

# **MEETING OF THE PARLIAMENT**

Wednesday 16 April 2008

Session 3

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## **SCOTTISH MINISTERS AND LAW OFFICERS**

### **Office of the First Minister**

FIRST MINISTER—Right hon Alex Salmond MSP  
MINISTER FOR EUROPE, EXTERNAL AFFAIRS AND CULTURE—Linda Fabiani MSP  
MINISTER FOR PARLIAMENTARY BUSINESS—Bruce Crawford MSP

### **Health and Wellbeing**

DEPUTY FIRST MINISTER AND CABINET SECRETARY—Nicola Sturgeon MSP  
MINISTER FOR PUBLIC HEALTH—Shona Robison MSP  
MINISTER FOR COMMUNITIES AND SPORT—Stewart Maxwell MSP

### **Finance and Sustainable Growth**

CABINET SECRETARY—John Swinney MSP  
MINISTER FOR ENTERPRISE, ENERGY AND TOURISM—Jim Mather MSP  
MINISTER FOR TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE—Stewart Stevenson MSP

### **Education and Lifelong Learning**

CABINET SECRETARY—Fiona Hyslop MSP  
MINISTER FOR SCHOOLS AND SKILLS—Maureen Watt MSP  
MINISTER FOR CHILDREN AND EARLY YEARS—Adam Ingram MSP

### **Justice**

CABINET SECRETARY—Kenny MacAskill MSP  
MINISTER FOR COMMUNITY SAFETY—Fergus Ewing MSP

### **Rural Affairs and the Environment**

CABINET SECRETARY—Richard Lochhead MSP  
MINISTER FOR ENVIRONMENT—Michael Russell MSP

### **Law Officers**

LORD ADVOCATE—Right hon Elish Angiolini QC  
SOLICITOR GENERAL FOR SCOTLAND—Frank Mulholland QC

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DEPUTY PRESIDING OFFICERS—Alasdair Morgan MSP, Trish Godman MSP

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

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MEMBERS—Jackie Baillie MSP, Robert Brown MSP, Bruce Crawford MSP, David McLetchie MSP

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16 April 2008

## Scottish Parliament

*Wednesday 16 April 2008*

[THE PRESIDING OFFICER *opened the meeting at 14:00*]

### Time for Reflection

**The Presiding Officer (Alex Fergusson):** Good afternoon and welcome back. I hope that everybody had a good recess. The first item of business this afternoon is time for reflection. Our leader for time for reflection today is the Rev Muriel Pearson from Cranhill parish church in Glasgow.

**The Rev Muriel Pearson (Cranhill Parish Church, Glasgow):** Sometimes, some of the older members of my congregation in Cranhill, in the east end of Glasgow, like to reminisce about the glory days when church was full, the Boys Brigade marched the length of Bellrock Street to the stirring skirl of the pipe band and hats were worn on a Sunday. A wistfulness creeps into their tone. The congregational roll has plummeted from 300 to 30 in the past 20 years; so many friends have died or moved away; and there are so few young ones in the church. The grief and regret are very real, but they are not the end of the Cranhill parish church story. Out of the death of the past way of being a church, new shoots of life are coming, reminding us that we are Easter people.

Cranhill is only one example of a congregation in an area of urban poverty that has boldly offered hospitality to asylum seekers and refugees and to folk seeking access to learning, and which has, through a daily community cafe, created a space where folk of all ages can meet and eat. The Cranhill community project, which was set up as a partnership between the church, the local Roman Catholic congregation, the credit union and other key community folk, currently employs three full-time and four part-time workers and has a pool of more than 40 committed volunteers. They host community events and bring diverse people together.

Faithfully, week by week, worship continues and prayer is offered, and the wee community of faith deepens friendships, welcomes strangers and treats each individual as sacred, made in the image of God. It is in these poorest places, with the fewest resources, that some of the signs of life and hope are most clearly seen in the church. Here, commitment to the radical gospel of God's concern for the poor has led to some creative and life-enhancing partnerships with others in the community who dream of possibility and look for life.

We know that there is so much to do—so many who do not know their worth, who have believed themselves useless or a nuisance, or who have accepted the antisocial delinquent tag that has been placed on them by a society that sees them as a problem rather than a rich resource, helping to forge the nation shaped by the wisdom, justice, compassion and integrity that were embodied in the original vision for this Scottish Parliament and which are emblazoned on its mace.

I am glad to bring you today the greetings and good wishes of the folk of Cranhill parish church, who hold together their grief for the past with their hope for the future and who, in this Easter season, offer a living witness to the good news of life after death. May grace, peace, love and hope be yours as you work together on behalf of all Scotland's people.

## Scotland Week

**The Presiding Officer (Alex Fergusson):** The next item of business is a statement by the First Minister on Scotland week. The First Minister will take questions at the end of his statement, so there should be no interventions.

14:04

**The First Minister (Alex Salmond):** I welcome everyone who is back in the chamber after the Easter recess. During the recess, it was my privilege to lead a delegation from the Scottish Government to America as part of Scotland week. Those efforts were complemented by the cross-party delegation, led by the Presiding Officer, that visited both the United States and Canada.

In my statement, I will set out what that effort involved and why it matters so much to this country, not least in developing new business, educational and cultural links that will benefit Scotland in the short and long term.

Scotland has always had many friends and admirers across the Atlantic. As a result of Scotland week, we now have many more; we also have new economic opportunities and a growing international profile.

Members will be aware that this year's programme—for the first ever Scotland week—was a departure from previous years. We set a higher bar and higher ambitions, and we sought to do full justice abroad to the potential of our people and economy.

Our relationship with the United States and Canada is as much, if not more, about enhancing economic and cultural ties in the future as it is about celebrating historic ties of country and kin. The Government's message to our friends all across North America is that Scotland is a country on the move, that we are a nation with ambition and that we are utterly determined to maximise our economic potential.

During our preparations for Scotland week, during the week itself, and during the following days, the Scottish Government has focused on delivering real substance and achieving concrete results to advance our country's interests at home and abroad.

I will outline to the chamber our work and progress on behalf of Scotland. I will highlight three issues in particular: Scotland's commercial links with the United States and Canada; the building of cultural links; and the strengthening of political ties and the enhancement of Scotland's image abroad.

I am pleased to report on a busy and productive programme to promote Scotland's economic potential. As First Minister, I took part in major business events in Boston, New York and Washington DC, which I will discuss shortly. The Minister for Enterprise, Energy and Tourism, Jim Mather, spent eight days in the United States, leading the Scottish delegation in discussions with some of America's most significant companies and investors. He knows not only the way to San Jose, but the way to Seattle, Houston and Austin, Texas, where, with the team from Scottish Development International, he helped to open doors for Scottish business in America. The fruits of those efforts will be real investment, jobs and tangible benefits for the people of Scotland.

I will give members the edited highlights of Jim Mather's tour. There were meetings with major players in the information technology sector, including Microsoft and Dell. In the energy sector, he had meetings with Apache, VetcoGray and the Endeavour International Corporation. In the areas of tourism and business, he had a meeting with Continental Airlines, and in the area of life sciences there were meetings with Alexandria Real Estate Equities and its accelerator programme, and with the VLST Corporation.

There were also meetings with major groups of investors, including business angel networks. Those companies took great interest in the changes that are under way in Scotland, not just in the new Government but in its new approach, its new economic strategy and its new ambition.

I will also update colleagues on my discussions with America's business community. When I spoke at Harvard University in Massachusetts on the eve of our historic cut in small business rates, I made clear the Government's ambition for Scotland to become a celtic lion economy by investing in the sectors of the future. That means investing in energy, life sciences, financial services and the creative industries. I outlined our ambition to become the world's leading centre for renewable energy, and I invited America's business community to share in the opportunities.

When I spoke at the National Geographic Society in Washington DC, I made clear the Government's desire for Scotland to act as a pioneer and innovator in the global effort to tackle climate change. I showed the depth of our commitment by launching the £10 million saltire prize—the world's largest ever single prize for innovation in marine renewable energy.

I was able to announce the invitation of Terry Garcia, the National Geographic Society's head of global missions, and Professor Anne Glover, Scotland's chief scientific adviser, to become the first members of the international expert prize



committee. This small nation is going to have a big impact on a global challenge.

On that same day in Washington DC, I met Luis Alberto Moreno, the president of the Inter-American Development Bank, to outline our involvement in the bank's sustainable energy and climate change initiative. There is now the prospect of the bank working with Scottish Enterprise on a pilot to apply Scottish renewable marine energy technology to Chile and supporting further initiatives in countries such as Mexico and Colombia in partnership with the University of Strathclyde. The Government will do everything that it can to ensure success and to develop a model of technology transfer that we can export globally. The potential benefit of those new partnerships with Latin America—for Scottish jobs and the Scottish economy—is tremendous. A door that, prior to Scotland week, was closed is now open. That is precisely what Scotland week should be about—creating new links and new opportunities for our people and our economy. We intend to deliver on that ambition.

There is also good news to report in the cultural sphere, not least thanks to Linda Fabiani and her team. By firing the starting gun for the Scotland run in New York, she announced the start of Scotland week—and of her own marathon tour to promote the best of Scottish culture. In New York, she met theatre and dance companies and arts supporters who are interested in developing and strengthening links with Scotland. No doubt they were inspired and spurred on by the National Theatre of Scotland's huge success in the United States with its "Black Watch" production.

In Washington DC, there were visits to the Smithsonian Institution, which hosts the Scotland at the Smithsonian archive, and to the US Library of Congress. We were able to thank the library for reinstating Scottish literature's distinct catalogue headings—a campaign that was energetically supported to success by Congressman Mike McIntyre and the friends of Scotland caucus. Linda Fabiani also hosted a reception at the Carnegie Institution for Science to introduce Scottish universities and colleges to aid-based organisations and to energy and life sciences organisations.

In Toronto, the Scottish Government helped to raise new funding for the centre for Scottish studies at the University of Guelph. I should note that, by hosting major tourism and business receptions in New York, Washington and Toronto, Linda Fabiani drove home the message of how Scotland's cultural success can go hand in hand with economic success. She of course extended the invitation to our friends—old and new—to visit Scotland in 2009 for the year of homecoming.

I highlight a third positive aspect of our Scotland week programme: strengthened political ties with America's decision makers. We were delighted to receive messages celebrating tartan day from the three leading presidential candidates—Barack Obama, Hillary Clinton and John McCain.

Meanwhile, the President, in his official proclamation of the 10<sup>th</sup> national tartan day in the United States, emphasised the signal importance of the declaration of Arbroath in embodying Scotland's dedication to liberty—a principle that we helped to enshrine in the American spirit. That is why I was proud to visit the University of Virginia to speak about the priceless democratic legacy of Thomas Jefferson. That subject might trigger something of an allergic reaction in some quarters in Westminster, but—entirely rightly—our American friends are comfortable with the simple concept that Jefferson's principles of democracy can guide the course not just of this nation but of democracies across the world.

Scotland week has helped to raise the profile of our country on Capitol Hill. The friends of Scotland caucus—chaired on a bipartisan basis by Congressman Mike McIntyre and Congressman John Duncan—is growing and is now 47-strong after recruiting five new members in Scotland week alone. Our reception, which the Presiding Officer also attended, was attended by the majority leader and Speaker of the House of Representatives, Nancy Pelosi. Senator Jim Webb, who is a great friend of Scotland, has pledged to recruit 20 members of the Senate—fully one fifth of the whole chamber—to a senatorial friends of Scotland caucus.

These are not fair-weather friends or your average well-wishers. Members of the world's most powerful legislature are taking note and endorsing the new confidence and the new spirit in our country. I am sure that all members of the Scottish Parliament will want to express their appreciation for that strong showing of respect and esteem from our friends in the United States Congress.

Let me draw some conclusions from our first ever Scotland week and 10<sup>th</sup> tartan day that should inform not only our future engagement with North America but the way in which we in the chamber think about Scotland—how we present ourselves and our country abroad.

First, we can say with confidence that the first Scotland week programme has been a substantial success. Above all, it succeeded in its central objectives of creating new economic, cultural and educational opportunities for Scotland.

That suggests a second lesson—that when Scotland's businesses and Government set out to work together, we can and do achieve results.

Scotland can succeed just as well on the big stage as on the small stage. We are limited only by the scale of our ambition. If we bring home one part of the American dream, it must surely be the sense of possibility—the sense of “can do”. Such a shift in national outlook must drive the next phase not only of the Government but of the Parliament. We should all want this country to be a global player and a global success. We can make that happen only by thinking big and carrying ourselves with confidence. That is the lead that the Government offers, and it chimes with our friends in America, who want to help us achieve our ambition.

Let me outline a third and final lesson. We have seen that Scotland week has been in the national interest, creating new opportunities for our businesses. It projects a positive national image and is raising Scotland's profile in North America and beyond. However, the United States and Canada are vast, and there are other countries and markets in which we must conduct similar campaigns to promote our country. We need to mobilise all our efforts and energy—in the chamber and outwith it—to promote Scotland's interests. It should be seen as in interests of all members for Scotland to succeed internationally—that should be a joint endeavour for all of us. A window of opportunity is open to us, and many friends overseas are showing a willingness to embrace the new Scotland.

America knows what we all know from the past significant year—that Scotland has a new voice and a restless ambition. There is a sense of renewal, opportunity and possibility that has long been at the core of what it means to be an American. In addition to our achievements in promoting Scottish business, culture and education, we are showing our friends in North America that such optimism and ambition also now lie at the heart of what it means to be a Scot.

**The Presiding Officer:** The First Minister will now take questions on the issues that were raised in his statement. I will allow around 30 minutes for questions before we move to the next item of business.

**Ms Wendy Alexander (Paisley North) (Lab):** I thank the First Minister for his statement. I noted his reference to his Jeffersonian address, in which he commended Thomas Jefferson on a leadership style that was

“patient, honest and deeply thoughtful.”

Does the First Minister intend to emulate that leadership style in the chamber in future? *[Laughter.]*

Understandably, today's statement tones down the rhetoric of the First Minister's Harvard address, in which he claimed that his “defining mission” was for Scotland to become

“one of the great success stories of the global economy.”

He said that that purpose

“lies at the heart of the decisions”

that the Government has made. *[Applause.]*

**The Presiding Officer:** Order.

**Ms Alexander:** In the interests of ensuring that his rhetoric is matched by reality, I will ask him some specific questions about the prospects of attracting American business to Scotland.

According to Mr Mather, taxation was never far from the table in discussions with American companies. During their tour, did ministers find a single potential investor who favours their plans shortly to make Scotland the most highly taxed part of the United Kingdom, with a 15 per cent hike in income tax? If they did, is the First Minister willing to name that investor, for the avoidance of doubt?

The ever-industrious Mr Mather not only found his way to San Jose but was also sleepless in Seattle, because he wrote in Seattle's local newspaper about the importance of having a skilled workforce. Why, when ministers were out of the country, did we back home discover that the Government is cancelling all adult modern apprenticeships in tourism, hospitality and the entire service sector—the very sectors that Linda Fabiani was promoting?

Finally, the First Minister referred to events to promote Scotland as a world centre for life sciences and stem cell research, which is a commendable ambition. In the light of that ambition, can he confirm that, as member of Parliament for Banff and Buchan, he intends to support the clause in the Human Fertilisation and Embryology Bill that will permit the use of admixed embryos? That measure has been widely sought by the biomedical research community in Scotland, which considers it to be vital to Scotland's ability to secure its place in life sciences research in the future.

**The First Minister:** One of the things that Wendy Alexander should perhaps ponder on is the fact that she gets a much better reception when she quotes my speeches than she does when she retells Simon Pia's jokes.

On the final part of Wendy Alexander's question, I will certainly be voting on the bill that is before the Westminster Parliament. I have already said publicly that I am sympathetic to many aspects of it, which I will take into close consideration. However, I must confess that at the round-table meeting that we had with the life sciences industry, which involved many new investors who have recently come to Scotland and a number of key companies that we hope will come here, that issue was not mentioned, whereas a range of measures that we are taking to build the

excellence and success of the life sciences industry in Scotland were mentioned.

I know that, in fairness, Wendy Alexander will want to welcome the substantial increase in the number of modern apprentices in construction and other engineering industries.

Finally, no one mentioned the prospect of the abolition of the council tax and its replacement with a fair means of taxation. In fairness, I should point out that no one mentioned the quite disgraceful imposition by the London Treasury on 600,000 Scots of a 10p tax increase, either. However, American audiences were deeply interested in the substantial cut in business rates, which will give a potential advantage to 100,000 small businesses in Scotland precisely when such an advantage is needed, as a result of Westminster's rather depressing economic policies and, indeed, the western downturn. I hope that, at some point, Wendy Alexander will bring herself to support small business in Scotland.

**Annabel Goldie (West of Scotland) (Con):** I, too, thank the First Minister for a copy of his statement.

I cannot help noticing that last year we had tartan week and this year we have had Scotland week. I presume that next year we will have Salmond week—we are agog with excitement.

The First Minister has given a glowing account of his trip to the States. One is tempted to conclude that very few people on the eastern seaboard were spared a meeting with him. Does he have any independent evidence from the American end of the impact of the annual visit? Does he propose to make available details of American media coverage of the visit?

More specifically, last week I learned an interesting fact about New York, which I did not have to travel 3,000 miles to find out. While the First Minister was away, a report published in Scotland by Reform Scotland informed us that there is now more violent crime per head of population in Glasgow than there is in New York. When he was in New York, what steps did he take to find out why New York is so much better at dealing with violent crime than we are? What feature of the criminal justice system there most impressed him?

**The First Minister:** First, I will help Annabel Goldie out with her query about media coverage. Apart from doing good, solid work on behalf of this Parliament, her predecessor, David McLetchie, seemed to enjoy himself greatly over the course of the week's events in both the United States and Canada. I fear that Annabel Goldie might have been slightly led astray by an article in *The Herald*, which I read when I came back, in which Alf Young suggested that the American coverage had

not reached newspapers such as *The Boston Globe* or *The New York Times*. I was slightly surprised by the article, because tartan day is officially on 6 April and the article was written on 4 April.

Nevertheless, I am delighted to be able to tell Annabel Goldie that the media coverage for Scotland week in North America was seen by more than 230 million North Americans—more than double the number in previous years—which I am assured is equivalent to an advertising spend of more than \$10 million. I undertook not one but two major broadcast interviews in New York with Bloomberg television—so good that they invited me back to do it all again the next day—and was interviewed on Fox television, by the BBC in Washington and on many occasions locally. We even appeared this week on the Professional Golfers Association's own television station, to celebrate the Scottish input into the heritage classic in North Carolina.

I am sure that members are aware that the world reach of the National Geographic Society and its television stations and websites is more than 600 million people. Linda Fabiani appeared on Canadian Television.

On the print press, I am delighted to report that if Alf Young gets back to his computer he will find articles in *The Boston Globe*, *The New York Times*, the *Los Angeles Times*, *The Seattle Times*, the *Toronto Star*, the *Metro Toronto*, the *Richmond Times-Dispatch*, the *Houston Chronicle*, the *Rochester Democrat and Chronicle*, and the *News and Sentinel*, as well as pick-up and coverage throughout the continental United States of America.

At every opportunity, I told people of this Government's absolute determination to put 1,000 additional officers on the streets of Scotland, to tackle the problems that Annabel Goldie is concerned about.

**Nicol Stephen (Aberdeen South) (LD):** I see that the First Minister has impressed—especially himself—with his global profile. [*Laughter.*]

**The Presiding Officer:** Order.

**Nicol Stephen:** I echo Annabel Goldie when I say that the First Minister has also achieved a remarkable feat in managing to congratulate himself in his Jefferson lecture for what he called “the first ever Scotland Week”,

and then five days later celebrating with Trent Lott the 10<sup>th</sup> anniversary of the event.

I very much welcome the various company deals and initiatives. I know how hard Scottish Development International works to make such deals happen, particularly given its growing

presence in the US, and I am pleased that SDI has the new Government's support. Will SDI continue to have a budget that matches those of previous years from the Scottish Government and Scottish Enterprise? What plans does the Government have to support SDI in the future? What discussions has the Government had with Continental Airlines—representatives of which the First Minister met—about the implications for links between Scotland and the USA of cuts to the route development fund? What estimate has the First Minister made of the level of inward investment from the USA next year, compared with this year and previous years? What assessment has the Government made of the impact of the current exchange rate on tourist visitors from the US to Scotland and the implications of that for the homecoming Scotland project?

I welcome the announcement of support for marine renewables. I welcomed the four previous announcements of such support, too. In February 2007, when I was Minister for Enterprise and Lifelong Learning, I awarded £13 million of grants to nine companies to develop ideas for marine energy in Scotland. In addition to the saltire prize, is there any intention to extend the marine development support fund to a wider range of companies, or is the door currently shut on new American companies that want to develop wave and tidal power projects in Scotland? Will the First Minister agree to meet US renewable energy companies, in particular in the US marine renewable energy sector, the next time he visits North America, to help to develop new technologies in Scotland?

**The First Minister:** I congratulate the former Deputy First Minister on congratulating himself on his initiatives on renewable technology when he was Minister for Enterprise and Lifelong Learning.

I am delighted to say that there were more than 300 people at the National Geographic Society lecture, many of whom represented the renewables sector in North America. The association with the National Geographic Society, which is one of the world's foremost educational institutions, is a significant new development in terms of pioneering and developing the saltire prize, which will bring £10 million—or \$20 million—for projects that will be demonstrated in Scotland. I am sure that Nicol Stephen realises that the announcement of the world's largest prize for marine renewables is exciting a huge amount of international interest.

I did not meet Continental Airlines. Its meeting was with Jim Mather and, obviously, Scottish connections were very much under discussion. As the former Deputy First Minister is well aware, European regulations mean that the route development fund does not apply to Glasgow or

Edinburgh airports. As he knows, we cannot make them do that. I am confident that we will see significant announcements in terms of connections between Scotland and America, in particular in looking forward to the year of homecoming.

Nicol Stephen is right to draw attention to the fact that movements in exchange rates present challenges, particularly for the visitor industry in Scotland. Of course, such movements also present opportunities for Scottish exporters to North America. Instead of talking about their impact on the year of homecoming, surely he should see that they are all the more reason to develop that significant initiative at this time. The year of homecoming will help to bolster visitor numbers into Scotland.

I turn to support for SDI. We intend to support it to the fullest extent. Nicol Stephen must not be misled into believing that it is only the size of a budget that counts in terms of its effectiveness. I point out to him that all the events in Scotland week—"Scotland week" for the first time, or "tartan day" for the 10<sup>th</sup> time—were carried out on a budget of £400,000. By any examination of the budgets, we gained double the coverage in the United States media. The previous weeks cost £700,000. I am not sure how to put it, so I will use an Americanism: we got a bigger bang for our buck this year under this Government than was achieved under the previous Government.

**The Presiding Officer:** We move to questions from back benchers. Eleven members have questions to put for answer in 18 minutes. I ask for brevity in questions and answers.

**Alex Neil (Central Scotland) (SNP):** Presiding Officer, I draw the First Minister's attention to the successful cross-party parliamentary delegation to the United States and Canada, which you led. In particular, I draw his attention to our key findings from Canada—from Toronto and Ottawa in particular. Enormous business opportunities are open to Scottish business in energy and life sciences, particularly in Alberta, Saskatchewan and Ontario. However, given that our inheritance from the former Deputy First Minister was only one full-time person in SDI in Canada, will the First Minister consider resourcing SDI in Canada to ensure that we exploit all the huge business opportunities for Scotland there?

**The First Minister:** I assure Alex Neil that we will always look carefully at matching our staff resources with the extent of opportunity. I agree that the opportunities in Canada are significant.

Earlier, I mentioned David McLetchie by name. Alex Neil's question gives me the opportunity to say that David McLetchie, Alex Neil, Frank McAveety and Iain Smith—in addition to you as our leader, Presiding Officer—were all worthy

representatives of the Scottish Parliament. They behaved impeccably on every occasion and put forward the view of Parliament on a multi-party and cross-party basis.

**Mr Frank McAveety (Glasgow Shettleston) (Lab):** I thank the First Minister for that commendation. I will make sure that my mother receives that note from him.

In his statement, the First Minister took a curious year-zero approach. He claimed that May 07 has suddenly come up with new economic development ideas for Scotland in America and Canada. Does he agree that the previous Executive made a substantial commitment to those issues? I have in the chamber a memento from the SDI office in Boston. We opened that office almost six years ago to make a commitment that SDI would compete effectively in the US economy.

Given that global success is a key theme, does the First Minister agree that, although he referred to Burt Bacharach, who asked,

“Do you know the way to San Jose?”,

perhaps what he was peddling in the United States related to two other great songs by Burt Bacharach: “Wishin’ and Hopin’” and “Promises, Promises”? Perhaps we can look forward to the First Minister’s next presentation, in *Vanity Fair*, to be called, “Hail, Fair King of Scotia, Alex Salmond”.

**The First Minister:** I would prefer to call it “Scotland—The Case for Optimism”. I know that, despite everything, Frank McAveety actually shares that view in his heart of hearts. It was Nicol Stephen who pursued the year-zero approach. The change was to identify the week as Scotland week, rather than tartan week, which it was called in previous years. I earnestly hope for all concerned that Frank McAveety has remembered to declare, in the register of his interests, the piece of Government property that he held up.

**Shirley-Anne Somerville (Lothians) (SNP):** I am delighted that the First Minister used Scotland week as a platform, through the saltire prize, to firmly stamp Scotland’s place as an international leader in promotion of clean energy technology. Will he detail what impact he envisages the prize will have on advancing the speed at which renewable energy technologies come online, particularly in Scotland, to ensure that the country remains at the forefront of the green energy revolution?

**The First Minister:** There are three aspects to seizing the opportunity on marine renewables. The saltire prize gives us a substantial profile and helps us to advertise new marine technology, not just from Scotland, but from anywhere on the

planet, but demonstrated in Scotland. We should not underrate the importance of people appreciating, as *Fortune* magazine recently did, that Scotland has perhaps 25 per cent of the tidal energy potential and more than 10 per cent of the wave energy potential, not of the United Kingdom, but of Europe. It is important to get that message across.

Secondly, we should ensure that we have a comparative advantage—as we do and shall continue to do—in the development of marine technology through support from the Government. Finally, and crucially, I cannot overemphasise how important it is that electricity generators, whether they generate from renewables or other sources in Scotland, are not placed at a disadvantage because of connection charges to the national grid. Given that the potential that we are talking about in the next generation is not only for the 6GW of Scotland’s consumption, but for 10, 20, 30 or perhaps even 40GW, we must adopt mechanisms to transfer that power from where it is produced in Scotland to where it will be bought and consumed. That means that we must develop new transmission systems, which I presume will be by sea, on the west and east coasts. It also means that Scotland must have a fair deal on transmission charges and access to the grid of onshore transmission lines.

**Iain Gray (East Lothian) (Lab):** I fear that the First Minister may, uncharacteristically, have underplayed the agreements that were reached in the United States. His Minister for Transport, Infrastructure and Climate Change has a blog that I found this morning, in which he describes his location as:

“Banffshire: Scotland: United States Minor Outlying Islands”.

Nonetheless, visitors from the rest of the United States will still, we hope, come here and visit these “minor” islands for next year’s year of homecoming.

The First Minister simply did not explain how ending training programmes in hospitality, tourism and travel, at the very time when he is promoting the tourism industry in the United States—which we support—will ensure that those visitors get the welcome that they deserve and which we hope they will have. Will he explain that now?

**The First Minister:** Iain Gray should have been listening. I told Wendy Alexander that she should welcome the expansion of training places in the engineering and construction industries because they have been identified as key areas of shortage in which we need substantially more skilled labour. All I can say in answer to the first part of Iain Gray’s question is that I advise him very strongly

to change his scriptwriter, or not to use the same scriptwriter as his political leader uses.

**David McLetchie (Edinburgh Pentlands) (Con):** The First Minister spoke about the lessons to draw from his Scotland week visit. Does he agree that the true historical lesson for Scots to draw from the United States is not about the desirability of a declaration of independence, but about the dangers of secession from a union?

The Scottish National Party Government has used the Commonwealth of Virginia as a model for improvements in the delivery of public services. The Scottish Parliament delegation had a useful and constructive meeting on that subject with the governor of Virginia and key officials. Richmond, Virginia, which was the capital of the breakaway confederacy, now prospers as part of the United States—one nation indivisible. Will the First Minister bear that in mind when considering the policies of his Government?

**The First Minister:** If David McLetchie had been around 200 years ago, I am sure that he would have been an ardent supporter of King George III of the United States of America and, after the declaration of independence, would no doubt have fled to Canada or returned to these shores.

Rather than make strange historical comparisons, we should make the historical links that are being made by our friends in the United States of America. For David McLetchie's memory, I point out that 6 April was chosen as tartan day, not by people in Scotland but by people in the Senate, because it is the anniversary of the declaration of independence. Mr McLetchie should note that it was not a declaration of devolution, nor was it a declaration of one country indivisible. It was a declaration of independence.

**Iain Smith (North East Fife) (LD):** It was a pleasure to be part of the Scottish Parliament cross-party delegation to the US and Canada—led so ably by the Presiding Officer—which was determined to put the interests of Scotland first. I welcome the confirmation by the First Minister in his statement that his Government is building on the work of the previous Administration, particularly the previous enterprise ministers Jim Wallace and Nicol Stephen, in developing links with business in the US, particularly in the life sciences, financial services and renewable energy.

For once, I agree with the First Minister. To succeed internationally, we in Parliament must come together. Does the First Minister accept that at future events, it is the role of the Scottish Government to promote the interests of Scotland rather than the interests of the Scottish National Party?

**The First Minister:** The Scottish Government represented Scotland and represented it well. The parliamentary delegation represented the Parliament and, in my view, represented it well. To make the connection with 6 April, we presented the Library of Congress with a copy of the declaration of Arbroath. I think I saw Iain Smith among those who signalled their approval. It was not a party-political gesture, but a gesture from Scotland to our friends in America.

**Christine Grahame (South of Scotland) (SNP):** The First Minister will be aware that there are more than 4.5 million people of full or partial Scots descent in Canada, while in Australia, there are about 1.5 million. Those figures come from the most recent censuses in those countries. What plans does the First Minister have to extend Scotland week to those nations, to tap into their undeniable good will and investment potential?

**The First Minister:** Christine Grahame is right to point to opportunities to extend the principle of Scotland week. In addition to our normal trading, economic, social, cultural and family contacts with many areas of the world, it is important to have the focus of Scotland week. To ensure its success, the Scottish organisations in those countries have to show the willingness that has been shown by the United States and Canada to host the many successful events in that week. There is considerable potential, and not just in the countries that were mentioned by Christine Grahame. We have recently held discussions with the Russian ambassador that indicate that there is substantial enthusiasm for such an event in Russia.

Many of Scotland's friends abroad look at the events and style of Scotland week and greet it with great enthusiasm—even more enthusiasm perhaps than do some members of the Scottish Parliament.

**John Park (Mid Scotland and Fife) (Lab):** On his most recent visit to the US, the First Minister invoked the spirit of Ronald Reagan by telling *The Wall Street Journal* that he was a long-time advocate of supply-side economics. On his return from America this week, Jim Mather has been lauding the fact that Washington is one of the few states that has no personal or corporate income tax. Will the First Minister tell Parliament—and, more important, some of his back benchers—whether that is the language of a social democratic Government? More important, will he explain what type of companies he expects to attract to Scotland with his cut in business rates?

**The First Minister:** I do not think that any member of a political party that supports a Government at Westminster that intends to double taxation on some of the poorest members of the community should talk about social democracy.

Social democracy means a contract between a successful, thriving economy and flourishing social services. That is the principle—the concordat—that this Government offers to Scotland and it is why we are the Government and John Park is part of the Opposition.

**Christina McKelvie (Central Scotland) (SNP):** Is the First Minister confident that the new focus of Scotland week will deliver greater benefits to Scotland's businesses than the approach that was followed previously?

**The First Minister:** We have a more pronounced business focus, which is important, but we should not underrate the academic and cultural connections between Scotland and the United States of America. A few minutes ago, I mentioned—to Parliament's approval—the enormous success of "Black Watch", not as part of Scotland week but as part of the Government's promotions and the support that it was able to give to the National Theatre of Scotland. I will have the privilege of seeing the production in Glasgow tonight. We should always remember that academic and cultural links can have a profound and hugely more substantial impact than any publicity that we could attempt to buy in the United States of America. The business focus is important, but let us not underrate the strength of the connections in culture and academia.

**Malcolm Chisholm (Edinburgh North and Leith) (Lab):** The First Minister boasts of setting a higher bar and of having greater ambition, but will he give us the evidence for that in respect of culture? Does he not realise that the previous Administration established an international touring fund for the national companies—and, indeed, established the National Theatre of Scotland itself—leading to the great success of "Black Watch" in the USA, as well as visits by the Traverse Theatre, the Citizens Theatre and Stellar Quines? Does he also not realise that, last year, we funded tartan week events that were run by, for example, the Scottish Book Trust, the Scottish Museums Council, Scottish Screen and the Edinburgh festivals? What comparable initiatives can he tell us about?

**The First Minister:** There was a range of cultural and theatrical events throughout Scotland week. The significant thing is that, in any estimation, the news and print coverage of those events was approximately double what it had been previously and the cost to the Scottish Government was just over half what it had been. Malcolm Chisholm should look at the programme that the Minister for Europe, External Affairs and Culture conducted in the United States of America. He should celebrate the fact that we support our national companies and the cultural impact that Scotland can have on a world reach.

**George Foulkes (Lothians) (Lab):** I greatly enjoyed the First Minister's statement on his visit to the United States, but will he tell Parliament when we will get a statement from Fiona Hyslop on her visit to China?

**The First Minister:** Fiona Hyslop will write to the Presiding Officer. I am not certain whether George Foulkes is arguing that she should not have continued the partnership agreement that the previous Administration signed with the Chinese or what side he is coming from. However, I am always courteous to him, so I welcome him back to the Parliament in rude health.

## Police Resources

**The Presiding Officer (Alex Fergusson):** The next item of business is a debate on motion S3M-1629, in the name of Bill Aitken, on behalf of the Justice Committee, on its report on its inquiry into the effective use of police resources.

14:49

**Bill Aitken (Glasgow) (Con):** It gives me great pleasure to open the debate on behalf of the Justice Committee. I put on record my appreciation for the contribution that all members of the committee made to our inquiry into the effective use of police resources. As a first topic for scrutiny this session, the inquiry was a challenging piece of work for the committee to undertake, particularly as it was carried out in conjunction with scrutiny of the Government's spending review and draft budget.

The committee process in the Scottish Parliament has, over the years, attracted considerable praise. Sometimes, that praise has not been particularly deserved, but in the course of this inquiry any detached observer would have been impressed by the input of my colleagues. Every member came appropriately researched and prepared and made extremely informed contributions at every juncture. The committee comprises three new members—Nigel Don, John Wilson and Stuart McMillan—who quickly adapted to their new brief. Their contributions, added to those of—not exactly the old hands, but the more experienced members—Cathie Craigie, Paul Martin, Bill Butler and Margaret Smith, enabled our inquiry to be carried out in an exceptionally professional manner.

The committee decided in the summer of last year that it would carry out the inquiry. We wished the witnesses to come from as wide a range as possible and we had senior police officers representing the Association of Chief Police Officers in Scotland and the Association of Scottish Police Superintendents, police board conveners, and a most valuable contribution from the Scottish Police Federation. We also had witnesses from the academic world and from among those who had been involved in drawing up the Howat report.

The evidence that the witnesses provided—both oral and written—was of an exceptionally high quality and I thank all the witnesses who gave of their time and effort so willingly to help us. We would not have been able to produce such a thorough report without their assistance. As a final opening remark, I am pleased to say that the report was agreed unanimously by the committee, which is a measure of the consensual manner in

which it approached the inquiry. We soon realised that, over the years, there has been a considerable change in the duties of police officers and in the public attitude to policing. Many members of the public have a nostalgic yearning for the “Dixon of Dock Green” type of police figure—the paternalistic, reassuring constable seen speaking to people in the streets and testing locked doors.

Although that provides great public reassurance, it is totally unrealistic to expect the police officers of the 21<sup>st</sup> century to provide that type of service. There must be a recognition that the nature of policing has, of necessity, changed as a result of some of the less attractive aspects of modern life. When the Police (Scotland) Act 1967 was enacted, terrorism was practically unheard of. There was no sex offenders legislation and there was generally much less legislation to be administered and policed. Against that background, the committee decided to focus primarily on the management and deployment of police officers in Scotland, including proposals from the Scottish Government for an increase of 1,000 officers.

The inquiry was timely, given the Government's plan to recruit only 500 of those additional police officers using new money and to release a further 500 for front-line duties through a combination of retention and redeployment initiatives. The committee wanted to examine whether or not that proposition was feasible. We were clear from the outset that the plans should be reviewed by the Justice Committee in the context of the new Administration's first budget.

The committee received a considerable weight of evidence indicating that, at current levels, police resources were inadequate to allow forces effectively to meet all their present commitments. Although we recognised that it is extremely challenging to determine the optimum level of resources, we supported calls for more funding to be found for extra police officers. The committee naturally welcomed the promise of funding to recruit 500 additional officers during the spending review period, but we quickly reached the conclusion that the Government's plan to retain or redeploy a further 500 officers would be very challenging to deliver. As part of our budget report, therefore, we recommended to the Finance Committee that more money should be allocated for policing—enough to raise new recruitment to a level of 1,000 by 2011. All parties were extremely pleased when the Government recognised the strength of our argument and amended the budget accordingly.

The inquiry went much wider than the issue of police numbers alone. The committee also considered whether the roles and responsibilities



that are currently assigned to the police are appropriate, how effectively community policing is being delivered across Scotland and whether arrangements for police governance and accountability are fit for purpose. I will tackle each of those issues in turn.

It is now more than 40 years since the core role and responsibilities of the police were defined in the Police (Scotland) Act 1967. ACPOS told us that

“there has been no fundamental review of policing carried out since *The Royal Commission on the Police* in 1962 and no review into core roles and responsibilities to define modern-day policing requirements.”

Many witnesses within and beyond the police service were firmly of the view that a comprehensive review was now long overdue. The committee supported that view and recommended that within the lifetime of this session of Parliament, the Scottish Government should initiate an independent review of the role and responsibilities of the police in Scotland, which would be informed by the committee's report. The Government has indicated in its written response that it is considering that recommendation. I would welcome a positive statement from the Cabinet Secretary for Justice on that point during the debate.

The committee was extremely concerned about the lack of a clear, commonly agreed definition of community policing between Scottish police forces and the Scottish Government. The committee was clear that in trying to measure, monitor and improve the police service in Scotland, it is extremely important that a clear definition of community policing is established as a priority. The public have a right to know what level of service they can expect from the police.

The committee was also concerned that, given the lack of a commonly agreed definition, we were unable to obtain a baseline figure for the number of community police officers. We called for such a figure to be established. I am therefore pleased to see from the Government's written response that work is under way to address that issue, although I note that a timescale for completion is not provided. Perhaps the cabinet secretary will mention that in the debate.

The committee is not content to let the issue rest and has recently agreed a remit for a second phase inquiry, which will focus on community policing. We will seek to establish a clear definition of community policing and to identify our own baseline figures for community police officers—officers on the street—in order to aid future monitoring.

In the first of a short series of fact-finding visits, members of the committee were in Dundee

yesterday to see at first hand the community policing initiatives that are being implemented jointly by Tayside Police and Dundee City Council. That was an interesting and helpful visit. I thank Dundee City Council and the chief constable of Tayside Police for the facilities and hospitality afforded to us yesterday.

The visit was the first in a series of visits to various areas in Scotland. What works in Wester Ross might not work in the east end of Glasgow. The committee's view is that we should have the opportunity to see at first hand the varying approaches adopted by police forces and more localised divisions. Yesterday's visit demonstrated how one form of community policing can work in certain areas. It also seemed to highlight some of my reservations, but we have a long way to go on this issue and we must keep an open mind at this stage. A call for evidence is open and contributions from all interested stakeholders by the deadline of 5 May will be welcomed. I look forward to returning to the chamber to debate the conclusions of that inquiry later in the year.

I turn finally to police governance and accountability. The committee received contrasting evidence about the effectiveness of the current tripartite system in ensuring the accountability and governance of police forces. Police authority conveners argued that there was no need for change; however, Her Majesty's inspectorate of constabulary for Scotland, the Accounts Commission and the Auditor General for Scotland, each of whom is charged with scrutiny of elements of the police service and police authorities, raised significant issues and made proposals to strengthen the system.

In oral evidence, John Baillie, chairman of the Accounts Commission, explained that the present tripartite arrangement means that

“the question of who is responsible for what is slightly cloudy.”—[*Official Report, Justice Committee*, 13 November 2007; c 274.]

Given the level of expenditure devoted to the police service in Scotland, that is a genuine cause for concern.

On accountability and governance at the local force level, the committee was of the view that the current tripartite arrangements should be strengthened in order to clarify the role and responsibilities of each of the partners and to enhance the capacity of police authorities to scrutinise independently chief constables and police forces. The committee therefore recommended that the Scottish Government should restate and clarify the respective roles and responsibilities of chief constables, police authorities and the Scottish Government within the tripartite relationship.

The committee also recommended to the Scottish Government that it should introduce appropriate mechanisms to strengthen the accountability of ACPOS in order to secure its legitimate status as the leadership of the police service in Scotland. ACPOS was keen to stress in its submission that accountability should continue to be applied locally at force level but, at the same time, it recognised that the present systems could be better articulated. However, I am sure that other committee members are as concerned as I am by the Government's response to the recommendations—which is, quite simply, to do nothing. That demonstrates complacency at best, and I invite the cabinet secretary to provide the Parliament with a justification for the apparent inaction.

The committee's inquiry into the effective use of police resources has highlighted a series of issues about police funding; the role, responsibilities and public expectations of the police; and the current arrangements for governance and accountability. I look forward to hearing other members' contributions to the debate and the Government's response to the points that are raised.

As I said, the report has been a successful piece of work. I have paid tribute to my colleagues on the committee, but it would be remiss of me not to thank our committee adviser, Professor Nick Fyfe; our own Scottish Parliament information centre researchers; and, in particular, our committee clerks—Dougie Wands, Anne Peat and Euan Donald—who, assisted by Christine Lambourne, responded to the committee's frequently outrageous demands for further information and arrangements with unfailing good humour and total professionalism. We are very grateful to them. As I said, there is still some way to go with the inquiry, but much has already been achieved.

I move,

That the Parliament notes the conclusions and recommendations contained in the Justice Committee's 4th Report, 2008 (Session 3): *Report on Inquiry into the Effective Use of Police Resources (SP Paper 50)*.

15:01

**The Cabinet Secretary for Justice (Kenny MacAskill):** I welcome the Justice Committee's report and endorse the convener's thanks and tributes to all those who were involved in whatever role. I thank the convener, and welcome the opportunity to debate an issue of such importance. I welcome the committee's continuing work on community policing and I look forward to supporting it on this most critical and important of issues. I am also grateful for the convener's speech, which has helped to focus matters. I give him an undertaking that if something is not addressed in my speech, I will be more than

happy to engage with him and the committee in future weeks and months.

I thank all the police in Scotland, as their role is absolutely critical in serving our communities, and it is only with the help of the police that we can make Scotland safer and stronger. It is an often difficult and sometimes dangerous job and we are blessed in Scotland with an excellent police service. As a Government we are taking a new approach to government and there are new relationships among national Government, local government, delivery partners and citizens. Effectiveness, openness and accountability are the key to those new relationships.

At a national level, we take the strategic decisions about what outcomes we are seeking to deliver, but decisions about how outcomes are delivered are often best taken locally. Indeed, the committee's convener mentioned the difference between policing in Wester Ross and elsewhere. We have a clear, overarching purpose of government: sustainable economic growth. Safer and stronger—one of the five key strategic objectives—is helping local communities to flourish and to become stronger, safer places to live, offering improved opportunities and a better quality of life for all our citizens.

But what about our Government's vision for policing in Scotland? At the heart of our vision for the Scottish police service is to ensure that communities have a clear understanding of the level of policing that they have a right to expect, how it is being delivered and how their views are taken into account, which was mentioned by the convener in his speech and by the committee in its report. That means building capacity at the local level. We are clear about that in our manifesto commitment to make 1,000 additional officers available in communities and we are not only delivering on that, but going substantially beyond by also looking at recruitment, retention and redeployment. We, as a Government, are committed not only to recruitment, but to the retention of valued, experienced officers and the redeployment of officers that is happening—chief constables are acting with great alacrity and considerable success at the present moment.

Our vision means building capacity nationally through the Scottish Police Services Authority and greater collaboration between forces in what is, after all, a small country. It means working in partnership with the criminal justice system and other delivery partners. We do not want only to tackle crime, we want to prevent it, and we recognise the police's key leadership role within the wider community engagement agenda. Our vision also means nurturing what makes policing in Scotland special—our people, and how they

operate—and it means letting constables use their discretion in tackling crime on the ground.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I could not agree more with the cabinet secretary that decisions are best taken locally and that chief constables should make the decisions. In order to do that, however, they need resources, which this debate is about. Does he agree that Grampian Police force, which serves 10 per cent of Scotland's population, should receive 10 per cent of the resources that are available to police forces in Scotland?

**Kenny MacAskill:** That is a matter that both Mr Rumbles and the convener of Grampian joint police board have raised. It is clear that we are delivering in relation to a formula that we inherited. What matters most is that we have the record numbers of police officers that have been championed by Chief Constable McKerracher. The Government is delivering, the member is receiving, and his communities are benefiting not only from the recruitment of ever-more police officers, but from their delivery on the ground.

The Justice Committee's inquiry into the effective use of police resources complements the Government's work. In response to the committee's report, and to ensure delivery of the Government's vision, I intend to ask our independent professional adviser on policing, Paddy Tomkins, to conduct a short-life review to ensure that the more specialist and high-profile police operations do not lead to the removal of front-line police officers from visible policing in our communities and to ensure that all parts of Scotland get the best possible service when something unusual or complex happens.

We will invest £94 million during the current session of Parliament, not only to fund directly 1,000 additional officers but to improve retention and redeployment. We want more police officers to become part of the fabric of communities, using their local knowledge to build strong relationships with families and businesses in their local area. That is not about numbers or head count. It is about capacity.

**David Whittton (Strathkelvin and Bearsden) (Lab):** For the sake of clarity, will Mr MacAskill bring us up to date with how many extra police officers we have gained since he became the Cabinet Secretary for Justice?

**Kenny MacAskill:** Given that we inherited the lowest level of recruitment since devolution, the member will be glad to know that we managed to deliver 150 additional officers by the end of the previous financial year. The Government is on the case and is delivering despite the difficulties that we inherited—not just the lowest ever level of recruitment but the fact that 2,300 officers are due

to retire. That is why it is not simply a question of recruitment and why we are committed to retention and redeployment.

**Bill Butler (Glasgow Anniesland) (Lab):** Will the cabinet secretary take an intervention on that point?

**Kenny MacAskill:** Not at the moment. I need to make some progress.

We are investigating how we can retain officers' skills and experience.

It is important that support services are delivered as efficiently as possible throughout Scotland. That is why the Scottish Police Services Authority was established with cross-party support. In a small country, we should not do things eight times if we need do them only once. The SPSA exists to support forces by freeing up officers to do what they do best—delivering front-line policing to our communities. The authority has existed for less than a year but it has already started to deliver improvements in the quality and efficiency of police support services, releasing resources that can be ploughed back into front-line policing. We have no plans to change the number of police forces in Scotland, but we will continue to consider the scope for the SPSA to take on additional support services when it is more efficient and effective for services to be provided nationally.

**Bill Butler:** The cabinet secretary will be aware that, in paragraphs 141 to 146 of the report, the committee makes some observations about the tensions that have arisen between the SPSA and individual forces. Would he care to comment on the committee's concern about that?

**Kenny MacAskill:** A lot of copy is being generated by one particular newspaper. I met the SPSA this week and it does an excellent job. I also meet ACPOS and will be going to the Police Federation shortly. There is general recognition that matters are working out in the best interests not simply of policing in Scotland, but of our communities.

It is not only support services that are important. The Scottish Crime and Drug Enforcement Agency, which is supported by the SPSA but is operationally independent, plays an important role in dealing with the challenge of serious organised crime. We set up the serious organised crime task force to ensure that we get the maximum collective impact on organised crime from the efforts of our police forces and other law enforcement agencies.

On counter-terrorism, the Glasgow airport incident demonstrated that even the largest force in Scotland needs to collaborate. That is backed up by ACPOS's work on the forces' capacity and capability to deliver on national and strategic

objectives. Partnership working is more important than ever—it makes more clearly the link to the wider community engagement agenda in which the police have a key leadership role. Only by working in partnership can we achieve success in some of our key challenging areas, such as drugs, alcohol, violence, gangs and antisocial behaviour. Ideally, we want to prevent people from becoming embroiled in the criminal justice system by ensuring that the police are in our communities, that they use their experience and discretion in considering how to respond and that they act as role models.

Policing in Scotland is special. It is essential that we continue to attract, retain and reward the right people with the right skills. We have shown our commitment to the Scottish police service by our acceptance of last year's arbitration of the pay award without quibble or question. It is essential to recognise that at the heart of successful policing is the constable, using his or her discretion, judgment and local knowledge to do what is right in the circumstances in their area. Our whole approach to policing and to government reflects just that.

We are building capacity at the local level to reduce crime and fear of crime. We are supporting that nationally not only to ensure consistency and the freeing up of police officers, but to ensure that we have the capability to respond nationally where we need to. In addition, we are working to ensure that Scotland's police recruit the best and that it is exciting and rewarding to work in Scottish police services. I welcome the work of the Justice Committee and the opportunity to debate this important area. I look forward to the Justice Committee's inquiry into community policing and to working with the committee on that.

15:10

**Paul Martin (Glasgow Springburn) (Lab):** The Justice Committee embarked some months ago on a significant piece of work on the effective use of police resources. What has been clear since the first stage of the inquiry—I think all the committee members will recognise this—is that all the witnesses, including the minister, have a genuine appetite for changes to the delivery of police services throughout Scotland to ensure that what was fit for purpose 40 years ago is made fit for purpose in the 21<sup>st</sup> century. As the cabinet secretary said, our communities value the important role that our police officers play in those communities. In our deliberations, the committee sought to ensure that we would produce recommendations that would amplify local concerns.

I am afraid that we have not had clarity from the cabinet secretary about police numbers. The

committee was clear on the issue, recognising on a cross-party basis the importance of the Scottish National Party Government delivering on its manifesto pledge—which was not in small print—to deliver 1,000 additional police officers on our streets. We sought assurances that the funding for that would be provided. However, the Government has again attempted to wriggle out of its commitment, which sends the message that the glossy manifestos that were sent to every household in Scotland that advised people that they would see 1,000 additional police officers in Scotland now mean nothing but an empty promise.

**Kenny MacAskill:** I remind the member that this Government inherited the lowest level of police recruitment. Had the election result been different, is it not the case that we would have faced the lowest level of recruitment and no commitment by the Labour Party to the recruitment of any additional police officers? Through the three Rs—recruitment, retention and redeployment—the Government is delivering 1,000 additional officers to our communities.

**Paul Martin:** To paraphrase a comment that the First Minister made in the chamber earlier, Mr MacAskill is in government now and we are not. It is for the Government to answer the questions on its manifesto. What is clear from the recommendation in our committee report—I reiterate that it was agreed by all the parties represented on the committee—is that we want to ensure that the funding is in place to deliver the 1,000 additional police officers. However, I am happy that the cabinet secretary has now clarified that he will not deliver 1,000 additional police officers, which is unlike what we heard from the First Minister again today.

The committee report rightly refers to the concerns about the tensions between the SPSA and the police forces. We cannot ignore that. I am afraid that I am not reassured by the cabinet secretary's comments on that; they mean that he is not willing to show leadership to ensure that we deal with that issue. I appreciate what a complex issue it is, but we call on the cabinet secretary to show leadership by defining the SPSA's role and the relationship that it should have with other agencies throughout Scotland. The creation of the SPSA was supported by a wide spectrum of interest. Labour supported it, and we continue to do so. However, the cabinet secretary must show leadership to ensure that we take the issue forward. It is time for him to do that in the most effective manner possible.

The committee called for a clearer definition of the role of community policing. We need to develop further how our community police officers and their senior officers interact with the

communities that they serve. I have been struck by the difficulty for communities in identifying their community police officers. I interrogated Strathclyde Police's website today to try to find out who my community police officer is, but it did not provide that basic information. If our officers are to be accountable to their communities, we should provide on websites, for example, basic information on who those officers are and contact details such as e-mail addresses. In the modern era of information technology, it is unacceptable not to provide such basic information.

The committee firmly supported the crucial role that community wardens play by assisting our police officers throughout Scotland. I note with interest that the Minister for Community Safety, Fergus Ewing, will ensure that the committee's views on that issue are taken into consideration. I make it clear that Labour members are proud of what our communities have done over the years in partnership with our community wardens, which the previous Liberal and Labour coalition delivered, to stand up to antisocial behaviour. Any attempt to dilute the stance that the previous Government took will not be accepted by Labour members.

As the committee moves on to its next inquiry phase, it is important that we continue to be willing to progress the issues with an open mind, that we give our communities maximum protection and that we make the most effective use of our police officers throughout Scotland. I ask members to support the motion in Bill Aitken's name.

15:16

**John Lamont (Roxburgh and Berwickshire) (Con):** On the Scottish Conservatives' behalf, I welcome the Justice Committee's report and congratulate the convener and committee members on their work on it.

I will focus on a couple of points from the report. The committee's inquiry highlighted the enormous changes in the social, economic and political context in which Scotland's police forces are required to operate. The committee therefore recommended that, in this parliamentary session, the Scottish Government should initiate an independent review of the police's role and responsibilities. We support that.

Of particular note to the Scottish Conservatives was the committee's view on police numbers and resources. The Scottish Conservatives have long held the view that more police officers are needed out in communities to provide a visible deterrent to crime and to boost public confidence. We have consistently campaigned for extra police officers. We do not want those officers to sit behind desks

and deal with paperwork; we want them out there in communities to make our streets safer.

The committee's unanimous opinion was that, although determining the ideal funding level for policing is extremely challenging, police resources are currently inadequate to allow forces to meet all their commitments effectively. That tells us a lot about the Liberal-Labour Administration's record on police funding in its eight years in office.

It is interesting to note that a report that the Scottish Police Federation commissioned from none other than Professor Arthur Midwinter said that, per head of population, spending on the police was 20 per cent higher in England than in Scotland. The federation's general secretary has said:

"since devolution we have been very poorly treated".

Labour did not commit to a single extra police officer in its 2007 election manifesto—not one more. In the Finance Committee, Labour proposed no amendments to increase police numbers in 2008-09. What is more, in the Justice Committee, Labour voted against Bill Aitken's proposal of 1,000 new police by 2011. Labour voted against extra police—so much for the previous Government's record on police funding to help to keep our streets and communities safe.

**Bill Butler:** Is the member aware that, from 1999 to 2007, the Labour-led Executive provided 1,500 additional police officers on the streets?

**John Lamont:** The evidence from the Police Federation speaks for itself. I quote again the federation's general secretary, who said:

"since devolution"—

under the Labour and Liberal Democrat Administration—

"we have been very poorly treated".

As we heard from the committee's convener at the start of the debate, the committee welcomed the promise of funding to recruit 500 additional officers during the spending review period. It also concluded that the Government's plans to retain or redeploy a further 500 officers would be very challenging to deliver. The committee, like the Scottish Conservatives, recommended that more money should be allocated for policing—enough to raise the level of recruitment to 1,000 officers.

Although I appreciate the fact that the SNP Administration has inherited the problem of an underfunded police force in Scotland, that does not get the Government off the hook entirely. This was, after all, the first big U-turn by the SNP Government—in fact, it was a double U-turn by the Government on the recruitment of police. First, this time last year, during the April heat of the election campaign, it promised 1,000 new and extra police

officers in its manifesto—no ifs, no buts, no maybes. However, by the end of 2007, it made its first U-turn when it changed its mind and decided that those 1,000 new officers were to be made up not only through recruitment but by preventing early retirement and by redeploying officers. The SNP back-tracked and U-turned in a betrayal of the public and of the police.

Then, in the early days of 2008, during the budget process, the Government saw the error of its ways. It was persuaded by the arguments that were put forward by the Scottish Conservatives and it amended its budget to allow the recruitment of 1,000 additional police officers. Scotland needs those extra police officers not just to put right the wrongs of eight years of Labour and the Liberal Democrats, but to deal with the SNP's soft-touch Scotland in which more and more criminals are being let out of prison even earlier.

The Scottish Conservatives have fought throughout the budget process to increase the levels of police recruitment, starting from this year, and we have succeeded. Without the Scottish Conservatives, Scotland would have only 500 new police officers over the next four years. There is only one party in the Parliament with any credibility on the issue and—guess what—it is the Scottish Conservatives.

We welcome the report and its findings. However, is it not a shame that we needed an inquiry to highlight the inadequacies of the funding of Scotland's police, which we all knew about? Yes, we must ensure that our police forces are adequately funded in the future, but we also need to end the SNP's soft-touch Scotland.

15:22

**Mike Pringle (Edinburgh South) (LD):** I apologise on behalf of my colleague, Margaret Smith, who is the Lib Dem member on the Justice Committee. Sadly, she is not here as she has a problem with her back. She specifically asked me to pass on her thanks to her colleagues on the committee, with whom she has worked well, and to all the people who came to give evidence. In particular, she wanted me to convey her thanks to all the parliamentary staff. I was on both the Justice 1 Committee and the Justice 2 Committee in the previous session of Parliament. We always asked for great commitment from our staff, and whenever we asked them to do something they came through. I thank them, too.

I welcome the debate and the on-going work of the Justice Committee in investigating the effective use of police resources, marking 40 years since the enactment of the Police (Scotland) Act 1967. Clearly, the roles and responsibilities of the police have changed a great deal since then, particularly

in recent years, so this was an important time at which to assess the efficacy of the police's provision of services to the Scottish people.

There are increasing demands on the police force, for instance as a result of changes in legislation and in our society, as well as the heightened threat of terrorism. In the evidence that was given to the committee by police authorities and joint police boards, it was clear that they feel that their current level of resources is insufficient to deliver the policing that they feel is desirable and which the public expect of them. However, the issue is not just about the level of resources that our police forces have; it is also about the ways in which those resources are used. There are concerns that resources have been drawn away from the front line of policing, with only a small percentage of police officers available for deployment in any 24-hour period.

As part of its investigation, the committee also set out to look into the Scottish Government's commitment—to which Paul Martin referred—to provide an additional 1,000 police officers. Through that investigation, the committee learned that the pledge was, basically, undeliverable. Even the cabinet secretary now seems dubious of the possibility of fulfilling that pledge; he admitted last month in his response to the committee's report:

"Ensuring that the establishment remains at 1000 above the 2007 establishment will be difficult given the significant number of officers who are due to retire over the next 3 years".

I share the committee's disappointment that more information on the expected timetable for implementation of a new or revised retention scheme has not been provided and join its calls for the Scottish Government to supply that information at the earliest opportunity. Perhaps the cabinet secretary will respond to that point in his closing speech.

There are serious concerns about how realistic the planned efficiency savings are. I back the continuing efforts of police forces to improve the efficiency of the service, but the commitment to saving 2 per cent of the total budget seems somewhat optimistic. Is that goal realistic, or just another unbelievable pledge from the SNP?

The Justice Committee is committed to monitoring the progress on efficiency savings, and the ability of the SPSA to contribute to those savings will be critical. The establishment of the SPSA in order to deliver effective support services nationally, along with benefits of scale and collaboration, was a key measure from the previous Scottish Executive to ensure that police forces had more time to concentrate on core business, and to make savings that could be reinvested to improve police services.

However, it must be ensured that the SPSA and chief officers can work together constructively so that real benefits can be delivered for the people of Scotland. The SNP needs to consider the tensions that have arisen in that area. Strathclyde, which has Scotland's largest police force, has yet to sign a service level agreement with the SPSA for forensic science services, despite the transfer of those services more than a year ago. Does the Government think that that is a problem? What progress has been made on the handover of information and communication technology services? Is it going smoothly? What is the cabinet secretary's response to the concerns that were raised by the SCDEA over its autonomy within the SPSA?

I understand that the committee heard differing views from police organisations and the Scottish Government on the scope for further civilianisation within the police force. I share the committee's reservations about the potential for further civilianisation to release significant numbers of police officers to front-line duties. Although there is definitely a place for civilians to work with the police to free up qualified officers for front-line police work, there is a point at which people expect, rightly, that criminal investigations and sensitive procedures will be carried out by fully trained police officers. That is why the Scottish Government needs to recognise that there is a need to recruit new, additional police officers. The Scottish Labour Party's manifesto did not recognise the need for extra police, and the Labour Party that is in charge south of the border would rather waste more than £5.4 billion on an unworkable identity card scheme, which will not make our communities safer. It will not tackle terrorism, fight crime, beat benefit fraud and stop illegal immigration. That money should be spent on putting more police on our streets.

Community wardens, along with other civilian police support staff, provide a valuable service, as I have said. However, more wardens, as called for in Labour's manifesto, would not be a substitute for more police and they should not be used as a cheap alternative to the recruitment of more police officers.

15:28

**Nigel Don (North East Scotland) (SNP):** I, too, begin with a few thanks. The convener mentioned the fact that I was one of the newcomers to the team, and I express my thanks to the other members of the Justice Committee for the courteous way in which they handled the discussions. That was much appreciated by those of us who were, to start with, decidedly wet behind the ears. I also thank the convener; I do not think that anyone has specifically done so yet. Frankly,

the way in which a committee works depends entirely upon how it is convened, and I have no difficulty in recognising the convener's significant contribution to our task. I thank him very much.

I was as amazed as everyone else to discover that for 40 years no one had seriously considered the subject of the police and what they were about, and the task has been interesting. I do not want to rehearse the issues that have been picked up on. One of the issues that emerged is the fact that public expectations are high and, realistically, not achievable. We might have to acknowledge the fact that, whatever we can do to improve the police service, it will probably never be good enough for some.

We have spoken about the SPSA, and the fact that it is relatively new and still evolving. I wonder whether a lesson could be learned from recent events at a large airport a little bit south of here. Perhaps if British Airways had taken the opportunity to commission terminal 5 slowly by having a few flights on the first day and a few flights more the next day, the problems might have been discovered at a rate at which they could have been solved. British Airways will no doubt pay the price for what happened at terminal 5, but that is not my problem. However, we need to be careful that we do not ask institutions such as the SPSA to do too much too quickly. The tendency for young things, when they run too fast, is to fall over. Although the people who manage the SPSA may not be young, I think that we need to give the authority some room to work out what it is about.

On the pledge to provide 1,000 extra police, I do not mind putting on record that, if I had knocked on the door of anyone here during the campaign—they would have had to be living in Dundee for that to happen—and they had asked me what that pledge meant, I would have said then that it meant 1,000 extra police on our streets. When I asked one of my local inspectors what 1,000 extra police would mean, he did a little calculation and reckoned that it would mean one extra officer per shift per section of the police across the country. I think that that is what it means. I still think that that is achievable and will be done by improving the general efficiency of everything that goes on.

Recently I took the opportunity of accompanying the Grampian Police section that is responsible for policing Aberdeen city centre. I made the mistake—or took the opportunity, depending on one's point of view—of accompanying the officers between about 11 o'clock on a Saturday night and 4 o'clock on a Sunday morning. It was a very interesting experience, from which I drew two conclusions. First, a great deal of what our police do is not widely appreciated by the public because they are not there to see it—and it is a pretty tough task on occasions. Secondly, there is always more

to do than there are folk to do it. That is not meant as a criticism.

**Mike Rumbles:** Will the member address the issue on which I tried to get the minister's agreement? As a North East MSP, does he agree that Grampian Police, given that it deals with 10 per cent of the population, deserves 10 per cent of the funding?

**Nigel Don:** No, not quite; I do not accept that the numbers are that simple. I accept that we have an inherited distribution but, quite honestly, I do not know where the distribution came from or how long ago it was calculated. As with the general distribution formula for local authorities—which is another thing that we might have a scrap about at some stage—the distribution needs to be looked at periodically to see whether it is appropriate. I do not know what the answer is, but I certainly would not say that, because a force deals with 10 per cent of the population, it should have 10 per cent of the funding. To say that, for example, because a force deals with 14 per cent of the population, it should get 14 per cent of the funding is not good enough. However, I am sure that the issue needs to be addressed.

We have been told that, because about 85 per cent of the police budget is spent on salaries, achieving cash efficiencies of 2 per cent will be difficult because they will somehow need to come from the other 15 per cent. That seems to me wrong, quite frankly, so I want to nail that argument. The 85 per cent that is spent on salaries covers not only police officers but the civilians who work in the service, who will include folk who could improve their efficiency and effectiveness. Over time, fewer civilian employees could well deliver the same result. Therefore, the argument about where those 2 per cent efficiency savings will come from is not quite as simple as some would have us believe.

My last point—although I would like to make many others—is about community policing. We had the opportunity of seeing that yesterday in Dundee and, like the convener, I am grateful for the way in which we were received and for what we were able to see. I draw from that one simple conclusion, which is that I am not convinced that we will be able to come up with a watertight definition of community policing. As an engineer, I hesitate to say that we should not use numbers, but we need to be careful that we use the right numbers. What might do as a model for community policing in Dundee or Strathclyde might be inappropriate in rural parts of Perthshire. We need to be very careful that we do not go for a definition that does not achieve much.

15:34

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** I am pleased to have been given the opportunity to contribute to today's debate. Like others who have spoken, I thank all those who assisted the committee, including the Parliament staff, all those who gave written evidence, the witnesses and our adviser. In particular, I thank the convener for his kind words this afternoon, which I hope he will remember—they are now on the record—when he is deciding whether to allow us some latitude in asking questions at future committee meetings.

The remit of the committee inquiry was to review the use of police resources, including plans by the Scottish Government to provide an additional 1,000 police officers. As is the case with most committee inquiries, we came away from it with both answers and further questions. The report that we are debating is not the end of the committee's work on the matter, but the beginning of a new stage of inquiry. As the convener pointed out, we have already called for evidence on community policing.

As chamber time is limited this afternoon, I would like to highlight just a few of the areas that the committee probed. One of the report's main recommendations is for the Scottish Executive to initiate a review of policing in the 21<sup>st</sup> century. That is essential. Life has changed over the years—as it does—and we need a police force that can respond to those changes and move with the times to deliver a service that provides members of the public with security and confidence that police officers at all levels can respond to protect them against those who wish to break the law. As the convener indicated, we need a police service that can counter threats from terrorism and which is ready to respond as necessary in the global context. We need a service that is equipped with the knowledge and the technology to help police to detect the many types of crime that are associated with wider internet use, and that is ready to act in response to the changing needs of the communities that all of us represent.

We may already have such a police service, but the committee acknowledged that expectations of the police have changed over the past 40 years, as have the crimes that are committed by those who break the law. The Government must work with the public, the police and the Parliament to deliver the independent review for which the committee has called. The committee reasonably called for the review to be carried out in this session, but I say to the minister that it would be better for us all if it took place sooner rather than later.

Another issue that the committee considered was police numbers. The matter was topical at the



time of our inquiry and is still a subject of much debate. The Parliament and the people of Scotland want to see results on police numbers. The committee considered the issue at a time when, thanks to a Labour Government, record numbers of police were in post. In the 10 years between 1986 and 1996, under a Tory Government, police numbers rose by 1,088. In the 10 years between 1996 and 2006, under a Labour Government, they rose by 1,938—a substantial figure that cannot be disputed and which represents a substantial increase on the number of police provided in the previous 10 years. The number of civilian support staff for our police officers also rose substantially—by more than 3,000—under the Labour Government.

As we have heard this afternoon, the SNP came into government promising 1,000 extra police officers on the beat. By the time that we started our inquiry, it was wriggling out of that promise and coming up with all sorts of combinations to achieve it. In fact, the minister could be accused of resisting arrest or not accepting that he was het. Was it to be 1,000 new police officers, 1,000 additional police officers or 1,000 extra police officers? I do not know. It is clear that the SNP did not know before last May and that, in government, it still does not know how it will deliver the commitment.

The SNP's three Rs policy will not work. Recruiting 150 officers in one year will not add up to 1,000 over this session. When will the cabinet secretary accept that retention will not provide a significant number of extra officers? The committee heard evidence that redeployment, the cabinet secretary's third R, would increase numbers only at the margins. How will the increase be delivered? I ask the cabinet secretary to give us his calculation of police numbers. How many officers will be recruited? How many will be retained? How many will be redeployed? Those are simple questions for a Government minister, but the cabinet secretary was unable to answer them during his evidence to the committee. We are a few months further down the road, so he has been able to gain more experience. I ask the cabinet secretary to address my questions, either in his summing-up speech or in writing to the committee and the Parliament.

15:40

**Alex Johnstone (North East Scotland) (Con):**

I welcome the committee's report and the opportunity that the debate affords me, as someone who does not normally participate in debates on justice issues, to become involved in consideration of a subject that is as dear to my heart as it is to those of most politicians.

Like other members who have spoken, I have taken the opportunity to go out with the police. I

suspect that most of us have done so on a Friday or Saturday night, which is the best time for the police to show us what is going on. I know that some members have had high-profile experiences in such situations. I have been out with Tayside Police in the Montrose area and with Grampian Police in the Westhill area to observe how they interact with the community when they are under pressure and how, on occasion, they operate with very limited numbers.

It is for that reason that I welcome what the report says on community policing and, in particular, on high-profile policing in community circumstances, which I believe is extremely important. We do ourselves no favours by allowing our young people, who are not criminal by nature, to believe that they can get away with offences such as littering, graffiti and minor criminal damage. They engage in such activity simply because they believe that they will not be seen, caught or punished. That develops into a belief that they will not be caught if they involve themselves in other, more serious activities.

**Mike Rumbles:** I am surprised by the emphasis that the member places on young people. He suggests that they are the only people in society who exhibit dysfunctional behaviour. Does he agree that it is completely wrong to demonise young people in that way and that the problem of such behaviour applies to everyone in society?

**Alex Johnstone:** Mike Rumbles is absolutely right, but I highlighted the behaviour of young people because I wanted to go on to suggest that we should treat other members of the community in a similar way.

We must ask our chief constables to consider extending the concept of high-profile policing from communities into the environment of road traffic. In large areas of Scotland, including the Highlands and, in particular, rural Aberdeenshire, we have a problem with drivers—especially young drivers—who pass their tests and go on to the roads believing that they can do anything without being caught. A consequence of that is that a large number of young drivers are killed or seriously injured, or find themselves being charged with offences relating to such accidents. Persistent offenders on the roads need to believe, if their behaviour is to be influenced in the longer term, that there is a danger that their offences will be detected and punished. I would like the principles of high-profile policing to be applied not just in our communities, but on our roads. That would remove the emphasis on gadgetry that is reflected in the increasing use of speed cameras and other new technology, which is designed to catch motorists who speed rather than those who are dangerous on the roads.

There are two other issues that I want to bring to the attention of the Parliament and, in particular, the cabinet secretary. Although I praise the previous Government for the work that it did in increasing the number of police officers in the Grampian region—that figure rose quite significantly during the eight years of the Labour-Liberal Democrat Administration—it appears that, over the same period, Tayside Police had a significantly lower increase. In fact, in the period for which I have figures, 2001 to 2006, there was virtually no increase in police numbers in the Tayside region. I have spoken to the chief constable of Tayside and know that he is concerned to ensure that his manning levels are kept up.

Of course, in Grampian, manning levels have been going up significantly, but it remains the case that Grampian has only 8 per cent of Scotland's police officers, to cover an area that has 10 per cent of Scotland's people. It has been pointed out that the percentage of police officers should not necessarily equal the percentage of the population, but there are other reasons why police numbers should be kept up in the area that Grampian Police covers.

First, there is a rapidly growing population, so the numbers are almost always out of date. Secondly, we have the headquarters of the North Sea oil industry, which is Scotland and the United Kingdom's most important energy industry. Responsibility for policing that high-profile industry on and offshore, which has been highlighted by threats in recent times, is such that resources are necessary if we are to protect the industry. There is also a long-standing complaint that the responsibility that Grampian Police takes for royal protection duties over and above the duties that are undertaken by the royal protection group means that additional costs are incurred when the royal family is resident on Deeside.

Mr Speaker—

**Mike Rumbles:** That is the other place.

**Alex Johnstone:** Presiding Officer, it is important that we realise that police numbers are rising and that we have successfully extracted from the Cabinet Secretary for Justice a commitment to having 1,000 extra police officers in Scotland. However, how those police officers are recruited and deployed remains an important part of the work that we want to influence in the years to come.

**The Deputy Presiding Officer (Alasdair Morgan):** I should say that I have no ambitions in the direction that Mr Johnstone indicated.

15:46

**Stuart McMillan (West of Scotland) (SNP):** I associate myself with Nigel Don's comments about the help and assistance that new members of the Justice Committee have had under Bill Aitken's convenership. I thank Bill Aitken. More important, I thank the committee staff, who have been extremely helpful, particularly to new members of the committee.

As a member of the Justice Committee, I am grateful for this opportunity to talk about the recommendations in our report. The witnesses from whom we heard and the submissions that we received made for some not-so-light reading. That was unfortunate, but it demonstrated the strength of feeling about policing in Scotland. As we compiled the report we had a responsibility to consider all the views that we heard. I hope that the debate does the issue justice—pardon the pun.

During this parliamentary session and in this debate, much has been made of police numbers. However, we are debating a report about the effective use of police resources. We should not get hung up on the numbers; we should consider what is done with the resources that police authorities have. Every Government department can always use more resources, irrespective of the parliamentary session that we are in. However, the budget is finite and departments must act with the resources that they are given. The committee report welcomed the Government's commitment to provide sufficient funds to recruit 500 additional officers and I welcome the Cabinet Secretary for Justice's confirmation that the Government's budget will provide for the much-talked-about 1,000 additional officers.

There is no doubt that we face a tough challenge, as a result of inherited problems with police numbers. High retirement figures and the low level of planned recruitment mean that we must work harder to keep Scotland safe. It is clear that the Government relishes the challenge and is not only managing to meet the manifesto pledge on the recruitment of 1,000 more officers, but is going beyond that. The additional officers will be crucial to the future of policing in Scotland and will be essential to the smooth operation of forces throughout the country. The cabinet secretary told us that 150 police recruits passed through Tulliallan before the end of the previous financial year, under the Scottish National Party Government.

The SPF, in its response to the committee report, said that the term "community policing" began to be used in Scotland in the 1970s. Community policing is an issue of great interest not only to the committee and the Parliament, but to wider Scotland. I am delighted that the

committee will look into community policing in the next stage of its inquiry. From its response, I am aware that the SPF thinks that it will be “almost impossible” to provide a definition of community policing.

Given that many people are unsure about the meaning of the term “community policing”, they are therefore unsure about the workings of the system. The committee picked up on that point, as is evident in our report. The recommendation that a clear definition of community policing should be created as a matter of priority should be welcomed. Understandably, having one approach to community policing throughout Scotland may not be ideal, but that can be overcome. Input from every force will be necessary and, if we are to get the best out of the system, co-operation from all will be required.

That said, I return to my earlier point on the SPF’s response that it may be “almost impossible” to provide a definition of community policing. I am therefore heartened by the cabinet secretary’s response to the recommendation. Work has begun on attempting to define community policing. A sub-group of the additional capacity programme board is looking into the issue, and I look forward to reading its report. As the cabinet secretary pointed out, we must ensure that recommendations on measuring the policing of communities are reflected in the Scottish policing performance framework. I trust that he will ensure that that will happen.

In order for that to happen, a comprehensive review of police roles and responsibilities must be undertaken. The committee report suggests that an independent review of the roles and responsibilities of the police should be undertaken, and due consideration should be given to that finding. I was astounded to hear that no review had been made of the role and responsibilities of the police for more than 40 years. As a new member of the Scottish Parliament, I could not get over that. I thought that such reviews were undertaken fairly regularly—after all, times change and people and situations move on. It therefore interests me that the cabinet secretary, in his response to the report, said that the Government is considering the recommendation. I will watch with interest to see the steps that are taken on the recommendation.

The role of community wardens is an interesting issue, to say the least, partly because of the lack of clarity about the work that they undertake. For example, what powers do community wardens have and how highly are they trained? The committee backed the community warden scheme. Wherever they are deployed, community wardens appear to make a positive difference. That is to be welcomed.

The issues surrounding policing are never to be taken lightly. I look forward to hearing more from the cabinet secretary on the Government’s future plans, based on the committee’s report.

15:53

**Helen Eadie (Dunfermline East) (Lab):** In common with other members, I welcome the opportunity to contribute to the debate. I, too, congratulate Bill Aitken, the convener of the Justice Committee, and his committee members on the inquiry and on their resolve to hold the Scottish Government to account on its manifesto commitment to add 1,000 new police officers to the police establishment. This piece of work is vital and should be firmly supported by every parliamentarian. I join in the thanks to everyone who took the time and trouble to make submissions to the committee to enable parliamentarians to make informed decisions.

I hope that there is no equivocation on the part of the SNP on the issue, either today or in future. As I said last autumn, the SNP manifesto commitment was for 1,000 new police officers and not an equivalent number. By 2011, the police establishment in Scotland must rise to 17,234; otherwise, the commitment will be the biggest broken promise of all to the public of Scotland. The SNP is on trial today. It made the commitment in its manifesto—it made the promise, and a promise is a promise.

The report makes a striking point about the explosion in legislation that impacts directly on our police. The report tells us that, since 1997, 50 criminal justice bills have been introduced in the United Kingdom, compared with the one or two major pieces of criminal justice legislation that were passed every 10 years before then. Ultimately, that has impacted on the workload of the police organisation at a time when the public are demanding positive action to combat antisocial behaviour. As the Scottish Police Federation said in its written evidence, the 2004 Scottish social attitudes survey showed that cutting crime was the second highest priority for the people of Scotland. Therefore, we must deliver—there is no question about that.

**Alex Johnstone:** Does the member acknowledge that it is not only justice legislation that has impacted on the amount of time that police officers spend at their jobs and that the implementation of the working time directive has resulted in a significant erosion of available police time?

**Helen Eadie:** As a staunch European Union supporter, I applaud the working time directive, because it gives us control over the number of hours that our people work, in safe and healthy

environments. The directive is a vital piece of legislation and I applaud my European comrades for introducing it.

My mind is open on civilianisation of the constabularies throughout Scotland and receptive to the arguments for it. Some submissions to the inquiry made compelling cases on that, not least that from the Society of Messengers-at-Arms and Sheriff Officers. However, my focus is on police officers. I am persuaded that there is a vital political question that we must address. A promise by any politician of 1,000 extra officers would sound substantial—and it would be a substantial measure if it ever happened. However, the clear message to me from reading the report is that even that is not enough. In the annex to one of the submissions, Arthur Midwinter provides compelling evidence that, over the decades, we simply have not paid enough attention to resourcing the police fully. In fact, expenditure on the police in Scotland is the lowest in the four nations of the United Kingdom, which is in part because of the low baseline that was inherited from the pre-devolution system under the Tories. John Lamont is simply wrong to suggest that that situation was down to Labour—the Tories have a lot to answer for on that.

For the moment, we are where we are. Arthur Midwinter's paper tells me that that situation is all the more reason to compel the Government to deliver the 1,000 new police officers. However, from what I have read, I am not clear how the police officers will be allocated throughout Scotland's police forces.

**Margaret Mitchell (Central Scotland) (Con):** Will the member give way?

**Helen Eadie:** No—I must make progress.

If the intention is to proceed by allocating the 1,000 officers according to population share, the result would be 51 new police officers for Central Scotland Police, 30 for Dumfries and Galloway Constabulary, 65 for Fife Constabulary, 87 for Grampian Police, 172 for Lothian and Borders Police, 43 for Northern Constabulary, 480 for Strathclyde Police and 72 for Tayside Police. However, if we take into account the four-shift system and all the other calls on police officers' time, it is interesting to note that the final outturn for new officers on the ground in Fife would probably equate to only eight in any one shift.

While I am speaking about Fife, I point out that I paid particular attention to the submission by Fife Constabulary. I support 100 per cent and endorse the key point in the submission, that

"as far as Fife is concerned, we would wish to reiterate the case we have previously made for a levelling up of the GAE share for Fife Constabulary as part of SR2007. Although the Police Authority welcomed the SR2004 settlement, in

terms of the distribution, Fife Constabulary remains the lowest funded Force in Scotland at 10% less than the Scottish average."

One vital issue that the minister must address is recruitment and retention. Compelling arguments on that were made by Her Majesty's inspectorate of constabulary and by David Mulhern, who said that the fragmentation of recruitment policies in Scotland was lamentable—he did not use that word, but I am using it because that is what I read into his comments. There is no point in continuing with the present system of recruitment and training of police officers. The minister must address that urgently if he is to get anywhere close to addressing the challenge that he faces on retirement and recruitment.

The Justice Committee's report is one of the most important pieces of work to come before the Parliament.

15:59

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I am sure that it will be no surprise to members to learn that I plan to concentrate on the continuing underresourcing of Grampian Police. With all the recent attention that has been given to the problems that Aberdeen City Council faces in trying to balance the books, it is easy to forget that there are other areas in which the north-east of Scotland receives a raw deal from the Scottish Government. NHS Grampian and Grampian Police receive less than their fair share of funding per head of population, along with Aberdeenshire Council and Aberdeen City Council.

**Angela Constance (Livingston) (SNP):** Will the member give way?

**Mike Rumbles:** Let me get started—I have had only 33 seconds.

Grampian Police faces a particular problem. Not only is it underfunded when only its everyday duties are considered, but the funding formula does not take into account the force's additional responsibilities for the protection of the royal family when it is at Balmoral in my constituency and the offshore oil and gas industry, which is based in Aberdeen.

I will read a rather lengthy quotation. Although it dates from 2006, it is important to read it in full as it is an excellent summary of the position Grampian Police finds itself in:

"Grampian Police are receiving £27 less per head of population than the Scottish average and this situation is bad enough, but the fact that our Force has the added responsibilities of Royal protection and policing offshore installations makes the situation worse.

Although in recent years Grampian Police have received increases in funding we still lag behind the other major

Forces. While Grampian receives £178 per person, Tayside receives £203, Lothian and Borders £205 and Strathclyde gets a whopping £225.

Ministers must review the funding formula and surely it's time ... to take account of the additional duties that Grampian has and to hand over the resources for these so that the Chief Constable can put more bobbies on the beat in Aberdeen ... and the other communities of the North East."

I could not have said it better myself, but I have to be honest and admit that those are not my words. They were spoken by north-east MSP Brian Adam in October 2006 and published on his website. I have a copy here if anyone is interested—I could pass it to the minister.

**Kenny MacAskill:** The member's points relate to a funding formula that was agreed back in 2004, when his party was part of the Administration. That formula took into account the factors to which he refers. Notwithstanding that, does he recognise that this Government has given an extra £1 million a year, thus ensuring that by 2011 there will be a record level of officers in Grampian? If he wishes to increase funding to Grampian, which police force's funding does he wish to cut?

**The Deputy Presiding Officer:** Interventions should be a bit shorter than that, Mr MacAskill.

**Mike Rumbles:** The minister mentioned 2004. Under the previous Labour-Liberal Democrat Administration, Grampian Police received more extra police officers than under Kenny MacAskill and the present nat Administration. Let me go back to 1999—even better. I first raised the issue back in 1999, when my party was part of the Scottish Executive. I firmly believe that as MSPs we must represent the interests of our constituents before those of our parties or of the Government of the day. Back in 2000, along with SNP and Conservative MSPs, I was happy to sign a motion lodged by Richard Lochhead on the matter. How disappointing then that SNP MSPs are now only too happy to toe Kenny MacAskill's party line. I am shocked that north-east SNP MSPs such as Nigel Don will not campaign for more resources for Grampian Police and now do not even recognise that Grampian Police is underfunded. It is quite astonishing.

**Nigel Don:** My recollection is that Mike Rumbles asked me whether 10 per cent should equal 10 per cent. My answer was no. I did not argue that the amount should not be 12 per cent, 15 per cent or—

**Mike Rumbles:** Nigel Don would not campaign for a fair share of funding for Grampian police. For a north-east MSP, that is appalling. In its report, the Justice Committee was unanimously of the opinion that although

"determining the optimum level of resources for policing ... is extremely challenging",

police resources appear to be

"inadequate to allow forces to effectively meet all of their present commitments."

If that is the case throughout Scotland, the situation will be worse in Grampian, where those commitments are more onerous and challenging.

This is not about asking for special treatment. It is about the Scottish Government providing adequate resources to allow Grampian Police to carry out its duties and responsibilities. The Scottish Government has already set precedents in this area. On 12 December 2007, the Cabinet Secretary for Justice announced that he was allocating an additional £1 million to Strathclyde Police—the cabinet secretary asked where the money would come from; I could ask him the same question—to deal with the costs it incurred in dealing with the terrorist attack in Glasgow. A week later, he announced that he was allocating a further £217,000 each year to Lothian and Borders Police in recognition of Edinburgh's capital city status. I would not grudge either force that additional funding. In fact, I would applaud the cabinet secretary's decisions on those matters.

In both cases, it was clear that there was a genuine argument for additional funding on the basis of exceptional circumstances over and above those with which a police force would normally deal. However, I just wish that the cabinet secretary would look to the north-east, because the responsibilities that Grampian Police incurs—with the royal family in my constituency and the offshore oil and gas industry being based in the north-east—could be classed in the same category. I call only for fair treatment for the north-east from the SNP Administration, but we are not getting it. I call on the SNP to acknowledge that fact in government as it did in opposition.

16:05

**John Wilson (Central Scotland) (SNP):** I welcome the Justice Committee's report on the effective use of police resources and the conclusions that are contained within it. I acknowledge that it was timely to debate policing and police resources.

A significant number of witnesses gave evidence to the committee's inquiry. I welcome the opportunity to place on record my appreciation for those who presented evidence to the committee and for the information that was furnished to it. Like other committee members, I place on record my thanks to, and appreciation for, the committee clerks and the Scottish Parliament information centre, as well as to the convener for the way that he handled those of us who were new not only to the committee but to the Parliament.

As I have stated previously, discussions of policing and the effective use of police resources sometimes come down to the simplistic question of whether we have enough police officers on the streets fighting crime. In many ways, that is a sterile point, as effective policing has moved on apace and resourcing of the police involves greater and more efficient use of civilian support structures.

The benefit of being a member of the Justice Committee is that an inquiry into the effective use of police resources overlaps with the evidence that is presented to us for the budget process. That crossover is important, especially in the evidence that the Scottish Police Federation presented, to take one practical example. Joe Grant, who is general secretary of the federation, gave committee members a useful insight, especially into the key aspects of the use of community wardens and the reporting of crime in areas where they are deployed. As Mr Lamont stated, the Scottish Police Federation also referred to research that was conducted by Professor Arthur Midwinter, who acted as its financial consultant. Its submission referred to evidence that Scottish police expenditure is the lowest in the United Kingdom. In the evidence that he gave on 6 November 2007, Joe Grant referred to Professor Midwinter's research describing how there had been seven years' underfunding of the police service in Scotland. It is interesting that Arthur Midwinter is known to many members as the policy adviser to the Labour leader in the Parliament.

Personal experience of crime is sometimes as important in forming our mindset as all the evidence that is presented. On a Saturday night a few months ago, my property was damaged by what can only be described as joy-riders, who felt that the road in front of my house was a race track. I had left the house to collect my daughter and came back to find a car smashed into my driveway. Neighbours reported the crime to the police, who took the necessary statements, but the difficulty was that, after they had done their duty, the police officers had to wait for more than an hour and a half for a police recovery vehicle to turn up and take away the joy-riders' car. Is that a good use of police resources, particularly on a Saturday night?

In describing how effective the present use of police resources is, the report highlights the role of the Scottish Police Services Authority, which is a relatively new body but an important one that will have a key task in delivering central services. I envisage that its activities will increase over the years to come. It is vital that duplication in police structures is eliminated. Avoiding the duplication of resources involves operational issues, and the

need for efficiency savings is high on the political agenda.

The committee supports the retention of the current eight forces, which the Cabinet Secretary for Justice has reinforced. That said, I could not fail to notice in today's mail a letter from the convener of Strathclyde joint police board extending an invitation to elected members in the area to discuss directly with him their views on policing. Although all invitations are welcome, that raises in my mind the issue of democratic accountability—the conveners and vice-conveners of joint police boards are well remunerated compared with the average councillor who sits on those boards. I would welcome further scrutiny of the role of police boards, especially as some of the councillors serving on joint boards to whom I have spoken feel that it is the serving officers who are driving the agenda, which is not always a welcome feature. The issue of independent support and advice for police boards is highlighted in the committee report, at paragraph 353.

The report highlights the need to examine other areas of policing, one of which was identified earlier in the debate: community policing. Witnesses gave various accounts of what was considered to constitute community policing in their areas. The Justice Committee has now decided to investigate that issue in an attempt to ensure that we can all be satisfied that community policing is addressing the needs of all our communities and is able to reflect the wishes and desires of all residents.

In answer to the point that Alex Johnstone made about the working time directive, I say that the committee questioned the Scottish Police Federation on the issue. It was clear from the evidence that Joe Grant gave that no breaches were taking place and that there was no excuse for police services being cut back on the basis of the working time directive. The figures that he gave us showed that, on average, with overtime, the working week was 45 hours, with no one exceeding an average of 48 hours, which would be breaching the working time directive.

I commend the Justice Committee's report on the effective use of police resources to the Parliament, and I look forward to future discussion on the subject in the chamber.

16:12

**David Whitton (Strathkelvin and Bearsden) (Lab):** I refer members to my entry in the register of members' interests.

It is clear from the evidence that was given to the Justice Committee that there are widely diverging views on the further civilianisation of police services. Judging from what we have heard

today, I am only sorry that I am not a member of the Justice Committee, which clearly has some lively debates.

The figures in the committee's report show that the number of civilians who are employed by Scotland's police forces has increased, from 4,473 in 1996 to 7,352 last year. Most of those increases have come in the employment of clerical staff—although there have been decreases in other areas. The Association of Scottish Police Superintendents, which represents senior police officers, said that there were not many more areas where civilianisation could be pursued. However, the ASPS went on to suggest that there was merit in considering whether responsibility for custody centres could be moved from the police to another agency. That view was supported by Paddy Tomkins, a former chief constable and currently Her Majesty's chief inspector of constabulary, who said that there was

"no need for police to be responsible for the daily management of custody facilities."

However, when the Cabinet Secretary for Justice was asked about the matter, he declared:

"I have made it perfectly clear that this government is completely opposed to privately-run custody facilities - public safety must be put before private profit ... I will not hesitate to make this clear to forces if necessary."

**Kenny MacAskill:** Does the member accept that there is a considerable difference between civilianisation and privatisation, and that the Government is prepared to consider civilianisation where it is appropriate, although we disagree with privatisation?

**David Whitton:** I recognise what the cabinet secretary is saying. If he bears with me, I will perhaps enlighten him as to what benefits he could gain from some privatisation of services. His decision that he

"will not hesitate to make this clear to forces"

does not leave much scope for chief constables, and it is at odds with what he told the committee when he said:

"The best thing that I can do is to allow the chief constables to get on with doing their job. It would be inappropriate for me to seek to micromanage or direct them; I would not wish to take the approach of telling them how they should deploy their officers."—[*Official Report, Justice Committee*, 13 November 2007; c 298.]

Why, then, is the cabinet secretary so dogmatically opposed to the notion? Is it just because of the question of privatisation? Has he done any research to find out how systems operate elsewhere? His predecessor, my colleague Cathy Jamieson, asked for the matter to be reviewed. Perhaps he should do the same rather than being so quick to judge. Furthermore, he is still to reach his target for new police officers.

From what we have heard so far today, he is not doing very well—150 new officers to date does not seem to me to be getting close to the 1,000 that he expects to have before 2011.

However, in the spirit of co-operation in which the Parliament should operate, let me offer Mr MacAskill some facts about the custody services that are run by Reliance in England. For the record, I used to do public relations work for the company in Scotland.

**John Wilson:** Is Mr Whitton advocating further privatisation in the police service?

**David Whitton:** That is not what I said.

**Kenny MacAskill:** Yes it is.

**David Whitton:** No it is not. You were clearly not listening. I will carry on. You are not listening to what I am saying.

**The Deputy Presiding Officer:** I am listening to what you are saying actually.

**David Whitton:** I am glad that you are listening, Presiding Officer. I am glad that somebody from the SNP has some sense.

Reliance was the first private company to provide police custody assistants, which it did in Hereford in 1999, and it now has contracts with six police forces in England and Wales for custody-related services. It employs more than 424 officers, who operate in 30 custody centres with more than 470 cells in Cleveland, Sussex, Thames Valley, Warwickshire and West Mercia. It also provides forensic medical examiners in South Wales.

Reliance officers help to process and look after more than 220,000 detainees annually. Their tasks include booking in prisoners, carrying out police national computer checks, searching, providing supervision and welfare, taking DNA samples and fingerprints and managing electronic identity parades, interpreters and forensic medical examinations.

The outsourcing of custody for Thames Valley Police has released 133 police officers for front-line duties, which is something that Mr MacAskill might want to consider.

Reliance custody officers undertake a Reliance six-week, Home Office-approved training course before they begin work in a custody centre. Many officers have designated powers under the Police Reform Act 2002. The course covers first aid, communication skills, legal knowledge and the use of control and restraint techniques for dealing with violent offenders.

Since the introduction of the outsourcing contract in Sussex, the average time that is spent by arresting officers at the custody suite from

arrival to authorisation of arrest has reduced from 30 minutes to nine minutes. That has been achieved by using trained Reliance custody personnel. Given that there are more than 50,000 detentions every year, that reduction leads to more than 35,000 extra hours that police officers can spend on operational duties. The saving in hours is the equivalent of having around an extra 20 full-time police officers on front-line duties.

I understand that what works in some areas might not work in others, but I am surprised by the cabinet secretary's dogmatic attitude. To rule out the consideration of privatisation of custody services, which has been seen to work elsewhere, without any consideration of the facts whatever, is more than a little pig-headed.

I understand that Mr Tomkins has been to visit Sussex Police to look at its custody centre in Eastbourne. I hope that the cabinet secretary will read his report carefully or perhaps do even better and go and visit the centre himself. After all, he visited Reliance headquarters in Scotland at East Kilbride, where the prisoner escort service is managed, and I am reliably informed that he was impressed—he must have been, given that Reliance was recently awarded the contract to transport young offenders.

The Parliament should know that, as a result of Reliance running the service in Scotland, at least 200 police officers and 300 prison officers have been released to front-line duties. That is effective civilianisation, which the cabinet secretary would do well to consider.

16:17

**Angela Constance (Livingston) (SNP):** I welcome the focus on policing in this session of Parliament. The Justice Committee is correct to focus its report on the role, purpose and effectiveness of policing in modern-day Scotland and, not least, on resources and police numbers. Throughout the chamber, we all want to strive for a safer Scotland.

On 25 April, 150 additional officers will pass out from the Scottish Police College at Tulliallan. This Government has an absolute commitment to put 1,000 additional officers on our streets and to examine how to improve capacity within Scotland's police force.

Some £94 million is to be used to recruit directly 1,000 police officers. Although we all listen with interest to the political argy-bargy, the voters in my constituency will remember what we have delivered at the end of this parliamentary session. I have absolute confidence in the cabinet secretary that, three years hence, we will have delivered 1,000 extra police officers the length and breadth of Scotland.

The actions of this Government have already paid dividends in my area. As a result of the local government settlement, West Lothian Council, along with its colleagues in Lothian and Borders Police, has been able to fund 21 additional officers and extend the safer neighbourhood team into each multi member ward. That is positive news indeed.

If Mr Lamont is concerned about "soft-touch Scotland", I invite him to visit the criminal justice social work team in Livingston, because that will show him exactly how managing offenders in the community can and should be done. If my memory serves me correctly, the West Lothian criminal justice social work team has the best record and results on probation and community service officers.

The Government's emphasis is on visible policing, which will result not only in everyone feeling safer but in communities actually being safer. There is no doubt that a tough challenge lies ahead for us in ensuring that the police force is fit and resourced for the 21<sup>st</sup> century. The Government has risen to the challenge, and the Justice Committee, to its credit, in its report bores down into the pivotal and essential issues.

The key issue, personally speaking, is community policing. I have been in representative politics for the best part of 11 years, and I cannot speak highly enough of the community police officers with whom I have had the privilege of working over the years—that is, when and where they have existed, because in the year prior to the 2007 election West Lothian, which should have had 25 community police officers, quite often operated at half that capacity due to various stresses and demands on the police force.

I draw members' attention to page 9 of the Justice Committee's report. With respect to the Scottish Police Federation evidence, the ASPS

"defined community policing as 'softer-edged policing that includes diversionary work in youth clubs and liaison with various community groups.' Chief Superintendent Murray argued that the public wanted 'the harder-edged, enforcing arm of the police'".

I reject any suggestion that community policing is the softer policing option. Community policing, at its best and properly resourced, is well placed to deal with the harder-edged issues, whether those are drugs in our communities, youth disorder, disorder by older offenders or antisocial behaviour.

From my own experience, I am well aware that community police officers often come up with imaginative solutions to deal with local hotspots. Community police officers have often laid down arguments to their senior officers about the need for additional resources. Other examples of partnership working have been crucial.



Community police work deserves status and has to be at the heart of what policing in Scotland is about. I look forward to hearing about the continuing work of the Justice Committee in that area. I firmly believe that the Government has risen to meet the commitment to deliver safer communities throughout Scotland. The people of Scotland will judge us on that.

16:23

**Mike Pringle:** Just to set John Lamont straight, the facts are that in 1999, there were 14,810 policemen in Scotland. In March 2007, when Labour and the Liberal Democrats left office—

**John Lamont:** They were booted out!

**Mike Pringle:** Fine. There were 16,234 police officers in Scotland. That is 1,424 more officers in Scotland—an 11 per cent rise over eight years. That is a commendable achievement, much of which was due to Jim Wallace as justice minister. The Scottish Conservatives claim that they are continuing their campaign for at least 1,500 extra police officers in Scotland. How can that be, when they have already been bought off by the SNP with the very loose commitment to 1,000 more police officers—which, frankly, it does not look as if we are going to get? On top of that, the Conservatives plan to complicate the roles of police board conveners with unnecessary red tape, compelling them to stand for election rather than allowing them to get on with their jobs.

We have a tripartite approach to delivering police services. Ultimately, decisions about operations should be—and are—taken by the police. That is overseen by police boards of democratically elected councillors and by the Scottish Government, which is also democratically elected. That is a perfectly reasonable level of public involvement in our police services. However, it could be argued that we need more engagement with local communities, which might involve informing people about the work of their local police and about local crime statistics so that they know what is going on.

I am pleased that the cabinet secretary is committed to more community police officers. As Bill Aitken, Paul Martin and Angela Constance said, that issue very much exercises communities. Margaret Smith and I had discussions with the new chief constable of Lothian and Borders Police about community police officers on the beat. He is committed to trying to keep community police officers in their areas for as long as possible. There is no doubt that that is what communities want. We will continue to push the Scottish Government on its commitment to create more community police officers.

Paul Martin mentioned that he does not know who his community police officer is. We are better served in Lothian—

**Paul Martin:** My point was that many of my constituents do not have access to information about who their local police officer is, and I want clarity about that. I am in a position to access that information.

**Mike Pringle:** I misunderstood what the member said. As the local MSP, and perhaps like Paul Martin, I know who all the community police officers are in my area. I agree with Paul Martin. If the information is not available on Scottish police authorities' websites, perhaps he and the other members of the Justice Committee should examine that.

I was taken with Angela Constance's comments about community police officers. I agree with everything that she said. However, I add that community police officers know who the local hoods are, who the local neds are and who the fast drivers are. They know who is likely to commit crime in their local area. As I said, the chief constable of Lothian and Borders Police is committed to keeping police officers in their communities for as long as possible.

**Alex Johnstone:** Before the member reaches the end of his speech, will he take the opportunity to clarify whether it is the fault of the former Liberal justice minister Jim Wallace that, even though the number of police officers increased significantly during the years of Liberal Democrat and Labour government, Grampian remained significantly underfunded?

**Mike Pringle:** Clearly, I do not have a great deal of knowledge about exactly what happened in Grampian—I am not a Grampian MSP. My recollection is that Jim Wallace increased funding to all police authorities throughout Scotland. It might not have been enough for the member, but Jim Wallace did give an increase throughout Scotland.

Fear of crime is often much greater than actual crime rates warrant, and there is a good story to be told about the work that is being done by our hard-working police forces. As well as ensuring that there are enough police on our streets, we must ensure that the public are aware of the good work that our police forces throughout Scotland are doing.

16:29

**Margaret Mitchell (Central Scotland) (Con):** As many contributors to the debate have pointed out, the Justice Committee's inquiry into the effective use of police resources comes some 40 years after the Police (Scotland) Act 1967, which

is the statute that sets out the general functions and duties of the police. To state that the review is long overdue is an understatement, for there is no doubt that both the nature of policing and the public's expectations of the police have changed dramatically in the past 40 years.

Section 17(1)(a) of the 1967 act defines police functions and duties as

“to guard, patrol and watch so as—

- (i) to prevent the commission of offences.
- (ii) to preserve order, and
- (iii) to protect life and property”.

The act's provisions conjure up, to quote Bill Aitken, almost a “Dixon of Dock Green” image. It is tempting to conclude that it was all so simple then—it is not so simple today.

The Justice Committee's report is clear in its findings that, with increased general societal and legislative demands, and taking into account specific demands on individual forces, examples of which were explained in depth by Alex Johnstone and Mike Rumbles, existing resources are insufficient to deliver the 24/7 policing that the public expect. Today, the police must spend more time carrying out greatly expanded duties pertaining to the increased incidence of drug and alcohol-related crime, the implementation of European convention on human rights legislation, the Macpherson report on racism, policing the night economy, and terrorism incidents and their prevention. On top of all that, the police must devote adequate time to maintaining the sex offenders register. That is just a few of the police's duties.

It is not surprising that, in its evidence to the Justice Committee, ACPOS concluded that there were

“insufficient officer numbers to meet public and political expectations.”

Significantly, however, the organisation stressed that the issue is not merely about the numbers of police that are required but, crucially, about how effectively the police use finite resources.

Meanwhile, the Scottish Police Federation believes that there are deficiencies in and increasing public disquiet about 24/7 response policing. That disquiet is reinforced by the fact that, according to figures in a study by Her Majesty's inspectorate of constabulary that was published in 2002, the proportion of police officers who were available for front-line deployment at any given time over a 24-hour period was a meagre 7.5 per cent. Further, the ASPS highlighted in its evidence that while it is hugely supportive of and successful in recruiting more women into the service, the change in gender

mix—which reflects the communities that the police serve—has resulted in a sizeable increase in the number of officer maternity leave days. They stood at 8,500 in 1996-97, but rose to 47,500 in 2005-06.

**John Wilson:** Does the member accept that the difference between the figures for 1996-97 and 2005-06 is due to significant changes in maternity legislation, which allow for officers to take more time off, so it is not correct to compare the time taken off in 1996-97 with the time taken off in 2005-06?

**Margaret Mitchell:** No, I do not agree with that logic. It is indisputable that the number of days taken off for maternity leave has gone up considerably. Given that, it is welcome that the Justice Committee concluded that the Scottish Government requires to consider establishing a mechanism to review regularly police resources and that, as part of that review, it would be constructive to include an indication of how many police days were lost through suspension, pending inquiries into complaints.

The other part of the inquiry's remit relates to the provision of additional police officers and the efficiency of resource use. As John Lamont explained in detail, and notwithstanding Angela Constance's comments, because of Scottish Conservative representation, the number of additional new police officers that the Scottish Government is committed to providing has increased from the SNP pledge of 500 to 1,000, and they are to be in place by the end of this third parliamentary session. That is entirely in keeping with our conviction that a strong police presence provides a visible deterrent and boosts public confidence in the criminal justice system, which is borne out by the New York broken windows initiative and pilots that were carried out in Glasgow and Edinburgh, which showed that an increased, targeted police presence cut crime dramatically.

The report makes clear, however, that welcome though the 1,000 new officers will be, there will still not be enough officers to cope properly with full-time demands. While providing new and additional police officers is the preferred solution, limited resources mean that other ways must be found to cope with increased demands, including redeployment, more civilianisation and retention. Civilianisation and retention are problematic and will almost certainly be debated further, as will the question of community policing. I therefore very much welcome the Justice Committee's decision that community policing is sufficiently important and complex to merit a further inquiry, which the committee intends to undertake later this year.

16:35

**Pauline McNeill (Glasgow Kelvin) (Lab):** I join the cabinet secretary, Angela Constance, Mike Pringle and others in paying tribute to Scottish police forces for their work through the years, during which it is clear that policing duties have changed. Increased monitoring of sex offenders, counter terrorism challenges, language issues in new communities, antisocial behaviour and new legislation since devolution have placed more demands on police services.

The Justice Committee's report is helpful and critical. It draws our attention to the fact that the police's role has not been examined since 1967. I give credit to all the committee's members, under the leadership of Bill Aitken—Dixon of Dock Green—who produced a unanimous report, which I welcome.

Labour members' clear view is that any review of the police's role must be about responding to communities' needs and putting that at the heart of the policing role. On my reading of the report, none of the witnesses seemed to think of the public as stakeholders. Labour believes strongly that the public must be able to hold the police to account. The public have the right to know exactly what policing response to expect, when they can directly contact the police and who their community police officer is, as Paul Martin said. They should not have to deal only with call centres. When the public have direct contact with the police, they should be clear about and have confidence in the policing structure.

The report highlights the debate about exactly what community policing is and it draws out the difficulty in defining it, as other members have said. A key manifesto commitment of the SNP Government is to make community policing part of the fabric of communities. I support that, but I do not think that the general duties of community police officers should be different from those of other officers. We must join up those duties to fight crime. In days gone by, community officers had some different duties from general police officers, but that must change—all must be involved in fighting crime in communities. If that is not the case, a resource will be wasted.

The public also want speedy and efficient responses to crimes. Some leadership might need to be provided on which aspect is more important.

We need to address detailed issues about the role of the new call centres in some forces and police response times. In defined cases in which the public have been unclear about when to expect an officer to appear at the scene of the crime, we must make clear to them what they can expect.

The cabinet secretary mentioned the continuing debate in *The Herald* and *The Scotsman*. The policing structure in Scotland must be settled soon. We do not have the luxury of having such an exchange in the press, which I believe is leading to acute tensions in the justice department. I call on the cabinet secretary to act now to consider removing the Scottish Crime and Drug Enforcement Agency from the SPSA's management, for two reasons. First, removing it would give the SPSA a chance to do the job that it was designed to do and which the Parliament gave it authority to do. Secondly, it would create the management and accountability that the SCDEA needs to get on with tackling the serious and organised crime that it is charged with tackling. We must settle now the debate about where specialist police services should be delivered and we should ensure national and local accountability in our structures.

**Kenny MacAskill:** I understand the member's point about the SCDEA. One principle is that our police should be accountable, which is why chief constables are accountable to police boards. If we cut the SCDEA loose from the SPSA, to whom would it be accountable, apart from the Cabinet Secretary for Justice? Does she suggest that it should be accountable in that way?

**Pauline McNeill:** I am sure that it is not beyond the wit of the Scottish Government to propose a suitable structure. I make it clear that the SCDEA should certainly be accountable to the cabinet secretary and to us, but the current structure is getting in the way not just of the SCDEA but of the SPSA, so I ask the cabinet secretary to consider that seriously.

In improving our policing response, we should continue to uphold the important role of community wardens. There seems to be a lack of conviction from the SNP Administration on the role of wardens. Indeed, it has become almost impossible to track the financial commitment to that key and official role in the community of assisting not just police officers but other community officers who are employed by local authorities.

It goes without saying that the Government has not delivered yet on police numbers, although we welcome the additional 150 officers. It is about time that the cabinet secretary had a wee go at the Tories over their claims that they would deliver more than the SNP. I have sat back and listened to their commitments for too long. Having been in the job for several months, the cabinet secretary realises that increasing police numbers is a serious challenge. However, we, as the Opposition, will continue to challenge him and scrutinise his delivery of that policy. It is a fact that Labour delivered on it. Although we can argue about the numbers, the SNP has still to deliver.

The Justice Committee's report states clearly that it expects 1,000 additional officers to be created on top of the existing establishment by 2011. I applaud the committee for putting that in its report.

Key areas must be scrutinised in achieving that pledge. The civilianisation of former and current police duties is a way of freeing up police officers, and it would be helpful if the Government laid out its approach to that. It is not at all clear to me why it is civilianising some roles but not others. I mention specifically the pilot scheme in central Scotland, which is using civilians for door-to-door inquiries. Frankly, the cabinet secretary should pull that pilot scheme in. I have serious concerns about whether we should just employ police officers to do that job. That is an important debate to have.

Are you telling me that I am in my last minute, Presiding Officer?

**The Presiding Officer (Alex Fergusson):** I am telling you that it is time to wind up, actually.

**Pauline McNeill:** Oh. I did not hear you say that I was in my last minute. Okay.

**The Presiding Officer:** I can give you a brief moment to finish your speech.

**Pauline McNeill:** I am grateful, Presiding Officer.

I will finish by referring to two important pressures on police numbers. The first is the pension liability. I have asked John Swinney on many occasions to state clearly whether the Government will fund the police pension liability. If the Government does not, the deal will fall apart. Secondly, the Cabinet Secretary for Finance and Sustainable Growth today outlines the efficiency savings that he expects public services to make. On top of the pension burden, those savings are impossible to achieve—the cabinet secretary can ask any financial consultant that he wants. He must exempt the police service from those two burdens if he wants to achieve the Government's targets. If he is serious about creating 1,000 police officers, he should lift those burdens from the police service—then, we might get somewhere.

16:43

**Kenny MacAskill:** We welcome the debate. Indeed, I have learned something new, which I will comment on later. Some matters were to be expected and some were, perhaps, not. The debate ties in with where the committee is, which is on a journey on which it will continue to review matters. I made it clear at the outset that we will be happy to co-operate with that. The Government is also on a journey towards delivering what we think is necessary. It is about allowing our communities to understand the level of policing

that they have a right to expect; building capacity to ensure that we deliver an additional 1,000 police officers into our communities, which we are doing; building capacity nationally, through the SPSA and greater collaboration between forces in our small country; working in partnership with others within and without the criminal justice system; and fundamentally building on those matters that will help to make Scotland safer and stronger.

Four clear themes have run through the debate. The first of those is the general acceptance by members of all parties—enunciated by the Justice Committee's convener in his explanation of how the world has moved on from "Dixon of Dock Green"—that the world has changed and that a review is needed. The world has changed substantially in 40 years and, accordingly, the nature of policing must reflect that. The police are there to reflect our communities, which is why it is appropriate that the Government will undertake to carry out a review and will seek to work with the committee on that.

Issues have come up around police resources and numbers, and those are matters to which we are committed. As I have said, the Government will deliver 1,000 additional officers into our communities. There is also the issue of the definition of community policing, which is at the heart of the debate.

That might mean that resources have to go into providing direct internet access to information. There is merit in being able to access a great deal of information on the internet.

We have to work out what is meant by community policing. After all, our council tax payers fund it, and our communities need police protection.

The question of police governance and whether it is in the nature of the SCDEA or the tripartite arrangement has been touched upon, and I do not doubt that it will be gone into in greater detail during the coming weeks and months.

Bill Aitken talked about the accountability of local police boards. New guidance was issued to police boards last summer that clarified the roles within the tripartite relationship. That framework will provide an ideal vehicle for achieving accountability by, for the first time, giving police boards the tools to hold chief constables to account. The Government is committed to the tripartite relationship between the justice department and cabinet secretary, the police boards and, of course, chief constables, who have operational autonomy.

Pauline McNeill, Paul Martin and Bill Butler raised the tensions between the SPSA and police authorities. We understand that there are moves

to improve the situation. It is perfectly clear that the SPSA is responsible for providing a range of support services to the police forces on a national basis, and it has made an excellent start.

I will come on to the issues raised by Bill Butler, but ICT is being rolled out. The SPSA is responsible for maintaining not providing services to the SCDEA. It does not deal with SCDEA operational matters; the director general of the SCDEA has complete autonomy. I met the previous director general, and I have met Gordon Meldrum, the current director general. He made no suggestion of any interference from the SPSA. The situation should go on as it is and we should build on what we inherited from the previous Administration.

I remind members that we inherited the lowest level of recruitment since devolution, but changes are under way. Despite the disparaging comments that we have heard from some members, we have recruited 150 police in this financial year. Grampian Police has announced plans to increase its force by more than 130 to 1,600 by 2011.

**Mike Rumbles:** That announcement was made during the previous Administration.

Does the minister accept the fact that Grampian Police is underfunded in comparison with other forces?

**Kenny MacAskill:** No, I do not accept that. We have delivered £1 million in increased funding. If the member believes that Grampian police force is underfunded, then the fault lies with the previous Liberal Democrat-Labour Executive. We have added £1 million to the system created by the previous Minister for Justice in 2004. We are delivering record sums of increased funding. That is the position, whether Mr Rumbles likes it or not.

ICT roles have been transferred from police authorities to the SPSA and that is going well. All police ICT staff and functions transferred on 1 April, as I discovered when I was in Glasgow earlier this week. Service-level agreements are being sorted out and entered into. As Mike Pringle pointed out, one still has to be signed off between Strathclyde and the SPSA. Whatever Mr Martin says, I have great faith in the SPSA and its board, which, as I recall, included Councillor Rooney. Paul Martin might wish to discuss matters with him.

It is clear that the fox that was thought to have been set loose was well and truly shot when this Government delivered its commitment to 1,000 additional police officers in our communities.

**Paul Martin:** Will the minister take an intervention?

**Kenny MacAskill:** Not at the moment.

That negated the opportunity that the Opposition thought it had to skewer the Government. The Government is delivering on its promise over police officers. We are building upon the appalling situation that we inherited, and we are adding to recruitment. Clearly, that causes some discomfort. Mr Martin might say that the Labour position was not relevant, but it was. If Labour had won the election in May last year, we would not be getting any new police officers because there was no commitment to recruiting them. We have increased the numbers by 1,000, and we are on the case.

We accept the need for community wardens, but such matters are primarily and best dealt with by local authorities. However, we can tackle bad behaviour not simply by employing community wardens but by other means, such as by tackling gang violence. When I visited Mr Martin's Springburn constituency earlier this week—Mr Martin was not there—I found that the efforts of the police in Glasgow have resulted in a significant reduction in youth offending. Mr Martin is well known for never knowingly praising a child in this country, but it was quite clear that those youngsters were in fact being turned round. The police deserve credit for that.

One new thing that I learned in today's debate is that new Labour's privateers continue to operate. We heard that quite clearly from Mr Whitton, who seems to want to privatise even more of our police force. I must say that I was surprised that Pauline McNeill raised a matter about the Central Scotland Police pilot scheme, as I think that many of the suggestions should be rolled out once they have been tested. Indeed, the pilot using custody officers is going remarkably well, as I saw for myself in Alloa. Perhaps we need to work out whether, instead of rolling out the Central Scotland pilot, Mr Whitton would rather privatise such services. He wishes to privatise huge swathes of our police services. Surprisingly, he is even further to the right than the Conservative party. New Labour may continue to want to privatise police services, but we will not do that. We recognise the benefits of civilianisation and we will support chief constables in achieving that. Such operations will remain within the ambit of police boards and chief constables; they will not be privatised or given to a private sector company, regardless of whether Mr Whitton was previously on its payroll.

16:51

**Bill Butler (Glasgow Anniesland) (Lab):** My task today is to act in a non-political fashion in closing, on behalf of the Justice Committee and as a believer in common ownership, what has been—up until a moment or two ago—a reasoned and detailed debate on the committee's report on its

inquiry into the effective use of police resources. Such an important and serious subject is of considerable interest to all the communities across Scotland that members seek to serve.

I begin by recording my thanks, as deputy convener of the committee, to our clerks, the Scottish Parliament information centre researchers, the committee's adviser, my committee colleagues—especially the convener, Bill Aitken—and all those who gave evidence and appeared as witnesses before the committee. Their various contributions resulted in the report that the Parliament has considered today.

The reasoning behind the committee's decision to undertake such an inquiry was sound. It is now more than 40 years since the enactment of the Police (Scotland) Act 1967. Therefore, the committee felt that it was timely to look at the impact on the role of the police of developments in society in a period of such rapid change and to consider the increasing demands that are made on the service. The police officer of 1967 vintage could not have imagined the enlarged role and responsibilities that are demanded of his modern-day counterparts. The impact of e-crime and immigration crime and the globalisation of crime and terrorism—alongside the demand for much more visible, sympathetic and responsive local policing—are but a few of the contemporary challenges that the police service faces.

Evaluating whether the resources that are available to our police service are adequate to allow our forces effectively to meet all their present commitments was the focus of much of the committee's inquiry. A large part of the Justice Committee's deliberations focused on an issue that has excited—how shall I say this?—a degree of controversy over the past 10 months or so. I refer, of course, to the recruitment of additional police officers at a level that would allow forces effectively to meet all their present commitments. Just about every member who has spoken today—Bill Aitken, the cabinet secretary, Paul Martin, John Lamont, Mike Pringle, Nigel Don, Cathie Craigie, Stuart McMillan, Helen Eadie, John Wilson and Angela Constance—mentioned that important issue.

Members will be aware that the Justice Committee's report was published on 24 January, which was two weeks before the stage 3 debate on the Budget (Scotland) Bill. During that debate, the Cabinet Secretary for Finance and Sustainable Growth, John Swinney, announced the Government's intention to provide means to ensure that

"we will not only deliver 1,000 more police officers on our streets and in our communities but go substantially beyond that."

Mr Swinney explained how he aimed to meet that pledge:

"We propose to deliver the extra police officers by changing the timetable for some projects within the prisons estate and e-health budgets and by finding a contribution from the motorway and trunk road network strengthening and improvement budget."—[*Official Report*, 6 February 2008; c 5836-7, 5838.]

It would be churlish of me not to acknowledge that John Swinney's clearly stated intention is to implement one of the major recommendations in the Justice Committee's report, namely,

"to ensure that the number of serving officers in 2011 is at least 1,000 above the 2007 establishment."

I do not question for a moment Mr Swinney's sincerity. I also welcome his implicit acknowledgement, on behalf of the Government, that the committee was correct in its view that

"to identify a further 500 officers for front-line policing"—

additional to the Government's initial promise of 500 extra officers during the three-year spending review period—

"through a combination of retention and redeployment"

would

"be very challenging to deliver."

However, I make the non-political point that it is legitimate for the Parliament in general and the Justice Committee in particular to monitor closely whether such a pledge can be delivered within the specified timescale. After all, it is our duty to hold Government of any political complexion to account. I assure Parliament that the Justice Committee will take that duty seriously.

One of the committee's conclusions may be of assistance. I refer members to paragraph 68 of the report, which

"recommends that the Scottish Government considers establishing a mechanism regularly to review the adequacy of police resources."

I hope that the Government will take up that suggestion, which may or may not help to take the important issue of police numbers out of the party-political arena.

The report's other major recommendation is contained in paragraphs 215 and 364, which recommend

"that within the lifetime of this Parliament the Scottish Government should initiate an independent review of the role and responsibilities of the police in Scotland, informed by the Committee's report."

**The Presiding Officer:** Order. There is too much background noise.

**Bill Butler:** Members are preparing to applaud me.

The cabinet secretary said that Paddy Tomkins would lead a short-life review of policing. Although that is welcome, it does not go far enough and is not what the committee is suggesting to the Government. I hope that the cabinet secretary will reflect on and give further serious consideration to our recommendation.

Members raised a number of other issues in the debate. The cabinet secretary referred to the reported tensions in the Scottish Police Services Authority. He dealt with Mike Pringle's point about the SCDEA, but the committee and I would welcome a response to Mr Pringle's point about the failure as yet to complete the forensic services contract.

Mr Aitken, Mr Pringle and others spoke about the tripartite system. Although we support the retention of that system, we think that its effectiveness needs to be examined. The cabinet secretary said that guidance has been issued to clarify the respective roles and responsibilities of all those involved in the tripartite system. However, I refer him to paragraph 351 of the report, which calls on the Scottish Government to review membership of police authorities and to consider augmenting them with

"independent members, appointed in an advisory capacity,"

who

"could contribute particular professional skills and expertise."

That is a sensible suggestion from the committee.

The other main issue that the committee examined in its report was community policing. I commend Angela Constance for her speech. She talked good common sense about what community policing can achieve if it is properly resourced. It is not a soft option—it is what people in communities want. The committee will wrestle with the issue of how community policing should be defined. Is it intelligent policing, reactive policing, visible policing or a mixture of all three? The committee will turn its mind to that serious task in the second phase of its inquiry, which has just begun. We hope to bring our conclusions and recommendations to the Parliament in due course, when we can debate them.

## Business Motions

17:00

**The Presiding Officer (Alex Fergusson):** The next item of business is consideration of business motions S3M-1718 and S3M-1714, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a revised business programme and a business programme.

*Motions moved,*

That the Parliament agrees the following revision to the programme of business for Thursday 17 April 2008—

after

12 noon First Minister's Question Time

delete

2.15 pm Themed Question Time  
Finance and Sustainable Growth

2.55 pm Stage 1 Debate: Public Health etc.  
(Scotland) Bill

and insert

2.00 pm Themed Question Time  
Finance and Sustainable Growth

2.40 pm Ministerial Statement: Extension of  
the First ScotRail Franchise

*followed by* Stage 1 Debate: Public Health etc.  
(Scotland) Bill

That the Parliament agrees the following programme of business—

Wednesday 23 April 2008

2.30 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Ministerial Statement: Hepatitis C

*followed by* Scottish Government Debate:  
Historic Scotland and Local  
Authorities

*followed by* Legislative Consent Motion: Statute  
Law (Repeals) Bill – UK Legislation

*followed by* Business Motion

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 24 April 2008

9.15 am Parliamentary Bureau Motions

*followed by* Ministerial Statement

*followed by* Scottish Government Debate:  
International Education

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time  
Europe, External Affairs and Culture;  
Education and Lifelong Learning

2.55 pm Local Government and Communities  
Committee Debate: 5th Report 2008:  
Planning Application Processes  
(Menie Estate)

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 30 April 2008

2.30 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Stage 3 Proceedings: Glasgow  
Commonwealth Games Bill

*followed by* Business Motion

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 1 May 2008

9.15 am Parliamentary Bureau Motions

*followed by* Scottish Conservative and Unionist  
Party Business

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time  
Health and Wellbeing

2.55 pm Scottish Government Business

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business—[Bruce  
Crawford.]

*Motions agreed to.*

## Parliamentary Bureau Motion

17:01

**The Presiding Officer (Alex Fergusson):** The next item of business is consideration of Parliamentary Bureau motion S3M-1713, in the name of Bruce Crawford, on the designation of a lead committee.

*Motion moved,*

That the Parliament agrees that the Economy, Energy and Tourism Committee be appointed as the lead committee in consideration of the Scottish Register of Tartans Bill at Stage 1.—[Bruce Crawford.]



## Decision Time

17:01

**The Presiding Officer (Alex Fergusson):** The first question is, that motion S3M-1629, in the name of Bill Aitken, on the report on the inquiry into the effective use of police resources, be agreed to.

*Motion agreed to.*

That the Parliament notes the conclusions and recommendations contained in the Justice Committee's 4th Report, 2008 (Session 3): *Report on Inquiry into the Effective Use of Police Resources (SP Paper 50)*.

**The Presiding Officer:** The next question is, that motion S3M-1713, in the name of Bruce Crawford, on the designation of a lead committee, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the Economy, Energy and Tourism Committee be appointed as the lead committee in consideration of the Scottish Register of Tartans Bill at Stage 1.

## Epilepsy

**The Deputy Presiding Officer (Alasdair Morgan):** The final item of business is a members' business debate on motion S3M-1567, in the name of Hugh O'Donnell, on a call for better epilepsy care. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament welcomes the forthcoming *More specialist nurses, better epilepsy care* campaign being run by Epilepsy Scotland for National Epilepsy Week 2008; commends the outstanding support that Epilepsy Scotland gives to the estimated 40,000 people in Scotland with this condition; acknowledges the valuable contribution specialist epilepsy nurses make to patient-centred treatment and epilepsy management; recognises the cost savings that these nurse posts make by reducing hospital stays, decreasing consultants' workload and uncovering misdiagnosis and overtreatment; encourages NHS Scotland to address the shortfall in posts which means access to an epilepsy specialist nurse is a postcode lottery; notes that five NHS boards are without either paediatric, adult or learning disability nurses; believes that funding should be provided for additional epilepsy specialist nurses; advises that the recommendation of the Joint Epilepsy Council of the UK and Ireland for one specialist nurse for adult, paediatric and learning disability, per 100,000 of the population be followed in Scotland; acknowledges that resources for medical and administrative support must be available for specialist nurses to allow them to work effectively; suggests that increased specialist nurse provision will contribute towards related HEAT targets for an improved healthcare experience and rates of attendance at accident and emergency departments, and believes that the requests in this motion relate directly to plans contained in the Scottish Government's *Better Health, Better Care* strategy for a healthier Scotland, launched on 12 December 2007.

17:03

**Hugh O'Donnell (Central Scotland) (LD):** It is a real honour to open this debate—the first members' business debate that I have secured—on an important subject. I congratulate Epilepsy Scotland and the Joint Epilepsy Council on the success that they have had since the inception of the Scottish Parliament in raising the profile of epilepsy in Scotland. I must also make special mention of the sterling work that Allana Parker of Epilepsy Scotland has done in engaging with Parliament, the cross-party group in the Scottish Parliament on epilepsy and the previous and current Governments. It is gratifying that so many members are present for the debate, and I thank them for their attendance.

As many of us know, epilepsy is the most common neurological condition in the world. The fact that it affects about one in 130 people means that as many as 40,000 people in Scotland might have it. Approximately one third of that group will also have an associated learning disability. As someone who has worked with adults who have

epilepsy, I know first-hand the impact that the condition can have on a person's lifestyle, and the social stigma that regrettably still comes with it.

Support for people in Scotland who have epilepsy has improved considerably, especially with the development of managed clinical networks, which were set up in response to the acute services review that was carried out in 1998. In "Our National Health: A plan for action, a plan for change", it was recognised that MCNs had the potential to improve services for people who suffer from all chronic conditions. Currently in Scotland there are three managed clinical networks for epilepsy—in the north, in the west and in Tayside—and there is a national paediatric managed clinical network for children with epilepsy. I would like more MCNs to be developed. Despite progress, including on the Scottish intercollegiate guidelines network guidelines, much remains to be done to improve clinical and social support for people with epilepsy and, not least, to improve access to specialist nursing support and care.

Epilepsy specialist nurses are senior qualified nurses who have five years post-qualification experience—the ideal is that that experience is in neurology or epilepsy. ESNs attend consultant-led review clinics and first-seizure clinics, where they provide necessary and thorough support to newly diagnosed adults and children. They also run nurse-led clinics, which enable people across the social spectrum to access specialist help without having to wait for clinical appointments. ESNs assist with transition clinics, which are important in providing help to young people with epilepsy as they move into adult services.

ESNs provide one-to-one support on many issues, including pre-conception planning and pregnancy, drug management, pre and post-surgery care, employment and even social activities such as driving. They provide education to social work and health professionals who work with people with epilepsy, for example by training general practitioners and practice nurses. Their work helps to disseminate knowledge and understanding and ultimately helps to improve the support that is available for people with epilepsy as they come into contact with primary care services.

ESNs ensure that the quality of care that people with epilepsy receive is high and meets the national standards. They have improved the standard of care beyond all recognition. The provision of specialist nurses and nurse-led clinics reduces consultants' workloads, which perhaps in turn reduces overall waiting times and waiting lists. The SIGN guidelines report that ESNs are

"cost effective ... reduce the length of stay in hospital ... and increase patient satisfaction."

Given the proven success of ESNs, it is extremely worrying that, despite the guidelines and the establishment of MCNs in 1998, five health boards in Scotland still have no adult learning disability or paediatric epilepsy nurses, which means not only that the service for people with epilepsy is reduced to a postcode lottery, but that there can be misdiagnosis, unnecessary hospital admissions and longer waiting times for many patients.

The Government's commitment to a healthier Scotland, which it made clear in the 2007 document, "Better Health, Better Care: Action Plan", sits comfortably with the need for it to provide the necessary resources to enable every health board in Scotland to provide the support and care throughout Scotland that people with epilepsy are entitled to expect. I hope that when she sums up the debate the Minister for Public Health will talk about resources and confirm the Government's determination to advance service provision in Scotland, thereby improving services for people with epilepsy throughout the country.

17:08

**Alasdair Allan (Western Isles) (SNP):** I congratulate Hugh O'Donnell, Epilepsy Scotland and the cross-party group on epilepsy on securing the debate. I hope that the debate will raise awareness about a common condition and help to broaden and deepen the political consensus that specialist epilepsy nurses have a greater role to play in the future.

I read that one in 129 Scots has epilepsy, so I declare an interest in the statistic: there are 129 members of the Scottish Parliament and I have epilepsy.

I have seen startling displays of lack of awareness of the nature of the condition. What most comes to mind in that context is the man from Alabama with whom I shared an office at the University of Aberdeen, and with whom I never quite managed to share the information that I had epilepsy after I caught sight of a tome on his bookshelf entitled, "Satan Cast Out, or the True Causes of Epilepsy." The greatest lack of awareness was my own—not only when I suddenly developed epilepsy at 18, but for a long time thereafter. I was pretty ignorant about my condition. However, I have been very fortunate in that my seizures have been gradually brought under control to the extent that I have been without symptoms for the past four years.

My knowledge of what was happening with my health was ropey and it was not helped by my attitude. It is fair to say that I was not the model patient. It took me a full year to find strategies that were equal to the task of overcoming my absent-

mindfulness to ensure that I always took my pills. If my mother is listening, I say to her that I now always do that. If she is not, I will say that when a doctor told me at 18 that drinking “might exacerbate my condition”, I took the word “might” to undermine the strength of his argument, if not to discredit it completely.

I do not advise anyone else with epilepsy to conduct the same experiment that I conducted when, as a student, I was cycling home one day. Feeling the first symptoms of a seizure, I took the gamble that if only I pedalled fast enough I would have just enough time to get home before slipping completely into unconsciousness. Happily, my plan worked out fine, but I would not try it again.

More than anything, and with absolutely no disrespect to them, the doctors whom I consulted from time to time had very little idea of the medication I should take, or of how much, or when. That is not a criticism of those doctors; they were frank about the process being one of trial and error. I saw consultants infrequently and had brain scans that may have told the hospital something, but which told me nothing at all. Between those infrequent visits, I ignored my epilepsy, except on the four or five occasions a year when I was ill. Between those times, I offered the occasional suggestion to my GP on whether the dose should be put up or down. I had absolutely no rational basis for those suggestions, however. In the end, I took roughly the doses that I felt I should take, given that my medical notes and prescriptions never seemed to agree on the correct dosage.

I cannot help but think that if I had had even occasional contact with a specialist epilepsy nurse, I might have received practical information and probably the occasional—productive—telling off. When I was first diagnosed, an epilepsy nurse would have been a considerable reassurance to my parents. They would have ensured that a more systematic attempt was made to get the correct dosage.

The only real frustration—now, at last, it has been overcome—was not being able to drive, which is a significant problem in the Western Isles. After having gone the required year without a seizure, I started the lengthy process of learning to drive. I finally passed my driving test, thanks in no small part to a Lewis road being blocked by a funeral cortège for several minutes. Very irreverently, that struck me as the ideal opportunity to waste time in injury time.

Fortunate as my experience has been, there can be no underestimating the distress that epilepsy must cause a young child and those who have more regular seizures than I ever had. Though provision is very patchy, the key to better diagnosis, treatment and information lies in wider

provision of specialist epilepsy nurses, on which I see an emerging political consensus.

17:13

**Margaret Curran (Glasgow Baillieston) (Lab):**

I, too, congratulate Hugh O'Donnell on bringing the debate to the chamber and I thank him for lodging such a comprehensive motion. He has brought an important issue to Parliament.

I associate myself with Hugh O'Donnell's comments on Epilepsy Scotland, including on its work and the contribution that it continues to make. I hope that its partnership with Parliament will continue. As we have heard, it brings an appreciation of the experience of epilepsy, the significance of which is important to the development of policies that will address the challenge of epilepsy as services develop.

Like Alasdair Allan, I have personal experience of epilepsy and an interest to declare. Some years ago, my cousin died of an epileptic seizure when she was a young woman of 20—she was found dead one morning by her family. That experience was a wake-up call to me and my family. It served as a warning of the need to have a broad understanding of epilepsy. We must understand its impact and the services that we need to design around it. We cannot afford to be complacent about the importance of those services and we must not expect people with the condition to somehow manage to just get along.

As has been said, and as is said in the motion, 40,000 people in Scotland have been diagnosed with epilepsy. We need to ensure that they have access to proper resources and services. In his speech, Hugh O'Donnell spent some time highlighting the progress that has been made, which is significant. We need to acknowledge that. I do not doubt that the new Government wants to continue that progress.

It is important that we focus particularly on the role that specialist nurses play. Most people now argue that they are a key component in the development of services; medical evidence certainly supports that view. Alasdair Allan described how specialist nurses could have played a significant role for him. However, Epilepsy Scotland has estimated that only 36 per cent of children and 7 per cent of adults with epilepsy have access to specialist nurses. Of them, 9,000 adults and 1,000 children have to travel outside their postcode areas to access the nurses. It is incumbent on us to try to appreciate the experiences and the consequences for those who have epilepsy and who have to travel miles to access the care that they need, and those who do not get that access at all. As Hugh O'Donnell said, five NHS boards in Scotland have no specialist

epilepsy nurses. I hope that the minister will address that issue in summing up.

A consensus is developing on the crucial role of specialist nurses. Throughout Scotland, we are beginning to appreciate their role in dealing with a range of long-term conditions. A few months ago, the Parkinson's Disease Society hosted an event in the Parliament, at which it gave significant evidence about the role of specialist nurses. We are beginning to understand the need for specialist nurses, but there is a problem with uneven distribution throughout Scotland—we need to deal with the postcode lottery. As people who experience such conditions would say, it is sometimes just down to luck whether they get a specialist nurse. It is important that we ask health boards to develop such provision.

We need to put on the record the contribution that specialist nurses make in helping people and their families to manage their condition. Specialist nurses also play a crucial role in the medical service by assisting GPs, practice nurses and professional carers. Their work is invaluable. The Parliament can now begin to address the issue.

17:17

**Mary Scanlon (Highlands and Islands) (Con):**

I, too, thank Hugh O'Donnell for the opportunity to debate issues relating to epilepsy. I also thank Alasdair Allan for giving us his first-hand experience—it is always helpful to get that. I associate my party with Hugh O'Donnell's comments on the work of Epilepsy Scotland, particularly that of Allana Parker. Hugh O'Donnell highlighted specialist epilepsy nurses. I understand that there are 21 such nurses in Scotland. The situation is probably better than it has ever been, but there is a long way to go before we meet the recommendation from the Joint Epilepsy Council for 50 specialist epilepsy nurses.

Some years ago, I helped to set up a support group for people with epilepsy in the Highlands. Unfortunately, the group folded, but people with epilepsy are now coming forward and are determined to set up another group. When we started the group, a neurologist from Aberdeen visited Raigmore hospital two or three days a month, but there is now a permanent neurologist there. At that time, there was no specialist epilepsy nurse, but we now have one for children, mainly for those who also have a learning disability. Progress has been made, but there is still a long way to go.

When I was told that I was speaking in the debate—which I am delighted to do—I thought about where to start and what patients should expect. People come to my surgery and say that

no services are available, so I thought to look at the SIGN guidelines to find out what patients should expect. I began by looking at SIGN guideline 81, on children with epilepsy. I noted that

“Children with epilepsy should have access to specialist epilepsy services, including dedicated young people and transition clinics”.

I also found that

“Each child should have an individual management plan agreed with the family and primary care team”

and that an

“Annual review is suggested as a minimum, even for children with well controlled epilepsy”.

Guideline 81 also states:

“All children with epilepsy should have their behavioural and academic progress reviewed on a regular basis”,

and that

“Epilepsy awareness training and written information should be offered to schools.”

That sounds good—I see that Mr O'Donnell is impressed.

Guideline 81 states a lot more, but I want to know who audits the guidelines. Who audits whether health boards choose to implement them partially or fully, or to ignore them and leave them to gather dust?

It is all very well stating that children should have access to specialist epilepsy services but do parents know that? Or general practitioners? How can politicians know whether the services are even barely adequate if the SIGN guidelines are not monitored? Perhaps the minister can answer that in her summing up. I would be interested to know which health boards have complied.

I moved on to SIGN guideline 70 on “Diagnosis and management of epilepsy in adults”. I assume that diagnosis is done correctly, but I was looking more at the management of epilepsy. I noticed that SIGN 70 says:

“A structured management system for epilepsy should be established”

It goes on to say that

“an annual review is desirable”

and that the shared care management system should seek to carry out certain things. It also says that advice on contraception should be given.

Many of the epilepsy sufferers whom I know in Inverness got their diagnoses from GPs 30 years ago and have been getting repeat prescriptions ever since. They have never seen a neurologist, know nothing about SIGN guidelines and have had none of what is recommended in the guidelines. There is little in SIGN guideline 70 to highlight exactly what patients can expect. It is all

very well saying what should be given, but that means nothing. What on-going reviews, monitoring of care, and new drugs and the opportunity to access them can a patient expect? Where is the clear guideline that would allow patients the opportunity to see what they should expect in the management of their condition?

17:21

**Jim Hume (South of Scotland) (LD):** I congratulate my colleague and friend Hugh O'Donnell on securing his first members' business debate, on a subject that is of immense importance to many people throughout Scotland. As Hugh O'Donnell and Margaret Curran said, epilepsy affects about 40,000 people in Scotland.

Epilepsy has been well documented through the ages, from as far back as 5000 BC, when epileptic auras, convulsions and all other aspects of the disease—called the falling disease then—were recorded with accurate descriptions. I think that it is still called the falling disease in Gaelic—Alasdair Allan is nodding.

Ancient people thought that epilepsy was caused by evil spirits invading a person's body. Priests attempted to cure people of epilepsy by trying to drive the demons out of them. Superstition was challenged by ancient physicians such as Hippocrates of Greece, who recognised a seizure as a dysfunction of the brain and not a supernatural event. Thankfully, we have moved on since then and that interpretation of epilepsy no longer exists, although those past attitudes have left a legacy of stigma and some damaging misconceptions. People with epilepsy continue to face fear, prejudice and discrimination in their everyday lives.

The condition is complex, which makes diagnosis and treatment difficult. As the motion says—and as we have heard—it is important to recognise the role played by Epilepsy Scotland in supporting patients, and to give special recognition to the work carried out by the specialist nurses and medical staff on the ground, and to Allana Parker, who drives the cross-party group on epilepsy, to which I and many other members belong. As we have heard, there are fewer specialist nurses than are needed. The inconsistent nature of specialist services throughout Scotland will leave many epilepsy sufferers at an obvious disadvantage. It is, as has been said, like a postcode lottery.

Specialist nurses are important because they are highly skilled and experienced in epilepsy or neurology. They provide essential support to newly diagnosed adults and children. There are nurse-led clinics that give people access to specialist help and advice without the need to wait

for a consultant appointment. They assist with transition clinics, which inform and help young people who are moving from paediatric to adult services. They provide specialist support for pregnant women through dedicated pre-pregnancy and pregnancy clinics. They provide advice and support on drug management, pre-surgery, education, employment and—as Alasdair Allan mentioned—driving. They provide education to health professionals who work with people with epilepsy.

As the motion states, there are five health authorities in Scotland that are without any specialist epilepsy nurses. Of those five, two are in my region and that of the Deputy Presiding Officer—South of Scotland. NHS Dumfries and Galloway, where there may be about 1,200 epilepsy sufferers, has no specialist nurses. NHS Borders, which covers the area where Alasdair Allan was brought up, may have about 1,000 sufferers, but it too has no specialist nurses.

Also lagging behind in the region is NHS Ayrshire and Arran, which has only one adult specialist nurse and still needs to fill three posts. NHS Lanarkshire, which is also in the South of Scotland—it is a huge region, of course—has one paediatric specialist nurse and one learning disability specialist nurse but still needs to fill another four and a half posts. NHS Lothian has specialist nurses but still needs to fill another three and a half posts.

I echo what has been said about epilepsy specialist nurses being vital to providing comprehensive, high-quality care for patients. I fully support the motion and sincerely hope that the Scottish Government will put in place the funding that is necessary to address the need for more epilepsy specialist nurses.

17:25

**Mary Mulligan (Linlithgow) (Lab):** I congratulate Hugh O'Donnell on securing the debate. As, with Alasdair Allan, I am a co-convenor of the cross-party group on epilepsy, I am well aware of the interest that is taken in many issues to do with the condition.

At a recent meeting of the cross-party group, it was evident that epilepsy specialist nurses could benefit more people. We have heard estimates that put the number of people with epilepsy in Scotland at nearly 40,000, about a third of whom also have learning disabilities. There is clearly a great opportunity for specialist nurses to assist many people, particularly those who have learning disabilities.

Since the Parliament was established, much effort has been focused on how the national health service treats people with serious illnesses such

as cancer, heart disease or stroke. Services have been reviewed and improved, and there has been investment and a corresponding reduction in waiting times for treatment. That is great, and no one would argue against that priority because those illnesses are life threatening, but we know that the number of people who live and cope with chronic diseases such as epilepsy, diabetes and asthma is large and increasing. We have a responsibility to improve the care and treatment of people with chronic illnesses. We need to acknowledge that we can do things that will improve their quality of life and to act on the information.

There is no doubt in my mind that epilepsy specialist nurses can help people. We have heard many examples this evening. The time after first diagnosis with epilepsy can be unsettling and worrying. A nurse specialist who can provide support and information can make it easier to come to terms with the diagnosis. For sufferers of a condition such as epilepsy—about which, as we have heard, there is a significant amount of misinformation and a certain amount of stigma—it is invaluable to have someone to offer such support.

As time goes on, a person with epilepsy may find that their medical needs or circumstances change, and it is helpful to have specialist support then, too. Epilepsy specialist nurses could provide a patient-centred focus to help a person manage their epilepsy. That would undoubtedly reduce the number of presentations at accident and emergency units. I have been through that, so I know how distressing it can be for the person with epilepsy and their family. Anything that reduces such events is to be encouraged.

I thank the nurses who spoke to the cross-party group about their experience and the benefits that they can offer. I also thank Epilepsy Scotland for the briefing it provided for the debate and, as there are a number of representatives of the charity in the gallery, I take this opportunity to congratulate them and Enlighten on their recent merger—yes, I have signed Hugh O'Donnell's motion.

All that remains is for the minister to follow the supportive speeches that she has heard and say how we can encourage health boards to respond to the SIGN guidelines and introduce epilepsy specialist nurses in all Scottish health boards so that each one of us can guide people to the services that we clearly think should be provided for our constituents.

17:30

**Nanette Milne (North East Scotland) (Con):** I, too, congratulate Hugh O'Donnell on securing the debate, which is of immense importance to the

large and increasing number of people in Scotland who suffer from epilepsy.

A friend, who is in her late 50s and lives south of the border, was diagnosed with epilepsy fairly recently. She has found it a frightening and frustrating experience. It has taken a considerable time to find the appropriate medication and she has had to change her lifestyle now that she is no longer able to drive her car. She is doing quite well now, but she had a miserable time until she got her initial difficulties sorted out. I do not know whether she was cared for by a specialist nurse—I suspect not—but the ready availability of expert information and the peace of mind that can be derived by discussing problems with someone of sound knowledge who has the understanding that comes from dealing with the condition day to day, without having to approach a GP or consultant, can make a significant difference for someone who is suddenly faced with an unexpected and chronic disability.

I am a great fan of specialist nurses—increasingly so since becoming an MSP. Many of the people with chronic conditions whom I have encountered put the availability of a specialist nurse high on their list of priorities, whether the condition is epilepsy, Parkinson's disease, multiple sclerosis, asthma, diabetes, chronic obstructive airways disease or coeliac disease—I could probably fill my four minutes with a list of conditions for which specialist nurses give invaluable help to patients. I am firmly convinced that the national health service, as well as its patients, would derive significant benefit from an increased number of specialist nurses.

We are addressing specialists in epilepsy and the postcode lottery of provision to patients with that condition, but the debate could be extended across the NHS. Improved provision would not only improve patient care and quality of life by helping patients to control their conditions at home or in their local communities, but save the service money in the long term by reducing the considerable costs of hospital admissions. It would also reduce GP and consultant time and release them to deal with the more problematic cases that cannot be dealt with straightforwardly or domestically.

I am in no doubt that nurse recruitment—and more particularly nurse retention—would be improved by the existence of more opportunities to specialise in conditions that are of particular interest to those health professionals. I have yet to meet a specialist nurse who does not glow with pride and satisfaction when they describe their work—which is often work that any of us here would find harrowing or daunting. The average specialist nurse puts his or her all into helping the patients with whom they deal on a daily basis.

They also provide invaluable support and information to families, carers and less well-informed health professionals.

I fully support the motion, the detail of which has been ably dealt with by Hugh O'Donnell and other members, but I make the case for a general expansion of specialist nurse provision. It would involve careful workforce planning and significant initial investment, but I truly think that we would end up with many more satisfied and well-treated patients and contented staff who would not consider quitting their profession until they absolutely had to.

The Minister for Public Health has taken considerable interest in the provision of specialist nurses to improve the care of patients with conditions such as epilepsy. If she can leave a legacy of adequate specialist nursing care provision in Scotland, she will have done an extremely valuable job.

17:33

**The Minister for Public Health (Shona Robison):** The debate is an important lead-in to next month's epilepsy awareness week. I congratulate Hugh O'Donnell, and not just because this is his first members' business debate—more important, he does us all a service by giving us this opportunity to discuss the topic of epilepsy nurse specialists, the importance of which is demonstrated by the number of members who have stayed for the debate. That is the focus of the motion, but I will also use my speech to deal with some of the general aspects of services for people with epilepsy that the motion covers.

As has been said, around 40,000 people in Scotland live with some form of epilepsy. In 2004-05, the cost of epilepsy to the NHS was in the region of £38 million a year, which was probably an underestimate. The goal of everyone with epilepsy is of course to be free of seizures, but, sadly, about three people in 10 continue to have seizures in spite of the medication that they get. The motion is right to draw attention to the fact that up to three people in every 10 are misdiagnosed.

The motion highlights the need for person-centred care that is delivered as locally as possible, with access to a specialist when necessary. In that respect, epilepsy is no different from any other long-term condition. However, given that epilepsy is such a complex condition, the greatest need is usually to get rapid access to a neurologist for a definitive diagnosis. The SIGN guideline says that people should not have to wait longer than two weeks for an appointment at a first seizure clinic.

The importance of ready access to specialist advice is one of the points that are made clearly in Audit Scotland's report on managing long-term conditions, which was published last August. Epilepsy was one of two conditions that Audit Scotland looked into in some detail. The report draws on the outcome of several focus groups involving people with epilepsy. That makes it a valuable source of advice on the sort of services that people with epilepsy are looking for. It refers to evidence that a lack of specialist knowledge of epilepsy in the community can lead to people not receiving the right treatment. Alasdair Allan's personal experience highlights that point well.

We need to ensure that services for people with epilepsy are integrated fully across primary care and care in hospital and that they are provided by a multidisciplinary team. That is the sort of issue that will be addressed in the work that NHS Quality Improvement Scotland is doing in developing clinical standards for neurological conditions. One part of those standards will be generic and will deal with issues around access to specialist neurological advice. The other part will deal with a number of specific conditions, of which epilepsy is one. The SIGN guidelines provide a strong evidence base on which to draw.

Mary Scanlon raised the issue of the SIGN guidelines. I assure her that once the standards have been developed, local services will be assessed against them. We will therefore have a tool with which to measure health boards' performance. On-going reviews are covered by the epilepsy element of the quality and outcomes framework of the general medical services contract. We should use that leverage to ensure that what we want to happen is happening.

The draft standards should be ready for consultation in the autumn and should be published next year. They offer us a good opportunity to consider the details of the multidisciplinary team that should be providing services. That includes the important role of the epilepsy specialist nurse. As the Audit Scotland report points out, epilepsy nurse specialists can help bridge the gap created by the limited number of consultant neurologists, especially those who specialise in epilepsy.

The motion sets out eloquently the range of benefits that epilepsy nurse specialists can bring, to which members throughout the chamber have referred. Above all, we know how much people with epilepsy value the support that they offer.

Work on the epilepsy standards is still at a comparatively early stage. I want to ensure that NHS QIS is aware of the terms of today's motion, that it takes forward the issues that members have raised and that it takes account of the comments

on the role of epilepsy nurse specialists in particular.

Where services need to be integrated between primary and secondary care and delivered by a multidisciplinary team, the answer is often to think about developing a managed clinical network approach, as Hugh O'Donnell said. The Scottish Government and Epilepsy Scotland, to which I pay tribute, have been working on such an approach for some time. There has been considerable success, but I hope that the epilepsy standards will encourage the spread of managed clinical networks. I am thinking particularly of the boards in south-east Scotland, where we would like to see a revival of the epilepsy managed clinical network that used to exist there. Those networks also have an important role to play in designing services so that people meet the 18-week target for referral from general practitioner to an appointment with a specialist.

In our approach to the management of long-term conditions, a cardinal principle is that we should be dealing with the totality of people's needs. The Audit Scotland report makes the telling point that many people with epilepsy, especially as they get older, will be living with other, non-related conditions. In 2004-05, each patient who was admitted to hospital with epilepsy had nearly four other conditions. We must ensure that the services we provide are able to pick up and deal with those other conditions.

We know from Epilepsy Scotland that many people with epilepsy also have learning disabilities—as many as 24,000 people may be living with both. People with learning disabilities commonly experience lifelong severe and multiple seizures, in spite of taking several anti-convulsant drugs. They are the highest users of emergency hospital admissions, and they face significant health risks. We are very aware of that. We are also aware of the important role for nurses who specialise in the combination of epilepsy and learning disability in providing those integrated services for that group of people.

I hope that I have made it clear that the Scottish Government supports the terms of the motion and agrees that its aims are consistent with the approach in "Better Health, Better Care". I assure members that we will give priority to the policy when we produce a long-term conditions delivery plan later this year. We will set out in more detail how we will take that forward, and I will discuss with NHS QIS the relevant issues that have been raised this evening. There is an opportunity to ensure that those issues are reflected in the standards that will be published later in the year.

*Meeting closed at 17:41.*



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