Autism sufferers and those who support them have to overcome a number of obstacles in trying to raise awareness of the condition. One of those is the perception that all autism sufferers are a bit like the Dustin Hoffman character in "Rain Man", who has special gifts. In fact, only one in 200 autism sufferers falls into that category.

Another difficulty for parents of young children who have autism arises when they are out and about in public. Some autistic kids have behavioural difficulties and the public might not be aware of what those parents must deal with. Such issues must be overcome. If we can raise awareness, people will have a better understanding, which will lead to improved resources that will help communities and provide much-needed support.

Education is vital. We talk a lot about education in the Parliament and it is a big priority for MSPs. Education is vital for autistic children and adults. With better education, we can provide autism sufferers with the skills and techniques to cope better in the difficult world that they must face.

Resources are important to that, particularly for young children in primary schools, as Nanette Milne said. In my area, a campaign was launched two weeks ago in Rutherglen and Cambuslang to improve resources for autistic children. South Lanarkshire Council provides excellent resources in all other areas of South Lanarkshire but, unfortunately, Rutherglen and Cambuslang are lacking. The campaign wants the council, which has an excellent record of reaching out to communities, to extend those resources to Rutherglen and Cambuslang. The campaign had a successful petition with great feedback on the streets at the weekend. I will work with that group to achieve a successful outcome.

I am conscious that I am running out of time to mention other important issues, such as the need for early diagnosis and early intervention. I thank Nanette Milne for initiating the debate, which has been useful and will provide a platform for raising awareness of the importance of autism issues, not just in the Parliament but throughout Scotland's communities.

17:17

Kenneth Gibson (Cunninghame North) (SNP): I, too, congratulate Nanette Milne on securing this evening's important debate.

Autism is not new. The first detailed description of a child whom we now know had autism was written in 1799 by Jean Itard in his account of the wild boy of Aveyron. The first time that I heard of autism was in the 1970s when I watched the programme "Nationwide", which, despite its title, covered not just Scotland, but the UK. On that programme, autism was described in its most extreme form and the prevalence was said to be one in 5,000 to one in 10,000.

Of course, we now know that autism is much more prevalent. As has been said, there are 50,000 sufferers in Scotland, so perhaps one person in 100 suffers from autistic spectrum disorder, which can have a devastating impact on the lives of those whom it directly affects.

One of my closest friends has a nine-year-old son—Dominic—who has severe autism. Dominic cannot speak, is extremely temperamental and can show deep frustration at his inability to communicate by randomly picking up and throwing heavy objects accurately—as I have found to my cost. I have been astonished by the incredible patience that Dominic's parents have shown and

by their determination to secure the best possible future for their son. That has not been easy.

As members know, the quantum leap in the diagnosis of autism in the past decade or so has greatly exceeded the growth in services to cope with that diagnosis. That has left many parents feeling let down by local authorities.

In this parliamentary session, the first session and my time as a Glasgow city councillor, I have dealt with a number of parents who believed that their children's needs were not met, that their concerns were dismissed and that their wishes were ignored. No two autistic children are the same, so it is vital to gear services to an individual child if he or she is to reach his or her full potential. Services must evolve to meet that challenge.

Of course, autism is not just about children; it has an impact on adults, too. Last night, at the cross-party group on disability, concerns were voiced that the Education (Additional Support for Learning) (Scotland) Act 2004 is not as effective as it should be in helping young people with autism through the transition to adulthood.

On 9 August, I lodged three parliamentary questions, S3W-3115, S3W-3116 and S3W-3118 on the subject of autism. The Minister for Public Health responded positively to S3W-3116, on transition, in relation to the work that is being done on the guidance for commissioners of services for people with autistic spectrum disorder. She gave a similar answer to S3W-3115, on services for adults with autism. When the Minister for Children and Early Years responds to the debate, I hope that he will expand on where we are with the guidance.

Of course, progress is being made. I am pleased to say that that is the case in Ayrshire, where Daldorch House school has recently opened in Catrine. The school, which is managed by the National Autistic Society, offers continuing education and supported living for 16 to 21-year-olds from across Scotland and is the first of its type in Scotland. It provides 27 residential places and eight day places for young people with autism who require intensive and specialised support. That is the level of service that I hope we can continue to see.

James Kelly touched on the think differently campaign, which is important in raising awareness of autism and letting people know exactly what autism is all about. In fact, many people have the wrong idea about people with autism; they think that they cannot be reached. That is because, in previous generations, many people believed that all autism was the extreme variety that I mentioned at the beginning of my speech. With the right structured support in and outwith our

schools, individuals with autism—including adults—can be helped to reach their full potential.

There is, of course, no reliable prevalence estimate or register of people in Scotland with autism. I hope that we can move forward on that, as a Parliament.

I note that you are nodding in my direction, Presiding Officer. I believe that you wish me to discontinue my contribution, so I will finish by saying that, as a founder member of the cross-party group on autism in the first session of the Parliament, I welcome the development of the autism parliamentary network. I also welcome all the work that Nanette Milne has done in achieving that.

17:22

Alison McInnes (North East Scotland) (LD): I add my thanks to Nanette Milne for bringing the motion to the chamber.

I commend the National Autistic Society Scotland for its initiative in founding the autism parliamentary network, which will not only be an invaluable resource for parliamentarians, but encourage greater understanding of autism. It will also provide a forum for discussion, which I hope will lead to change and development in the provision of services for those with autism and their families. Surely all of us must be determined to see improvements to health, education and social care services for children and adults with autistic spectrum disorder.

The Scottish autism service network, which I think is unique in the United Kingdom, was developed with a £300,000 package of funding from the previous Executive. It offers diagnosis information, advice and support to a number of groups, including people with autism, their families, carers and practitioners. The intention in establishing the network was to help support local agencies throughout Scotland to deliver better services for those who are affected by ASD.

I turn to the work that Robert Brown took forward when he was the Deputy Minister for Education and Young People. I refer in particular to the formation of the ASD education working group, which has the aim of taking forward improvements, including those that were recommended by the NAS's make school make sense report. I ask the minister to commit tonight to carrying forward the network's work, through continued funding, and to support fully the implementation of the make school make sense recommendations.

I want further improvements in education provision for children in Scotland with autism. Personalised learning must become central to the

education of every child. Learning and teaching must be flexible enough to adapt to the individual and to ensure that every child gets the very best out of their time at school.

Although there are many good examples of initiatives across Scotland, the reality is that there are still difficulties in accessing appropriate services and support, and there is disparity in provision.

In the North East Scotland region, as Nanette Milne said, the Grampian Autistic Society has operated in Aberdeen and Aberdeenshire since 1988. It provides a range of specialist, targeted services. The organisation runs on a shoestring. It has relied on commissioning bodies, such as councils, recognising that it offers a specialised service and funding it appropriately.

I am concerned that Aberdeen City Council has reduced the available funding for those specific services. The effect is that, in my region, a matter of miles can determine what support is available for people. That is despite the fact that Aberdeenshire Council deals with significantly more people with ASD than Aberdeen City Council deals with, which cannot be right. The Government must ensure that adequate resources are provided to ensure that councils are not forced to reduce services because of budget pressures. I have real worries about the Scottish National Party's proposed council tax freeze and the impact that it might have on similar services in the next few years.

Several issues would benefit from early discussion in the autism parliamentary network, from the general issue of how to tackle the lack of understanding of the syndrome—which exists not only among the public but, worryingly, among education, health and care professionals—to more specific issues, such as the lack of support for adults with ASD. I look forward to participating in the network and I will do all that I can to ensure fairer access to better services for everyone with ASD in the North East Scotland region.

17:26

Robin Harper (Lothians) (Green): I will restrict my remarks to the field of education. Along with other members, I congratulate Nanette Milne on bringing the debate to the Parliament. I agree with her comments on special education. It might be time for a review of that provision across the board, to ensure that we are getting it right and that appropriate education in special schools is available for all those who need it.

I support the make school make sense campaign. Parents who are placing a child with any form of autistic spectrum disorder should be able to sit down with the school and identify

whether it is prepared—for example, whether appropriate assistance is available and whether the teachers are aware of the lesson plans, teaching and care that they should provide for autistic children. The number of complaints that I have received from parents about what is available for their children in secondary schools suggests that that process is not happening. Children go to school and then all the problems start, because nobody has thought to address the issues beforehand.

My final remarks are on bullying. A school that I taught at, which was well run, carried out a bullying audit, which found that more than 40 per cent of all the children in the school, unbeknown to us, had either been bullied or engaged in bullying. The problem in Scotland, despite the work of the anti-bullying network and the commitment from local authorities to deal with bullying, is much bigger than we realise. Scotland's Commissioner for Children and Young People is concerned about the matter and is doing something about it, but we need a concerted attempt throughout Scotland. We must revive the anti-bullying network and put best practice in place. It is not enough to have a piece of paper with an anti-bullying policy; schools must have active anti-bullying policies that involve all the children, if they are to work. The best policies work and reduce bullying across the board.

Routine bullying can be corrosive for children. The issue does not apply only to children with autistic spectrum disorder but, for them, it is even more serious because it is much more difficult for them to communicate their pain and suffering. They need to be encouraged, through vibrant and active anti-bullying policies in their schools, to engage in protecting themselves.

17:30

The Minister for Children and Early Years (Adam Ingram): I congratulate Nanette Milne on securing this debate addressing the challenges that are faced by people with an autism spectrum disorder. I welcome the contributions that others have made to the debate—our group might be small, but it is perfectly formed.

I, too, support the development of an autism parliamentary network, which can only strengthen our efforts to ensure that people on the autism spectrum are better understood and better supported by our health, education and social care services.

I am grateful that Nanette Milne and others acknowledge that substantial progress is being made and, although we are by no means complacent, I would like to highlight some of those achievements.

Through the national autism spectrum disorder reference group, the Scottish Government is improving assessment and diagnosis and the provision of information and training and is supporting innovative projects like Number 6 in Edinburgh and the adult resource centres in Glasgow and Aberdeenshire. Through those initiatives, adults who previously were not offered any support have managed to access training and employment, build relationships and improve their mental well-being.

The national reference group has also worked to improve the consistency of diagnosis across Scotland by training professionals in the use of agreed diagnostic tools, which has had the added benefit of reducing some waiting times. The Scottish intercollegiate guidelines network has now published extensive guidelines—in fact, Scotland is unique in Europe in doing so—on assessment, diagnosis and clinical interventions for children and young people with autism spectrum disorders, which will provide the evidence base to help doctors better diagnose and manage the condition.

Early diagnosis is critical, as James Kelly said. As I said in last week's debate on early years and early intervention, our focus must shift to preventing the emotional and behavioural problems of young people who have the disorder and helping to build resilience during the early years. We need policies and services across the board to deliver early intervention, thereby reducing the demand for crisis intervention, which currently dominates our systems. People with autism spectrum disorders, like everyone in Scotland, need health services to be there at the time when they need them.

Our communities also have a significant role to play in supporting positive childhoods and the quality of experience for children. I heard what was said earlier about discriminatory attitudes to youngsters with autism and I picked up on what Robin Harper said about the bullying of youngsters. We are reviewing school disciplinary policies at the moment and perhaps we should be considering the issues that have been raised today in that context.

Robin Harper: The anti-bullying policies that work are those that are separate from disciplinary policies. They are about inclusion and helping the bully as well as the bullied.

Adam Ingram: I stand corrected. However, we need to examine bullying in schools and I think that it is relevant to link the issues in that context.

The development of local area co-ordination, as recommended in "The same as you?", is vital in helping people on the autism spectrum to be part of their community. Guidance will shortly be issued

to promote greater use of local area co-ordinators by demonstrating how that role can be pivotal in delivering personalised services and self-directed support. That is still in its infancy, but, hopefully, we will see progress in that area. As Kenny Gibson said, guidance for the commissioners of health and social care services in relation to people on the autism spectrum is also near completion. The guidance will include good examples of successful practice.

I turn now to education. I would readily commit to support for special schools. There are a number of fine establishments up and down the country; Kenny Gibson mentioned Daldorch House in Ayrshire, which I visited recently. Robin Harper mentioned mainstreaming. The time is coming for a review that considers the place of special schools. I will certainly be looking at reinforcing support for the vital provision that such schools offer.

We must also recognise the role of education services in supporting young people on the autism spectrum. I am particularly concerned with ensuring that those young people receive the education that they deserve to ensure that they achieve their fullest potential.

Considering the needs of the individual is the key message of the Education (Additional Support for Learning) (Scotland) Act 2004, which came into force on 14 November 2005 with the aim of creating a stronger, better system for supporting children's learning. We know that schools alone cannot deliver all that children and young people need to make the most of their education. The act recognises that other agencies, particularly in social services and health, have a critical contribution to make. Those agencies need to be involved, especially at the time of transition to post-school provision.

The 2004 act also introduced new rights for parents. If parents feel that their child is not getting the education that he or she deserves, they have the right to give their view about the support that their child is getting. They also have the right to call for assessments. Like other members, I want the act to make a real difference to the lives of children and young people with ASD, but I accept that there is still considerable room for improvement.

Last year, Her Majesty's Inspectorate of Education published its report on educational provision for children with autism. Inspectors found much good practice in the work of education authorities, but made a number of recommendations to address the considerable challenges that still exist. To assist in taking forward those recommendations, and those made in the National Autistic Society's make school make sense report, the Scottish Government has

created an autism spectrum disorder education working group—which is quite a mouthful. Alison McInnes mentioned the role of Robert Brown in setting up the group. The intended outcome of the group is a resource pack for education authorities that will include guidance on strategic planning for future service provision.

I recognise the need for qualified teachers to increase their knowledge and awareness of additional support needs. Following recent talks, the General Teaching Council for Scotland has added five new areas to the professional recognition framework, one of which is autism. That will allow registered teachers to gain recognition for enhancing their knowledge and experience in this area.

Nanette Milne mentioned appropriate teacher training. She may be aware that the Scottish Government is funding the University of Aberdeen in a project to embed within initial teacher education inclusive approaches to teaching pupils with additional support needs. That work will include autism. I hope that the project will be a good model that can be spread out to other providers.

The Scottish Government recognises that much can be learned from sharing experiences. Last night, I was delighted to attend the Scottish launch of the Celtic nations autism partnership to support its work. Nanette Milne also mentioned the partnership. It provides Governments and support organisations with the opportunity to share ideas on developing the best possible outcomes for children and adults with autism.

I am well aware that the majority of support for children and adults with ASD comes from family carers. So, in concluding, I would like to extend a special thanks to all support providers—in particular, the national societies—for supporting families through the stress and uncertainty that comes with a diagnosis of ASD.

It is for us all, whatever our role, to ensure that policies are translated into practice. General and specialist services across health, social care and education all need to recognise and meet the needs of people with ASD and their families by working effectively and in a spirit of collaboration.

Meeting closed at 17:40.

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