

MEETING OF THE PARLIAMENT

Thursday 22 May 2008

Session 3

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Scottish Parliament

Thursday 22 May 2008

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

Skills Strategy

The Presiding Officer (Alex Fergusson):

Good morning. The first item of business is a Labour Party debate on motion S3M-1951, in the name of Rhona Brankin, on the skills strategy.

09:15

Rhona Brankin (Midlothian) (Lab): We all know that the world is a rapidly changing place. Although that brings us opportunities as a country, it also presents us with new challenges. Developments in science and technology are having an increasing impact on the way in which we live our lives and do business. More than ever, Scotland's economic position is dependent on how we react to increased global competition.

Labour wants Scotland's businesses and citizens to prosper and flourish. For that to happen, our workforce must be equipped with a world-class skills base, so that we can compete against our international competitors. Improving Scotland's skills should be at the heart of the Government's agenda. The Government should work to ensure that we are a powerhouse of prosperity and, alongside that, to deliver social justice.

In decisively rejecting the Scottish Government's skills strategy back in September, the Parliament sent a message to the Scottish National Party that the document was wholly inadequate and lacking in detail. However, in its 2007 manifesto—that document so seemingly sacrosanct that even Alex Neil parrots from it at every opportunity—the SNP stated:

"We will aim to ensure that people of all ages can access relevant, valued and quality assured training opportunities throughout their working lives to keep pace with the rapidly changing demands of the global economy."

It added:

"In the long term, we will seek to relax the age restrictions on modern apprenticeships so that older workers can benefit from the programme too."

I am a little puzzled that one of the SNP's early steps in this area was to cut the number of adult apprenticeships, slashing it by 79 per cent—down from 6,225 last year to 1,229 this year. Of course, on planet Hyslop that was not a cut but, as her Scottish Government press release put it, a refocusing of support. So now we know—when the

SNP cuts apprenticeship places, teaching posts and police numbers, those are not really cuts but refocusing of support.

More bizarre still, the Government has withdrawn support from adult apprenticeships in key areas such as tourism, information technology and retail. The tourism industry alone is worth more than £4 billion a year to the Scottish economy and supports more than 200,000 people, many of them in rural areas where other employment opportunities are few and far between. Frankly, it is perverse to reduce training opportunities for adults and to weaken our skills base in such a key area.

The Scottish Government's announcement not only denied opportunities to people who are seeking to improve their skills, impacting on our skills base in key sectors, but has meant lay-offs at respected training providers. As recently as November last year, training providers were told by Scottish Enterprise that there would be no changes to the current contribution level. In early March, many were promised new contracts, only to have the rug pulled out from under their feet by the Cabinet Secretary for Education and Lifelong Learning later in the month, to the astonishment of long-established training providers. In a letter to a training provider, one of the cabinet secretary's officials described the timing of the announcement, in typically understated civil service fashion, as "unfortunate". It was certainly unfortunate for Glasgow-based Microcom Training Ltd, a firm with a track record stretching back nearly 25 years, which has had to lay off a third of its workforce as a result of the cuts that Ms Hyslop announced in March. The Scottish Training Federation estimates that, under her watch, around 400 employees will lose their jobs in member companies. Is the cabinet secretary proud of that statistic?

I am disappointed by the lack of substance in the SNP's amendment. The SNP has so little to say on the issue that it has opted to point the finger of blame for the SNP's increasingly shambolic skills strategy at the previous Executive. I am more than happy to talk about the Labour-led Executive's track record on skills and the Scottish economy. Under Labour, the number of apprenticeships in Scotland rose from 2,000 to 35,000. Under Labour, the national minimum wage was introduced to make work pay—no thanks to SNP members, including the Cabinet Secretary for Finance and Sustainable Growth and the First Minister, who could not be bothered to stay awake to vote for it. Under Labour, Scotland's unemployment rate was halved.

In a self-congratulatory manner that is fast becoming a hallmark of the Government, the SNP amendment refers to

“widespread business and industry support for the Scottish Government’s skills strategy”.

If we cast our minds back to September, we will recall that there was broad support, including in the chamber, for a skills strategy, but that Opposition members and others made clear their view that more detail was needed. Now that we have seen a bit more of the detail, we know what the SNP’s real agenda is. Let us make no mistake—modern apprenticeships are under attack from a party that, as is increasingly clear, acts for short-term political advantage instead of taking decisions that are good for the long-term future of our economy and our country.

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): Why does Rhona Brankin think that Scotland’s productivity and economic growth rates have lagged behind those of the United Kingdom as a whole? If skills provision by the previous Government was so successful, why has there been no improvement in those rates? Does she have the grace at least to support the Government’s proposals to increase the number of construction and engineering modern apprenticeships by 1,000?

Rhona Brankin: We do not object to increasing the number of modern apprenticeships in the areas that the cabinet secretary mentioned—the problem is that that has meant support being cut in other areas. It is not a real-terms increase, but an insult to other areas of the economy in Scotland that are hugely important, such as tourism.

The huge danger is that we will fall behind the rest of the UK. The UK Government recognises the need to invest in skills to build a more prosperous and successful country and is putting in record levels of funding to achieve that, unlike the SNP. The SNP Government’s decision to introduce modern apprenticeships at level 2 is a backward step because, increasingly, the minimum skill level that is required to sustain employment is level 3. Labour believes that all 16 to 19-year-olds who meet the entry requirement should have an entitlement to a modern apprenticeship. That is why a Labour MSP, John Park—himself a former apprentice—has proposed a member’s bill to do just that. Just last week, the UK Government announced that it intends to introduce a right for all employees to request time off for training. When summing up, will the cabinet secretary clarify whether the SNP’s non-interventionist approach to skills will include such a measure?

Brought to us by the same ministerial team that brought us walking to school, provided by specialist physical education teachers—allegedly—the SNP’s skills strategy is an increasingly empty and drifting vessel. I hope that today the Parliament will insist that the

Government produces a revised strategy that sets out in detail the mechanism for delivering 50,000 training places and the level at which they will be set, and which comes clean on the Government’s targets for apprenticeships. We must have the detail of how the Government intends to measure the success or failure of its skills strategy. To prevent Scots and our economy from losing out because of the Government’s failure to make skills and apprenticeships a priority, I urge members to support the motion in my name.

I move,

That the Parliament notes that the Scottish Government’s skills strategy was rejected by the Parliament on 12 September 2007; recognises the importance of skills development and utilisation in growing Scotland’s economy; voices concern at the decision of the Scottish Government to move away from supporting adult apprenticeships in vital areas such as the tourism, IT and retail sectors without consultation with work-based training providers; calls on the Scottish Government to provide the Parliament, with immediate effect, the evidence to support these moves, and further calls on the Scottish Government to bring forward a revised skills strategy immediately after the summer recess containing detailed information about the level at which its 50,000 training places are being set, its targets for apprenticeships and the performance indicators used to measure success.

09:23

The Minister for Schools and Skills (Maureen Watt): We are a Government with a strong and real sense of purpose—to increase sustainable economic growth. We are a Government with energy, ideas and vision, and total confidence in Scotland’s ability to succeed. That is why we will achieve our goals. Scotland’s people have confidence in us, and that is why we are delivering.

It is inconceivable that we would seek to impose English solutions to Scottish challenges. I am delighted to have the opportunity in this debate to outline what we achieved in our first year in Government and to reinforce our ambitious and challenging vision for a more vibrant and responsive learning system. We have laid strong foundations and have in place strong policies that will deliver benefits to all individuals in Scotland. We are not alone in thinking that—we have been inundated with support from a cross-section of the business community and stakeholders in the learning system. We are a Government that listens and responds and will not shy away from taking difficult decisions.

Rhona Brankin: Has the Government been inundated with support from training providers in Scotland after the bombshell that it dropped on 31 March?

Maureen Watt: Forgive me if I am wrong, but I remember modern apprenticeships being slashed

and training providers going into liquidation across the country because of a crisis in Scottish Enterprise on the Labour Party's watch.

We will not play the numbers game, because our young people are far too important for that. Simply providing more apprenticeships, thereby forcing and corraling employers and individuals into the wrong skills programme, will not only dash people's confidence, but bring MAs into disrepute. Lots of interventions are available and it would be wrong to force young people, many of whom could already be disengaged from education, into an MA. We are not in that game.

Scotland has a long and proud history of excellence and achievement in education and skills. However, for far too long we have lagged behind the rest of the UK and Europe in economic growth. Now is the time to turn that around and allow Scotland to achieve its full potential. However, that potential will not be realised by importing English solutions or by adopting a target-driven, supply-led skills system.

We recognise that we have a key role to play in driving forward our vision to achieve a smarter Scotland. We cannot have a one-size-fits-all approach to the skills intervention menu that Scotland needs. If we are to achieve our vision, we must truly adopt a range of different approaches that reflect our aspiration to have a responsive and relevant learning system.

We need to work with all our key partners, delivery agents and employer representatives. To that end, the cabinet secretary and I have met representatives of all the sector skills councils, principals of further education colleges, learners and employers, who all tell us that we are heading in the right direction.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): When the minister met the skills council in the creative industries sector, where the number of modern apprenticeships is being reduced, in what context was the Government's direction welcomed?

Maureen Watt: The flexibility that we are providing for learners was welcomed.

We are clear about everyone's roles and responsibilities and how we can contribute to upskilling all individuals in Scotland.

Johann Lamont (Glasgow Pollok) (Lab): Will the minister give way?

Maureen Watt: I must continue.

Government's job is to set the strategic context for the work and that is exactly what we have done. We will not adopt a centralist, target-setting approach, forcing supply-led solutions in order to meet some dreamed-up headline figure. We

believe that it is not enough to focus only on increasing the skills of individuals; we recognise that Scotland already has higher levels of well-qualified individuals—indeed we are ahead of the rest of the UK in that area. As well as maintaining high levels of skills acquisition, we need to improve how we utilise individuals' skills.

Making that happen has necessitated change. Standing still was not, and is not, an option. When we launched the skills for Scotland strategy, I described it as a call to action. In the seven months since then, we have made significant progress despite the challenge of a tighter financial settlement from Westminster, which has led us to make tough choices. We have announced changes to the modern apprenticeship programme: we increased the number of individuals undertaking engineering and construction-related MAs by 1,000 and introduced a new life science MA and the opportunity to develop level 2 MAs, which was welcomed by the food and drink industry, among others.

In order to provide Skills Development Scotland with the space that it needs to deliver the universally endorsed skills strategy, we are directing all new support for adult MAs to the engineering and construction-related sectors only. We did that to ensure that Skills Development Scotland was not tied into four-year contracts, which would reduce our ability to deliver real change now. Therefore, some MAs that we know did not deliver value for money will not be supported, and we have directed the sector skills councils and Skills Development Scotland to scope out over the next year a fuller and more relevant range of skills interventions that employers actually need. This is a real opportunity, and a first step towards a demand-led system.

Setting volume-based targets, enshrining entitlements in legislation and forcing employers and individuals into skills interventions such as modern apprenticeships is not the answer. We believe that we have struck the right balance between responding to the needs of employers and initiating substantial changes to our learning infrastructure to accommodate the dramatic change that has been universally welcomed.

I move amendment S3M-1951.3, to leave out from "the Scottish Government's skills strategy" to end and insert:

"under the previous administration, Scotland's growth rate and productivity levels lagged behind the United Kingdom and believes that this indicates that a new approach to skills and the economy is necessary; notes the widespread business and industry support for the Scottish Government's skills strategy and believes that government's role is to respond to demand from employers, to improve skills utilisation and support individuals' skills development."

09:29

Murdo Fraser (Mid Scotland and Fife) (Con): When I saw in the *Business Bulletin* last week that the Labour Party had chosen for debate today the subject of skills, I thought that there had been a typing error. For the past three weeks, Labour has spoken of nothing but the need for a referendum on Scottish independence. I imagined that the Labour Party was waiting desperately for its first debating-time slot so that it could have an opportunity to set out in detail to Parliament its thinking on the important issue of our constitutional future.

Imagine my surprise when I saw that today's debates were not to be about the constitution but about skills and the Scottish Ambulance Service. Those are important subjects, but it is remarkable that the Labour Party wants to say nothing at all about the major subject of political debate of the past three weeks. Perhaps its reticence is because it was unable to come up with a motion, given that it has held so many different positions over the past three weeks that it does not even know what its position is on the subject.

The Presiding Officer: You have only four minutes in which to mention skills, Mr Fraser.

Murdo Fraser: There is a certain irony in a party choosing for debate the subject of skills when its front bench is so lacking in skills.

I am pleased to see so many Labour members here this morning; I thought that they would all be down in Crewe and Nantwich campaigning for a Labour victory in that important by-election. However, it is clear that they have already given it up as a lost cause.

This is an important debate and I welcome the Labour motion, which highlights some important points. In September last year, we debated the Government's skills strategy, which did not gain parliamentary support. I do not believe that the situation has improved much since then.

The new skills agency, Skills Development Scotland, has been established, but there is still a great deal of uncertainty about who is to be on its board and how it is to work. A chair is now in place, but the organisation still has only an interim chief executive and interim board members, and there is no detail on how the organisation is to work.

Fiona Hyslop: I inform Parliament that I have approved board appointments, which will be announced shortly. The advert has been placed for the chief executive, who will be in place in the next few months.

Murdo Fraser: I am pleased to hear that progress is being made because I constantly meet skills providers and people in industry who are

frustrated by the lack of progress on Skills Development Scotland. The sooner that we get that body in place and know what it does, the better.

The Labour motion refers to the Government's decision to move away from adult modern apprenticeships in vital sectors such as tourism, information technology and retail. I do not know whether the Government has made the right decision because, frankly, there has been no information to support that decision, and no consultation with people in those sectors.

The Scottish Training Federation wrote to me and others on 14 May, expressing its concern about the sudden change in emphasis—without any consultation—in the adult modern apprenticeship programme, thus denying training providers any scope to forward plan. The result has been redundancies and restructuring. That is not the mark of competent government and I therefore support Labour's call for the Government to come forward with the evidence to support that move.

There is concern in other sectors, such as the food and drink industry—which is supposedly a priority industry for the Government—that there will be no further funding of apprenticeships for those over 20. Given that the vast majority of people working in that sector are over 20, that will have a serious effect on the ability of the industry to train staff.

Our amendment refers to the important issue of vocational education. We in the Conservative party have always supported the idea that school pupils aged 14 and upwards should have the right to choose education by a vocational route. Vocational education should be seen not as second best to academic learning, but as an alternative for those who wish to take it up. Vocational education should be high quality and available to all. The skills strategy should set out in detail the SNP Government's plans for expanding access to vocational education, and that is why we need a revised skills strategy to be brought to Parliament for debate and approval.

The SNP Government's approach to skills is seriously lacking. The minister's coat might well be on a shoogly peg following her blunders last week on PE provision in schools, but that is no excuse for the Government's inability to address such serious issues properly.

I move amendment S3M-1951.1, to insert at end:

"and details of how access will be provided to high quality vocational education for all school pupils aged 14 or above."

09:34

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): On 12 September, the Parliament voted 72 to 47 against the Government's skills strategy, with no abstentions. There was a good reason for that: the strategy simply did not live up to the Government's hype. It was not a robust document against which progress could be judged and it did not clearly express the structures that would be put in place to make the improvements that the Cabinet Secretary for Education and Lifelong Learning and ministers have said are badly needed. It contained no baseline data or any measurable areas or objective criteria against which to judge progress.

In response, the Government said that it was never meant to be that type of document. Instead, it was simply mood music—whalesong from the education directorates to soothe and reassure the sector. However, on 12 September, the Minister for Schools and Skills said that the document was a call to action. At the meeting of the Education, Lifelong Learning and Culture Committee on 26 September, I asked representatives of colleges and universities to tell the committee what action they had been called on to carry out. Howard McKenzie said:

"I do not think that we are being asked to do anything differently",

and David Caldwell of Universities Scotland said:

"the universities are not really being asked to do anything much."—[*Official Report, Education, Lifelong Learning and Culture Committee*, 26 September 2007; c 143.]

On the very day that the strategy was comprehensively defeated in the chamber, Maureen Watt said:

"Iain Gray said that he could not find fault with it, Murdo Fraser gave it a pass and Jeremy Purvis recognised the importance of working with colleges to deliver locally."—[*Official Report*, 12 September 2007; c 1631.]

According to the Government, the strategy was agreed with acclamation, and a defeat of 72 to 47 votes was actually a ringing endorsement.

Maureen Watt said that the Government has vision. In fact, it has a kind of reverse myopia: it sees things in front of it as a blur, while things in the far-off distance are quite clear. Unfortunately, we have become accustomed to that rationale. Indeed, it was used by Fiona Hyslop when she denied that the SNP had promised to write off student debt—or, at least, she tried to deny it until she was referred to her own website. The same rationale lies behind Alex Salmond's claim that a consultation document that did not even exist had been published and Maureen Watt's statement that walking to school counted as PE.

On 12 September, Maureen Watt said:

"As a result, this strategy acknowledges that a greater national effort is required—it is a call for action."—[*Official Report*, 12 September 2007; c 1634.]

The next day, Adam Ingram said:

"I know that Parliamentary colleagues will be interested—indeed, impatient—to hear more detail on implementation."—[*Official Report*, 13 September 2007; c 1684.]

We were impatient—and we still are. Eight months later, we still have uncertainty and delay.

The new organisation, Skills Development Scotland, has a budget of £16 million for set-up costs alone—an amount that is just shy of the Government's entire budget for skills learning, and we still do not know what its running costs will be.

Fiona Hyslop: On the latter point, I refer the member to my letter to two committees with interests in this area.

Does the member recall the Liberal Democrat manifesto commitment to bring together Careers Scotland and learndirect Scotland, which, according to PA Consulting Group, would have cost £22 million? Setting up any new agency will incur costs, but I can tell you—by which I mean, of course, the Presiding Officer—that the efficiencies and improvements that we will get from Skills Development Scotland will lead to improvements in skills in front-line services.

Jeremy Purvis: The cabinet secretary is talking complete rubbish. We decided in the end that we would keep those matters within the enterprise functions, because we knew that the proposal would cost £22 million and felt that it would be better to invest that money in our young people and in developing skills and training instead of hiving it off for some national quango with set-up costs alone of £16 million.

The new agency is meant to be a supply-side body for skills that will deliver national courses. In my area, the Government has abolished Scottish Enterprise Borders, whose budget last year for providing a range of skills and training courses was £1.2 million. This year, I have no idea what the skills budget for the area might be, because no one is in a position to say. Last year, there was an estimated £18 million out-turn on that investment; we estimate that this year the equivalent will be £5 million. Skills functions have been transferred to Skills Development Scotland, but eight months after its inception we still do not know anything about its regional structure. The structure of Scottish Enterprise south might be mirrored, which would break up the relationship that has developed among training providers and education institutions in the Borders, the Lothians and Edinburgh, or the structure might cover the Lothian and Borders area, which would not reflect the area covered by Scottish Enterprise south.

I hope that the minister will clarify when the regional structures will be developed. After all, I have been told that, because of that uncertainty and because no one at Skills Development Scotland is able to give a clear indication about skills development in the area, Scottish Borders Council's single outcome agreement will have to contain guesses about training provision in the Borders. That is not exactly a call to action.

As someone who has provided work placement opportunities for local young people, I received a few weeks ago a letter notifying me that the service, which has always been developed in the Borders, was being provided from an agency in Pollok. Two weeks later, I received a four-page form regarding new work placement arrangements, which was sent to all businesses in the Borders and had to be filled in within four days because the arrangements were going live at the beginning of June. That is a hapless state of affairs—[*Interruption.*] The cabinet secretary from a sedentary position blames Scottish Borders Council. That is typical of the Government's approach: when it finds that its national strategy is not being delivered, it simply blames the local partners.

I move amendment S3M-1951.2, to insert at end:

"and regrets the priority given by the Scottish Government in budgeting £16 million for set-up costs alone for Skills Development Scotland, while removing specific funding for skills for work courses delivered in schools and colleges."

The Presiding Officer: We come to the open debate. We can be a bit flexible with time, but I ask that members keep their speeches to around four minutes.

I call Stuart McMillan, to be followed by Marilyn Livingstone.

Stuart McMillan (West of Scotland) (SNP): Thank you, Presiding Officer—

The Presiding Officer: I apologise; this is a Labour Party debate. I call Marilyn Livingstone, to be followed by Stuart McMillan.

09:41

Marilyn Livingstone (Kirkcaldy) (Lab): Thank you, Presiding Officer.

I welcome the motion, which gives us an opportunity to debate the importance of skills development to growing Scotland's economy. Last September, the chamber quite rightly rejected the Government's skills strategy, and today's debate allows us to seek a revised strategy that provides detail, clarity of purpose and a clear vision of how we can move forward and tackle some of the real

challenges that we are facing now and will face in the years to come.

I want to focus on two areas that will be vital in building our workforce's skills base and therefore our economic success. First, given that they enrol more than 400,000 students each year and deliver learning to 25 per cent of students in Scottish higher education, Scottish colleges will be crucial to the effective and efficient development of economic success across the industry clusters. Although I certainly welcome the Scottish Further and Higher Education Funding Council's current review of funding methodology, I believe that, if it is to have any credibility, it must address the unfair funding differentials in the sector. Moreover, as the sector is recognised by key stakeholders and the Parliament as a bridge to a skilled, safe and competent workforce, the Government must engage with it at a policy level. I would like to hear the minister's plans in that respect.

On the same theme, what progress is being made by the future thinking task force? Despite the fact that it is looking at higher education, it has no representation from the colleges, even though they deliver learning to 25 per cent of HE students in Scotland. Will the task force consider parity of funding in the sector? What are the timescales for its reporting back, and what consultation will be carried out with Parliament and key stakeholders? The vital work of building the skills base of our workforce includes developing new skills as well as ensuring better utilisation of existing ones and I believe that Scotland's colleges are best placed to deliver that agenda.

Secondly, it will come as no surprise to the cabinet secretary to learn that I, as convener of the cross-party group on construction and chair of its skills and training sub-group, want to raise certain concerns that have been expressed by the construction industry. It believes that consideration must be given to future training needs and the availability of funding for the sector and is worried about skills shortages and lack of training provision in certain areas of Scotland. For example, in the trade of stone masonry, the combination of increased demand, retirement among the current skilled workforce and too few training places has resulted in a skills shortage. Given the current emphasis on restoring our built environment, that is becoming a huge issue.

The industry is also concerned about the capping of construction places in our higher and further education colleges and variations in the funding for modern apprenticeships between Scotland and England and Wales. Such funding is very important in increasing employer participation. In Scotland, 16 to 19-year-old engineering construction apprentices are awarded £9,000, while those over 19 receive £4,500.

However, in England, 16 to 18-year-old apprentices receive £15,856, while those who are over 19 receive £8,567.

Scotland faces some major challenges in the next few years, not only from the global marketplace but in relation to the skilled labour that is required to deliver major projects such as the new Forth crossing, proposed new hospital buildings and—I hope—a school building programme. Scotland's construction industry will play a vital role in the delivery of that agenda. I ask the minister to consider the industry's concerns very seriously.

Skills Development Scotland announced that, during the first half of 2008, it would undertake a business product review of current service delivery arrangements. How long will that take? Who will be consulted? How will the review dovetail with the future thinking task force review and the Scottish funding council's funding mechanisms review? I ask those questions because there has been a lot of bureaucratic change, and we are desperate to hear an announcement on how the Government intends to draw together all those different strands to ensure a cohesive approach to raising Scotland's level of skills.

The Government's previous strategy was rejected by the Parliament for being light on detail, and we call on the Scottish National Party Government to produce a revised skills strategy that gives clarity, vision and direction. When will the cabinet secretary be in a position to deliver such a strategy—a strategy that is fit for its purpose of delivering a fully skilled and qualified workforce that is ready to meet the challenges ahead, and a strategy that tackles regional equity issues and delivers for all Scotland's communities?

The Presiding Officer: I now call Stuart McMillan.

09:46

Stuart McMillan (West of Scotland) (SNP): Déjà vu, Presiding Officer.

As we are all aware, the issue of skills covers a wide range of areas, from early learning to adult learning and everything in between. The combination of the SNP Government's skills strategy and the work of Skills Development Scotland is a positive force that will move forward Scotland's ambition in the area of skills. Scotland has a proud tradition of skill-based workers, and investment in such areas is the highest in the UK, which results in a well-qualified population. However, being qualified is often not enough.

The Labour approach is heavily influenced by the Leitch review of skills, with an emphasis on

increasing the number of qualifications that are available, rather than considering demand from the labour market. Research by Futureskills Scotland shows that, while Scotland has successfully developed a highly skilled workforce, demand for such workers has not always kept pace with the increased supply. The Scottish Government's strategy balances the current disparity between employers and skilled workers. By considering the needs of employers as well as placing individuals at the centre of skills development, a coherent skills base will be developed.

John Park (Mid Scotland and Fife) (Lab): The SNP does not believe in a volume-based approach. Can the member please explain why it has set a target of 50,000 training places?

Stuart McMillan: I will come on to that later.

That cohesive structure serves partly to close the gap between academic and vocational learning. Vocational learning is a valuable alternative to the academic route that most people consider when aiming to enhance their skills, and I am pleased that the Scottish Government recognises the importance of vocational learning in its approach to skills. I am sure that all members acknowledge the dearth of plumbers, electricians and other skilled tradespeople in our communities.

John Park's proposed member's bill focuses on apprenticeships and gives us a rather interesting insight into the state of Labour's affairs. Does he really think that doing the best for Scotland means duplicating UK Government policies? Clearly not, because one could be forgiven for thinking that he was ever so slightly envious of the SNP strategy when he spoke to *The Scotsman* last September.

John Park: I missed the member's second point there, but I point out that the proposed apprenticeship rights (Scotland) bill is not a duplication of UK policy. Does he agree that it is quite unusual for a member to criticise a bill before its consultation period is finished? That has probably never happened in the Parliament in the past nine years.

Stuart McMillan: I am not actually criticising the member's bill per se. When the bill is introduced and there has been a full consultation process, I am sure that it will be given the due consideration that it requires.

John Park is quite right that the first step that has been taken has been welcomed by, among others, Iain McMillan of the Confederation of British Industry Scotland and Liz Cameron from the Scottish Chambers of Commerce.

When he spoke to *The Scotsman* about the matter last year, John Park said:

"Skills is a policy area where there is much agreement, and even political opponents can see merit in the Cabinet secretary for education and lifelong learning's document as a first step."

Many of us take skills for granted, but the SNP's strategy for developing skills is a positive transformation of a sector that is so vital for moving Scotland forward, and it should be welcomed if we are to do the best by Scotland's workforce.

Scotland has the chance of a generation to lay positive foundations for the future. The Commonwealth games are coming, and Scotland will be developing other major infrastructure projects. A positive skills strategy is vital to meet those and other business needs and to plug the gap that has led to a shortage in skilled tradespeople. I therefore back the amendment in the name of the cabinet secretary and reject the Labour motion.

09:50

Richard Baker (North East Scotland) (Lab): We have heard warm words on skills from the Scottish Government, but we need the right initiatives for a successful skills strategy. The strategy that the Government produced, which it still defends today, created a new agency and precious little else. That is why Parliament deemed it insufficient, and I cannot believe that events since then could have led members to revise their opinion. However, clearly, that is what some members have done.

Being a member for North East Scotland, I am well aware of the demand for more skilled workers. Not having the right skills programme means an opportunity cost for local businesses that cannot expand as they might hope to and a cost to those people who otherwise could have taken advantage of new skills in a strong jobs market.

The oil and gas industry is not waiting for the Scottish Government on the skills issue—it is setting up its own oil and gas skills academy. The Scottish Government should at least be providing additional opportunities for such training. Training for work and training in life skills as provided by organisations such as the Aberlour Child Care Trust are among the life-changing opportunities that are available.

It is a core part of Labour's political philosophy that everybody should have the opportunity to receive the education and training that they need to fulfil their potential. We are proud of the record of the coalition Executive, which increased the number of modern apprenticeships to 34,000 in the previous session. We are not resting on our laurels: John Park's proposed bill seeks to create

an entitlement to modern apprenticeships for 16 to 18-year-olds.

Alex Neil (Central Scotland) (SNP): The member praises the figure of 34,000 modern apprenticeships. Is not the reality that less than 50 per cent of those who participated actually completed their apprenticeships?

Richard Baker: Members will find that our track record on skills was impeccable. We increased opportunity and success.

Mr Neil would have been the first to shout his outrage at the withdrawal of adult apprenticeships, which is an opportunity cost for the people involved. His sudden reversal and his discretion on such issues is puzzling. However, I wish him well in the reshuffle for which he earnestly hopes.

The impact of the withdrawal of many adult modern apprenticeships has been made clear to me by a constituent in Dundee. Steve Moyes is a director of Coralshore, which provides training in child care. Eight young women who started their course will not now be able to complete it. Months of effort by those women have been wasted, and they are now faced with the choice of funding their own training or losing their jobs. One 20-year-old woman, who had been on the point of completing her level 2 Scottish vocational qualification, will now not be able to obtain the necessary funding to move on to level 3. She has worked in a nursery for about two years, but she will now lose her job unless she can afford to pay for her own training. For that woman and many others in her situation, that is an unrealistic option. The fact that the move on apprenticeships happened with immediate effect means that the Scottish Government has left people such as her in the lurch.

It is those very people, particularly young women, for whom we worked so hard to offer more employment opportunities who are being especially penalised by the Government's move. The priorities are perverse. Mr Moyes has asked whether withdrawing the apprenticeships on the basis of age is in line with UK law on age discrimination. I would be interested to know whether the minister can confirm that.

We should be talking about more training opportunities for all. That we are not doing so shows that the already feeble skills strategy that the Government has set out is failing. The Government is short on detail on the kind of training provision that it will seek to provide, and its proposals certainly do not match the ambition that was outlined at Westminster earlier this month, or indeed the ambition of my party and others that are represented in the chamber. That is why the Government should finally acknowledge the will of the Parliament and return to the chamber with a strategy that takes the kind of

initiatives that we and others have suggested to ensure that we have the highly skilled, successful Scotland that we all want.

09:54

Christopher Harvie (Mid Scotland and Fife) (SNP): In the late 1990s, the Scott Lithgow shipyard at Port Glasgow was demolished and four call centres were built on its site. That was part of some new deal. To some, we were entering the knowledge economy, but that was the yard whose skilled shipwrights, engineers and boiler workers had, a decade earlier, built the Ocean Alliance drill ship—a contract that ruined the yard but produced perhaps the most sophisticated vessel of its type, which was crucial in detecting oil in the deepest of waters.

Something akin to the North Sea oil revolution is ahead of us—the renewables revolution—but we must get back to that period in terms of skills and training. That is difficult when, over the past decade, the manufacturing proportion of gross domestic product has gone down by a quarter. What will it take to get renewables up and running? Last week, we were told that renewables would create 50,000 jobs, which sounds great, until we realise that our current output of apprentices in engineering and electrotechnics is less than 2,000 a year. Baden-Württemberg, my previous employer, produces 10 times as many, even allowing for the population difference. A well-known Prime Minister said:

“We must manufacture or die”

in his book “Where There’s Greed: Margaret Thatcher and the Betrayal of Britain’s Future” in 1999. It was Gordon Brown. Right on, Gordon, but what happened?

How do we proceed? We require a cultural revolution and we must step up recruitment by making the pitch for the importance of mechanical engineering and the link with new technology, which is crucial to high value and innovation.

David Whitton (Strathkelvin and Bearsden) (Lab): Does Christopher Harvie agree that, if the SNP had approved the Lewis wind farm application, there would have been a massive increase in manufacturing jobs at Arnish? I see Mr Allan shaking his head—no wonder.

Christopher Harvie: I would put the emphasis much less on wind energy and much more on wave energy. We must tackle the might of the mighty Atlantic. That is how we must orientate ourselves.

We must get back to the age of the master engineer and Thomas Telford’s idea of making any major public works project a great working academy, which means a greater degree of

practical involvement and an orientation towards professions that are much more valuable than those of the estate agent—which will fairly rapidly be extinct—or lawyer. From some of my public experiences, I regretfully think that engineers make more money from turning up at public inquiries to oppose schemes than they do from advancing technology by experiment and innovation.

Another source of expertise is Europe. Unquestionably, we cannot do without western Europe for high technology, but eastern Europe is much underestimated. Our incoming workers are often well overqualified for the sort of jobs that we set them to do. Members should remember that the Lenin shipyard at Gdansk had 20,000 workers in 1980 and now has 2,000. That is only one example. Perhaps we could arrange for eastern Europe’s technical know-how to be given in exchange for our knowledge of the English language, although we must remember that, these days, the shop talk of technology is in German, not English.

We must review our school system to emphasise two points: first, that craft skills are equal, if not superior, to passing academic tests; and secondly, that the menu of such skills should extend across gender competencies. The old Clydeside mentality was not very good at that, so macho Mac must move over. We need a pause for reflection after secondary school—a social year along German lines—and we would also be well advised to follow the Icelandic example of building social work and industrial involvement into the latter years at secondary school. We must do that soon, because our old carbon economy will not last a decade. We do not have time for a resit.

09:59

David Whitton (Strathkelvin and Bearsden) (Lab): I speak in support of the motion in the name of my colleague Rhona Brankin.

It is worth saying at the start that the reason for the debate is that the Parliament rejected the SNP’s skills strategy and, to be frank, the ministers of the minority Administration should have come back to the Parliament with something better long before now. Labour members tried to get commitments to more modern apprenticeship places during the budget debate, but that was voted down by the SNP and its new best friends, the Tories—I say to Mr Fraser that that is why we are having the debate today. Then, in April, the Cabinet Secretary for Education and Lifelong Learning announced changes to the modern apprenticeship system. Did the SNP increase the numbers, as we had asked it to do? No. It scrapped adult places, except for those in construction, engineering and life sciences.

Increasing numbers in those areas is welcome, but what about elsewhere in the economy?

The Economy, Energy and Tourism Committee has been conducting an inquiry into tourism and considering whether Scotland's tourism industry can grow by 50 per cent by 2015. The target is ambitious and the industry believes it to be challenging, but there is one serious problem—a shortage of skilled staff. Witness after witness has spoken of the difficulties. Indeed, the committee has been told that if it were not for the influx of migrant workers into hotels, restaurants and other businesses throughout Scotland, many of those businesses would be unable to function. Even the SNP's favourite hotelier, Donald Macdonald, is not immune to that: Aviemore, where we have all had party conferences, is full of migrant workers—and a good job they are doing, too.

Like other areas of the economy, tourism is becoming more and more reliant on new technology—for bookings, to provide information to customers and to run efficient businesses—but what did the SNP do in April? Alongside the concentration on construction, engineering and life sciences that it announced, it was clear that the SNP was abandoning modern apprenticeships in tourism, retail and information technology. We could not make it up. In Aviemore, at least, there is an attempt to set up a hotel school for the Highlands, and six chefs are in training. I urge the cabinet secretary to speak to Mr Macdonald about that rather than planning inquiries.

Our service industries are a key area of the economy. For example, the growth of Glasgow is down to tourism, financial services and IT. As an aside, if Christopher Harvie is so interested in ship building, he will be interested to hear that a major UK Government contract to build two new aircraft carriers has just been signed and that the apprentices that the shipyards in Glasgow have taken on—the largest number that they have ever taken on—have jobs for the next decade, which is to be welcomed.

Tourism is a growth sector and we need more skilled workers for it, but a major training route has been cut off. No wonder that Labour members want the minister to think again. Increasing the number of modern apprenticeships in tourism will not bring the scheme into disrepute. The minister wants a demand-led system. In tourism, there is a demand.

Yesterday, the Economy, Energy and Tourism Committee heard evidence from Donald Henderson, the interim chief executive of Skills Development Scotland—the new training quango that the SNP established. He talked about the organisation's operating plan for next year. I was astonished earlier to hear the minister say that she does not want something to be imported from

England. Perhaps that explains why, under the heading "Individual Development", the plan calls for

"a distinctively Scottish approach to skills acquisition".

Perhaps, in her closing speech, the minister will explain exactly what that means.

Under the heading "Economic Pull", the plan refers to

"understanding current and projected demands for skills to help meet future skills needs".

The members of the Economy, Energy and Tourism Committee—and I include the SNP members—understand only too well the projected needs of Scotland's tourism industry: it needs many more indigenous skilled workers who are able to take their place in an exciting and vibrant industry. The SNP's decision to axe modern apprenticeships in the tourism sector and in IT is perverse and a major mistake. I hope that the cabinet secretary will, as people say, think again.

10:03

Alex Neil (Central Scotland) (SNP): We should not take a narrow view of skills but look at the Government's total skills strategy. For example, the work that it is doing to expand the number of pre-school nursery places by 50 per cent is part of a skills strategy because, as we know, the more children who start earlier with pre-school education, the greater the number who are likely to end up in higher and further education.

Rhona Brankin: Will Alex Neil give way?

Alex Neil: I will give way in a minute. I ask Rhona Brankin to give me a minute to get into my speech.

We should not think of skills only in terms of modern apprenticeships, important though they are. For example, the proposals in the consultation document on the reforms to secondary education—particularly those for a baccalaureate—could have a huge impact on how we manage not only secondary education but the transition from secondary to tertiary education. Professor Hamnett, the principal of the University of Strathclyde, is on record as saying that one way to increase flexibility and participation rates in higher education—the universities—is to introduce a baccalaureate-type system in secondary education.

The creation of Skills Development Scotland, which was foreshadowed in the Enterprise and Lifelong Learning Committee's report four years ago, is of major significance. It is more than a bureaucratic restructuring.

Marilyn Livingstone: Will the member give way?

Alex Neil: In a moment.

The careers service, which has been moved from pillar to post in the past 15 to 20 years, has now got a secure bolthole and is tied in with the rest of the skills strategy and with learndirect Scotland. That is another reform that was foreshadowed four years ago, in the report of the Enterprise and Lifelong Learning Committee, of which I was the convener and Marilyn Livingstone—to whom I now give way—was the excellent deputy convener.

Marilyn Livingstone: I agree with Alex Neil that the issue of skills goes much wider than modern apprenticeships, as the speakers in my party have shown. However, my points about further and higher education were serious. The futures group that the minister chairs, and which is discussing higher education, has no representatives from the further and higher education sector. That must be addressed. Skills Development Scotland, although welcome, will not deliver, given the 0.8 per cent growth in that sector, without a strategic approach being taken and funding being allocated.

Alex Neil: A number of parallel reviews and discussions are going on, such as the review of Scottish colleges and various other activities that are being undertaken by the funding council and directly by the Government. At the end of the day, they will all form part of the national education and skills strategy.

We must address three or four major challenges and, where possible, we must reach agreement in this chamber about how we can best address them.

Johann Lamont: Will the member give way?

Alex Neil: My time is restricted, and I have given way a lot.

Rhona Brankin: Will the member give way to me?

Alex Neil: God, they queue up. I said that I would give way to Rhona Brankin, and I always keep my promises.

Rhona Brankin: I have waited patiently. Does the member agree that, given that the Government has said that it is committed to an early years strategy, it is perverse that it is cutting modern apprenticeship support for people who work in the early years sector?

Alex Neil: I do not agree with that, so I will turn to the key challenges that face us.

The first challenge involves the need to ensure that we have the education and skills base to facilitate the highest possible level of economic growth and development. Given that we have scarce resources, tough choices must be made about where we prioritise our skills resource.

One of the criticisms that the Enterprise and Lifelong Learning Committee made in its report three or four years ago was that the skills policy was totally divorced from the smart, successful Scotland policy. I believe that the cabinet secretary is right to try to tailor our skills strategy to the objectives of the economic growth and development strategy. That is why it is important to put more resources into key sectors that will drive the future growth of the economy.

The second major challenge, which has hardly been mentioned by the Labour speakers this morning, is the question of access, particularly to higher education.

The Deputy Presiding Officer (Trish Godman): You should be finishing now, Mr Neil.

Alex Neil: The statistics show—as was confirmed in a recent report by the funding council—that, in the past 40 years, we have not increased the chances of people from the lowest income groups going to university. We must meet that challenge, as well as the challenges of fairness and of people who are not in employment or education. Unfortunately, I do not have time to expand on those challenges, but I am willing to give a lesson on the issues at coffee time later on.

10:09

Hugh O'Donnell (Central Scotland) (LD): My colleague Jeremy Purvis and others have highlighted some of the shortcomings in the Government's approach to skills, so I will not dwell on them. However, as we all know, the Government's approach to skills training, as outlined in its strategy document last September, was rejected by this Parliament, and it is outrageous that, yet again, the SNP Government is ignoring what the Parliament has said. That is completely unacceptable. The SNP's skills strategy was about as much use as a chocolate fireguard. We should by now be used to this SNP Administration winging it at every opportunity, but it is lamentable that it is taking that approach with the education and training of our labour force.

Rather than simply point out the all-too-apparent inadequacies of the Government's approach, I will examine some of the issues that have not been addressed in detail, especially with regard to further education colleges, which are a particular interest of mine.

Scotland's FE colleges provide training for around 360,000 people every year, 24 per cent of whom come from deprived backgrounds. Interestingly, because of the number of adult modern apprenticeships, the average age of students is 32. The colleges are the base for reskilling and retraining, which is reflected in their presence across the country. Unfortunately,

thanks to funding council decisions, the provision for City and Guilds qualifications and modern apprenticeships to be delivered through our colleges has not grown for eight years. Even so, FE colleges offer the widest range of modern apprenticeship opportunities in the country.

Alex Neil: Again, the Enterprise and Lifelong Learning Committee's report from four years ago specifically recommended that modern apprenticeships should not be restricted to SVQs but should include City and Guilds qualifications and other qualifications. That recommendation was specifically rejected by the then Minister for Enterprise and Lifelong Learning, Jim Wallace.

Hugh O'Donnell: I bow to Mr Neil's knowledge—I was not aware that that was the case.

At the moment, according to the information that I have been given by colleges, it seems that the small amounts of money that are being assigned to big issues such as knowledge transfer, employer engagement, and skills and employability will not make the required difference.

Scotland's FE colleges are key players, and must be recognised as such. As previous speakers have said, they have not been included in the discussions to the extent that they should have been. However, the Government could take a number of steps to enhance the role of colleges. It could extend the current bursary scheme, incentivise training in modern apprenticeships by creating all-age business bursaries, and match resources for the modernisation of the non-advanced vocational curriculum with those committed to the curriculum for excellence. The Government could use colleges to promote and enhance the role of associate professionals in areas such as life sciences and develop colleges' role in the two-way exchange of new knowledge. Further, transferring the adult careers advice function to colleges could produce a better focus, given the level of the people with whom that service engages.

In short, we must ask the Government to come back with some indication of how the issues that have been raised during this debate will be tackled more effectively. I hope that we get more than the motherhood-and-apple-pie approach that we have had so far from this SNP Government.

10:13

Elizabeth Smith (Mid Scotland and Fife) (Con): As Murdo Fraser said in his opening remarks—at least, in the second part of his opening remarks—the Scottish Conservatives have been concerned about the need to develop a more consistent and coherent skills and training strategy. I will conclude our contribution to this

debate by picking out what we see as the main priorities.

It is abundantly clear that there is an overriding objective to provide a workforce that is fit for the challenges of the 21st century and which allows Scotland to develop its full economic potential and ability to compete successfully in the international community. However, we cannot ignore the concerns of around a third of employers in Scotland that many workers are still poorly prepared for work.

The Government has recently set out its intention to focus more on basic skills in school testing, which is warmly welcome. However, in no way can that be expected to solve all the problems, and it is essential that we identify the other reforms that must accompany that move, including, as Richard Baker, Jeremy Purvis and Murdo Fraser said, the production of a much more robust skills strategy than the one that was presented to us previously.

Fiona Hyslop: I do not frequent the Conservatives' website, but a submission to the United Kingdom shadow cabinet that has been placed on it states:

"The current supply-led structure (overly influenced by the providers of training) would be transformed into a demand-led framework."

I am genuinely interested in the Conservatives' position. Do they believe in a volume-based, supply-side approach to skills development or in a demand-led approach, led by individuals and employers?

Elizabeth Smith: Like any good Conservative, I am interested in the market economy and how supply and demand come together. There are two sides to the issue, so, as John Park identified, it is vital that we do not listen only to what the needs are.

One of the great problems in the skills debate has been that, for too long and too often, it has been focused on one sector of the education system. One of the major difficulties is ensuring that people who are talented when it comes to vocational skills have the ability to use those talents and are not prevented from doing so because of society's attitude to university education and so on. I hope that when the cabinet secretary considers her examination reforms, she also considers a much more flexible system in schools, so that different situations have parity of esteem and youngsters are able to leave school after the age of 14 and get apprenticeships. That is an important issue, and it is excellent that John Park is bringing forward a bill that will enable us to debate it.

I pay tribute to the Scottish colleges, which have a vital role to play. They are to be complimented

on their efforts to provide our young people with a much more career-focused programme, which gives them a head start.

We need a robust strategy, and we need direction. There is a complaint that the new skills agency does not yet have permanent staffing and that its objectives have not been laid out. It is essential that those concerns are addressed. As many members have said, it is incumbent on the Government to come forward with its proposals. The sooner that that happens, the better.

Although the Conservatives welcome many aspects of the debate and will support the Labour motion, we believe that we must get the message firmly across to the Government and to the wider public that we expect some leadership on skills issues.

10:17

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): The debate has centred on the fundamental premise of whether Government should adopt a supply-led, centrally controlled approach that is heavily influenced by training providers, or a skills agenda that is responsive to employers and is demand-led, and in which the individual learner and their needs drive policy.

The SNP recognises the need for skills and training to be aligned with the Government's economic strategy, as Alex Neil said. We have set out our vision for a smarter Scotland, and the first ever lifelong skills strategy. The previous Government had eight years and produced no skills strategy. As Elizabeth Smith referred to, our skills strategy is cradle to grave, and should be seen in that light. I have been delighted by the feedback and support from stakeholders, employers, learning providers and awarding bodies in relation to not only the skills strategy but our increase of 1,000 additional construction and engineering modern apprenticeships and our introduction of a life sciences MA.

Liz Cameron, the executive director of the Scottish Chambers of Commerce said:

"It is one of the best documents we have seen and reflected what we have been asking for."

Skills expert Professor Ewart Keep was reported as saying:

"In my native England a clapped-out old model, born out of a Cold War mentality, is still considered roadworthy ... The misalignment highlights the limitations of a 'supply side only' approach to skills ... Scotland has joined a small club of nations that are thinking in 21st-century terms about the skills issue."

Dr Peter Hughes, the chief executive of Scottish Engineering, said:

"Scottish Engineering welcomes the Government's approach in emphasising the importance of Modern Apprenticeships in the Construction and Engineering Sectors."

We believe that it is not appropriate to import Gordon Brown's volume-driven approach wholesale into Scotland. We face different challenges in Scotland, and we must ensure that our skills interventions are tailored and appropriate for Scotland.

Rhona Brankin: Will the minister confirm to the Parliament whether bodies such as the Scottish Food and Drink Federation are pleased with her approach?

Fiona Hyslop: Improve, the food and drink sector skills council, is pleased that we are introducing level 2 modern apprenticeships because it recognises the importance of access into the industry. We are adopting a flexible approach to modern apprenticeships, which it welcomes.

Alan Wilson, the outgoing chief executive of the Scottish Council for Development and Industry, said:

"Often there is too much emphasis in this country on bits of paper and arbitrary numerical targets for modern apprentices, and not enough on the skills that a qualification actually gives the person, or how it serves the needs of employers."

If the Labour Party's approach to skills was so successful, why does Scotland's economic growth rate lag behind the rest of the UK and why, despite higher levels of skills in the workplace, does our productivity lag behind the rest of the UK?

Other parties in the chamber may want more of the same, but they will find that in the world outside, many people recognise the need to break out of the cosy world of stockpiling skills qualifications at any cost, with no regard to their use or sector. We want modern apprenticeships in construction; other parties want modern apprenticeships in dog grooming. We want modern apprenticeships in engineering; they want modern apprenticeships for nail technicians. Important though nail technicians are, they will not drive the economy forward.

Jeremy Purvis: Is the cabinet secretary aware that in the Borders, training provision for construction is being operated under a temporary crisis contract because of the confusion after Scottish Enterprise Borders moved away from that training? SEB did not realise that it had people providing training, who had to be laid off. When will there be a permanent contract for that provision in the Borders?

Fiona Hyslop: Skills Development Scotland, which has the same training departments as Scottish Enterprise had, is taking forward the contracts.

Rhona Brankin: When?

Fiona Hyslop: Members have asked for evidence. I will put reports in the Scottish Parliament information centre that outline the issues.

In a survey of 2,400 employers, 70 per cent said that adult modern apprenticeships made no difference to the number of people being employed. Modern apprenticeships are extremely expensive. With failure to complete rates of 30 to 40 per cent, is that an effective use of public money?

As part of the review of the national programmes, I am asking Skills Development Scotland to discuss with the tourism, food and drink, and retail sectors what form and format qualifications should take. It is important to stress that carrying on regardless, and taking on expensive four-year contracts, would have prevented the Government from implementing the changes that are needed to provide training that is fit for purpose.

We are taking Scotland forward and we have a challenging skills agenda. However, complacency and the supply-driven approach to the skills sector taken not just by the previous Government in Scotland but by Gordon Brown will not produce the changes that we need. We need Scottish solutions for a Scottish skills system. We are providing leadership that is welcomed outside the chamber. I hope that in the months and years ahead it will start to be welcomed inside it.

10:23

John Park (Mid Scotland and Fife) (Lab): It has been an interesting debate. The SNP has told us that its skills strategy is universally acclaimed. In reality, it was rushed out over the summer months to meet a 100-day target—which, incidentally, it did not meet. There was little or no consultation with key stakeholders. Of course, no one in their right mind would oppose the principle of a skills strategy, particularly one that does not say anything or compel them to do anything.

I say as gently as I can to those members who pointed out that I welcomed the skills strategy in a John Swinneyesque manner that perhaps they should do their research. If they did, they would see that I welcomed the fact that there was a skills strategy but that, like the majority of members, I welcomed virtually nothing that was in it.

Maureen Watt spoke about skills utilisation. Effective skills utilisation is fundamental to ensuring that Scotland meets the economic challenges of the future. Yes, Scotland has a more highly skilled workforce than other parts of the UK, but that is no excuse for not having positive

Government intervention. The fundamental challenge in Scotland is the same as that in the rest of the UK: people leaving work and people having to develop new skills in an increasingly competitive global market. In Scotland, 1 million people will leave the job market in the next 10 years. Those people will have to be replaced with 1 million people with even higher-level skills. More than 70 per cent of people currently in work will still be in work in 20 years' time.

It is not about choosing between increasing the number of higher-skilled people and utilising those with good skills in a more effective way; it is about doing both those things. I am not convinced, however, that the SNP Government will do either of them. The SNP is quite clear that it is prepared to let the markets dictate the skills profile of this country. That flawed strategy is doomed to fail. The free-market approach to skills is the fundamental reason why we have skills shortages in so many key areas, such as construction, as my colleague Marilyn Livingstone highlighted earlier.

Alex Neil: I hear what the member says, but is it not also the case that, in a supply-driven strategy, we end up with, for example, far too many lawyers who cannot get a traineeship?

John Park: That was a timely intervention, because I was going to say that it is not about supply versus demand, as Fiona Hyslop said; it is about stimulating demand. If the Government does not believe in targets, why has it set a target for 50,000 training places? I am confused by that. After this debate, we are even less clear about who the Government will be training, what the training will look like, who will benefit and who is in and who is out. Given Maureen Watt's declaration last week that walking to school will count towards physical education, I will be thinking twice about doing a bit of DIY at the weekend just in case it counts towards the SNP's 50,000 training places.

We have heard a lot about adult apprenticeships from my colleagues Richard Baker, David Whitton and Rhona Brankin, and from Jeremy Purvis. There is no doubt that the SNP Government has slashed the number of adult apprenticeships, however we look at it. That will lead to less, not more, training by employers overall. How that will improve productivity is anyone's guess. The lack of consultation on the changes to adult apprenticeships has left training providers high and dry.

Of course we need to expand key sectors such as construction and engineering, but we should not do so at the expense of IT, for example, where there are equally damaging skills shortages.

I have real concerns about the future of the apprenticeship system overall, but perhaps there is light at the end of the tunnel. I think that what

Christopher Harvie said indicates that he supports the stimulating-the-supply side of the argument. I was particularly pleased to hear that Alex Neil and Nicola Sturgeon—I am glad that she has just joined us—welcome Steven Purcell's plans for Glasgow City Council to offer apprenticeships to all school leavers this year as part of the Commonwealth games legacy. I look forward to Mr Neil and Ms Sturgeon supporting my modest proposals for a bill that will enable all suitably qualified 16 to 18-year-olds to gain a modern apprenticeship, which I will bring to the Parliament over the next few months. I hope that their enthusiasm will convert other SNP members to the cause.

The Parliament should be in no doubt that Scotland is lagging behind the UK in skills policy. The expansion of the train to gain programme in England, which gives workers the right to paid time off for training, means that there are more opportunities for workers in England to upskill. The expansion of the apprenticeship programme down south for adults and young people will mean that skills shortages will decrease and people will be able to retrain to sustain employment.

We just do not know where the SNP stands on skills. That is why our motion calls for further parliamentary scrutiny of the SNP skills strategy. I am pleased that members from other parties have said that they will support the motion. The unilateral decision by this minority Government to demolish adult apprenticeships also requires closer scrutiny. It is only right that ministers bring to the chamber the rationale for such an ill-thought-out plan. If they choose not to do so, I assure them that not only the Government but a generation of Scottish workers will suffer the consequences.

Scottish Ambulance Service

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S3M-1955, in the name of Margaret Curran, on the Scottish Ambulance Service.

10:29

Margaret Curran (Glasgow Baillieston) (Lab): I am pleased to open this debate, because of the importance of the Scottish Ambulance Service to Scotland and the need to scrutinise recent changes, which could have—and are having—a significant impact on such an important public service.

I am sure that all members will join me in paying tribute to and thanking ambulance staff throughout Scotland for the vital work that they do. The Labour Party has brought this debate to the Parliament because ambulance staff have such high standing and because of the issues that they have drawn to our attention.

Labour believes that changes that alter crucially the nature of the service should be open to consultation and should be communicated properly to the people of Scotland. At the very least, people should understand the changes and know what to expect from this key public service.

In the short time available to me, I will flag up key questions that must be asked and key issues that must be addressed. The ambulance service is so important that it deserves treatment equal to that of any other service within the national health service. I am sure that many members have received representation about the issues that I will flag up. It is vital that the Parliament addresses those issues and takes them seriously.

I am not arguing against change. All services require to be modernised and changes must be introduced, but we must question how they are introduced. We should pay tribute to the Scottish Ambulance Service, which has embraced change many times effectively and efficiently. Indeed, it has a great track record in industrial relations.

Agreeing the Labour motion would establish fundamental issues. It would require the Scottish Ambulance Service to explain why and how changes have been introduced and what the consequences of those changes are. The service should explain that not just to the minister or the health directorate, but to the Parliament and, more important, to the people of Scotland.

Serious questions are being asked about what the changes to the service are, why they have been introduced and the impact that they are having. For example, has there been a study of the impact on patient safety of the replacement of

double-crewed ambulances with single-crewed rapid response vehicles? Has there been any evaluation of the clinical risks involved in that and of when single-crewed vehicles are to be dispatched?

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I welcome the member's comments so far. Is she aware that the model has not only been evaluated positively south of the border, but is subject to an on-going external evaluation in Lanarkshire?

Margaret Curran: I am grateful for that information from the minister. I am sure that in her contribution she will take us through that. However, I am also sure that she will agree that if the evidence was so strong, it is deeply concerning that we are receiving so many representations, that the public does not know anything about the changes and that there are still so many fundamental questions being asked. I hope that she will reflect that perhaps the processes that have been introduced have not been adequate to meet that public challenge.

Perhaps she will tell us about the health and safety risks to single-crew responders. Has there been consultation with trade unions in Scotland? Has there been consultation with communities where double-crewed ambulances are being replaced by single-crewed rapid response vehicles? Those are points of substantial concern. I believe that the changes should be subject to external evaluation.

The Parliament must address a few other issues. Given the minister's knowledge of the subject, I hope that she can address the issues directly. I am told that vacant shifts are currently not being covered because of budgetary restrictions. I see the minister shaking her head, so I hope that she can clarify the situation. I am told that there are as many as 25 shifts per day short in Glasgow city alone. I am told that, because staff are under pressure, ambulances are not being cleaned properly, which could give rise to infection, and that we have the prospect of industrial unrest. Those are serious issues, which I hope can be addressed. That is why we have brought the debate.

That is just a snapshot of some of the concerns that have been raised throughout Scotland. I know that other members will talk about the situation in rural areas in particular, as well as the situation that I have described in Glasgow, about which I am concerned.

The SNP should be consistent in its approach to handling issues in the national health service. If public consultation on service changes within the NHS is important in one dimension, it should be

important in others. The SNP should not be opportunistic about that.

Labour would be open-minded about the shape of the independent scrutiny of any changes to the ambulance service, but our key point is that there must be an independent element. We have brought the debate to the chamber because it seems that, until now, the Government has not properly overseen the changes that are raising such fundamental questions or properly responded to those questions. The SNP's amendment is disappointing and unacceptable. It is not for the Parliament to direct a committee inquiry and the Government should not tell committees what to do. Such an inquiry should not be a means by which the Government can duck its responsibility and once again pass the buck.

I will say a few words about the Liberal Democrat amendment. It certainly improves the Government's amendment, but there are some caveats and I seek clarification from the Liberal Democrats. The Parliament needs to act and be seen to act in a way that reflects the scale of the problem and the depth of the concern that is being articulated throughout Scotland. Motivated by those concerns, many people have asked for an independent objective analysis to be introduced to the process and I hope that that is part of the Liberal Democrats' argument today.

There is one more element of the Liberal Democrat amendment that concerns me. It needs to be appreciated that many members question the validity of some of the progress that has been made, particularly on response times. They argue that response-time targets have not been properly met. That is why we have brought the debate to the chamber. Members have been asked to question what has been done to the ambulance service and how the response-time figures have been produced, and that is why we need an independent assessment. The assumption that the progress that has been made is not to be questioned weakens the Liberal Democrat amendment.

If we were to support the Liberal Democrat amendment, which calls for a full statement, and the amendment were agreed to, could we get any guarantees on that? Could we have the statement before the summer recess? Could we have the statement with a debate? I ask that the work that is undertaken to prepare for that statement will not be just an internal discussion between the minister, the department and the Scottish Ambulance Service; but that it will be broad based, and will engage with the staff of the ambulance service and with other concerns throughout Scotland.

It is vital that we widen the discussion. The ambulance service and the public in Scotland

expect a proper and thorough approach to these issues. Labour is deeply committed to this valuable service and we must continue to listen to the ambulance service staff and the public, who are deeply concerned. We will pursue these issues and I look forward to hearing members' contributions as we determine the proper resolution of this great challenge that we face.

I move,

That the Parliament recognises the concerns expressed by the Scottish public about recent changes to the operation of the Scottish Ambulance Service; believes that, as the ambulance service is a widely respected and essential public service in Scotland, any changes should have been communicated to the Scottish public, and, in light of concerns expressed about the safety of patients, agrees that there should be immediate independent scrutiny of current practices and policies in the Scottish Ambulance Service.

10:38

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I welcome the debate. I take very seriously any concerns that are expressed about the performance of any NHS board and I understand very well the importance of public confidence in the Scottish Ambulance Service. I indicated in the chamber as recently as last week my concern, for example, about the single manning of ambulances that should be double crewed. The Scottish Ambulance Service is now under an obligation to report to me regularly on the incidence of single manning and the actions that it is taking to reduce it. I will in turn keep Parliament updated.

If Margaret Curran has any evidence of the other serious issues that she has raised today, I assure her that I will treat that equally seriously. However, it is important to be clear that many of the developments that Margaret Curran mentioned are about improving response times and the overall patient experience of the ambulance service.

Margaret Curran *rose*—

Duncan McNeil (Greenock and Inverclyde) (Lab): Will the member take an intervention on that point?

Nicola Sturgeon: I am spoiled for choice—I will take Duncan McNeil's intervention.

Duncan McNeil: In the Inverclyde area, we are well served by the ambulance service, and we congratulate it on the job that it does. We currently have an 80 per cent response rate to category A calls. Does the Cabinet Secretary for Health and Wellbeing recognise that there are real concerns about the target of 75 per cent for those calls for 2009 and does she understand that we cannot allow that to have a detrimental impact? The

ambulance service in my area already does better than the target for 2009 and we want to maintain the high standard in relation to response times. Will she accept that the changes might impact on the good service that we have by stretching it geographically, which would have a detrimental impact in taking us back to a 75 per cent response rate?

Nicola Sturgeon: I appreciate the member's point but, on the contrary, some of the changes are actually responsible for that improvement in performance. I take the opportunity to pay tribute, as Margaret Curran did, to the work of ambulance staff in helping to bring about the improvements that have been achieved in recent months. In March 2007, the ambulance service was reaching only 56 per cent of category A calls within the target time of eight minutes and that was a serious concern. In April this year, that performance had improved to 73 per cent across the country. Those figures are subject to rigorous monitoring and I ask Margaret Curran again, if she has evidence to suggest that they are not accurate, to submit it to me in writing.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): The point that the cabinet secretary made about the response rate rising from 55 per cent to 73 per cent is the crux of the problem. How many of the responses in that 73 per cent were made by single-manned or rapid response vehicles, as opposed to the previous figure of 55 per cent, of which the overwhelming majority were double-manned and therefore able to treat the patient immediately, on the spot?

Nicola Sturgeon: I am coming to that, so the member's intervention is timeous. There is no doubt that the improvement is linked to the decision that was taken last November to expand—I stress the word expand and I will come back to it later—the existing front-loaded model, that would result in additional rapid response units attending incidents, requesting assistance when required, and increasing see-and-treat rates over time. That approach is intended to improve response times, which are of the utmost importance to patients in reducing unnecessary patient journeys and improving overall experience. It will also lead to a net increase in the number of emergency vehicles in the ambulance service fleet. The front-loaded model, which, as I said earlier, has already been subject to positive evaluation in England, is currently being externally and independently evaluated in Lanarkshire.

I was more than a bit surprised to hear Labour call for independent scrutiny—a process that I have made clear will apply to cases of major service change. The reason for that surprise is that the model that we are talking about is not new to the ambulance service in Scotland. The use of

rapid response vehicles as a critical element of the front-line ambulance fleet was first—

Margaret Curran *rose*—

Nicola Sturgeon: I must make some progress. It was first introduced in Scotland in 2002, by the then Labour Administration. That Administration also recognised that not all patients who are seen and treated by paramedics need to be taken to hospital. The principle of see and treat was adopted at that stage.

At the annual review of the Scottish Ambulance Service last year, I discussed with the board how it had achieved a nearly 9 per cent see-and-treat rate in the last year of the previous Administration, and how and to what level it planned to increase that. All of that was discussed in public and recorded in my follow-up letter to the board chair in October last year. I do not accept that the expanded use of an operational model that was first introduced into the ambulance service in 2002 can be construed as a major change that would justify independent scrutiny. However, I accept—and I hope that we can reach some consensus—that as the Scottish Ambulance Service continues to develop its operational practices, it must properly engage with its staff and with the public that it serves.

Margaret Curran *rose*—

Nicola Sturgeon: I am in my last minute. The NHS has a staff governance standard to be proud of and partnership working is at the heart of my view of the NHS as a mutual organisation. I therefore expect the board to engage fully and properly with its staff and I will treat very seriously any suggestion that it is not doing so. Likewise, the public must be properly informed of any operational changes that will impact on them.

As I indicated earlier, those issues were discussed fully at last year's annual review of the Scottish Ambulance Service. They were also discussed in greater detail and approved by the board at its meeting in November last year, again in public session. At a local level, ambulance service managers have been engaging with local communities to explain the proposed developments and what they will mean for patient care.

However, if there is concern about these developments, the service must increase its efforts in that regard and I will ensure that it does so. I recently spent a Friday night with a rapid response paramedic in Glasgow to see for myself how that model works and I know that the ambulance service would be happy to afford that opportunity to any MSP who wishes to take it up.

Public confidence in the ambulance service is high, but there is no room for complacency. That is

why my amendment, although it acknowledges completely the autonomy of the Health and Sport Committee, makes it clear that I would welcome the committee examining those matters.

I can also confirm that, if it is the will of the Parliament, I am more than happy to make a statement at the earliest opportunity that sets out in more detail the work that the Scottish Ambulance Service is doing to improve the service that it provides to patients, although Margaret Curran will appreciate that the timing of such a statement is not in my gift. I am proud of the work that the Scottish Ambulance Service undertakes on behalf of the Scottish public but, as the Cabinet Secretary for Health and Wellbeing, I am determined to ensure that that work continues to improve in the interests of patients.

I move amendment S3M-1955.1, to leave out from “recognises” to end and insert:

“welcomes the improved performance demonstrated by the Scottish Ambulance Service in recent months, particularly in relation to responding more quickly to life threatening calls; congratulates the staff of the Scottish Ambulance Service for their efforts in achieving this improvement for patients; acknowledges the need to ensure that the Scottish Ambulance Service continues to improve across a range of indicators and that it effectively consults staff and communicates with the public about the service it provides for them, and, while recognising its autonomy, would welcome the Health and Sport Committee undertaking a review of these matters.”

10:45

Ross Finnie (West of Scotland) (LD): Notwithstanding the excellence of much that the Scottish Ambulance Service does, a person would have to be very deaf not to know that there are serious public misgivings about certain aspects of the service that it provides. Margaret Curran said that members have received letters on the matter. We have received e-mails and representations from Scottish Ambulance Service workers and trade union representatives that express concerns about aspects of service delivery and staff morale. The Labour Party was right to lodge a motion to highlight such concerns.

I agree with Margaret Curran's opening sentiment and the first part of the cabinet secretary's amendment in particular. I, too, praise Scottish Ambulance Service staff for their dedication and professionalism, but we have concerns about the management of the service and more particularly about the Government, which is ultimately responsible for the service. It is understandable that the cabinet secretary should want to defend the Scottish Ambulance Service's overall record, but her speech was slightly defensive with respect to the concerns that many members will articulate in the debate. I welcome the offer that she made in her closing remarks:

she said that she would be prepared to give a full description in the chamber of what the Scottish Ambulance Service is doing. I hope that she will also address the points that members, including me, will make in the debate.

It is important that the Parliament establishes the principle of parliamentary scrutiny. The Parliament should hold ministers to account. I am therefore a little disappointed that the Labour Party should try to shuffle scrutiny to some other body in the first instance.

Margaret Curran: I make it clear that it is not an either/or issue. An independent process is not a substitute for parliamentary scrutiny—in that sense, I welcome Ross Finnie's amendment. However, it is vital that there is not simply a traditional ministerial statement that gives a lengthier version of what we have already heard. There should be evaluation and objective analysis of what is happening in the Scottish Ambulance Service, not simply a defence of the existing process.

Ross Finnie: In calling for a statement after a debate, we are calling for the Parliament to hold the cabinet secretary to account. It would be enormously disappointing if the cabinet secretary did not reflect on every single issue that is raised in this debate, although I am sure that she will do so. It is an important principle that the Parliament should scrutinise. Let us cut to the chase and agree a motion that calls on the minister to make a statement.

Serious concerns exist. The cabinet secretary has said that single-person crews have been evaluated. If they have been so well evaluated, why has the British Medical Association passed a resolution that first-line ambulances should be double crewed in all but extreme circumstances? Why has the chief executive of the Scottish Patients Association, Dr Jean Turner, said:

"If a two-strong team is needed during the day it should be exactly the same at night"?

If we are going to have rapid responses, she is right. There have been such responses for some time, but the prime test is not the time that is taken to respond—it is what happens to the patient. If 25 per cent of shifts in Glasgow are not being dealt with, there is a problem.

Having response-time targets is fine, but Duncan McNeil made a valid point. If we are setting standards that lower the bar or keep it at the same height instead of raising it, that is not fine.

Finally, the cabinet secretary must address at some stage Dr Walker's report on the hospital service at Ayr. He seriously questioned the evidence that supports longer ambulance

response times. The Parliament deserves an answer to what he said.

I have pleasure in moving amendment S3M-1955.1.1, to leave out from "while recognising" to end and insert:

"calls on the Cabinet Secretary for Health and Wellbeing to make a full statement to the Parliament, at the earliest opportunity, on the operation of the Scottish Ambulance Service, specifically the use of single person crews, the deployment of rapid response vehicles, ambulance response times, rates of assaults on ambulance crews and the impact of journey length on patient safety."

10:49

Mary Scanlon (Highlands and Islands) (Con): I thank and commend the Labour Party for choosing to debate the Scottish Ambulance Service and fully support Margaret Curran's call for a full debate. I also join members in praising the excellent work that the Scottish Ambulance Service does.

The key starting point for the debate is the 12 per cent increase in demand for the ambulance service year on year, which Audit Scotland has confirmed. That increase is the result of NHS 24 referrals and more people using the service out of hours to access health care. One would expect an increase in supply to match such increased demand, but it appears that the opposite is the case; it appears that demand has increased and supply has decreased.

The cabinet secretary will know that in the Highlands—particularly in Sutherland—there is regular single manning of vehicles in response to category A calls. A local member of staff in the ambulance service in the Highlands recently offered to do some overtime work, but he was told that such work could be done only at red stations. That was the first time that he and his colleagues had heard about the new coding of red, amber and green stations for manning. So much for ambulance management communications. Staff did not even know about that.

Problems with the ambulance service are not confined to the Highlands. My colleague John Scott has made me aware of serious concerns in the NHS Ayrshire and Arran area. I have been led to believe that between 40 and 70 ambulances in Scotland are being taken off the road to be replaced by what is known as a front-loading model—I think that that means that a single paramedic will respond to an incident, and will see and treat at the scene, which should mean that there will be fewer admissions to hospitals. I commend the work that paramedics do, but it is surely unfair to expect them to have the diagnostic and treatment skills of a general practitioner who has taken nine years to train for their profession.

Last week, NHS Highland briefed MSPs on treatments for the two types of stroke. We were told that there is an optimum time within which thrombolysis must be given and also that the diagnosis and treatment of strokes can be made only on the basis of a clinician's judgment—I understand that strokes are not easy to diagnose. That example illustrates the fact that single manning, seeing and treating at the scene and aiming for fewer admissions to hospitals are not appropriate in all emergency call-outs.

In the recent Scottish Ambulance Service annual review, the cabinet secretary stated:

"For those cases which required thrombolysis, the average ... time was 43 minutes",

which is well below the 90 minutes optimum time. How many patients who would have benefited from that intervention did not reach the hospital in time, did not meet a stroke physician for diagnosis or were deemed not unwell enough to be taken to hospital? The Scottish health council's annual report concluded that "little or no progress" had been made by the service in evaluating patient focus and public involvement activity.

I have much to say, but little time in which to say it; I will therefore move on to the final points that I want to make.

Audit Scotland reported that the Scottish Ambulance Service had missed its performance targets. I listened carefully to the cabinet secretary, but did not hear much about the service's improved performance in recent months.

We like the Labour Party's motion and again thank it for this debate. However, we are unsure about immediate independent scrutiny and whether that was proposed on the basis that there should be a major service change.

On the Government's amendment, ministers should not tell the Health and Sport Committee what to do. However, we like the bit in the middle.

We support and fully agree with the Liberals' amendment.

10:53

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I, too, welcome the opportunity to speak in the debate and pay tribute to those who work in the Scottish Ambulance Service.

The issue of single-crewed ambulances was first raised with me by a constituent who was concerned about an incident in which a back-up crew took a considerable time to arrive. The cabinet secretary knows the geography of Ayrshire, so she will know that bringing an ambulance up from Stranraer to Girvan is not the

easiest thing to do. My constituent was concerned not about the service that was received from the paramedics who arrived on the scene; rather, he thought that there could have been a problem if the incident had been more serious.

I am not opposed to change that will benefit patients, so I approached discussions about that incident and associated issues with the Ambulance Service with an open mind. However, I then discovered that concerns had been raised by many other constituents, including those that were raised at a recent public meeting in Maybole about the proposal to introduce a rapid response vehicle to replace a double-crewed ambulance. Some of the issues that were raised concerned the pressures of the eight-minute target time in rural areas and whether, instead of aiding patient care, the insistence on meeting that target time means that the wrong type of vehicle turns up to deal with people.

Concern was also raised at the meeting in Maybole about the lack of local knowledge among those who had made the decisions about where back-up ambulances would come from. Indeed, it was suggested that, if a local back-up ambulance was not available in Girvan, one could come from Cumnock. The cabinet secretary will be aware of the distance from Cumnock to Maybole over the A70, which most of us will know has a number of serious accident black spots.

Unfortunately, the airing of some of those concerns coincided with the publication of an article in *The Herald* on 8 May that stated that patients who require angioplasty will go straight to Hairmyres hospital in East Kilbride, bypassing both Ayr and Crosshouse hospitals. Members will understand that people were concerned about the implications of a potential 65-mile journey from Ballantrae, in the south of my constituency, to East Kilbride. I hope that the minister will clarify the position today. Will all heart attack patients now go to East Kilbride, or will they go to Ayr or Crosshouse and then be transferred? Who will make the decision if some of them are to go straight to East Kilbride? I hope that the minister will recognise that it is not scaremongering—as one of her colleagues has suggested locally—for me to raise those questions. I do that on behalf of my constituents, who want to know the answers.

I make no criticism of the ambulance staff who came to the meeting at Maybole. They gave a good account of themselves and treated the public with the respect that they deserve. Nevertheless, I am concerned by a number of other issues that have been raised by the trade unions, such as ambulance staff not having enough time to clean ambulances. I do not know whether that is true—perhaps the minister can deal with that in her summing up. It has also been suggested to me

that the definition of the eight-minute arrival time has been changed and that it no longer refers to arrival at the scene but refers to arrival within 200yd, as decided by the global positioning system.

Another issue that has been raised with me, which is serious and must be taken into account, is that there now appears to be a culture of bullying and harassment in the Ambulance Service. People have approached me in confidence and have raised their concerns about that through the trade union. They feel that the whole service will be put at risk if the matter is not addressed.

I hope that the cabinet secretary will take my comments in the spirit in which they are intended. It is a matter of patient care. People in rural areas need to know that they will get the service that is required, not one that is secondary to the one that is delivered in other parts of the country. I hope that she will be able to respond to my remarks.

10:58

Nigel Don (North East Scotland) (SNP): I preface my remarks with the observation that we are very proud of those who work in the Scottish Ambulance Service and very grateful for their services. Nothing that follows is intended to be any criticism of them.

I will pick up on an issue that has not yet been highlighted, relating to the situation in which there is a long and winding road from the hospital to a patient's place of residence. I am referring to the Dee valley, which runs from the south of Aberdeen westwards into the Grampians. On the way, the road passes through Banchory, Aboyne, Ballater and, eventually, Braemar. The distance from each place to the next is roughly 15 miles, so the total distance between Aberdeen and Braemar is roughly 60 miles.

Once upon a time, there was an ambulance in Braemar. There is still a fire station there. Recently, the ambulance was moved to Aboyne, which is 30 miles nearer to Aberdeen, and it is now a 24-hour single-manned rapid response vehicle. I am pretty sure that the Ambulance Service managers who decided to move the ambulance to Aboyne applied their model correctly. I am not accusing anybody of incompetence, carelessness or indifference to the needs of the patients. I suspect that they applied the model perfectly correctly and came up with what they thought was the right answer. However, Braemar is now not just 60 miles from the hospital but 30 miles from the ambulance. That means that an arrival time of seven minutes is simply inconceivable; in fact, if the ambulance has to come from Aboyne to Braemar to take a patient to

Aberdeen, the golden hour will already have passed before the ambulance goes back past the ambulance station.

My concern is not that those who have designed the service have got their thinking and calculations wrong but that they are working with the wrong model in that particular circumstance. In Braemar, there is a fire station and, in or very close to Braemar, there are folk who know how to drive big vehicles with blue flashing lights. There is also a doctor in Braemar and there are other folk who know how to attend medical emergencies—there is a mountain rescue team in the area. Therefore, I suggest that the cabinet secretary ask the Ambulance Service and her officials to consider an alternative model, which would allow the stationing of a vehicle in Braemar that could be crewed by a fireman and sent to wherever the patient was. It could meet somebody else who had the appropriate medical qualifications and who could be otherwise mobilised.

Such a model could hugely improve the response time at the Braemar end of the valley. It would not involve a huge cost, although I acknowledge that it might involve having one vehicle more. I am conscious that the fire and rescue service is not within the cabinet secretary's portfolio but, nevertheless, my plea to her is that she get the two services to talk to each other and consider whether alternative models could be used in places where the road runs out at the head of the valley or at the sea. I ask her to consider whether alternative models could be used to improve the ambulance service in such areas.

11:02

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): It is clear from the debate that the Scottish public have genuine concerns about recent changes to the operation of the Scottish Ambulance Service. I believe that those changes deserve immediate independent examination. The replacement of two-person crews with one-person emergency rapid response units deserves serious scrutiny. The public tell us that that is not safe and that it is causing them concern. The people on the ground who are delivering the service directly to the public—the ambulance crews—tell us that it is not working and that it is not allowing them to do the job to the standard to which they wish to do it.

However, the non-emergency service that is provided by the Ambulance Service is also critical to patients throughout Scotland. Every year, hundreds of thousands of patient journeys are made, as people are transported between hospitals, clinics, day centres and their homes. The experience of one of my constituents highlights serious questions about the Ambulance Service's

practice and policy for non-emergency transport as well.

Catherine Young, who is a constituent of mine from Abronhill in Cumbernauld, is a young woman whose dystonia condition means that she requires the use of a wheelchair and needs a range of different appointments at clinics in several hospitals and NHS facilities. Catherine has battled with her condition for some years. She is a positive and inspirational young woman who is determined to remain as independent as possible. Such is her determination that she supports students at Cumbernauld College who have physical disabilities.

For several months, Catherine has had severe difficulty in arranging transport to appointments with her neurosurgeon and her physiotherapist, for wheelchair assessments and so on. The problem appears to boil down to the fact that different hospitals hold different agreements for non-emergency patient transport. For some appointments, Catherine is defined as a patient who, because of her disability, requires assistance from a two-person crew and who must be transported by ambulance; for other appointments, her disability merits only a one-person crew. That is unacceptable to Catherine, as she knows that one person is unable to manage her transfer safely and that that puts additional pressure on the people who arrange to take her to her appointments. Worst of all, sometimes no transport is available at all. I am sure that the cabinet secretary will appreciate that my constituent is understandably distressed about the situation, which does not help her in her constant battle to remain independent.

Catherine is not alone in having difficulty with the administration of this vital service. The confusion about the policy means that ambulances turn up at the wrong time, hospital appointments are missed, and consultants' and patients' time is wasted. Although I appreciate that the Ambulance Service must deploy scarce resources effectively to the maximum benefit of patients, the cabinet secretary must appreciate the waste of resources, effort and hope that this situation is creating.

Does the cabinet secretary recognise that non-emergency patient transport is a serious concern for the Scottish public and that it merits scrutiny? Will she explain to Catherine and to others who are in her position why non-emergency patient transport policies seem to vary depending on the location and type of appointment? Finally, will the cabinet secretary guarantee that Catherine's ambulance to take her to her next west of Scotland mobility and rehabilitation centre appointment will turn up at her house at 8 o'clock on 23 May? That is the kind of pressure that someone such as Catherine is under as, to make

that appointment, she will have to be up at 5 o'clock in the morning. Sometimes she is let down by the services that are supposed to assist and protect her.

11:06

Rob Gibson (Highlands and Islands) (SNP):

In this important debate, the morale of ambulance personnel and patients are in all our thoughts, but I will concentrate on some remote and rural Highland issues that flag up the problems that we have with the management of the service today.

I have a quote from the north and west Sutherland local health partnership meeting that was held on 1 May in Tongue. Andy Fuller from the Scottish Ambulance Service Highland said:

"The Agenda for Change agreement has caused a lot of issues for staffing ambulances locally, as the on-call payment, overtime rates and call-out payment rates have changed. Currently there is no method available with the Agenda for Change payment system to reflect potentially local solutions to remote and rural locations."

We have inherited this system and we have to work within its constraints. That has led to an Ambulance Service that is working to budgets that are constrained but not necessarily to standards that are suitable for patients. That manifests itself in the fact, which was mentioned by Mary Scanlon, that staff are not allowed to cover other shifts if they are on leave, which leads to a shortfall in cover and single crewing. In the west of Lochaber, it is reckoned that 60 per cent of ambulances will be single crewed until September because of that problem. As there will be only one member of staff fewer covering Strontian or Glencoe, there will be no potential for cover through overtime. That is the nub of the problem that is faced by people in two parts of the north and west Highlands.

The agenda for change is at the root of these problems and we need a Scottish solution for Scottish problems.

Nicola Sturgeon: I thank Rob Gibson for raising the point; it is a real issue. The agenda for change system that we inherited has inherent problems in remote and rural areas. We are currently in discussion with the Scottish Ambulance Service about those issues to ensure that we get the resolution that Mr Gibson and others are seeking.

Rob Gibson: I thank the minister for that point. By airing these issues in the chamber, we are getting closer to the truth.

I also have notes from other meetings between the Ambulance Service and community councils. Mr MacLeod, who is the area manager for west Lochaber, spoke to the West Ardnamurchan community council on 5 May.

"Mr MacLeod was asked about relief cover, he stated the problem remained 'funding'. Staff turnover was also a problem and a new pay mechanism has had an impact on the service. Relief staff are based in Fort William and Glencoe, there is an annual deficit of 1200 hours."

A committee inquiry and report would allow plenty of time to evaluate such facts from across the whole country. It is important to provide time for that in Parliament so that it leads to a debate. Our problem is this: if ambulance staff are removed from Kinlochbervie, for example, to make up the numbers in Wick so that the targets in Wick, which is a town, can be met, is it a success that calls in Wick are answered in seven minutes or a failure that it takes an ambulance more than two hours to reach someone on the west coast?

The cabinet secretary is correct that we have to have a change in the approaches that are taken. When she met the trade unions in Inverness, they were

"gobsmacked by the positive response from the minister ... The meeting went superbly well. She was very supportive in the sense that if there was any wrongdoing by the management, she wanted to know."

That is the nub of the issue, and the Scottish National Party's amendment covers the way forward.

11:10

James Kelly (Glasgow Rutherglen) (Lab): I rise to speak in this important debate to support the Labour Party motion. As other speakers in the debate have done, I start by paying tribute to the important role that is carried out in our communities by ambulance workers.

The central issue is how we deploy ambulance services most effectively to serve the public in emergency situations. Concerns have been expressed throughout the chamber about the reduction in the number of double-crewed ambulances throughout Scotland. People call on ambulances to deal with emergency situations where lives are often under threat and people need a quick response from a fully equipped ambulance. In those circumstances, single units do not provide what is required. When they reach the scene, they provide a temporary solution and they are often unable to move the ill or injured person. That undermines the effectiveness of the service.

We also need to consider staff safety. Sadly, emergency services are called out to scenes where violence has occurred or is occurring. That is particularly difficult if a single-crewed unit attends; unaccompanied staff should not be exposed to such situations. Our staff have key skills and expertise and provide quality care, so it is important that we back them up and ensure that they are protected.

As other members have said, the trade unions have expressed concern that patient care is becoming a casualty, that vacant shifts are not being covered because of budgetary restrictions and that, because of staff reductions, training and health and safety are being compromised. Those are issues of concern.

The question has to be posed whether the new arrangements are cuts or efficiencies. Efficiencies are a big theme for the SNP, which proposed £1.6 billion of them. Such a large figure had to be put in place because the SNP overpromised in its manifesto commitments.

The changes that we are discussing seem to be quite a clever scheme. They allowed the First Minister to stand up last week and say that there are more ambulance crews in the streets of Scotland than there were previously. No doubt, when the scheme was discussed around the table, it seemed to be a wise way forward, but if patients' lives are in danger and they are required to wait when there is a delay in a twin crew turning up, it is not an efficiency saving—it is a cut.

The debate is important and it has allowed members to discuss their concerns about the Ambulance Service. It stands to reason that if the number of double-manned ambulance crews is reduced and they are replaced with single-manned units, it will undermine the service and put staff at risk. Those are serious issues and it is time to think again about them.

11:14

Angela Constance (Livingston) (SNP): I, too, welcome the debate, as it gives me an ideal opportunity to put on record my thanks to, and appreciation for, the front-line ambulance staff who are based at the station in Livingston. I visited the station recently and I have accepted the staff's very kind invitation to join them on a night shift one weekend. I look forward to doing that.

Having listened to front-line staff in Livingston, I certainly hope that the Health and Sport Committee will undertake a review of the Scottish Ambulance Service. Personally, I feel that such a review would be timely, as it would follow on from last year's Audit Scotland report on out-of-hours services. In that report, Audit Scotland correctly highlighted the need to improve the links between the out-of-hours service, NHS 24 and the Ambulance Service. The report emphasised the need to strengthen communication and, crucially, it urged a review of the impact of the out-of-hours service on the Ambulance Service.

I note and welcome the eight-minute target for category A call-outs, which is all very laudable, but I believe that additional, more sophisticated performance indicators are needed. Surely if an

ambulance crew does not arrive within eight minutes but succeeds in saving a life, that is a good result in anybody's book.

Responding to emergencies day in, day out requires physical, emotional and mental strength. It is unacceptable that staff struggle to get meal and refreshment breaks, especially when they are working a 12-hour night shift.

When describing the challenges of their work, Ambulance Service staff repeatedly iterated to me that they felt that calling out an ambulance seemed to be the default position. NHS 24 appears to be the regular culprit behind inappropriate call-outs. Telephone assessment based on buzz words can be a rather blunt instrument and compares poorly with face-to-face clinical assessments. In addition, as we all know, A and E targets for vacating hospital beds also have an impact on the Ambulance Service.

My constituency is semi-rural in parts but, with the growth of Livingston new town and the core development areas, the constituency has one of the fastest-growing populations in the United Kingdom, never mind Scotland. St John's hospital at the heart of my constituency has the highest rate of hospital-to-hospital transfers in Scotland, as evidenced in a recent national audit. All of that, combined with the removal of some acute services from St John's hospital to the Edinburgh royal infirmary in 2004, has had huge resource implications for the Ambulance Service in my constituency.

Increased journey times are a real issue. The increased number of journeys between West Lothian and Edinburgh has implications for equity of access for my constituents, as ambulances are increasingly caught up in out-of-area call-outs. That is a cruel reminder of the consequences of not keeping health care local.

With the 60th anniversary of the national health service approaching, we need to keep health care local if we are to be true to the NHS's founding principles. The SNP Government can be proud of its policy of keeping health care local. I urge the cabinet secretary to continue to pursue that policy with all her vigour.

11:18

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The problem is that we already have single manning in my constituency. In a recent incident, the doctor from Scourie had to get in the back of the ambulance and leave the area and ride down the road to the hospital. What would have happened if someone in the area had taken a heart attack? It is too bad to think about. In another incident, the Kinlochbervie ambulance unit had to be joined by the man from the neighbouring

ambulance unit at Bettyhill to make up a double-manned unit. However, that merely passes the problem along the north coast to Bettyhill. Even more ludicrous still, we had an incident that two single-manned ambulances had to attend and which required one ambulance man to get in the back of the other ambulance. The net result was that an ambulance was left parked up in the middle of nowhere. What does that say about the NHS? Finally, only three weeks ago when a road traffic accident involving a lorry happened just outside Ullapool, the Ullapool team had been stood down by the management so the ambulance had to come all the way from Dingwall—a journey of more than an hour—to attend to the people, some of whom were severely injured.

Why do we have such serious problems? As members have mentioned, one reason is the package of rewards whereby ambulance staff are paid for 28 hours and given a rather small sum for their time on stand-by. We know that we do not have enough paramedics, but many of the existing paramedics do not have the time to update their qualifications because they are too busy covering other ambulance men. Therefore, they fall off the list of paramedics. It was put to me this morning—probably by the same ambulance man who spoke to Mary Scanlon—that the remuneration package, quite frankly, does not encourage technicians to become paramedics. People know that it is just not worth the candle.

What has been done about the situation? In fairness to colleagues from all parties, MSPs have made repeated representations about the service in both the current parliamentary session and the previous one. Repeated representations have also been made by local doctors, who are, after all, at the sharp end of the problem.

Rob Gibson mentioned the Kinlochbervie situation. I want to go into that just a little further. What happened was that—ta-ra, ta-ra—a fifth man was put into Kinlochbervie. However, as Rob Gibson said, he was then taken out—oh no—to cover a shortfall elsewhere. With sickness and with leave, we are back to something very like single manning in Kinlochbervie.

It may not be entirely fair to say this, but from a Highland perspective it looks as if the money that is being invested is simply to reduce the response time from nine minutes to eight minutes—or from eight minutes to seven minutes. However, such response times do not have an awful lot of meaning where I come from. It has been put to me clearly that, but for the grace of God, something far worse could have happened when the GP was not in the area or when an ambulance had to be left parked up in the middle of nowhere. Cabinet secretary, what message does that send to my constituents? It is not a good one, particularly for

an ageing population. Indeed—just thinking sideways for a second—what message does it send to tourists that, if they become poorly in Sutherland, they might wait a very long time before they are taken to a hospital?

To use an expression that I used in the debate on the maternity hospital in Wick—I will not bore members with that just now, as we won that one—we should recognise that God, the good Lord, made the geography and we cannot get round that. In inclement weather, we face very serious problems indeed. If the cabinet secretary wants to check that with one of her colleagues, she should speak to Mike Russell. I remember meeting him at the Durness games, where, unfortunately, he hit his head on a low roof beam and found it quite a palaver to get a local doctor. He can speak with some experience.

With all due respect to the minister—I accept that she showed generosity of spirit in listening to my representations only last week—all that has been said about the improvements in the service ring somewhat hollow for people in my constituency, where we have real problems. I am speaking in today's debate because my constituents want me—and all of us—to sort out the problem. For that reason, I warmly support the amendment in the name of my colleague Ross Finnie.

11:22

Jackson Carlaw (West of Scotland) (Con):

The amendment in the name of the Cabinet Secretary for Health and Wellbeing seems to be unhealthily oblivious to the many concerns emerging across Scotland that are being brought to the attention of members of all parties. Now is not the time for back-slapping all round. No one is yet blaming the cabinet secretary for any deteriorating position, but if she simply takes the view that not much is wrong, they certainly will do. I am relieved that her opening speech showed more understanding of the situation than does her amendment. We all support the staff who do an invaluable job for the Scottish Ambulance Service but, as we might have observed in the motor industry, the enamel on the paint work is chipped, the vehicle is in need of an urgent inspection and, if nothing is done, we risk seeing the big end go.

I have been contacted by constituents about their recent experiences. In one instance, when the ambulance turned up, my constituent was asked to sit with the driver to direct the way to the hospital. In another instance, a relative was asked to lead the way by driving in front of the ambulance. On both occasions, the ambulance drivers were strangers to the area and did not know the location of the hospital. Other members have referred to such experiences in the many

letters, e-mails and representations that they have received.

Written answers that I have received to parliamentary questions show that the overall number of vehicles in the Scottish ambulance fleet has dropped. That has been explained as a drop in the number of auxiliary vehicles rather than of ambulance and response vehicles. However, I am bound to point out that, as journey time consequences take effect as a result of the consolidation of A and E services and the cross-city travel that is required for the new Victoria hospital, substantially more vehicles may be required in Glasgow and the west of Scotland.

Nor is it acceptable to be breezy about the implications of single-manned rapid response vehicles. In the response to another parliamentary question, I learned that the number of incidents of violence and aggression towards ambulance staff has soared by more than 450 per cent in the past three years in west-central Scotland. Over the same period, the number of complaints against the Scottish Ambulance Service has increased by 120 per cent. Attempts to arrange a meeting with the chief executive have been fobbed off with suggestions of meetings with local management, which have subsequently been postponed.

Meanwhile, I have raised the plight of volunteer drivers, who are a vital resource for the ambulance service. I have been contacted by many such drivers, who are in despair because they feel that, given that there has been a 17 per cent real-terms fall in the mileage rate payable over the past year alone, they are now subsidising the service. As a result, there has been a 14 per cent fall in the number of volunteer drivers, and many more tell me that they are close to giving up. That is a dreadful situation.

This month, in response to another written question, I was told that the Scottish Ambulance Service had no plans to review the rate payable. However, the answer added, somewhat enigmatically, that

“the service was asked to look again at this matter, and have confirmed that they will now be reviewing the rates”.—*[Official Report, Written Answers, 13 May 2008; S3W-12662.]*

By whom was it asked to look at the matter again? There is no point in the cabinet secretary suggesting that the service should have autonomy and recommending that the Health and Sport Committee should investigate matters if, at the same time, the Government is directing the service to review mileage rates and other matters.

All this is potentially tragic for patients. Volunteers are an essential element of the service. Patients already wait for ages, often in distress, because they are not deemed to be of sufficient

priority. What are their prospects if we lose more volunteers? As hospital services are merged, might not we need more volunteers?

The debate is not an attack on ambulance staff, who do an outstanding job. It is an opportunity to air a series of concerns that, it transpires, has been growing among members. The cabinet secretary should acknowledge that, collectively, those concerns amount to more than a row of beans.

The cabinet secretary is due to hold her annual review with the Scottish Ambulance Service on 12 August. Yesterday she made the welcome announcement that the opportunity for the audience to participate in the review will be extended to allow spontaneous contributions from the floor. We must hope that questions will not have to be pre-submitted and carefully vetted, and that they will not be ruled out of order. If the review event on 12 August is sufficiently well advertised, I hope that members of the public will turn out.

Meanwhile, the cabinet secretary must turn her urgent attention to a service the performance of which might well be improving against certain measurements, but which is spluttering overall. Someone needs to get a grip, and the Parliament needs to be satisfied that someone has done so.

11:26

Nicola Sturgeon: I thank everyone who has taken part in the debate.

In response to Ross Finnie's remarks about parliamentary scrutiny of ministers, I state categorically that I accept my responsibility for the Scottish Ambulance Service and, for that matter, for any other NHS board. Jackson Carlaw's comments about volunteer drivers' mileage rates demonstrate my acceptance of that responsibility. I clarify that the reference in my amendment to "autonomy" is to the autonomy of the Health and Sport Committee rather than of the Scottish Ambulance Service.

I will be happy to make a full statement on the issue to Parliament and to follow that with a parliamentary debate—although such matters are for the Parliamentary Bureau to make decisions on. Such is my happiness that I will vote for the Liberal Democrats' amendment, although I would still be delighted if the Health and Sport Committee decided—autonomously—to hold an inquiry on the subject.

Margaret Curran: I welcome the fact that the SNP will support the Liberal Democrats' amendment, but does the cabinet secretary accept that part of the argument has involved questioning the achievements of the Scottish Ambulance Service? My concern about the SNP's amendment

as it stands is that it takes those achievements for granted and does not indicate that they need to be thoroughly investigated. There are serious concerns about that.

Nicola Sturgeon: Perhaps what I am about to say will reassure Margaret Curran. A number of points have been made in the debate. Although shortage of time will not allow me to respond to them all now, I give the Parliament an assurance that I will investigate each and every point that has been made and, when appropriate, will respond directly to the members concerned and in the statement to which I have referred. That is right and proper.

Although all the points that have been made deserve to be treated seriously, there is a distinction to be drawn between situations that are inherently wrong and unjustified and issues that have arisen as a result of the Scottish Ambulance Service's efforts to improve performance. Into the first category I would put the single manning of ambulances that should be double crewed, on which I have commented, and, if it were true, the dropping of shifts to cut costs, but it is not true that that is happening. Shifts are being reorganised, because the reality is that the Scottish Ambulance Service is now better able to predict demand on a day-to-day, hour-to-hour basis than it used to be, which means that shifts can be organised more sensibly. The traffic light system that Mary Scanlon mentioned would belong in the same category, if such a system existed, but I am happy to give the member an assurance that no such system operates in the Highlands. I will take extremely seriously all the issues in that category.

The issues in the other category—which I am not suggesting do not still require to be scrutinised—are those that relate to deliberate developments by the Scottish Ambulance Service in an effort to improve performance. Rapid response units fall into that category. Let me be absolutely clear about the distinction between the single manning of ambulances that should be double crewed and rapid response units. Rapid response units are not substitutes for double-crewed ambulances. They are designed to ensure that patients get as quick a response as possible and that back-up is provided when it is required.

That is not an attempt to score a party-political point; it is a simple statement of fact. The rapid response unit has not been introduced by this Government over the past year; it was introduced by the previous Administration in 2002. It is important to acknowledge that.

Cathie Craigie: Will the cabinet secretary give way?

Nicola Sturgeon: I want to get through as many points as I can; I will come on to Cathie Craigie's point.

Cathie Craigie: How does the cabinet secretary know what my point is?

Nicola Sturgeon: I want to have time to get to the important point that Cathie Craigie made in her speech.

To Cathy Jamieson, I say as gently as possible that no heart attack patients would have been able to go to Ayr hospital if her Government had got away with its plans to close the accident and emergency unit there. I will respond directly to the point that she made. Heart attack patients are treated in line with Scottish intercollegiate guidelines network guideline 93, which I urge members to read. Patients who need angioplasty and who are stable enough to be transferred to the hospital that is best placed to administer that intervention go there directly. If not, they are transferred to the nearest A and E unit. Treatment can be administered in ambulances—I inform Mary Scanlon that all paramedics are trained to deliver thrombolysis.

Cathy Jamieson: Will the cabinet secretary give way?

Nicola Sturgeon: I do not have time to take any more interventions.

Extremely important points were made by Nigel Don and Rob Gibson. I am acutely aware of the challenges that are faced in delivering an ambulance service in remote and rural areas, which is one reason why I visited Wester Ross just last week. The Scottish Ambulance Service is keen to consider innovative solutions to those challenges. I discussed ideas such as those that Nigel Don suggested with members of the community in Wester Ross, and I will be happy to discuss them with the Scottish Ambulance Service.

I say to Cathie Craigie that I acknowledge the importance of the non-emergency ambulance service; it is important that we do not forget it. Whether transport is required is a clinical decision, so there is a degree of variation. However, it is important that the Scottish Ambulance Service works with territorial boards to ensure consistency of service for patients. That is one reason why the service is investing in more mid-tier ambulance vehicles.

James Kelly made important points about the safety of staff, which is paramount. As regards what Angela Constance said, I appreciate that the eight-minute target is not the be-all and end-all, but it is based on international evidence and, as such, is an important target.

Time does not permit me to deal with the many other points that were raised. I repeat that I will investigate them all, and I look forward to taking part in further full discussions in the Parliament.

11:33

Dr Richard Simpson (Mid Scotland and Fife (Lab): All members have made it clear that we commend the work of the Scottish Ambulance Service, the staff of which have risen to many challenges over the past decade. It is the only health board to have achieved level 3 performance under the NHS Quality Improvement Scotland standards. We must acknowledge that the service has an excellent history. Members have praised the present staff for their efforts.

There have been challenges. Members have mentioned thrombolysis, for example, and requiring treatment in the golden hour. Primary angioplasty, which requires patients in the Glasgow area to be transferred to the Golden Jubilee hospital and patients in the Ayrshire, Arran and Lanarkshire areas to be transferred to Hairmyres, is a new challenge. There is the problem of increasing demand—as Mary Scanlon said, demand rose by 12 per cent last year, on top of rises in previous years. In addition, there is greater need for intervention by paramedics rather than by technicians.

As well as those clinical challenges, there have been administrative challenges, which other members have mentioned. Agenda for change, which staff, management and Government agreed in partnership was the appropriate way forward, cannot always be applied to all areas satisfactorily. As with any national scheme, the geography of the rural areas needs to be taken into account. Nigel Don and others mentioned that.

The change in the call centres has been a challenge, as has the fact that sickness levels are still at 5.5 per cent, when the national target is to get them down to 4 per cent. Financial challenges are faced in information management and technology. Fuel prices, which have not been mentioned much, and modernisation are important issues, too. On top of that, the Government has imposed a 2 per cent efficiency target. Although the service gets to keep the savings, achieving them is an additional challenge to management in a service that already faces major challenges. James Kelly referred to that.

In the past, all the challenges have been met through an effective partnership between Government, management and staff. Reports from bodies such as Audit Scotland have shown how well the service is doing financially and in other ways. However, it faces an additional financial challenge in that its budget uplift has reduced from

around 6 per cent a year during the Labour-Liberal years to 4 per cent a year. In last year's annual report, Nicola Sturgeon referred to the 12 per cent increase in demand, but went on to talk about the

"disappointing performance against the target set ... to reach 75% of category A calls within eight minutes",

as the eight-minute target was met in only 55.7 per cent of cases. The cabinet secretary can now say that a 74 per cent rate has been achieved and that we are within striking distance of the target that was set. However, if a service that is under the stresses that I have mentioned moves from 55 to 74 per cent, that makes one wonder what is going on. Is it a tick-box exercise, or is the service not only meeting the target, which we all agree is important, but improving the patient experience?

Yes, the Labour Government introduced the rapid response vehicle system, but it has been expanded beyond all recognition to meet the target. That rate of expansion is causing enormous stresses and problems and is almost certainly leading to deterioration in the patient experience. If a single-manned motorcycle or car arrives at an incident, what can that one person achieve in a serious situation? They can achieve something and many are experienced—*[Interruption.]* The cabinet secretary shakes her head, but the most recent information we have is that not all the vehicles are manned by paramedics. In Glasgow, 80 per cent were manned by paramedics and 20 per cent by technicians. If somebody has a very serious issue, which would they prefer? Angela Constance was absolutely correct about that. If I was a patient having a serious heart attack, I would prefer a double-manned vehicle with paramedics rather than a single-manned vehicle with a technician who could not meet my requirements. The cabinet secretary keeps shaking her head, but those concerns are being expressed to many members by the public and, more important, by ambulance crews. The reduction in double manning, with a reduction of 70 shifts in Glasgow, rather than just the rapid response system, must be considered carefully.

That is one of the core issues, but staff have raised other issues, about cleaning, training and safety. More important is a letter from the staff, dated 21 May. I should declare that I am a member of Unite. A press release from Unite states:

"Partnership working in the Service was always amongst the most forward thinking within the Health Service in Scotland".

Today, I have received a collective grievance letter from staff. The Unite press release mentions the possibility of strike action, if those grievances are not tackled. I appreciate that the cabinet secretary has not seen the letter and that it is not reasonable

to ask her to respond to it now. However, we have moved from a service with one of the best records in the health service to one in which there is

"a bullying and harassment culture"

and a feeling that jobs are under threat. That situation has, in part, led to the collective grievance being registered.

Nicola Sturgeon: I put on record, as I did earlier, that I would not defend the situation that Richard Simpson has outlined, which is unacceptable. I repeat what I said in my opening remarks: I will take those allegations very seriously indeed.

The Presiding Officer (Alex Fergusson): Dr Simpson, you must come to a close, please.

Dr Simpson: I thank the cabinet secretary for that, but the point is that by pushing for the eight-minute target to be reached in 75 per cent of cases in one year, we have put enormous pressure on the management. We need a far deeper and greater understanding of that.

I do not have much time.

The Presiding Officer: You must close, please.

Dr Simpson: Right. I am sorry that I do not have time to cover rural manning and other issues.

The suggestion in our motion is the appropriate way in which to proceed. We need an independent investigation of the issue now, before the service breaks down.

Question Time

SCOTTISH EXECUTIVE

General Questions

11:40

Tenancy Deposit Scheme

1. Robert Brown (Glasgow) (LD): To ask the Scottish Executive whether it is committed to introducing a mandatory tenancy deposit scheme in terms of its powers under part 4 of the Housing (Scotland) Act 2006. (S3O-3409)

The Minister for Communities and Sport (Stewart Maxwell): The Scottish Government is working with a number of organisations, including the National Union of Students Scotland, Shelter and the Convention of Scottish Local Authorities, which are members of a stakeholder group that was established to consider the need for a tenancy deposit scheme in Scotland. The group agreed that further work should be carried out to develop an evidence base on the scale of the problem before any decisions are taken. The outputs from tenant and landlord surveys will be available later this year and will also be taken in to account.

Robert Brown: I am grateful for that reply, to which I listened carefully. Am I wrong in forming the impression from it, and from the minister's answer to a parliamentary question by my colleague Iain Smith in February, that he is going backwards rather than forwards on the principle of the scheme? He seems to be heading towards tinkering with current deposit management practice rather than introducing a proper scheme.

Is the minister aware that tenancy deposit protection schemes have been introduced successfully in England and Wales? Does he agree that it is unacceptable for Scotland to lag behind other parts of the United Kingdom on the provision of much needed and equitable protection for tenants and a level playing field in disputes over deposits? Does he agree that the case has long been made for the introduction of such a scheme and will he therefore instruct his officials and the stakeholder group that the issue for consideration is no longer whether a tenancy deposit scheme should be introduced, but when and how it should happen?

Stewart Maxwell: We should not pre-empt the work of the stakeholder group, which was established to consider the issue. Several issues have arisen from that group's work. It has asked for tenant and landlord surveys, which are being carried out. The comprehensive survey of tenants,

which includes questions on tenants' experience of deposits, is being carried out by Tribal Consulting Ltd and George Street Research Ltd. We have designed the landlord survey with contractors at the University of Sheffield. The survey has been piloted and will be rolled out in the next few weeks.

It is relevant that, when such a scheme was proposed in amendments to the Housing (Scotland) Bill in 2005, the then Deputy Minister for Communities, Johann Lamont, made it clear in evidence to the Communities Committee that she did not want to introduce a scheme if the costs were found to be disproportionate to the scale of the problem in Scotland. I agree with that. It is right that we are analysing the situation properly. There are early indications from the various schemes in England—that there is not a single national scheme—that some landlords may, by increasing rent levels, be passing on the costs of membership of the insurance-based schemes to their tenants. I am not sure that we want that to happen in Scotland. We must be cautious before we progress, but we are entirely open minded and are waiting for the results of the expert group, which is working to ensure that we reach a proper and considered response.

Claire Baker (Mid Scotland and Fife) (Lab): The previous Labour-led Executive made clear its intention to introduce a deposit scheme that would be up and running by the middle of 2008, but we are in the middle of 2008 and so far we have heard little from the Government on it. The minister mentioned costs. Does he agree that the issue is not simply about comparing the total amount of deposits that are withheld unfairly against the costs of the deposit protection scheme, because a scheme could reduce the fear and threat of unfair withholding of deposits, which would reduce tension between tenants and landlords?

The Presiding Officer (Alex Fergusson): Briefly, please, Ms Baker.

Claire Baker: That reduction may be unquantifiable in simple cash terms, but does the minister agree that it would be a crucial benefit of a scheme?

Stewart Maxwell: I accept absolutely that the issue is not just about a straight cash comparison between the two amounts. However, I hope that Claire Baker will agree that we cannot proceed on the basis of anecdotal evidence and that we must have solid evidence. That is why the working group was established, why it is waiting for the research to be produced and why the tenant and landlord surveys are being carried out.

The deposit protection scheme is not the only protection that is under consideration. The

landlord registration scheme had a 15 per cent approval rating in May 2007; by May 2008, its approval rating was 75 per cent. We are also working with landlords on a national voluntary accreditation scheme. We are making efforts to ensure that the private rented sector is fit for purpose, and that a quality scheme is in place to protect tenants and landlords. We are moving forward on that work, but it is right that we wait for proper evidence to be presented to the working group to allow it to make recommendations. That will allow us to move forwards on the basis of evidence.

Violent Crime (Housing Estates)

2. John Wilson (Central Scotland) (SNP): To ask the Scottish Executive to what extent the issue of violent crime in housing estates throughout Scotland has been tackled. (S3O-3408)

The Cabinet Secretary for Justice (Kenny MacAskill): Tackling the deep-seated culture of violence that blights too many housing estates across Scotland will take time, but we are making good progress. Our on-going anti-violence campaign continues to focus police efforts on weapon carrying and alcohol misuse, and the initiative that I recently announced to tackle gang violence will work intensively with over 500 young men across Scotland. That is supported by our £7 million investment so far through the cashback scheme, which will provide young people from those communities with more positive opportunities and will complement the good work that is being delivered locally to make our communities safer and stronger.

John Wilson: Following reports in national newspapers on Tuesday, will the cabinet secretary assure us that swift action is being taken, and will be taken, to tackle incidents of violent crime whenever and wherever they occur?

Kenny MacAskill: John Wilson may take that as read. Our police will enforce the law. Violent behaviour is unacceptable, whether it is perpetrated in Scotland or in other jurisdictions, and we have to ensure that it is punished.

We also have to build on the measures that my predecessor quite correctly commenced: we have to tackle the roots of the culture of alcohol and violence. That culture has to be broken.

Rural General Hospitals

3. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Executive what services will be devolved to rural general hospitals. (S3O-3439)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The recommendations of the remote

and rural steering group report, "Delivering for Remote and Rural Healthcare", set out the services that are expected—as a minimum—of rural general hospitals. Those services include improved diagnostics, emergency care, maternity services and the management of long-term conditions. Copies of the report have been placed in the Scottish Parliament information centre.

Rhoda Grant: Is not it the case that many of those services have already been devolved? Indeed, many rural general hospitals offer more services than are laid out in the report. Will the cabinet secretary assure us that those services will be protected?

Does the cabinet secretary acknowledge that devolving services carries increased costs? Will she therefore ensure that rural health boards receive the funding that they require to advance their services and, indeed, to develop more services?

Nicola Sturgeon: I point out to Rhoda Grant that the funding allocation to NHS boards already takes account of issues regarding the delivery of remote and rural health care. It is right that that is the case.

Not all that long ago, we seemed to be in a constant round of uncertainty over the future of rural general hospitals, many of which faced the threat of closure. Rhoda Grant is right to say that many services are now being provided in rural general hospitals. I emphasise that what is set out in the report should be regarded as a minimum. However, the report also considers how we can change the model of delivering health care in remote and rural communities, to ensure not only that the services are available now, but that they are sustainable. As a result, we now—for the first time in a long time—have real reason to be optimistic about the future of rural hospitals.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): My question comes under the heading "management of long-term conditions". Will the cabinet secretary consider discussing with Highland NHS Board the return of renal dialysis services to east Sutherland, perhaps through the Lawson memorial hospital in Golspie? Those services used to be available and were very popular and successful. Now, some of my constituents have, three days a week, to rise at six in the morning and do not get back home until seven at night.

Nicola Sturgeon: I am more than happy to raise that issue with NHS Highland and will report back to Jamie Stone. I have no doubt that he has already raised the point with NHS Highland. If he has not, I am sure that he will in the future.

As Jamie Stone knows, this Government believes in local delivery of health care wherever

that is possible. Over the past year, I have seen many good examples of services such as dialysis and chemotherapy being provided locally, thus cutting the number of journeys that patients have had to make. I thoroughly endorse those examples and would encourage others wherever they are possible. For clinical reasons, local provision may not always be possible, but I certainly endorse the thrust of Jamie Stone's question.

Rob Gibson (Highlands and Islands) (SNP): I am glad that the cabinet secretary wants to see more than just the minimum services that are set out in the report on remote and rural health care issues.

The computed tomography scanner at Caithness general hospital is an example of such a service. Does the cabinet secretary expect more CT scanners to be available in remote hospitals? I ask because of the time that it can take patients to get to hospitals that have CT scanners. The golden hour was mentioned during the previous debate.

Nicola Sturgeon: As I said in my initial answer, the report envisages improved diagnostic facilities in rural general hospitals. Clearly, that will mean provision of diagnostic equipment.

As I have travelled round some of our rural communities, I have been impressed by the increasing use of telemedicine, which can enable some diagnostic tests to be carried out remotely without the patient having to travel. Test results can be assessed remotely. That is a positive development that I would like to see gathering pace in the NHS. The issue is also at the heart of the report.

Rural Post Offices

4. Alison McInnes (North East Scotland) (LD): To ask the Scottish Executive what action it is taking to promote the viability of rural post offices. (S3O-3413)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): The Scottish Government recognises the valuable social and economic role of post offices, particularly in deprived and remote areas of Scotland. However, post offices and postal services are wholly reserved to the United Kingdom Government.

I have, however, encouraged members of the Scottish Parliament and local authorities to look very carefully at the proposals from Royal Mail to ensure that the interests of the public—especially vulnerable groups—have been taken properly into account. Since the announcement in May last year, I have continued to be in active discussion with Post Office Ltd to ensure that its restructuring programme promotes transparency and open

discussion of the issues with key stakeholders. Only yesterday, I was in a meeting with senior management of Royal Mail Group to ensure that it is aware of potential business opportunities under the Scottish Government's agenda to streamline and improve public services.

I have also encouraged local authorities to consider opportunities to promote services alongside local post offices to aid their viability.

Alison McInnes: Of course I understand that post office provision is a Westminster matter.

Next week, my constituents will discover the extent of the closure programme across the north-east region. There is no doubt that many communities will see either the complete closure of their local post office or a significant reduction in the days and hours of opening. Does the minister agree that, especially in villages in rural areas, the demise of the post office can herald a further decline in the viability of community life? Will he therefore encourage and support any community that wishes to take over its post office and run it as part of a social enterprise, by ensuring that the community can apply for assistance via the Government's rural priorities scheme, which was announced last month, under the thriving rural communities strand?

Will he also—

The Presiding Officer: Briefly please, Ms McInnes.

Alison McInnes: Will the cabinet secretary also commit to ensuring that Government directorates recognise the value of supporting the post office network by continuing to use and develop it as an important access point for services and as a useful route for disseminating information?

John Swinney: There was much in that question from Alison McInnes with which I can agree. I represent the North Tayside constituency, which is adjacent to the region that she represents, so I am acutely aware of the importance of post offices in rural areas. A number of community ventures in my constituency have been successful in taking over post office services, which has led to development of local services.

As I said in my original answer, I have been encouraging local authorities to work with local groups to encourage provision of services at local level. Clearly, opportunities exist for social enterprises to develop as part of the Government's wider agenda. That will include the launch of the Scottish investment fund for social enterprises, which will take place shortly.

Hugh Henry (Paisley South) (Lab): I note what the cabinet secretary says about Westminster responsibilities. Will he however confirm that his Administration has the power to provide financial

assistance to post offices, if it decides that it wishes to do so?

John Swinney: Mr Henry should have listened carefully to what I said, which was that

“post offices and postal services are wholly reserved to the United Kingdom Government.”

As an Administration, we have been working constructively with local authorities and have been encouraging community organisations, through the Scottish investment fund, to regard opportunities to retain some services in local communities as part of an attempt and a venture to broaden the base of economic activity in our remote and rural communities. I am quite sure that Mr Henry would warmly support that.

The Presiding Officer: That was very clever of Mr Henry, given that his question is on the next page of my script.

New Prisons

5. Hugh Henry (Paisley South) (Lab): To ask the Scottish Executive which three new prisons have been sanctioned by the Cabinet Secretary for Justice and what funding method will be used to build each of those prisons. (S3O-3441)

The Cabinet Secretary for Justice (Kenny MacAskill): Full details of the proposed prison development programme and sources of funding are available in the Scottish Government's infrastructure investment plan 2008. The Scottish Prison Service is taking forward plans to open three new prisons. HM Prison Bishopbriggs and HMP Grampian will be funded from the SPS capital budget. HMP Addiewell will be funded from the SPS resource budget.

Hugh Henry: I note that the cabinet secretary avoided saying which three new prisons were commissioned by him and the Administration that he represents. However, I heard him say in a television interview that he had commissioned three new prisons. In fact, HMP Addiewell was commissioned by the previous Administration, which also gave its agreement to the building of Low Moss. What the cabinet secretary has been saying to the public is wrong. I hope that today he will put on record the fact that he has not commissioned three new prisons.

Kenny MacAskill: I will put on record that the Government took the decision to stop HM Prison Bishopbriggs—which Mr Henry referred to as Low Moss—going down the privatisation road that was favoured by Mr Henry and his colleagues. Had we signed off the prison as a private institution, Scotland would have become the country with the largest percentage of prisoners in private prisons in the world, which would have been shameful.

We had to sign off HMP Addiewell because of the contract that the previous Administration had signed. As with so many other projects, a prison that could have been built for between £100 million and £200 million by standard procurement methods will, as Professor Pollock, Professor Coyle and others have testified, cost the Scottish taxpayer in excess of £1 billion. That money, which could have been used to tackle heroin addiction, will be used to lock up 700 people. Once again, the previous Administration has privatised a public asset, mortgaged our children's future and left our communities and taxpayers to pay the price. The shameful aspect of the matter is that it did so not only with prisons but with schools, hospitals and other fundamental public services.

Enterprise Agencies (Meetings)

6. Gavin Brown (Lothians) (Con): To ask the Scottish Executive when it will next hold meetings with the enterprise agencies. (S3O-3371)

The Minister for Enterprise, Energy and Tourism (Jim Mather): Scottish Government ministers and officials hold regular meetings with Scottish Enterprise, Highlands and Islands Enterprise and VisitScotland. The Cabinet Secretary for Finance and Sustainable Growth met Scottish Enterprise's board and senior management team on 12 May. I will meet Jack Perry of Scottish Enterprise later today. The next scheduled meeting between ministers and all three enterprise agencies will be held on 8 September, but it is likely that further meetings will take place over the summer.

Gavin Brown: Should responsibility for the central performance management unit, marketing and the fulfilment centre of business gateway rest with Scottish Enterprise or local authorities?

Jim Mather: That is a matter for local authorities. However, we have joint and several responsibility for performance. Gavin Brown would do well to focus on the massive progress that has been made and on the credit that is due for the restructuring and streamlining of governance that has taken place. The new management structure will increase responsiveness to customers. That has produced a situation in which, according to *The Scotsman* on 2 May, 57.4 per cent of the business community credit the Government with doing a good or excellent job.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I assure the minister that more than 57.4 per cent of people in the Borders think that it is a bad idea to abolish Scottish Enterprise Borders. Last year the combined budget of Scottish Enterprise Dumfries and Galloway and SEB was £18 million, but it is estimated that the outturn in the coming year will be the equivalent of £5 million. Given that, will the Government publish

a budget for the local enterprise function in the south of Scotland?

Jim Mather: I encourage the member to engage positively at local level, as I have done in my role as a constituency MSP, to help local businesses to engage more in the public sector. There is a new atmosphere of which the member should take advantage.

The Presiding Officer: Before we move to First Minister's question time, I am delighted to say that His Excellency Jean-Michel Veranneman De Watervliet, the Belgian ambassador to the United Kingdom, has joined us in the Presiding Officer's gallery today. Ambassador, you are most warmly welcome. *[Applause.]*

First Minister's Question Time

12:00

Engagements

1. Ms Wendy Alexander (Paisley North) (Lab): I know that the whole chamber will want to join me in sending congratulations to that son of Govan and Labour supporter, Alex Ferguson, who led his team to such a magnificent victory last night.

To ask the First Minister what engagements he has planned for the rest of the day. (S3F-794)

The First Minister (Alex Salmond): I join Wendy Alexander in congratulating Sir Alex Ferguson. I had the great pleasure of wishing him luck in person last week. I claim no credit for the penalty shoot-out; nonetheless, we can all join in congratulating Manchester United on its magnificent achievement.

Later today I will have meetings to take forward the Government's programme for Scotland.

Ms Alexander: For years the Scottish National Party has been promising to abolish public-private partnerships. It has not done so. Instead, it has unveiled three main proposals, the first of which is the non-profit-distributing model. Will the First Minister tell us who developed that model?

The First Minister: Who applied the model are this Government and the Scottish National Party. I know a great deal about it because I had long discussions with Falkirk Council, under SNP control, as it worked to develop the model. It was harassed, harried, blocked and tackled by the previous Executive at every stage along the way.

I have here a list because I anticipated that Wendy Alexander might come on to the subject. I have been waiting to say what is on it. It is a list of the huge £14 billion of infrastructure projects planned by this Government over the next three years. The highlight among the projects that have been signed this past year is the 14 out of 44 signed-off schools that are being moved to the non-profit-distributing model.

Among the project announcements that are to come, one of the highlights that I am sure Wendy Alexander will want to welcome is the Southern general hospital, on which there will be £842 million of expenditure using conventional public finance techniques. Beyond that, every school that has been given approval since May 2007—another nine schools—is using the non-profit-distributing model. Wendy Alexander should welcome that progress.

Ms Alexander: The truth that the First Minister avoided at such length is that the non-profit-

distributing model was developed by Labour and Argyll and Bute Council and is unquestionably a form of PPP.

Let us turn to the second of the SNP's proposals—a Scottish futures trust to raise finance from the private sector. The business case says:

“how investment will be raised from the private sector has not been explored in any detail”.

Why not?

The First Minister: Wendy Alexander did not complete the quotation from page 39 of the document that was released on Tuesday. The second part of the same sentence is about the business case, and continues:

“rather that work will fall to SFT Delivery as part of the business planning for SFT Finance and Investment.”

Wendy Alexander would not want to mislead the chamber by truncating quotations.

Let us get back to the non-profit-distributing model. The previous Administration had 100 projects, including Andy Kerr's pet project of Hairmyres hospital—the most profitable project in history. One puts up a modest amount of private investment to get a massive amount of public subsidy. How does that one project out of 100 contrast with the SNP's moving NPD to the very centre of the massive infrastructure programme planned by this Government?

Ms Alexander: The proposal has been two years in the making—but no discussions with the financiers.

The third of the SNP's proposals is council bonds, which are to be the backbone of the Scottish futures trust and, according to John Swinney, will be available to pay for major projects such as the Forth road bridge. For the sake of clarity, will the First Minister confirm which piece of local government legislation allows that to happen?

The First Minister: The prudential borrowing powers of local government allow for bond issues. Of course, Wendy Alexander should know that, given that, over the past few years, the excellent past mayor of London, Ken Livingstone, introduced bond issues for Transport for London. Surely Wendy Alexander is not seriously arguing that that can be done for Transport for London but not for Scottish local authorities.

As the Transport for London example illustrates, the advantage of mobilising capital by bond issues is that it can be done for a modest amount of basis points above the London interbank offered rate. Unfortunately, the scandal of the PFI beloved of the Labour Party, as illustrated in the *Sunday Herald*, is that massive profits were given for private speculation instead of being allocated for

the public good. Indeed, so disastrous has the PFI experiment been that someone recently called it

“the unacceptable face of capitalism”.

That speaker was Edward Leigh, the chairman—the Tory chairman, I might add—of the House of Commons Public Accounts Committee. If he thinks that, will a self-proclaimed socialist such as Wendy Alexander now confirm that PFI was a disastrous mistake for which every one of us will pay for generations to come?

Ms Alexander: What I can say is that the SNP has adopted a Labour model without providing a shred of evidence that the profit levels will be any different.

However, let us try to clear up what is and is not legal. On Tuesday, John Swinney told us that these bonds could be used to build the Forth bridge. The SNP's own document acknowledges that there are legal obstacles; typically, of course, it fails to lay out what they are. The fact is that, in the First Minister's proposals, the bits that work are ours and the bits that do not are his. They are legally incompetent and financially illiterate; business has called the business case “bafflingly bereft of ... detail”; builders have condemned the delay; and sources in the Convention of Scottish Local Authorities have called them “a joke”. It is time to bury the dogma, because multimillion pound projects require certainty. Will the First Minister acknowledge that John Swinney got it wrong and confirm that the procurement of the Forth road bridge will not rely on bonds from an untried, untested and, indeed, non-existent Scottish futures trust?

The First Minister: John Swinney said that he would lay out the financing structure for the Forth crossing—something, incidentally, on which the Labour and Liberal parties were incapable of taking a decision—by the end of this year.

We can trade quotations. I know that Wendy Alexander, with her love of PricewaterCooperhouse—[*Laughter.*—] will want to acknowledge that the £100 million to £150 million-worth of savings, identified from the introduction of these new finance arrangements and validated by experts in the field, are an exciting prospect for the future of Scotland. [*Interruption.*]

The Presiding Officer: Order. That is enough.

The First Minister: I would have thought that the generally acknowledged expert on such matters would be Professor John Kay, fellow of St John's College, Oxford, visiting professor of economics at the London School of Economics and, of course, member of the Council of Economic Advisers. Labour members, particularly Andy Hairmyres, should listen—and listen well—to what he has had to say. He said:

"PFI is well past its sell by date. The Scottish Futures Trust can achieve its three objectives of cheaper finance, better project management and the operation of infrastructure projects for the benefit of the people of Scotland."

The Labour Party should remember that last phrase. The trust is

"for the benefit of the people of Scotland",

not for Andy Kerr's private speculators.

The Presiding Officer: In the heat of debate, it always helps if all members refer to each other by their chosen names, rather than by nicknames.

Prime Minister (Meetings)

2. Annabel Goldie (West of Scotland) (Con): What a pity.

To ask the First Minister when he will next meet the Prime Minister. (S3F-795)

The First Minister (Alex Salmond): I am not going to go down the road of pet names. I have no plans to meet the Prime Minister in the near future, although I met him briefly a couple of nights ago.

Annabel Goldie: The First Minister certainly has a better chance of meeting him than the voters of Crewe and Nantwich do.

Yesterday, a highly respected sheriff felt compelled to launch a blistering attack on Scottish Government policy allowing the early release of prisoners. He said:

"I would be failing in my duty ... if I did not make it clear that, in my opinion, judicial disposals are largely meaningless and the system is being brought into disrepute."

There we have it from the bench: confirmation that we live in the Scottish National Party's soft-touch Scotland. I know that and the public know that. Is the First Minister seriously going to suggest that that sheriff is wrong?

The First Minister: I notice that Sheriff Drummond's comments were, in part, supported by Lord McCluskey, who went on to point out that the system was introduced in 1993 by the Conservative Government. I hope that the whole Parliament acknowledges that there is now a substantial consensus that automatic early release should end—and it will end, as part of the wider review of penal policy that is being conducted by the independent commission led by Henry McLeish.

I looked carefully at Sheriff Drummond's remarks. The independence of mind and spirit of Scottish sheriffs, and their ability to speak, are valued parts of our judicial system. I was particularly interested in Sheriff Drummond's points about community sentencing. I am not certain that he would have seen the parliamentary

answer on the matter of just a few days ago, but I would have thought that he would approve—as would Annabel Goldie, I am sure—of the fact that the plans that were announced on 27 November last year to reform and revitalise community sentences, to build public confidence and to improve the effectiveness of the system are now under way. There is additional funding of £9 million over the next three years, which was announced in the parliamentary answer to which I referred. While we await the views of the McLeish commission, and so as to move forward with, I hope, consensus, perhaps Annabel Goldie can give a welcome to that at least.

Annabel Goldie: I do not think that the First Minister understood the question that I asked him. I was not talking about the broken system of community sentencing—although it is not working, and Henry McLeish is absolutely right to criticise it. I am talking about a frustrated and angry judiciary, whose custodial sentencing policy is being undermined by the SNP's soft touch on early release. If he does not listen to Sheriff Drummond, he should listen to victims and their families. Early release is being seen for the nonsense that it is, and it is rightly being attacked from all quarters.

Is the First Minister seriously prepared to limp on with the SNP's soft-touch policy of releasing more and more convicts into the community, rather than keeping prisoners in prison? Why is the Scottish Government unrelenting in standing up for criminals, when it should be standing up for victims? Enough is enough.

The First Minister: As I pointed out in answer to the first question, we are going to bring about the end of automatic early release. That aim is shared across the chamber. I gently made the point in the first answer to Annabel Goldie that the changes that are being introduced, which I think will be beneficial and will improve confidence in the Scottish judicial system, are changes to measures that were largely introduced by the Conservative Government in the 1990s. When Annabel Goldie speaks about other political parties, she should have an element of memory and history about who brought us into this position in the first place.

David McLetchie (Edinburgh Pentlands) (Con): You are distorting it.

The First Minister: Since Conservative members are slightly annoyed about being reminded of their party's history—

David McLetchie: We are being misrepresented.

The Presiding Officer: Mr McLetchie.

The First Minister:—and about being reminded of the various initiatives that were drawn up when Michael Forsyth was Secretary of State for

Scotland—that hardliner on penal policy—I welcome the leaflet that has been produced for the Conservative party conference. It says:

“Scottish Conservative MPs are making the difference in the Scottish Parliament. Our 16 MSPs, in less than **12 months**, have delivered **12 solid achievements**.”

There is only one problem: it says

“Our support helped introduce the freeze in council tax”,

which I thought was achieved by John Swinney, and talks of

“Our local campaigns ... saving the A&E departments at Ayr and Monklands”,

which I thought was achieved by Nicola Sturgeon.

Cabinet (Meetings)

3. Nicol Stephen (Aberdeen South) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-796)

The First Minister (Alex Salmond): The next meeting of the Cabinet will discuss issues of importance to the people of Scotland.

Nicol Stephen: On 31 January, I told the First Minister about a patient who had been deleted from the waiting list by Tayside NHS Board. Within 30 minutes, the Cabinet Secretary for Health and Wellbeing had phoned Tayside Health Board and, by tea time, the board had reversed its position. That patient has now been treated. Why, then, do we find that, after knowing about the situation at Strathmartine hospital for seven months, the Minister for Public Health took no effective action to ensure that the personal records of hospital patients in Dundee were secure? Why the difference?

The First Minister: The health minister took the action of notifying the health board twice and was given assurances that the matter was being dealt with. Those things are not in dispute, because the health board has put its hands up, has acknowledged the serious situation and its responsibility for it and, even more important, is introducing procedures that will prevent it from happening again. That, at least, I hope Nicol Stephen will welcome.

Nicol Stephen: Last November, John Swinney announced that there would be a co-ordinated review of information security policies in Scotland. He said:

“All bodies in Scottish central Government, including the NHS, are being asked to confirm compliance”.—[*Official Report*, 28 November 2007; c 3798.]

The Minister for Public Health, Shona Robison, sat only a few paces away from him while he made that statement. Why did she not stop to think about the piles of data that she knew were

discarded in an old hospital a short walk from her constituency office? When the United Kingdom Government lost personal data, the Scottish National Party called for resignations. That SNP minister knew that personal data were strewn across corridors and got nothing done. How on earth can the First Minister have any confidence left in his Minister for Public Health when she has failed to protect her own constituents, let alone patients throughout Scotland? Will she now accept responsibility and do the honourable thing?

The First Minister: The health minister did the honourable thing when she drew the matter to Tayside Health Board's attention twice and was assured that steps had been taken. I have here a letter from Sandy Watson OBE DL, the chairman of NHS Tayside, accepting the health board's responsibility for the situation that arose and, more important, undertaking to put it right. I will read one sentence that might allow Nicol Stephen to dwell on the subjects of ministerial accountability and responsibility:

“The fact that the records were left behind when the building was finally sold in 2005 is unacceptable and there is now, as a result, a clear protocol in place to avoid repetition.”

Nicol Stephen should remember the year—2005—and who was Deputy First Minister and should welcome the fact that there will be no repetition.

Richard Baker (North East Scotland) (Lab): On the review of the fishing quota, which was not announced in the Parliament yesterday, will the First Minister publish the legal advice that the Scottish Government received on whether it was competent for it to impose a ban on the permanent transfer of quota? How does he respond to Mike Park of the Scottish White Fish Producers Association, who has criticised the move in *The Press and Journal*, and Barrie Deas of the National Federation of Fishermen's Organisations, who said that the ban had cut the value of the Scottish quota?

The First Minister: Barrie Deas's concerns on many aspects of fishing quotas should be well noted. He represents the English fishing industry, which, unfortunately, has lost quota after quota to the French, Spanish and Dutch and is left as a mere shadow of its former self.

Rhona Brankin (Midlothian) (Lab): What about Mike Park?

The Presiding Officer: Ms Brankin. Order, thank you.

The First Minister: That happened at times when the industry south of the border was under substantial pressure.

Rhona Brankin: What about Mike Park?

The Presiding Officer: Ms Brankin. Order, thank you.

The First Minister: That is the most likely occasion for fishing quota to be transferred out of fishing communities. When that happens, the quota never comes back again. I am not sure that Richard Baker understands that, but if he had represented a fishing community for 20 years he would know it well.

I could cite the producers organisations of Scotland that are thoroughly behind the review of quota policy, which attaches quota to ownership and economic interest. Perhaps the most celebrated fisherman in Scotland these days is Jimmy Buchan, the owner of the Amity and one of the stars of the BBC programme "Trawlermen". This is what he said this morning about the policy:

"The future of Scotland's fishing communities and the industry that sustains them depends crucially on the fleet having access to sufficient quota. We can no longer afford the loss of quota or the costs imposed by quota speculators.

With fuel costs at a level that is beginning to threaten the viability of some vessels, action has to be taken to reduce the other costs that vessels have to bear and quota is the most important of these. We welcome this important step by the Scottish Government as it will help reduce the loss of quota to active fishermen and hence the communities in which they live."

Elections 2007

4. Bob Doris (Glasgow) (SNP): To ask the First Minister what progress the Scottish Government is making to take forward the recommendations contained in the Gould report on the May 2007 Scottish elections. (S3F-798)

The First Minister (Alex Salmond): Our response to the Gould report highlighted how we plan to progress Ron Gould's recommendations, and the fact that we are following all his recommendations.

We are currently consulting on decoupling the two sets of elections with a view to the next local elections being held in 2012, which seems to be emerging as the consensus position. We will publish proposals on a chief returning officer in the autumn, and will consult on how to implement the other detailed recommendations that pertain to this Parliament.

Bob Doris: After the complete hash that the United Kingdom's Scotland Office made of last year's elections, Ron Gould and the Scottish Parliament have clearly stated that they believe that legislative competence for the running of our elections should be taken from Westminster and given to Holyrood. Given that it would be unthinkable in England if, say, the European Union were to dictate to Westminster how it went about elections to the House of Commons, does the First

Minister agree that the sooner that the Scottish Parliament has full legislative control of our nation's elections, the better?

The First Minister: As I was listening carefully to the question, I found it extraordinary that there were further murmurings from the Labour benches. I remind Labour members what they voted for on 10 January 2008, which was:

"That the Parliament"—

that is, this Parliament—

"welcomes the Gould report, including the recommendation calling for the further devolution of executive and legislative powers to the Scottish Government and the Parliament for the administration of its own elections and the decoupling of future elections to this Parliament and Scotland's councils".

That was carried by 107 votes to 16—and, if I remember correctly, the Liberal Democrats supported the resolution but did not like the decoupling aspect.

We—the vast majority of this Parliament—believe that all of the Gould recommendations should be implemented. Whatever U-turns there might be in the Labour Party on the subject of augmented devolution, we want to implement those recommendations and believe that any Parliament worthy of its name is capable of implementing, enforcing and running its own elections, just as it is manifestly clear that the Scotland Office, under the leadership of somebody whose name I cannot remember, was totally unable to do so.

Jim Tolson (Dunfermline West) (LD): Given that the Gould report sought improvements to the integrity of the ballot in the polling station, will the Government actively consider my suggestion of having a letterbox-style slot cut into the rear panel of each polling booth, so that the voter can effectively post their ballot paper—whether folded or unfolded—straight into a secure ballot box behind the polling booth?

The First Minister: I have to say that I occasionally get surprised at First Minister's questions.

That suggestion will no doubt be part of the consultation exercise that is currently being pursued. I do not remember it being part of the Gould recommendations but, nonetheless, it needs to be properly considered and examined.

The Presiding Officer: I call James Kelly.

James Kelly (Glasgow Rutherglen) (Lab): Apologies, Presiding Officer, but my question is a constituency question.

The Presiding Officer: I am sorry, Mr Kelly; your name came up in the wrong place. We will move to question 5.

Fair Trade (Public Contracts)

5. Malcolm Chisholm (Edinburgh North and Leith) (Lab): To ask the First Minister what action the Scottish Government will take to ensure that fair trade principles are applied to the awarding of public contracts. (S3F-811)

The First Minister (Alex Salmond): Although there are limitations on the ability to discriminate between fair trade and non-fair trade products under public procurement legislation, we support the guidance that was issued to all public bodies in Scotland in 2005 and which explains how public procurement can, nevertheless, support fair trade principles.

Malcolm Chisholm: Was the First Minister concerned by this week's BBC Scotland report that several public authorities have entered into contracts with companies accused of serious abuses of workers' rights, including child labour? Will the Government first take action to ensure that products currently procured by the Scottish public sector meet minimum ethical and fair trade criteria; and secondly, will it go beyond that to include ethical and fair trade criteria in its own procurement contracts, mindful that several other European countries do that, and that the International Development Committee of the Westminster Parliament, based on evidence from the United Kingdom Government, has stated that

"there are no legal reasons why public authorities should not include fair and ethical trade criteria in their procurement practices"?

The First Minister: I am sure that Malcolm Chisholm knows—because he was a minister when the previous guidance, which we support, was introduced—that the challenge that we must all overcome is that under the procurement legislation, the criteria used to determine the winning bid must be linked to the subject matter of the contract, which is to say to the product and not the supplier. The examples given in the BBC Scotland report concerned local authorities. The Government is concerned about that and will consider the matter further.

In a way, I was pleased that those examples came to light because, with great respect to BBC Scotland, it was because of the Scottish fair trade forum, which this Government helped to create, and which it supported with a grant last year. I am delighted that the forum is bringing those matters to further attention, and I am delighted to continue—and indeed extend—the support that we give that forum because it is of huge importance to the people of Scotland. I will look further at every possible way in which we can enforce fair trade practice. There has been substantial progress in Scottish Government contracts. Within the full limits of the law as it

stands, we will do our best to ensure that that extends throughout the public sector in Scotland.

Christine Grahame (South of Scotland) (SNP): What plans does the Government have to encourage and expand fair trade initiatives such as that in Peebles, which is proactively supported by 35 different companies and organisations?

The First Minister: I should have said how delighted I was to see John McAllion on television, back in the Parliament speaking on the subject of fair trade.

At the formal launch of the fair trade forum last October, Linda Fabiani announced additional funding, in addition to the core funding, to allow the forum to increase its activities, particularly in fair trade fortnight, which will impact on many local communities throughout Scotland, including in Christine Grahame's area.

Elaine Smith (Coatbridge and Chryston) (Lab): The First Minister might be aware that I have lodged a motion, "No to Nestlé", which has cross-party support. Does the First Minister agree that the decision by Scotland Excel, the local government buying consortium, to include Nestlé in a framework agreement to provide bottled water to local authorities should be reviewed, particularly given ethical concerns regarding Nestlé's promotion of formula milk in the developing world?

The First Minister: The legal restrictions in procurement policy are precisely as I outlined to Malcolm Chisholm. I have enormous sympathy for Elaine Smith's point, but as the previous Administration also appreciated, in the normal interpretation of procurement legislation we have to link fair trade to the subject matter of the contract, which is to say to the product supplied as opposed to the supplier. As I said to Malcolm Chisholm, we undertake to consider the matter again because we are keen to extend fair trade practice to the full extent permitted by the law. I am sure that we will have Elaine Smith's support in doing that.

Sex Offenders (Fixed-penalty Notices)

6. Mike Pringle (Edinburgh South) (LD): To ask the First Minister how the Scottish Government will ensure that fixed-penalty notices are not used inappropriately in the case of sex offenders. (S3F-804)

The First Minister (Alex Salmond): Decisions about prosecution matters are the independent responsibility of the Lord Advocate, in her role as the head of the system of prosecution in Scotland. Accordingly, it would be inappropriate for ministers or politicians to attempt to interfere with the Lord Advocate's independence.

A new system of direct measures, including extended fiscal fines and compensation offers, which this Parliament approved, was introduced on 10 March 2008 as part of the summary justice reform programme.

Fiscal fines are intended to deal with cases at the lower end of offending that would otherwise have clogged up the courts and would have been expected to result in a fine.

Guidance has been issued to all prosecutors making it clear that they should not use direct measures where there is a significant sexual aspect to the offender's behaviour that would require the intervention of the court. Serious cases, including sexual offending, continue to be given the highest priority by the prosecution service.

Mike Pringle: I agree that alternatives to prosecution for minor offences should be widely available and should be more flexible and more robust, to enable the courts to focus on more rapid handling of serious crime. With that in mind, all parties in the Parliament supported the passing of the Criminal Proceedings etc (Reform) (Scotland) Act 2007, which the previous Administration introduced.

However, reports from the Glasgow Bar Association this week suggest that some serious crimes involving potential sex offenders are being addressed with fiscal fines, rather than a court appearance. Does the First Minister agree that simply fining potential sex offenders neither addresses the seriousness of the crime nor focuses such offenders on changing their behaviour? Will he investigate the reports with the necessary authorities to ensure that potential sex offenders are not escaping justice in order to free up court time?

The First Minister: I have looked into the matter, because I saw the same reports that Mike Pringle saw. I agree with the points that he is making, but I stress that the Crown Office and Procurator Fiscal Service guidance makes it clear that the recently reported examples are not suitable for direct measures. However, to answer Mike Pringle's question, I can tell him that the Crown Office will continue to monitor and review the guidance issued to its staff on an on-going basis to take account of legitimate parliamentary concern.

12:31

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Education and Lifelong Learning

Outdoor Education and Education in the Outdoors

1. Robin Harper (Lothians) (Green): To ask the Scottish Executive what progress has been made in developing a plan to provide greater access to outdoor education and education in the outdoors for all school pupils. (S3O-3379)

The Minister for Schools and Skills (Maureen Watt): The draft outcomes for the curriculum for excellence that have been released over the course of this school year contain rich opportunities for schools to use outdoor education and outdoor learning to achieve the outcomes that are sought. Our new framework for learning and teaching—"Building the curriculum 3: A framework for learning and teaching"—which the Cabinet Secretary for Education and Lifelong Learning will launch on 10 June, will also provide a tremendous opportunity for outdoor education and learning to flourish. The Minister for Community Safety and I led a summit with stakeholders on this issue on 5 March. Building on that, we are setting up a strategic advisory group to explore creative ways of delivering outdoor education, sharing good examples across the country and encouraging schools to provide more outdoor education opportunities.

Robin Harper: I thank the minister for her answer. Clearly, I must wait until 10 June to see whether progress has been made.

I alert the minister to the concerns of the real world learning partnership—which includes a large number of Scottish environment organisations—about learning in the outdoors. I mention particularly its concerns about the countryside ranger service. Is the Government disposed to make arrangements to ensure that, because local authorities will be put in charge of part of the ranger service and funding for it will be taken away from Scottish Natural Heritage, the service can continue to provide the vital and almost irreplaceable education services that it currently provides?

Maureen Watt: I assure Robin Harper that the money for the ranger service is still available. We are rationalising the funding streams to local government, not cutting the funding. The funding will come through the local government settlement

instead of from SNH, so countryside rangers will still be available.

Murdo Fraser (Mid Scotland and Fife) (Con): Will Maureen Watt agree to meet my colleague Elizabeth Smith and me to discuss Conservative proposals for outdoor education that would give every child aged between 11 and 15 a guaranteed right to at least one week's outdoor education as part of the school curriculum?

Maureen Watt: I assure Murdo Fraser that I am willing to meet him and his colleague. I have been waiting for a request for such a meeting: I had understood that Robin Harper, Murdo Fraser and other members wanted to meet me about outdoor education. I have not had that request, but I would be delighted to meet Murdo Fraser and his colleague on their own.

Physical Education

2. Ross Finnie (West of Scotland) (LD): To ask the Scottish Executive when it will meet its manifesto commitment to ensure that every pupil has two hours of quality physical education each week delivered by specialist PE teachers. (S30-3410)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): In our concordat, local authorities have committed to developing and delivering the curriculum for excellence. We have made it clear that, as part of the curriculum for excellence, we expect schools to continue to work towards the provision of two hours good quality PE for each child every week. That is reflected in the health and wellbeing experiences and outcomes of the curriculum for excellence that were released on 13 May.

Ross Finnie: I am grateful to the minister for that response, which essentially—and not surprisingly—repeats what the First Minister said in response to my colleague Nicol Stephen last week. However, the question was “When?” In ordinary use of the English language, asking “When?” might imply that a date should be attached to the answer. That is really the central matter that other members and I want to know. So, I repeat: when will the Government meet its target as just stated by the minister?

Fiona Hyslop: The target is a joint target with local government. I gently remind Ross Finnie that his Administration had such a target when it was in power. I thought that he might have welcomed our wanting to continue with the target.

Between 2004 and 2007, only 211 specialist postgraduate PE teachers graduated, whereas the forecast for this year alone is for approximately 150 graduates. That demonstrates the pace of change to ensure that enough PE teachers are coming through sooner rather than later. The

previous Administration singularly failed to meet its target. I would like to think that Ross Finnie shares our ambition to achieve our target. If he does, he might congratulate us on having so many PE teachers graduate this year—only English and Mathematics will have more graduates coming through—to go into schools to help to deliver the target.

Rhona Brankin (Midlothian) (Lab): The Parliament has had enough of Scottish National Party ministers' refusal to answer questions. When will the two hours of quality PE be delivered? Will they be delivered by specialist PE teachers? Yes or no.

Fiona Hyslop: It is important that PE be delivered by specialist PE teachers, although it is unfortunate that the situation has been made more challenging because only 211 postgraduate PE teachers graduated during the previous Administration. However, as I said to Ross Finnie, I am pleased that more than 150 PE teachers will graduate this year.

In addition, there is specialist PE training for primary school teachers in the short term, in recognition of the fact that we do not have enough specialist PE teachers to ensure that two hours of PE can be provided to every pupil by a specialist. Some 3,000 primary school teachers will experience PE training between August and December this year. If Rhona Brankin does not recognise that that approach demonstrates our commitment to PE, I wonder why she is doing the job that she does on the Labour Party front bench.

Margo MacDonald (Lothians) (Ind): Is the cabinet secretary aware that a high proportion of the people who are being trained in PE are one-year graduate trainees and will not be what fully trained PE teachers like me consider to be specialist PE teachers? I ask that in passing.

Members asked the cabinet secretary when the two hours of quality PE will be delivered. The answer is probably never—[*Interruption.*] Do not worry, that was just one of my sticks falling over—[*Interruption.*] That was the one that I was going to use on the cabinet secretary.

The Presiding Officer (Alex Fergusson): I am sorry to say that we do not have all day, Ms MacDonald.

Margo MacDonald: Neither do I, Presiding Officer. I have been banging this drum for a number of years.

I hope that the cabinet secretary agrees that the important point is that primary school children should form the habit of taking daily exercise. Head teachers do not have the money in their budgets to employ the specialist PE teachers who are currently in training. I suggest that an

achievable target would be for every child in every primary school to have a period of activities every day—perhaps as short as 15 or 20 minutes—which could be managed by a primary school teacher who is already overburdened with all sorts of curricular demands. Will the minister comment on my suggestion?

Fiona Hyslop: Margo MacDonald made a number of points and I acknowledge her work over the years in pursuit of the issue. I also acknowledge her concerns about the one-year training course, although 150 new graduates this year is a great improvement on the 211 that graduated during a three-year period under the previous Administration. Currently 250 people are going through, or being recruited to, the four-year BEd programme, which demonstrates the important acceptance that we must invest in four-year teacher training, as this Government has done.

We must distinguish between physical education and physical activity, which are both important. I acknowledge the importance of daily exercise because the Government helped to fund a pilot scheme in a number of primary schools and in one secondary school in Dumfries and Galloway—I think the pilot included schools in your constituency, Presiding Officer—in which children undertook daily aerobic skipping exercises, managed by their teachers. We did that because we must find mechanisms and create unique opportunities that will attract boys and girls to indulge with great enthusiasm in daily physical activity, which can be supplemented by physical education.

We recognise the different tasks that we have to take forward. The fit for girls programme is another example of our work to encourage girls into physical activity. I hope that that gives an idea of the broad range of the proposals that we are taking forward. If it would be helpful to Margo MacDonald, I will be more than happy to meet her to discuss some of our other proposals.

Hugh O'Donnell (Central Scotland) (LD): How many specialist PE teachers who are currently in their probationary year will have a permanent job at the end of that period?

Fiona Hyslop: As Hugh O'Donnell knows, the concordat with the local authorities makes clear the specific arrangements to maintain 53,000 teachers across Scotland. Obviously, it is up to local authorities to employ them: they are the employers of teachers. I am confident, bearing in mind authorities' joint commitment to the curriculum for excellence and two hours of quality PE a week, that they will accept responsibility for taking forward the opportunity to recruit the new probationers into permanent positions, once they have fulfilled their probationary period.

The Presiding Officer: Question 3 has been withdrawn.

Class Size Reductions

4. Liam McArthur (Orkney) (LD): To ask the Scottish Executive what progress has been made in the last year towards delivering its class size reduction policy. (S3O-3412)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): Good progress has been made. On 14 November 2007, we signed an historic concordat under which local government agreed to reduce primary 1 to primary 3 classes to a maximum of 18 as quickly as possible. Since then, we have been working with the Convention of Scottish Local Authorities and local authorities on achievement of that joint commitment.

Liam McArthur: The cabinet secretary will be aware that, on 5 September last year, the First Minister stated unequivocally in the chamber that this flagship education policy will be delivered within this parliamentary session. However, from a reply to a freedom of information request from my colleague Jeremy Purvis, we can see that not a single one of the councils that responded has in place a strategy to implement the SNP's class size policy within that time.

This week, the Educational Institute of Scotland told the Education, Lifelong Learning and Culture Committee that, as well as there being no funding to deliver the policy, there is no reliable way of monitoring its implementation. Does the cabinet secretary accept that the Government's class size policy is in total disarray? Does she further accept that the failure to deliver is a colossal let-down to parents across Scotland who voted SNP because of it? Indeed, does she still believe that the promise will ever be delivered? If so, when?

Fiona Hyslop: I want to make it clear that the agreement that we signed with local government and COSLA on 14 November set out a joint commitment. In order to help to progress class size reductions, it also set out arrangements for local authorities to maintain teacher numbers in the face of falling school rolls, which allows significant progress to be made.

Liam McArthur may be disappointed, but the Liberal Democrats' FOI request may have reached councils at the wrong time. For example, the implication was that West Lothian Council would not be participating, but West Lothian Council is progressing with class size reductions. As of this year, it will have class sizes of 18 in P1 to P3 in areas of deprivation. I am delighted that South Lanarkshire Council—a Labour-controlled local authority—is also employing 11 more teachers this year to progress reductions in class sizes to 18 in

a number of schools, particularly in areas of deprivation. Renfrewshire Council has allocated £1 million to reduce class sizes to ensure that it can help to deliver the target, and Fife Council has allocated £9 million.

Opposition members might think it preferable to see the doom and gloom and wish that things will not happen. However, many parents and pupils are congratulating the local authorities that are moving forward and improving things. The reduction in class sizes in P1 to P3 in areas of deprivation will help to give firm foundations of learning to our young people. It will improve literacy and numeracy and ensure that our young people have the best start in life. Instead of trying to denigrate those who are trying to deliver class size reductions, we all should be working collectively towards that end.

City of Edinburgh Council (New Schools)

5. George Foulkes (Lothians) (Lab): To ask the Scottish Executive how many new schools it expects that the City of Edinburgh Council will contribute to the around 250 schools that will have been delivered under the Scottish Government by the end of this parliamentary session, as stated by the Minister for Schools and Skills on 8 May 2008. (S3O-3435)

The Minister for Schools and Skills (Maureen Watt): The detail of the school building programme in Edinburgh is a matter for the city council. Current information suggests that it will have a further 11 new schools either completed or nearing completion by 2011.

George Foulkes: Does the minister not recall that, in her answer on 8 May, she said that the City of Edinburgh Council would be responsible for any schools that were not built, but that she would take the credit for any that were built?

Since then, the situation has escalated into the most astonishing slanging match between Kenny MacAskill and Marilyn MacLaren—an unbelievable and unprecedented dispute, the likes of which I have not seen before. Each is blaming the other for schools not being built in Edinburgh.

If the council and the Executive get together, surely some progress will be made. If they do not, the people who will suffer are the pupils, the parents and all the other people connected with the new schools that are not going to be built at Portobello, Boroughmuir and James Gillespie's. If the council and the Executive need any help to get together, I will make available my good offices to ensure that they do so.

Maureen Watt: I am not sure whether there was a question in that, but I can help George Foulkes by saying that Mr MacAskill was referring to the nearly £3 billion of capital resources that was

made available to local authorities over three years to secure investment in schools and other infrastructure. In Edinburgh's case, the total over the three years was £2.2 million in the first year and up to £65 million in the final year. *[Interruption.]* Mr MacAskill was saying that Edinburgh has been given the capital and can use it for schools if it wishes.

Good Neighbourhood Policies

6. Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Executive—

The Presiding Officer: I am sorry, Mr McNeil. Could you lift your microphone, please?

Duncan McNeil: Sorry. I will start again.

To ask the Scottish Executive what action it is taking to ensure that all schools operate a good neighbourhood policy. (S3O-3452)

The Minister for Children and Early Years (Adam Ingram): I do not think Mr McNeil needs a microphone, to be honest.

To answer his question, I am sure that, under the leadership of headteachers, all schools strive to be good neighbours by instilling in their pupils, in all that they do, the virtue of respect for their neighbours and the environments and communities of which they are a part.

Duncan McNeil: As MSPs know, if there is one thing that strains neighbourhood relations around our schools, it is the problem of litter. Recently, I made some representations to a local secondary school, Greenock academy. In its response, it said that it has organised a programme of assemblies in which litter and pupils' wider responsibilities are addressed, and that it has established a good working relationship with community police. It has put in place disciplinary measures, and some pupils have been charged with litter offences, which sends a strong message. Litter patrols have taken place around the school and there is additional supervision at lunchtime—

The Presiding Officer: Do you have a question, Mr McNeill?

Duncan McNeil: Yes I do, Presiding Officer.

Catering staff have also become involved, and there has been work to make the area more attractive to stay in. Does the minister agree that Greenock academy is a school that takes its neighbourhood responsibilities seriously? Should its action plan be commended as an example of the good practice that should be adopted in schools throughout Scotland?

Adam Ingram: Yes. I am happy to acknowledge what Mr McNeil said. Many schools are involved in anti-litter campaigns that benefit their

neighbourhoods. Others are involved in regeneration through the eco-schools programme—Ravenscraig primary school in Mr McNeil's constituency has just achieved its fourth green flag.

It is clear that leadership in schools is important in relation to tackling litter. The parent councils that are coming on stream also have a role to play in their discussions with local authority representatives.

Bursaries (Means Testing)

7. Sarah Boyack (Edinburgh Central) (Lab): To ask the Scottish Executive how many students will be affected by changes to means testing for bursaries. (S3O-3427)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): The Scottish Government does not have a record of the number of students who will be affected because the previous Administration did not collect that information. In future years, however, we will be able to ascertain how many will be affected.

Sarah Boyack: I ask the minister to consider the matter further. As she knows, students have many financial commitments, including tenancies to which they are tied in advance. Their ability to budget effectively is therefore essential.

When means testing was changed for students in England and Wales, it was implemented for new students only. Will the minister say why SNP ministers introduced their changes for all students, including those who are halfway through their courses?

Fiona Hyslop: On the first point, there was a general consensus that means testing had to be revised: it had been in the same state for decades. In its response to the consultation, the National Union of Students supported what we are doing.

However, I acknowledge the point about introducing changes for students during their courses. We had to consider that carefully but—unfortunately—our advice from the Student Awards Agency for Scotland was that administration of two systems running concurrently would have caused a great deal of difficulty in the information technology and administrative function. We recommend that any students who experience hardship as a result of the changes apply to their institution's discretionary fund for relief and support in the meantime.

There has been widespread support for addressing a longstanding need for change. I know that the previous Administration supported such changes, which had to be made at some point. I acknowledge that the simplest thing may have been to implement them just for new

students, and we genuinely considered that option, but for administrative purposes and in order to avoid difficulties not only for students and parents, but in the operation of the system, the sensible decision was to introduce the changes as we have done.

Europe, External Affairs and Culture

Commonwealth Parliamentary Association

1. Roseanna Cunningham (Perth) (SNP): To ask the Scottish Government what recent discussions the Minister for Europe and External Affairs has had with the Commonwealth Parliamentary Association. (S3O-3380)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): In October, I was delighted to speak at the 19th Commonwealth parliamentary seminar for representatives of CPA branches from around the world. That event was, of course, hosted here in the Parliament. At the time, I also attended a dinner hosted by the First Minister in his role as vice president of the CPA Scotland branch. We were pleased that Dr William Shija, the secretary-general of the CPA was present.

When I visited Malawi earlier this year, three representatives of the CPA Scotland branch travelled too, as part of a CPA-funded programme. We attended a number of joint events and visits.

Roseanna Cunningham: Does the minister feel that the CPA Scotland branch has a role to play in the external affairs aspect of her brief? If the answer is yes, will she elaborate on which areas and by which mechanisms she believes that that role could be taken forward?

Linda Fabiani: Of course. CPA Scotland, funded by the CPA worldwide organisation, does sterling work on civic governance issues. I know that Alasdair Morgan, Karen Gillon and Sarah Boyack carried out such work when they were in Malawi, and that it was warmly welcomed by counterparts there.

We maintain contact with Scottish Parliament officials and CPA representatives to keep one another in touch with our respective programmes of work in Malawi. That is the way to move forward, because international development in general is very much a focus of both the Government and Parliament in Scotland.

The CPA is not eligible to apply for funds from the Government's international development fund, as parliamentary exchanges are the responsibility of the Scottish Parliament. It is for the Parliament to support any such activity.

Ted Brocklebank (Mid Scotland and Fife) (Con): Will the First Minister take the opportunity

to commend the legislative assembly of Northern Ireland, which has now set up its own branch of the Commonwealth Parliamentary Association and is willing to co-operate with the Scottish Parliament in co-hosting visits from overseas delegates? That is particularly valuable as that legislature can offer first-hand advice on issues such as conflict management, which I suppose can occasionally be helpful in this place.

Linda Fabiani: I am sure that the First Minister would be delighted to welcome that development, as am I. It is another great example of the devolved legislatures working together for the greater benefit, bringing their respective skills and strengths. In the north of Ireland, there are particular skills and strengths that can be brought to bear throughout the world.

Access to Music (Children)

2. Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how it will ensure that access to music of all kinds is widely available to children of all ages. (S3O-3415)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): During this spending review period, £10 million per year has been allocated to continue to support the national youth music initiative, which ensures access to a range of music opportunities for children and young people throughout Scotland. Opportunities are also made available through Scotland's national performing companies.

Hugh O'Donnell: Despite the minister's encouraging words and reference to money, I am aware that, from 2009, Scottish Arts Council funding will be cut from the Scots Music Group, the Traditional Music and Song Association of Scotland, the Scottish Language Dictionaries and the Scots language centre, among others. How will she and her department ensure that the SNP protects those vital elements of standing up for Scotland?

Linda Fabiani: I make it clear that funding for the youth music initiative is separate—it is guaranteed for this spending review period. The fèisean movement takes part in the youth music initiative, which involves a wide range of musical genres.

Some people have been very disappointed by the Scottish Arts Council's recent announcements on flexible funding. I understand that completely but, as always, the Government takes a hands-off approach to the Arts Council.

As members know, I have commissioned an audit of Scots language provision, which we expect to receive by October. Because of the SNP Government's commitment to the Scots language and culture, we will use the results of that audit to

work out how we go forward to ensure that the Scots language and culture are deemed to be an important part of Scottish culture.

Rob Gibson (Highlands and Islands) (SNP): The minister mentioned the youth music initiative. Will she reveal how much of that initiative's effort was put into the traditional music of Scotland, which is our unique contribution to the world's cultures? Have enough instruments been available to teach children? Has the fèisean movement been engaged throughout Scotland in teaching? Has the initiative been applied inconsistently? If so, what can she do to correct that?

Linda Fabiani: The Scottish Arts Council recently published the year 4 report of the youth music initiative, which contains details on allocations up to 2007. That report gives a full breakdown of the styles and genres of music that were available as part of the primary 6 target provision.

Although the report confirms that all 32 local authorities and Jordanhill school sustained the primary 6 target in 2006-07, it says that, in the wide range of activity throughout Scotland, some authorities offer more innovative and exciting combinations of activity than do others. I encourage Mr Gibson to read that report and to make representations to the Arts Council, as many members do when they feel passionately about aspects of Scottish culture.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): Will the minister tell us even one way in which children's access to music provision has improved in the past year? Is it not the case that cultural co-ordinators, who are vital to widening access, are being run down and will be axed? In Edinburgh, is not the council's SNP coalition administration depriving children of opportunities to access and enjoy Scottish Ballet and Scottish Opera? We welcome the continuation of the youth music initiative, but is not its budget flatlining in cash terms and therefore declining in real terms?

Linda Fabiani: It is interesting that I am being asked all those questions when I am the first minister with responsibility for culture and the arts in Scotland to try to map the provision of music in outreach, education and other activity throughout the country. That has never been done before. Provision has been piecemeal. For the first time, our national companies are letting us know what work they do, so that we can see how to use them to best advantage.

Joint Ministerial Committee on Europe

3. Irene Oldfather (Cunninghame South) (Lab): To ask the Scottish Executive what matters it raised at the last joint ministerial committee on Europe. (S3O-3457)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): I attended the most recent meeting of the joint ministerial committee on Europe on 3 March, when the discussions centred on preparation for the forthcoming European Council—the spring council—and on United Kingdom and devolved Administration co-ordination in relation to European Union affairs.

Irene Oldfather: Given the Executive's commitment to standing up for Scotland, will the minister indicate why, during the year in which the SNP has been in power, no Scottish minister has attended any council of ministers meetings on education, youth, culture, environment, social policy, health, transport, enterprise, competitiveness or a range of other areas? The range of issues of importance to Scotland that have been discussed at those meetings include child protection, culture, climate change and biodiversity. Is this really what the minister means by standing up for Scotland?

Linda Fabiani: I could talk for an hour about the marked difference the SNP Government has made to European relations. We find that UK ministers often do not wish us to attend council meetings. Sitting beside me is Mr Maxwell, whose UK counterpart has refused his taking part in delegations to council. This Government stands up for Scotland at every turn. In recognition of that, perhaps Ms Oldfather should discuss with UK Labour the issue of ensuring that we are able to do so.

Creative Scotland

4. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the Scottish Executive whether creative Scotland will be the lead economic development agency for the creative industries. (S3O-3417)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): As I said in my evidence last week to the Education, Lifelong Learning and Culture Committee, creative Scotland will be the leading public body in advocating for the creative industries. At the request of the agencies involved, and as outlined in the report of the short-term working group, a creative economy forum will be established to ensure that the key public bodies work together to maximise the success of our creative businesses. I have sent the Education, Lifelong Learning and Culture Committee the report of the creative industries working group that I discussed with it last week.

Jeremy Purvis: Creative Scotland's transition team told the Education, Lifelong Learning and Culture Committee that creative Scotland will be the lead development—not advocacy but development—agency for the creative industries in Scotland. The minister will recall that Scottish

Enterprise told the committee the same thing—about Scottish Enterprise. She may recall page 55 of the SNP manifesto, which says:

“We will transfer the budgets for the creative industries from Scottish Enterprise to Creative Scotland.”

However, Jack Perry, the chief executive of Scottish Enterprise, told the Economy, Energy and Tourism Committee yesterday that ministers signed off its operating plan with no transfer of those budgets. Why has the Government broken that clear SNP promise?

Linda Fabiani: Had Mr Purvis been able to attend last week's meeting of the Education, Lifelong Learning and Culture Committee, he would have heard all of that being discussed in great detail. Creative Scotland will indeed be the leading public body advocating for the creative industries, and it will be an arts development agency. Its main contribution to the creative economy will be to lead the transition team's forum. The forum is not a public body but a group of professionals who are committed to the creative economy and who have chosen to come together. Their job will be to inform what the public sector does and to accelerate growth in the creative industries. The creative industries are one of our key industry sectors, and we must all work together to ensure that the sector is the success that it can be for Scotland.

Patricia Ferguson (Glasgow Maryhill) (Lab): The minister will no doubt be aware of the very good work of the six creative industries offices around Scotland. Will she indicate which organisation—creative Scotland or the Scottish Enterprise network—they will report to, and which they will receive their funding from?

Linda Fabiani: Those issues are under discussion with all the agencies involved, including the local authorities. The creative industries are vital to Scotland's future, and it is extremely important that everybody works together with the team Scotland approach. That means that we will get it right. We are determined to get it right, and everyone in the field is committed to getting it right. This Government listens to those with the expertise, who will come to us and discuss getting it right.

Creative Scotland

5. James Kelly (Glasgow Rutherglen) (Lab): To ask the Scottish Executive what progress has been made towards establishing creative Scotland. (S3O-3443)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): We are making progress towards establishing creative Scotland. The Parliament is considering our legislation and the Government is taking forward parallel work to

transform the existing bodies into creative Scotland.

James Kelly: The minister will be aware that some dissatisfaction has been expressed about the competence of the financial memorandum to the Creative Scotland Bill. Indeed, the minister told the Education, Lifelong Learning and Culture Committee last week that the financial memorandum

“contained estimates of the likely costs of the transition”—
[*Official Report, Education, Lifelong Learning and Culture Committee*, 14 May 2008; c 1035.]

to creative Scotland.

Does the minister agree that a financial memorandum to a bill that is before Parliament should be accurate and based on detailed costings, as opposed to estimates that are based on guesswork?

Linda Fabiani: I understand the frustration felt by the Finance Committee. We want to get on and establish creative Scotland as quickly as possible, after years of inaction by the previous Administration. Consultation fatigue has set in right across the sector. We want to give the cultural sector the certainty for which it has waited so long. That means that we are introducing legislation and, in parallel, building the plan for the new body.

I have provided the Finance Committee with more detail about the one-off costs of establishing creative Scotland, which it has shared with the Education, Lifelong Learning and Culture Committee, which is the lead committee on the bill. As I confirmed last week at the Education, Lifelong Learning and Culture Committee, I have undertaken to give further detailed information on financing before stage 2 of the bill process.

Traditional Voluntary Arts

6. Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive what support it is providing to traditional voluntary arts. (S3O-3464)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Arts Council supports a wide range of traditional arts activity and voluntary arts organisations.

Karen Whitefield: I am sure that the minister is aware that, as we have already heard this afternoon, many voluntary arts organisations do not believe that they are being supported by the Scottish Arts Council. Will the minister tell the Parliament why organisations such as the Traditional Music and Song Association of Scotland, the Scottish Traditions of Dance Trust, the Edinburgh music initiative and the Scots language centre, to name only a few, were eligible

for funding from the Scottish Arts Council last year but are not eligible this year, and why their applications have been deemed unsuitable? Without support to help with their core costs, many of those groups will struggle to survive beyond the end of the year and many will be in serious trouble long before the conclusion of the Scots language audit.

Has the minister discussed the matter with the Scottish Arts Council? Will transitional funding be offered to those affected? How will the Government ensure that those organisations, which protect and promote Scotland's rich heritage and culture, can continue to exist beyond 2008?

Linda Fabiani: Just for clarification, the two-year flexible funding that was brought in lasts until the end of March next year. The Scottish Arts Council is already in discussion with voluntary arts organisations about the overall relationship between the voluntary sector and the council—and creative Scotland, when it comes into being. I have already discussed today the position of our particularly wonderful Scottish traditional arts. The Scots language audit is on-going and will be completed. In tandem, we are discussing how Scotland's unique cultural tradition can be taken forward. For clarification, it is worth saying that the Scottish Arts Council is continuing to fund other organisations that relate very much to Scottish culture and language.

Cultural Activities (Deprived Communities)

7. Margaret Curran (Glasgow Baillieston) (Lab): To ask the Scottish Executive what resources are available to deprived communities for cultural activities. (S3O-3432)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government is committed to widening access to culture for everyone in Scotland, including those who live in our most deprived communities. Several initiatives are being supported that relate to that commitment.

For example, our match-funded cultural pathfinder programme targets communities that tend not to take part in culture and includes projects in areas of multiple deprivation. The fairer Scotland fund and the cashback for communities arts and business match fund represent substantial potential resources for those seeking to use the arts in working together to tackle deprivation and poverty. Local authorities also make a substantial contribution, and the Scottish Government is working in partnership with local government to advance the agenda to widen cultural access for all communities in Scotland.

Margaret Curran: The minister will be aware that James McAvoy recently drew attention to the

importance of the Royal Scottish Academy of Music and Drama in providing drama courses of the highest quality, which he emphasised was particularly important for young people from deprived backgrounds. She has dropped cultural co-ordinators, who assist the most excluded, and she says that the Government listens to experts and expertise. I ask her to listen to James McAvoy and others who have called for direct intervention in the RSAMD to ensure that the opportunity that it offers young people in Scotland continues to exist.

Linda Fabiani: I draw members' attention to another thing that Mr James McAvoy mentioned: the 16 years of chronic underfunding of RSAMD drama courses. Fiona Hyslop, as Cabinet Secretary for Education and Lifelong Learning, has taken firm action this week in relation to that. Under her settlement, she has already issued more money to the RSAMD than was previously issued, and discussions with the RSAMD and the Scottish Further and Higher Education Funding Council are on-going.

Fuel Poverty

The Deputy Presiding Officer (Trish Godman): The next item of business is a statement by Nicola Sturgeon on fuel poverty. The cabinet secretary will take questions at the end of her statement, so there should be no interventions.

14:56

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): This statement will underline the Scottish Government's commitment to tackling fuel poverty and outline the measures that I intend to take to meet that objective.

It is important to say at the outset that there is more to our efforts to tackle fuel poverty than the central heating programme. For example, the warm deal has, since 1999, delivered investment of almost £80 million to provide advice, insulation and draught proofing for nearly 280,000 households. However, the lion's share of the resources that the Scottish Government devotes to tackling fuel poverty—£40 million of the £46 million a year—supports the central heating programme, and it will therefore be a central focus of my statement.

Since the central heating programme was introduced in 2001, central heating systems have been installed in nearly 100,000 homes in the private and public sectors at a total cost of £300 million. In the financial year that has just ended, the Scottish Government achieved a record number of 14,377 central heating system installations in the private sector. That is an impressive record of achievement by the current Government and the previous Administration.

It is now time, however, to take stock and consider whether the central heating programme is meeting its core objective of reducing fuel poverty. If we conclude that it is not, we must ask how it can be reformed to make it more effective. The obligation to tackle fuel poverty is, after all, not optional for the Government: we are obliged by statute to eradicate fuel poverty by 2016 as far as reasonably practicable.

I take that responsibility very seriously, which is why I am reconvening the Scottish fuel poverty forum, with the key stakeholders in the area and a new independent chair. I will say more about the composition and role of the forum later in my statement. However, I make it clear that I am tasking it to examine the central heating programme and to make recommendations for taking it forward in a way that tackles fuel poverty more effectively. I am setting a tight timetable for the forum—I have asked it to report back to me in

the autumn. I will, of course, report back to Parliament at that time.

In order to assist the forum with its work and to ensure, I hope, that there is a well-informed debate, I am today publishing the Government's review of fuel poverty. The facts that the review reports should make us all pause for thought. In 2002, just after the central heating programme was introduced, 286,000 households in Scotland were living in fuel poverty. By 2006, the last year for which official figures are available, that figure had almost doubled: 543,000 households—or, to put it another way, one in four of all Scottish households—were living in fuel poverty. That is simply unacceptable, and it should tell all of us that change is needed.

It is true that that increase is due in part to massive hikes in energy prices and in part to general levels of poverty in our country, and to the failure of the tax and benefit system to address that poverty. Analysis of the reduction in fuel poverty between 1996 and 2002 showed that half the reduction was due to rising incomes, a third to lower fuel prices and the remaining 15 per cent to better energy efficiency of housing. We can assume that recent rises in fuel prices are now the dominant cause of the increases in fuel poverty that we have experienced in recent years.

There is no doubt that, with more powers for this Parliament, we could tackle the two most important causes of fuel poverty more effectively, through having more control over benefits and more influence over how energy markets are regulated. However, although we will continue to do what we can in those areas, our current powers allow us to focus only on the third of the three solutions to fuel poverty—improving energy efficiency. That makes it all the more vital that the action that we take is as effective as it can be.

The evidence from the review suggests that the central heating programme is not tackling fuel poverty as effectively as it could. It indicates that more than half of the household groups that primarily benefit from fuel poverty programmes are not fuel poor. Conversely, many of those who are fuel poor are not eligible under the current central heating programme. The consultation that we are undertaking on how to tackle poverty, inequality and deprivation has identified a range of priority groups, such as families with young children or those with disabilities, who are excluded under the current programme.

The programme has changed significantly over its lifetime. It was originally about giving older people who had never had one a central heating system. Now, the vast majority of installations are replacements of existing systems that have broken down or are inefficient. First-time systems have fallen from 91 per cent to 7 per cent of the total

number of installations. Replacement systems give less carbon savings and less fuel bill savings.

The changing nature of the programme over the years also raises questions about its sustainability. Although we installed a record number of systems last year, there was demand for more than half as many again. Looking ahead, the rise in the number of pensioners and the average lifespan of central heating systems suggest that we could face demand for 40,000 replacement systems each year in the future. We would have to quadruple our current investment to meet that level of demand.

That might be an arguable position to take if we knew that all the money would contribute to reducing fuel poverty, but when we know that it would not, we must conclude that reform is a more sensible option. To put it bluntly, too much of the money that is invested in the central heating programme does not help the fuel poor. If we are serious about assisting the fuel poor—I hope that all members are—we need to overhaul the current programme and set it on a course that ensures that, once again, helping the fuel poor is at the heart of the programme.

That echoes the views that I have been made aware of by many of the key stakeholders in the area. I received a letter in January from a range of organisations, including Energy Action Scotland, Citizens Advice Scotland, Help the Aged, Friends of the Earth, the Scottish Federation of Housing Associations and Shelter, which stated:

“the current programmes are not targeted effectively at fuel poor households and are failing in their primary goal of eradicating fuel poverty.”

I therefore want the Scottish fuel poverty forum to advise me on how to refocus the policy and better use the resources that are available to achieve the target of eradicating fuel poverty.

I have today sent out invitations to the key stakeholder groups, including, among others, those that I mentioned previously, asking them to meet next week under a new independent chair, the Rev Graham Blount. He is well known to many members for his work as parliamentary officer for the Scottish churches and as secretary to the cross-party group on tackling debt. I have no doubt that he will do an excellent job.

I am keen to hear the forum's advice on a number of specific areas: targeting of the programme, rural fuel poverty measures, the use of renewables systems and delivery options. As I said, the forum will report to me by the autumn and I will report back to Parliament.

I intend that, subject to Parliament's approval, the forum's recommendations will be implemented from the start of the next financial year, 2009-10. To make that possible, we must make decisions

now about our priorities for the remainder of this financial year.

I make it clear that people who are currently on the programme waiting list will be unaffected by today's announcement. Their applications will be taken forward in the usual way and their central heating systems will be installed. Beyond that, I intend to ensure that, for the rest of this financial year, we focus our resources on the most vulnerable in our society—those who are most likely to be fuel poor. Therefore, as the First Minister has made clear on several occasions, all pensioners who do not have a central heating system in their homes will continue to be a priority. In addition, households where the heating system has broken down and with a member either over the age of 80 or in receipt of the guarantee element of pension credit will also be priorities for a replacement central heating system. Applications from people in other categories will continue to be considered, but they will be advised that their application will depend this year on available resources and, in the future, on the recommendations of the fuel poverty forum.

I am always happy to be proved wrong, but I have no doubt that my decision will be criticised by some Opposition members, although I expect it to be welcomed by a broad range of stakeholders, because they know that the tough decisions are often the right decisions—this Government will never shy away from that type of decision.

Not only will our priority this year allow us to move forward next year with the forum's recommendations, it will ensure that the resources that we invest in tackling fuel poverty do the job.

As we move forward, I want us to take an holistic view of how we can best tackle fuel poverty, including action on energy efficiency, energy prices and incomes. To that end, we are undertaking a wide range of measures to improve the energy efficiency of both social and private housing. We want to ensure that we are making best use of resources in that area, and that Government action complements action by others.

Under the carbon emissions reduction target—CERT—obligations, energy companies must reduce their carbon emissions. Scottish Gas, as managing agent, has contracted with Scottish Hydro Electric and E.ON to trade the carbon reductions brought about by the central heating and warm deal programmes. That will provide around an additional £1.5 million of funding to the fuel poverty programmes over the coming year. I will look to the forum to consider options on how best that funding can be used.

That is part of wider action that the Scottish Government is taking to ensure that Scotland benefits through CERT. I can also announce today

that the Minister for Communities and Sport is establishing a new CERT strategy group, involving the energy supply companies. That group will develop and agree a strategy for improving the delivery of CERT action across Scotland.

However, in parallel with work on energy efficiency, we will do all that we can to address, within the constraints that I mentioned earlier, the other two key factors that affect fuel poverty, which remain reserved to Westminster—low incomes and high fuel prices. In London, at the Office of Gas and Electricity Markets summit on fuel poverty, the Minister for Communities and Sport put the case for further devolution of tax and benefits matters and for Scotland to be given more control over energy markets, so that we can do more to tackle fuel poverty in Scotland, including influencing customer fuel prices for the most vulnerable. He also argued that the United Kingdom-wide ministerial fuel poverty group should be reconvened, that we need transparency around CERT spending by energy companies in Scotland and that the Department for Work and Pensions should share its data on those who are most vulnerable to fuel poverty to help us better to focus our resources.

We look to the energy companies to do all that they can to address fuel poverty, through social tariffs and ensuring a fair deal for those who are on prepayment meters. For our part, we intend to do what we can to assist people in Scotland to apply for all the benefits to which they are entitled. One of the most effective parts of the current central heating programme has been the benefit health check that it offers to pensioners. In the past year, nearly 8,000 people were referred to the pension service, and many of them successfully applied for additional benefits to which they were entitled. We want to extend an equivalent benefit health check to all those who apply to the warm deal programme, and we intend to issue an invitation to tender for that work in the near future.

I want to leave members in no doubt that I and the entire Scottish Government are absolutely committed to fulfilling our statutory duty to take all reasonably practical measures to eradicate fuel poverty by 2016. However, we must face up to the reality that the programmes that we inherited, however well meaning, are no longer addressing fuel poverty effectively. We need to think radically about what we can do to tackle fuel poverty better. I have set out today a range of actions that we will take now and over the coming months to refocus the policy and help the fuel poor.

I commend this statement to Parliament.

Johann Lamont (Glasgow Pollok) (Lab): I thank the cabinet secretary for sight of her statement, and for the review, which I hope the Local Government and Communities Committee

will consider in more detail, to afford us a proper opportunity to understand its message.

Will the cabinet secretary confirm that her statement represents a significant shift in the Scottish Government's approach? I suspect that a civil servant somewhere might even have described it as "brave". It appears to fly in the face of the First Minister's commitment when he was challenged last year over whether the universal central heating programme was going to end. He said that it was not going to end, and that it was going to be enhanced. Will the cabinet secretary confirm that the Government's position is now that the central heating programme and its availability to all pensioners are now at an end?

Although I welcome the establishment of the fuel poverty forum under the wise chairmanship of Graham Blount, will the minister confirm that the forum's job is to consider how to target, that it is for her Government to decide whether it should target, and that that decision has already been made?

The statement tells us about a lot of things that the Government cannot do, but I want to ask about the things that it can do. Given the difficult circumstances with rising fuel prices, why has the Government flatlined the budget for the central heating and warm deal programmes rather than increasing it? The Government hands out £165 million per year to small businesses without attaching one condition, so why has it taken the view that the only way to target those who are in fuel poverty is to remove the entitlement from pensioners in general?

Finally, I have to ask about an issue of detail. Will the cabinet secretary clarify two small points about what happens now with the programme? What is the difference between a pensioner who is currently on the list and someone whose application is in the post and will be received tomorrow? What is the difference between a tenant who lives in a private sector flat whose central heating system has finally conked out and someone who does not have a central heating system at all, and what is the difference between how cold those two pensioners will feel?

Nicola Sturgeon: I thank Johann Lamont for those questions. First, I will be happy to come along to the Local Government and Communities Committee to discuss the review in more detail. It would be a useful opportunity for me and the committee.

Johann Lamont mentioned, as I thought she might, the First Minister's comments in the chamber in response to Wendy Alexander, among others. Wendy Alexander asked the First Minister to confirm that

"every single pensioner in Scotland who is without a central heating system qualifies for the scheme."—[*Official Report*, 20 September 2007; c 1971.]

That is exactly what I have confirmed today will be the case, and Johann Lamont should have the grace to recognise that.

I agree with Johann Lamont that this is a significant shift in approach and I hope that it will be considered brave. When we have a system that means that fuel poverty rates have doubled in the past few years, and half the money that we are spending to tackle fuel poverty is not going to people who are fuel poor, I do not know about Johann Lamont, but I think that a brave approach is required, and the Government will take it. I remind Johann Lamont that the approach that I am taking has been called for by organisations such as Energy Action Scotland, Citizens Advice Scotland, Friends of the Earth, the SFHA, Shelter and Help the Aged. I therefore suggest that Johann Lamont is isolated, burying her head in the sand and refusing to face up to tough decisions.

Johann Lamont also asked about the budget. I confirm that the Government is maintaining the financial commitment to the previous Administration's programmes. Indeed, during the previous financial year, we contributed an additional £7 million to try to reduce the waiting lists and times for the central heating programme. After the forum has had the opportunity to do its work, we might want to have a debate about the appropriate level of resources that should be devoted to tackling fuel poverty, but I respectfully suggest to Johann Lamont that before we talk about increasing the budget, we all have a duty to ensure that the money that we are already spending is being spent effectively on tackling fuel poverty. All evidence suggests that that is not the case at the moment.

On Johann Lamont's points of detail, those who are currently on the list will have their applications honoured. Those whose applications come in after the date will be subject to the prioritisation that I have talked about. It is right that as an interim decision, until the forum completes its work—no restrictions have been put in place on what it can recommend—we have decided to target resources on those who are genuinely fuel poor. I would have thought that all of us could agree with that.

Jamie McGrigor (Highlands and Islands) (Con): I thank the cabinet secretary for providing an advance copy of her statement.

Keeping our senior citizens warm and dry must be a continued priority of the Government, because it promotes wellbeing and dignity and saves the national health service money. I share the minister's concerns that more households will fall into fuel poverty as energy prices continue to rise. What progress is she making to redress the

balance in the current unfair practice whereby low-income households that use prepayment meters end up paying more than £200 more than people on normal tariffs?

Scottish Gas has improved—judging by my mailbag—on Eaga's record in the Highlands and Islands, but it still has a long way to go. I welcome the minister's commitment to address the latest problems regarding Scottish Gas's failure to pay installers, but how does she intend to address the ever-increasing waiting lists, especially in remote and rural areas such as the Highlands and Islands, where the weather tends to be colder?

I am encouraged by the minister's words that the central heating programme will include some priority groups, such as fuel-poor families with young children, and disabled people, who are excluded under the present criteria. I am glad that she listened to Help the Aged and Shelter, which stated that the programme is failing in its primary goal of eradicating fuel poverty.

Will she ensure that solutions are flexible rather than broad brush, so that the scheme can cover applicants who require only a new boiler and do not need new radiators and pipes? Will she ensure that the £40 million is spent with the maximum of fuel efficiency to cure fuel poverty?

Nicola Sturgeon: It is a sign of how things have changed that the Tories are more interested than Labour members are in tackling inequality and fuel poverty. *[Interruption.]* I am not saying that the Tories are any good at that, but they are better than Labour.

I share Jamie McGrigor's concerns about the unfairness that people on prepayment meters face. Such people do not have the same opportunities to shop around and change supplier, and they pay higher rates for fuel than anybody else. It is incumbent on the energy companies to do more to protect vulnerable customers. Interestingly, although the United Kingdom energy white paper stated that more must be done to protect vulnerable customers by imposing further obligations on the energy companies, the Energy Bill unfortunately contains no provisions that will do that. However, perhaps there is still time for the bill to be amended.

On Scottish Gas's delays in paying contractors, I know that Alex Neil was involved in a meeting with Scottish Gas and my officials last week about one particular contractor. Scottish Gas has an obligation to pay its contractors within 30 days of receipt of invoice. It is vital that that happens.

On waiting lists, I point out that we invested £7 million of additional money last year to try to bring them down. The number on the waiting list was reduced from almost 12,000 to the current level of around 9,000, which is welcome. However, the

reason behind my making my statement today is that, until we reform the system and make it more sustainable by ensuring that it targets those who are in fuel poverty, we will not properly get on top of waiting lists. That is why we need to take the action that I have announced today.

On Jamie McGrigor's point about including different groups in the central heating programme, such as including boiler-only installations, that is exactly the kind of issue that I hope the forum will consider. I look forward to receiving the forum's recommendations in due course and to sharing them with Parliament.

Jim Tolson (Dunfermline West) (LD): I thank the cabinet secretary for the advance copy of her statement, although I am not convinced that the fuel-poor pensioners of Scotland would thank her for it.

The minister has finally let the cat out of the bag: her Government aims to restrict the central heating programme, which is one of our most valuable levers for tackling fuel poverty in Scotland. However, there are aspects of the minister's statement with which I agree, most notably the part of it about the reconvening of the fuel poverty forum, which the Liberal Democrats pushed for in our parliamentary debate in March. As part of the strategy on fuel poverty, will she or the fuel poverty forum consider changes to planning rules to make it easier to install micropower? Will they also consider the introduction of a local tax rebate and examine the benefits of developing a one-stop-shop approach to tackling fuel poverty?

Nicola Sturgeon: I repeat that we need to reform the central heating programme. Our intention is not to restrict access to the programme by people who are deserving of such access, but to ensure that it is more effective in targeting people who are fuel poor.

Jim Tolson welcomed the re-establishment of the fuel poverty forum—I am glad that he did so—but he might want to reflect on the fact that, in January, all the stakeholders who were on the old fuel poverty forum wrote to me to ask me to take the action that I have outlined today. I have reflected the views of the experts, who think that it is time to review the scheme to ensure that it is better targeted.

Let me explain to Jim Tolson what I think is at the heart of the problem with the current scheme. We have a system in which people who are fuel poor are queueing in waiting lists behind people who are not fuel poor. Half the money that we spend is going on people who are not fuel poor. *[Interruption.]* I think that I heard Johann Lamont say from a sedentary position that we should just increase the budget. I appreciate that Opposition

members have the freedom to say that, but surely—

Des McNulty (Clydebank and Milngavie) (Lab): The minister used to say it herself.

Nicola Sturgeon: Des McNulty is absolutely right. However, my point is that, whether the budget remains at its present level of £40 million or whether it increases in the future, the key thing is that every penny of it should be spent on tackling fuel poverty. The Parliament has a statutory obligation to ensure that that is the case, which I do not intend to dodge.

I certainly hope that the forum turns its attention to issues such as micropower and renewables. I do not want to pre-empt its recommendations, but I am sure that it will examine closely proposals such as those that Jim Tolson made.

The Deputy Presiding Officer: Before I call back benchers, for whose questions we have about 18 or 19 minutes, I remind them that they need to press their buttons if they want to ask a question and that they should only ask a question—I do not want questions to be preceded by preambles, because that will stop colleagues getting in.

Joe FitzPatrick (Dundee West) (SNP): Jamie McGrigor has told us about the problems that are associated with prepayment meters, particularly for people who are in fuel poverty, and the extra costs to which they give rise. The use of smart meters allows people who are on tight budgets to budget in the same way that they can budget with prepayment meters without incurring extra costs.

What steps will the Scottish Government take to push the Westminster Government to ensure that the use of smart meters is expanded throughout Scotland and that particular emphasis is placed on targeting people who live in fuel-poor households?

Nicola Sturgeon: Joe FitzPatrick puts his finger on an extremely important point. We have already touched on prepayment meters. The ability to budget week by week is important for people who live on low incomes. I am sure that people would not want to lose that facility, but we must do more to ensure that the situation is much fairer than it is at the moment. The Parliament has debated the arrears that have accumulated because meters were not recalibrated as fuel prices rose, and I have a great deal of sympathy for the calls that were made on the fuel companies not to seek to recover those arrears.

In addition, people who have prepayment meters pay a higher cost for their fuel than people who pay by other methods. I am extremely disappointed that the United Kingdom Government did not follow through on some of the rhetoric of the energy white paper. The Energy Bill is

completely devoid of any provisions that would impose obligations on energy companies in respect of the needs of their most vulnerable customers. I assure Joe FitzPatrick that the Minister for Communities and Sport has been making that case strongly to UK ministers and that we will continue to do so.

Lewis Macdonald (Aberdeen Central) (Lab): The cabinet secretary has said that she wants more control over the regulation of energy markets to help Scottish consumers, while the First Minister wants to change the electricity transmission charging regime to benefit Scottish producers. Both those objectives are desirable, but does the cabinet secretary accept that the current electricity transmission charging regime is designed to reduce costs to consumers in direct proportion to their distance from London? Will she therefore discuss with consumer representative organisations the impacts on fuel poverty of any changes to that regime? Will she also ensure that the issue is considered fully by the Scottish fuel poverty forum when it is set up?

Nicola Sturgeon: I can give those assurances. Consumer groups have a key interest and I certainly want the fuel poverty forum to examine those issues.

In response to Lewis Macdonald's first point, the key and consistent theme in the First Minister's and my positions is that we both want more control over our resources in Scotland, because it is absolutely shameful that, in oil-rich Scotland, one in four households lives in fuel poverty. The Government is not prepared to accept that situation.

David McLetchie (Edinburgh Pentlands) (Con): The statement indicated that all pensioners who do not have a central heating system in their homes will continue to be a priority under the revised scheme. Will the cabinet secretary clarify that? Does she mean only people who are pensioners as of today—that is, persons who were born on or before 22 May 1948—or does she mean people like me, who are not yet 60 years of age but who hope to attain that lofty status, and that the relevant factor is being a pensioner at the time of application? Will she advise me which it is?

Nicola Sturgeon: David McLetchie should have declared an interest at the outset of his question. Without wanting to say too much about his personal circumstances, I am sure that he will cope with his central heating needs.

My announcement on the prioritisation of the waiting list applies to this financial year only. Therefore, in this financial year, the prioritisation will apply to anybody who reaches the required age at any point during the year. The future arrangements will flow from the recommendations

of the fuel poverty forum, the establishment of which I announced earlier. I am not restricting the forum's remit, because I want it to come up with recommendations that it believes will better tackle fuel poverty and ensure that the resources that we have committed and will commit to the issue contribute genuinely to the eradication of fuel poverty. I hope that that answers David McLetchie's question.

Liam McArthur (Orkney) (LD): I, too, welcome the establishment of the fuel poverty forum. I look forward to hearing its recommendations on rural fuel poverty measures, given the astronomical cost of fuel in my constituency. What specific discussions has the Government had with the Office of Gas and Electricity Markets about Ofgem's proposals for a windfall tax on energy companies from the emissions trading certificates to help fund measures to alleviate fuel poverty? What representations has she made, or have her colleagues made, to UK ministers on how that potential £9 billion fund could be used best to reduce fuel poverty in Scotland?

Nicola Sturgeon: The Minister for Communities and Sport raised those issues with Ofgem and the UK ministers at the fuel poverty summit a few weeks ago. I am more than happy to ask Stewart Maxwell to write to Liam McArthur with more details of the content of that discussion.

In my statement, I referred to our desire to ensure that Scotland gets its fair share of the CERT system. As Liam McArthur is aware, and as came through in evidence from stakeholders to the Local Government and Communities Committee, there is a feeling that Scotland did not get its fair share from the predecessor to the system and that we are not on course to get our fair share from the present system. If we get our fair share, we could be looking at about £80 million for energy efficiency savings and about £60 million for reduced bills for householders. That is why we have established the CERT strategy group that the Minister for Communities and Sport will work on.

I commend to Liam McArthur the Government's review of fuel poverty. He is particularly interested in the needs of rural communities. A valuable feature of the review is that it starts to point us to the groups of people and the geographic areas in which fuel poverty is most acute. There is no doubt that there is a pressing need in rural areas, which is why that was one of the specific issues that I mentioned when I outlined the issues that the fuel poverty forum will consider.

Patrick Harvie (Glasgow) (Green): I am grateful to the cabinet secretary for the advance copy of the statement, and I wish Graham Blount well in his role. I am sure that he will be an excellent chair.

However, I am puzzled about one thing. How is it that, when ministers whose portfolios include energy and climate change repeatedly make predictions in this chamber about peak oil and relentless rises in energy prices, today's statement included only one thing about renewables—that the cabinet secretary wants to hear people's views? Is it not already abundantly clear that we have to get the right renewables kit into the right places, in tens of thousands or even hundreds of thousands of homes across Scotland?

Is it not the case that local authorities down south are not waiting for Government action but are cracking on and getting things done? Does the cabinet secretary agree that such renewables initiatives will have a central role in reducing energy demand, climate change emissions and household bills?

Nicola Sturgeon: I agree whole-heartedly with Patrick Harvie—renewables have to play a central role in what we are trying to achieve. That is a given, and I hope that all members in the chamber would consider it as a given.

I am asking Graham Blount and the fuel poverty forum to consider how we can better use the resources at our disposal in order to tackle fuel poverty and boost the use of renewables. That will be an important part of the work that we are asking the fuel poverty forum to do. I look forward to the continued contribution of Patrick Harvie and his colleagues as we take the work forward.

John Wilson (Central Scotland) (SNP): I welcome the cabinet secretary's statement.

At the beginning of this week, a hearing opened at the UK Parliament into competition in the UK energy sector. Allan Asher from energywatch gave evidence to a parliamentary committee and condemned some of the energy companies and the oligopoly in the energy market. Does the cabinet secretary agree that energy companies are continuing to hike up prices to maintain their profits at the same time as households are being penalised by the increases? The calculation of fuel poverty is based on the energy expenditure of each household each week. If the energy companies continue to increase their prices, the effect will be felt by many more households and families. We will have to analyse the effects of that, taking into account fuel poverty and household poverty.

Nicola Sturgeon: I suggest that John Wilson take the opportunity to look at the Government's review, which I understand is now in the Scottish Parliament information centre. In it, he will read confirmation of what he has just said—that rising fuel prices are having an impact on fuel poverty. Like Stewart Maxwell, I have no hesitation in saying that energy companies have an obligation

to do more to protect our most vulnerable citizens. I repeat my call for the companies to do so.

I said this as part of my statement, but it bears repetition. After the UK energy white paper, hopes were high that some legislative statutory steps would be taken to increase the obligation on energy companies. However, such an obligation has not appeared in the UK Energy Bill. I am very disappointed about that and we will continue to press for more action from the Westminster Government, whose responsibility it is.

Mr Frank McAveety (Glasgow Shettleston) (Lab): I thank the cabinet secretary for her statement. I remind her that the central heating programme was not just about fuel poverty. It was also about social equity for older people in Scotland.

For the benefit of the Parliament, will the cabinet secretary expand on the categories of people who qualify at present for a central heating system or a replacement system but who, according to this afternoon's statement, will no longer be a priority? How many people will lose out as a result of the radical shift in policy?

I welcome the cabinet secretary's conversion, like a penitent at the stool of universality and targeting—and I thank her for that—but how does she square the language that she used this afternoon with the language that she used in the recent debates on prescription charges in this very chamber?

Nicola Sturgeon: One in four of all Scottish households lives in fuel poverty. When we talk about an issue as enormous, in the challenges that it poses, as tackling fuel poverty, I think that any sensible socialist—or social democrat, or whoever—would want to ensure that every penny of the money that we spend on tackling fuel poverty actually goes to the people who live in fuel poverty. I make no apology for feeling that way.

I agree with Frank McAveety that social equity, as well as tackling fuel poverty, was a factor in the central heating programme, but if the member checks he will find that the programme's central aim was to tackle fuel poverty. I do not believe that the programme in its current form is tackling social inequity, just as it is not tackling fuel poverty as effectively as it could do.

As I said, we intend to ensure that pensioners who do not have a heating system, pensioners over 80 and pensioners in receipt of the guarantee element of pension credit whose system has broken down will continue to have systems installed. Those who have partial or inefficient systems can apply for assistance in this financial year, and we will install as many new systems as possible. However, it is important that we get the programme back on track, so that it delivers, is

sustainable and reduces fuel poverty. I hope that all members will be able to sign up to that.

Alex Johnstone (North East Scotland) (Con): I was delighted that in her statement the minister made clear that £1.5 million is likely to be generated in the coming year for use in tackling fuel poverty under the CERT schemes. However, I am worried by the fact that in a subsequent answer she mentioned some big numbers and suggested that that money might be being withheld inappropriately from Scotland. How much of the target amounts that she mentioned is likely to be generated by schemes over the coming years, and how much is simply pie in the sky?

Nicola Sturgeon: The £1.5 million to which I referred is the money that we expect to receive in this financial year from the trading of carbon savings made under the existing central heating and warm deal programmes. As I said, the fuel poverty forum will provide us with suggestions on how we can use the money. The other sums that I mentioned are the potential benefits that are available to Scotland if we ensure that we get our fair share of resources from the CERT obligations on energy companies to assist energy users to achieve energy savings. I would not use the term "pie in the sky", but at the moment we are not getting much of that money. There is the potential for households to get up to £80 million in energy efficiency measures, leading to around £60 million in reduced energy bills. It will take a great deal of work and effort for us to realise that potential. That is why we have set up the CERT strategy group that I announced in my statement.

Shirley-Anne Somerville (Lothians) (SNP): As the cabinet secretary mentioned in her statement, one of the main causes of fuel poverty, alongside rising energy bills, is poverty itself. Can she provide further details of the action that is being taken to ensure that those who are in poverty at the moment and will be in poverty in the future, given the continued rise of fuel poverty, are accessing all the benefits and winter fuel payments to which they are entitled? My question relates especially to pensioners.

Nicola Sturgeon: Shirley-Anne Somerville's point is on the button. As I said in my statement, energy efficiency and rising fuel prices have an impact on fuel poverty, but incomes and poverty are at the heart of the debate. Shirley-Anne Somerville knows that we are consulting on a new anti-poverty strategy, because we need to up our game to lift children, pensioners and others in Scotland out of poverty. The Government is committed to taking that action. Benefit take-up is important. Statistics suggest that perhaps as many as half of pensioners who are entitled to pension credit do not get everything to which they are entitled. We know that some pensioners do not

claim council tax benefit. We are committed to working to address the issue, preferably with the Department for Work and Pensions. Regardless of that, we will do everything in our power to encourage benefit take-up and to ensure that the income of people in Scotland is maximised.

George Foulkes (Lothians) (Lab): As I listened to the point in the cabinet secretary's statement about targeting, my mind went back 25 years. The only difference was that Mrs Thatcher had acquired a Scottish accent, which was strange. Will the cabinet secretary confirm that the amount that has been allocated to the central heating programme over the next three years will decline in real terms and that she is handing the fuel poverty forum a poisoned chalice?

Nicola Sturgeon: I point out to Lord George Foulkes that, under the current programme, many members of the House of Lords would qualify for free central heating. That makes my case that we need to make the programme much more effective.

The budgets are not reducing; we want to ensure that we get effective use of the budgets. That is a necessary first step—in any case—to ensure that we get value for taxpayers' money. I remind George Foulkes, as I reminded other members, that the people who said that the

"current programmes are not targeted effectively at fuel poor households and are failing in their primary goal of eradicating fuel poverty"

were Energy Action Scotland, Citizens Advice Scotland, energywatch, Friends of the Earth Scotland, the Scottish Federation of Housing Associations, Shelter Scotland and Help the Aged. Even if George Foulkes is not prepared to listen to me—given how he shouts in the chamber, it seems that he is not prepared to listen to many people—he should listen to the experts, because he might learn something.

Des McNulty: There was a lack of specifics in the statement. The minister said that too much of the money that is invested in the central heating programme is not helping the fuel poor, but she could not give us detail about which parts of the programme she thinks are ineffective and who will be most directly affected by the new arrangements.

Will people who are aged between 75 and 80, who are currently priority cases for replacement central heating, no longer be regarded as priorities under the new administrative arrangements? If money is released because people will no longer qualify for a central heating system, what alternative provision will there be to address fuel poverty? For example, emphasis could be placed on combined heat and power schemes, which would have a practical impact. May we hear more

about alternative uses for resources to tackle fuel poverty?

Nicola Sturgeon: I agree with Des McNulty's final point, which was constructive. That is exactly the kind of issue that the Scottish fuel poverty forum is being asked to consider. We must consider not only who is eligible for support but what we deliver with the resources that we have, to ensure that we get the best use of resources.

Des McNulty asked for more detail about the proportion of resources that are not tackling fuel poverty. I appreciate that members have not yet studied the review that we published today, but I am sure that Des McNulty will read it when he gets an opportunity to do so. The review suggests that perhaps half the resources that we currently spend are not going to the fuel poor.

As I made clear, all pensioners who do not have a central heating system will continue to be priorities, and all pensioners over 80 and all pensioners over 60 who are in receipt of the guarantee element of pension credit whose central heating system has broken down will continue to be priorities. That does not mean that nobody else will get a central heating system; it means that we are targeting our resources on the people who are most in need. I would have thought that all members would have applauded that.

Wildlife Crime

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S3M-1954, in the name of Frank Mulholland, on wildlife crime.

The Minister for Environment (Michael Russell): On a point of order, Presiding Officer. You have had notice of this point of order, which relates to the Liberal Democrat amendment to the motion.

As is my normal practice, the full text of the motion to be debated today was distributed to Opposition spokespeople on Monday with a request that if issues arose that were worth discussing, they should be discussed before today. I saw the Liberal amendment last night and, on reflection, I found that there is a substantial difficulty with it in terms of the operation of the Government and the Parliament *ultra vires*.

I want to make the situation as clear as possible, but I will be brief. Referring to a body that does not exist,

“the Legislation, Regulation and Guidance sub-group of Partnership for Action Against Wildlife Crime”,

the amendment calls on the Government

“to give full consideration, in consultation with land users, to the proposal that loss of single farm payments should occur only in cases where responsibility has first been proven in a court of law”.

It would be impossible for that proposal to be given any consideration because it is *ultra vires* in terms of the regulations on rural payments. Indeed, were it to be accepted as a proposal, it would run so contrary to the present situation that all single farm payments would be put in jeopardy, as would a substantial part of the £1.6 billion that we plan to spend on the Scotland rural development programme.

I made the point to Mr Hume at lunch time today, when I notified the Presiding Officer of the issue. I asked him to seek a manuscript amendment to alter the situation. He agreed to do so. I understand that such an amendment was sought but that Mr Hume subsequently withdrew permission and reverted to the original amendment. I have had a conversation with him, as has the Solicitor General for Scotland.

The situation remains that, if the amendment were agreed to and an amended motion were passed, it would instruct the Government to do something that is illegal and which would put at risk every farm payment in Scotland. Inter alia, the amendment also fatally confuses civil and criminal law. The way in which the matter is dealt with is that criminal conviction for wildlife crime can be considered as an element in the existing three-

stage appeal process, which includes in the final stage an appeal to the Scottish Land Court.

In those circumstances, the amendment is incompetent and therefore should not be called for debate this afternoon. I seek your ruling on that, Presiding Officer.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): On that point of order, Presiding Officer. The minister is being less than straightforward in challenging the parliamentary authorities for accepting the Liberal Democrat amendment for debate this afternoon. Prior to the debate, I had discussions with the Solicitor General. Unfortunately, Mr Russell was unwilling even to discuss the matter; it seems that he would rather spend time arguing a spurious point of order in the chamber. Our amendment does not, in any way, call on the Government, or anyone else, to act *ultra vires*.

To put it politely, there has been a misunderstanding on Mr Russell's part. I am in complete agreement with the Solicitor General when he says that if Scottish ministers see that there has not been cross-compliance with European Community regulations, they must act to enforce the rules. We have no problem with that. Our amendment does not challenge those rules. As the amendment makes absolutely clear, we are talking about ministers acting after—not before—the due process of law has taken place. It would be wrong to take away someone's income for the suspicion of a crime or, indeed, the prosecution of someone who has been accused of a crime. It must be right that ministers take action only after due process.

Our amendment does not challenge EC regulations. As recommended in the report, it calls on the future sub-group to give full consideration to the situation. That is all. By accepting the amendment, the chamber desk has acknowledged that that is an entirely appropriate action to call for. It is up to members this afternoon to decide on the appropriate way forward, after proper debate on the matter. Presiding Officer, I urge you not to accept the spurious point of order that Mr Russell has raised, which is unfortunate to say the least.

The Deputy Presiding Officer: I thank the minister for giving me notice of his point of order. The amendment is admissible under the standing orders. I am satisfied that it is competent. I therefore propose to continue with the business as set out in the business programme.

Michael Russell: Further to that point of order, Presiding Officer. Although, of course, I entirely accept your ruling, would it be possible for the detailed thinking behind the ruling to be made available to the chamber? That would assist in the

avoidance of doubt in such circumstances in future.

The Deputy Presiding Officer: I have ruled on the matter, Mr Russell, and you have heard me. I propose to move on.

15:49

The Solicitor General for Scotland (Frank Mulholland): I am grateful for the opportunity to open today's debate on wildlife crime, following the recent publication of the joint review on wildlife crime, which was carried out by Paddy Tomkins, Her Majesty's chief inspector of constabulary for Scotland, and Joe O'Donnell, Her Majesty's chief inspector of prosecution in Scotland. I am grateful to both of them and their teams for their detailed and careful consideration of the arrangements in Scotland for preventing, investigating and prosecuting wildlife crime. Their review has provided an unparalleled insight into the investigation and prosecution of wildlife crime in Scotland.

The Lord Advocate and I welcome the review's findings. We are pleased that it highlights much of the good work that the Crown Office and Procurator Fiscal Service and the police already do to tackle wildlife crime. I note that the report confirms that the COPFS has introduced

"a sound system for managing wildlife crime particularly by establishing a network of specialist wildlife prosecutors who should prosecute these cases."

Having examined all the wildlife cases that were reported to the COPFS for prosecution from the beginning of 2006 until late 2007, the inspectorate concluded that the majority of cases were dealt with appropriately and in accordance with Crown Office policy.

The Scottish Government accepts in full the recommendations of the review of the investigation and prosecution of wildlife crime. From the prosecutor's perspective, the COPFS will work closely with the police and its other partners in tackling wildlife crime to implement the recommendations quickly and effectively. As far as the recommendations that are specific to the COPFS are concerned, I have already met the area procurator fiscal for Dumfries and Galloway, Tom Dysart, who is in the chamber and whom the report describes as

"a knowledgeable and forceful lead in wildlife crime matters."

We discussed the conclusions and recommendations and, as a result, an action plan for implementing the recommendations has been drawn up.

Of the 10 recommendations that directly affect the COPFS, four have been implemented and the

others are in hand. Of course, some of them depend on the new structure for the Scottish sub-group of the United Kingdom partnership for action against wildlife crime, which is known as PAW (Scotland). Those will be taken forward when the new structure is in place. Tom Dysart is working with officials to oversee implementation of the recommendations in full.

On implementation, I advise the Parliament that we have strengthened the role of the specialist wildlife prosecutors and are developing practical arrangements for cross-area co-operation and support in making decisions on wildlife cases and prosecuting them. That will ensure that all wildlife cases are dealt with by wildlife prosecutors who have the relevant experience. In addition, specialist wildlife prosecutors will be in regular contact with wildlife and environmental crime officers in their local police forces to develop further the already close working relationship that we have with the police in this area of work. As the inspectors recognised, it is vital that we work together and share expertise in the complex area of wildlife cases so that we achieve successful outcomes.

Experience shows that early engagement between investigators and prosecutors, even in the earliest stages of investigation, often serves to strengthen the final case. We will ensure that there is regular and effective contact with other specialist wildlife investigators. We recognise the value in making full use of the expertise that is available in wildlife agencies, which can be crucial in tackling crimes that sometimes take place in remote, isolated areas. We are confident that, in working together, with the commitment and assistance of wildlife and countryside organisations, and by harnessing public support, we will be a powerful and effective challenge to criminals who carry out crimes against wildlife, which is such an important part of our natural environment in Scotland.

As the inspectors state in the report,

"Attempts to reconcile the opposing arguments and factions within wildlife crime"

will be

"greatly assisted by a clear and well supported national strategy or policy statement."

PAW (Scotland) will be restructured into a more effective organisation in order to provide that. It will receive funding to finance law enforcement projects and it will also be given a role in training. It will produce guidance, review existing legislation and, where appropriate, propose new legislation.

At the recent Scottish PAW steering group meeting, which was chaired by the Minister for Environment, it was agreed that a small sub-group will be created to draw up a draft strategy for PAW

(Scotland) in time for the next steering group meeting in early September, when it will be finalised. I am pleased to confirm that my officials will assist their colleagues in the Scottish Government, as appropriate, to develop and, thereafter, implement the strategy.

When the new structure of PAW (Scotland) has been agreed and finalised, we will implement the recommendations in relation to the wildlife and habitats crime prosecution forum. In its brief existence, the group has provided an important focus for the discussion of wildlife crime issues. When the strategy for the restructured PAW is available, the forum will focus its attention on the issues recommended in the report.

The review emphasises the importance of debriefs after a case has been completed. We have already begun to do that. They give specialist prosecutors, police and other wildlife crime investigators the opportunity to improve continually how they investigate and prosecute such crimes. A full and frank review of what happened in a case, including the successes and, I hope less often, the failings, is a useful training tool for all involved, and it is something that we will encourage the specialist prosecutors to use.

Tom Dysart is in discussion with the head of training for the COPFS to provide further training to our specialist prosecutors on wildlife crime. That will build on the joint training that has already been carried out with the police at Tulliallan in the form of mock trials and the annual wildlife seminar. We will also assist PAW in developing and delivering training to specialist agencies.

We are firmly of the view that increasing knowledge about the wildlife issues that are tackled every day by those working in the field will help prosecutors to understand the context and significance of wildlife crime. In turn, that will enhance their ability to present in court the full implications of the offences committed.

Although many of the COPFS-specific recommendations are capable of speedy implementation, others involve our partners against wildlife crime. Implementation of the report's wider recommendations will require much work to be done across the Scottish Government and criminal justice sector. The COPFS is committed to working closely with the police and our other partners against wildlife crime to achieve that.

The COPFS will report to PAW on the progress that is being made to implement the COPFS-specific recommendations. In addition, officials are considering with Scottish Government and police colleagues how best to provide the public with information about the progress that is being made to implement the report's wider recommendations.

The Deputy Presiding Officer: The Solicitor General should conclude.

The Solicitor General for Scotland: I can advise the Parliament that, since the debate in October 2007, we have had our first successful prosecution of wildlife offences on indictment, relating to a badger baiting case in the Borders. Other successful prosecutions have demonstrated the vigilance of the prosecution service in Scotland in meeting the challenges head on.

I am confident that implementation of the recommendations will help to improve the detection, investigation and prosecution of wildlife crime. It will reinforce the message to the Scottish public that the Parliament and the Scottish prosecutors are serious about wildlife crime.

I move,

That the Parliament welcomes the report, *Natural Justice: A Joint Thematic Inspection of the Arrangements in Scotland for Preventing, Investigating and Prosecuting Wildlife Crime*, by HM Inspectorate of Constabulary for Scotland and the Inspectorate of Prosecution in Scotland; commends the recommendations in the report, the implementation of which will bring to bear the full professional expertise of the agencies who investigate, detect and prosecute those involved in wildlife crime, and looks forward to the development of a strong and effective partnership for action against wildlife crime, working to a new agreed strategy on wildlife crime and co-ordinating the fight against the abuse of Scotland's vital natural heritage.

15:57

David Stewart (Highlands and Islands) (Lab):

This is a welcome debate, and I am sure that, notwithstanding any debate about amendments, there will be a strong core of consensus among members about wildlife crime, how it is to be tackled and a timetable for action.

Labour welcomes the Tomkins report. We acknowledge the Government's initiative in commissioning it and call for full implementation of the 24 recommendations. I echo the Solicitor General in congratulating the fiscals, police officers and others who have built up tremendous expertise in the subject.

In my brief remarks, I will look at some of the bigger pictures and international issues relating to wildlife crime and I will comment on some of the specific recommendations in the Tomkins report.

It was the American President Benjamin Franklin who once said:

"In this world nothing can be said to be certain, except death and taxes."

Looking back in time, we may argue that there is a third: wildlife crime. I understand that, in the 1600s in Scotland, the beaver was hunted to extinction for its pelts, which were traded all over the world. Even at that early stage, that had major

implications for biodiversity. The bulk of what was even at that time an internationally organised business was carried out by poachers on large estates.

Jamie McGrigor (Highlands and Islands)

(Con): Could the member tell me in which areas of Scotland beavers lived?

David Stewart: Argyll and Bute was a very important area. I understand that that is one area where piloting the reintroduction of the beaver has been considered.

At a naive level, it could be argued that we are a nation of animal lovers, but the harsh reality on the ground is that laws are broken and wildlife is destroyed and exploited for profit. All over the world, animals are sold illegally to satisfy consumer demand. For example, trading in ivory has been banned worldwide since 1989, apart from the trade in so-called antique ivory that predates 1947. However, the International Fund for Animal Welfare estimates that 90 per cent of the internet ivory trade may breach international conventions.

We could argue that wildlife crime has three elements: the illegal trade in endangered species; crimes that involve native species that are endangered or of conservation concern, to which the Nature Conservation (Scotland) Act 2004 applies; and cruelty to and persecution of wildlife species, which includes badger baiting and illegal snaring, poaching and poisoning.

What wildlife crimes have occurred in Scotland? Members will be well aware of examples in their areas. For instance, the eggs of protected birds have been stolen on a massive scale. It is estimated that more than 10,000 badgers in the United Kingdom have been killed through badger baiting, and deer poaching is undertaken by commercial gangs.

I have found two examples in the national press, at which the Solicitor General hinted. In November 2007, a Dalry man was convicted of badger baiting—that was the first such conviction. He allowed his dog to attack two young badgers in a sett and to maul them to death. Kilmarnock sheriff court ordered him to serve 175 hours of community service, awarded compensation to the Scottish Society for the Prevention of Cruelty to Animals and banned him from keeping dogs for two years.

In another case, a London man was sent to prison for six months for taking more than 500 bird eggs, many of which were from endangered species such as the red kite and the barn owl. That was the first imprisonment of an individual under the reinforced legislation.

There are good examples of best practice. Tayside Police has co-ordinated a nationwide operation to tackle egg collectors who are known to the police and the Royal Society for the Protection of Birds. In March 2002, osprey eggs that had been taken from Scotland were seized by police as part of operation Easter. As members know, the osprey is particularly vulnerable, as only 140 pairs remain in Scotland.

The previous Administration introduced the 2004 act, to which I have referred. The act provided a series of protection and enforcement measures to safeguard Scotland's natural heritage. The key driver was the protection and conservation of biodiversity. The act introduced the concept of recklessness and created the offence of possessing a pesticide that contains any prescribed ingredient, to reduce incidents of poisoning. Side by side with that went the new powers for the police to search and arrest in the complementary Criminal Justice (Scotland) Act 2003.

I must mention the National Wildlife Crime Unit in North Berwick, which is doing good work and is working extremely well towards achieving co-ordinated action.

I like the fact that the Tomkins report is well written and well researched and that it is not embarrassed to talk about potentially embarrassing issues.

I will ask the Minister for Environment a couple of questions. What is the timescale for implementing the report's recommendations? Will the achievement of recommendations be funded centrally or from the core police budget? How quickly can each police force appoint a wildlife crime co-ordinator? Will an early goal be to train all police officers in the general awareness of wildlife crime? Will the minister follow up my work by contacting the Department for Environment, Food and Rural Affairs on the concerns about restricting the Britain-wide registration of rare birds, which might have a detrimental effect on conservation?

Has the minister taken advice to determine whether Scotland breaches the European Union habitats directive by indiscriminate use of snaring of European protected species such as otters? Has progress been made on snaring since the minister made his announcement? Has he ruled out a ban on snaring?

The debate is important. Scotland's wildlife protection laws are among the best in Europe, but concern is felt about levels of wildlife crime, and the link between organised crime and crimes such as badger baiting is recognised. The Tomkins report provides a major contribution to the debate and I commend it to Parliament.

I move amendment S3M-1954.1, to insert at end:

“supports in full the recommendations of the Tomkins report, and calls on the Scottish Government to produce an action plan on tackling wildlife crime, including a timetable for the implementation of the report.”

16:04

Jim Hume (South of Scotland) (LD): I declare an interest in farming.

I thank the Presiding Officer for allowing debate on my amendment. It is a pleasure to debate with Frank Mulholland, with whom I sat at the same desk in this town 11 years ago, when we studied for our MBAs. That is the Scottish village.

There is no excuse for wildlife crime, so I welcome the Scottish Government's intention to implement all the report's recommendations, including the recommendation that an expert group of the partnership for action against wildlife crime be established.

One of the most serious and contentious aspects of wildlife crime is that farmers could be fined without going through a normal court of law. That is a serious concern and I make no apology for referring to it in my amendment. Most of the country believes it to be unjust. Does a local authority get fined for every crime on its streets? No. All we are calling for is due process. We recognise the complexity of the issue. That is why we are calling on PAW, which has already been tasked in the report with considering regulation, to give full consideration to my amendment.

Unlike with criminal prosecutions, the lower civil standard of proof is used to decide whether cross-compliance requirements have been breached. In other words, even if there is no criminal prosecution, penalties can still be applied. The civil standard of proof relates only to the balance of probability, even though there is an appeal process. One is therefore presumed guilty until proven innocent. Mr Russell has stated that that will not happen, but now we find that it may. Where sanctions are so severe that they can have devastating effects on individuals, such as the withholding of single farm payments or the removal of firearms licences, it is imperative that they are applied fairly and justly.

I particularly welcome the recommendation of the appointment to each police force of a wildlife crime co-ordinator and a lead officer to investigate incidents locally, as well as the appointment of a lead wildlife prosecutor within the Crown Office and Procurator Fiscal Service. I would like to hear from the minister what steps are being taken to implement the report's recommendations. Is there a timetable? When will the new wildlife co-

ordinators, lead officers and prosecutors be in place?

I welcome the Scottish Government's commitment to tackling wildlife crime and to cracking down on the perpetrators, but I call on the minister for serious caution because such action should take place only after due process.

Karen Gillon (Clydesdale) (Lab): Does the member support the recommendation in the report that the Government consider the concept of vicarious liability in this area?

Jim Hume: I fully concur.

I welcome the Scottish Government's commitment to tackling wildlife crime, but I hope that the PAW sub-group fully considers the wording of my amendment. The message is simple: if Scottish people can be guilty until proven innocent, there is an injustice. I hope that the PAW group considers that. I fully support Frank Mulholland's motion.

I move amendment S3M-1954.2, to insert at end:

“recognises the concerns surrounding the impact on livelihoods of a reduction in single farm payments or the loss of firearms licences, and calls on the Legislation, Regulation and Guidance sub-group of Partnership for Action Against Wildlife Crime (Scotland) to give full consideration, in consultation with land users, to the proposal that loss of single farm payments should occur only in cases where responsibility has first been proven in a court of law; welcomes the success of the Grampian Police model, which provides an example of good practice to be replicated by forces across Scotland, and calls on Scottish chief constables, the Crown Office and the Scottish Government to outline the specific steps they will take to ensure the speedy and effective implementation of the report recommendations.”

16:07

John Lamont (Roxburgh and Berwickshire) (Con): I am pleased to be leading my party's contribution to this important debate. Wildlife crime is a big issue in my constituency and throughout the Scottish Borders. As members may know, last August a golden eagle was poisoned in the Borders. The eagle was a female and was part of the only breeding pair of golden eagles in the area. That came as a huge blow to many of my constituents.

Wildlife crime takes many forms. Habitat destruction, poaching, egg collecting, badger baiting and poisoning are a few examples. The most common form, and arguably the one with the highest profile, is the persecution of birds of prey by poisoning. During the 19th and 20th centuries, the practices of some shooting estates led to many birds of prey being wiped out in Scotland. Since then, some birds of prey have been reintroduced to the areas where they were wiped

out but with limited success. Wildlife protection is crucial to the survival of those birds, as well as to all other forms of wildlife. Birds of prey are especially vulnerable because they are long lived and slow breeding. Golden eagles, for example, will raise only one chick a year and do not start breeding until they are at least three years old.

Wildlife is an important part of Scotland's economy. Thanks to television shows such as "Springwatch", visitors have been attracted to Scotland to see wildlife and its habitats. That has generated millions of pounds for Scotland. For example, the Galloway red kite trial contributes around £700,000 to the local economy, and the white-tailed eagle viewing project in Mull generates £1.4 million to £1.6 million locally. That is why I welcome any modification to the current policy that could protect birds of prey and all other threatened wildlife. My party believes that the current legislation regarding wildlife crime may need to be tightened, but we would emphasise that the enforcement of the existing legislation is the real problem when it comes to wildlife crime.

RSPB Scotland said recently:

"The Scottish Parliament is to be commended for enacting some of the strongest wildlife protection laws in Europe. However, these laws are not being used as effectively as possible to deter those who seek to destroy protected species."

The problem seems to be the varying levels of enforcement in the regions of Scotland. There are concerns about the number of police officers who have specialist training in wildlife matters.

The Tomkins report, which was published in April lays out observations on wildlife crime. That is what we are considering today; we are not specifically looking at the sanctions that may or may not be proposed. The report concludes by making a number of recommendations, which we support.

I turn to the Liberal Democrat amendment. The report mentions only briefly the possible sanctions—I believe that recommendation 11 touches on sanctions. Therefore, we do not think that it is appropriate to be considering further deductions from the single farm payment, which is what the Liberal Democrat amendment might suggest. We, like the vast majority of the farming community, do not think that there should be any more deductions from the single farm payment.

Jim Hume: Will the member take an intervention?

John Lamont: No. I have had enough of Liberal Democrat incompetence today.

We have great difficulty in supporting the Liberal Democrat amendment as it is drafted, because there might be additional circumstances in which

making deductions from the single farm payment might be permitted. We are happy to support the Labour amendment.

The Scottish Conservatives condemn all wildlife crime and support fully the Scottish Government in its pursuit of wiping out such crime. We agree with the Government that legislation on wildlife crime might need to be tightened, but I emphasise that consistent enforcement of the current legislation is the real issue.

The RSPB has said that, although our laws against wildlife crime are some of the strongest in Europe, they are not being used effectively. Our efforts should be focused on ensuring that the existing legislation is used and enforced properly.

Wildlife in Scotland is an important part of our culture and economy. By protecting it, we can protect our culture, our economy and the beauty of Scotland.

16:11

Christine Grahame (South of Scotland) (SNP): I declare an interest as convener of the cross-party group on animal welfare, although I am speaking in a personal capacity.

Post-devolution legislation, such as the Animal Health and Welfare (Scotland) Act 2006 and the Nature Conservation (Scotland) Act 2004, has added to the portfolio of legislation in Scotland that gives us some of the most powerful animal welfare legislation in the world. I welcome the extension of that, particularly through the employment of specialist prosecutors and, I hope, more specialist police. Nevertheless, there was a 95 per cent increase in reported wildlife crime between 2002-03 and 2006-07, and that might be the tip of the iceberg, given that there is better reporting.

We all appreciate the difficulties, to which the Solicitor General for Scotland referred, that are caused by the fact that wildlife crime happens in remote places and, sometimes, in close, small communities in which there might be tacit and sometimes even overt support for such crime. Nine of the 12 persons convicted for persecuting birds of prey between 2001 and 2006 described themselves—I emphasise "described themselves"—as gamekeepers. Add to that the lack of current full-time wildlife crime officers and ordinary officers who have received specialist training—the most recent parliamentary answer said that there were four and 90 respectively—and we can see that catching offenders is like finding the proverbial needle in the haystack, especially in remote areas such as the Yarrow, Ettrick and Tweed valleys.

After his recent statement to the Parliament on snaring I asked the minister about the

enforcement of legislation. There is not much good passing worthy legislation if we cannot enforce it. Enforcement brings the perpetrators to punishment and acts as a deterrent.

In 2006-07, 5,000 mountain hares—a protected species—were illegally snared. Since the minister made his statement, 13 badgers have been snared in Scotland, including two in the Borders. The incident in the Borders was particularly horrific. The two dead animals—one female and one male—were found dumped at the side of the road. Both had suffered broken necks and the strength of the wire traps had nearly beheaded one of them. The animals had put up a tremendous fight—when they are caught in a snare, they do so. They dig, fight and sometimes hang themselves on the fences. We knew that the badgers had been snared, because they make specific marks on the ground as they struggle for survival. Of course, it is unlikely that the perpetrators of that crime will be discovered.

I listened carefully to what the minister had to say about snaring and the licensing of it. I know that he is considering a review of and research into it—there is no existing research. However, I cannot see that the compulsory fitting of identification tags will be policed.

On a wild day in the Ettrick valley, I came across, by chance, the hounds from three hunts on a Borders hillside. The outrider motorcyclists were on the brow of the hill when some creature came to its end among the hounds, which were far away from the motorcyclists. I watched the lights blaze and descend on the hill as the bits of some animal were gathered up. No-one was policing that kill.

I want to know what will change—notwithstanding the changes that are proposed in the Tomkins report, to which the Solicitor General referred. Reference was made to funding and training. We need to ensure that wildlife crime—and it will take place in the most difficult places—is properly covered so that no-one can continue to carry out those barbaric acts in the face of, and with blatant disregard for, any legislation that we have.

16:16

Peter Peacock (Highlands and Islands) (Lab):

Like other members, I welcome this debate, and I declare an interest as a member of the Scottish Ornithologists' Club and the RSPB.

We have debated this important issue in the chamber before. As my mailbag testifies—and as other members' mailbags do, I am sure—people are writing in with concerns about bird poisoning; badger baiting; snaring and hares, to which Christine Grahame referred; and egg collection,

which David Stewart mentioned. The way in which we deal with those issues affects our national reputation. We must do, and be seen to do, everything that we can to protect our wildlife. The Highlands and Islands is the largest rural area of Scotland. It has the widest range of species anywhere and has the potential to get the most economic benefit from wildlife, but it has the most wildlife crime, due to its geographical scale and diversity, so I welcome the HMIC and COPFS report. I know that Paddy Tomkins has a personal commitment to improving the policing of wildlife crime and the report is constructive.

That said, it is worth mentioning some of the pretty critical findings in the report, particularly in relation to the police service. There is a clear shortfall in practice in most forces and the report refers to persistent calls by the police themselves to professionalise practice, which implies that that is not currently the case. There are calls for better debriefing practices, to which the Solicitor General referred, and references to the lack of a national plan to reduce wildlife crime. The report also points out that few areas have local operational plans; the low level of intelligence that is held and fed into the intelligence system; the fact that sufficient expertise has not yet been built up in the system and that training is inadequate; that wildlife crime is not viewed as equivalent to other forms of crime in the policing system; and that the interview process is not yet standardised.

Although those criticisms are in the report, it would be wrong to say that it is universally critical: it is not. It points clearly to a strong commitment, in many police forces and in COPFS, to improving matters. Grampian Police and Tayside Police are singled out as examples of exceptionally good practice. I welcome all the recommendations in the report—as David Stewart said, it is founded on the principle that wildlife crime should be managed as any other crime would be managed. That is an important principle for all police forces to establish.

There are good recommendations about COPFS and I am pleased that the Solicitor General has dealt with those in the way that he has. There are also clear recommendations about the need for a national wildlife crime reduction strategy—I hope the minister will address that in his summing up—and about the need for local plans and joint working between Government agencies and non-governmental organisations.

I particularly welcome the recommendation that each force should have a full-time wildlife crime co-ordinator. I view that as a minimum, not a maximum measure. It is in no way a substitute for current practice—for example, in my own part of the world under Northern Constabulary—but it adds to and strengthens current practice, provides more expertise in training and more support for

officers who are doing their jobs day by day, and it follows the lead of Grampian Police. There will be huge benefit from that. I hope that Northern Constabulary will act on that recommendation and implement that particular reform. Indeed, I hope that, because it operates in the largest area in Scotland, Northern Constabulary will go further than the minimum and create a unit to support officers and to push their day-by-day practice further. I wrote to the chief constable earlier this week to ask for that to happen.

That said, I commend what Northern Constabulary has been doing recently. In March, it demonstrated considerable commitment by undertaking a large raid on an estate in Badenoch and Strathspey to investigate the illegal poisoning of birds. Dozens of officers were involved, as well as other police forces such as Grampian Police and Tayside Police, the RSPB, the SSPCA, the national wildlife crime unit and many others. It was a huge commitment and I congratulate the force on it. It sends a clear signal that the police will not lie back and see such activity take place in their area. I commend the report and the recommendations, and I hope that the minister will put his considerable weight—I refer to his political weight—behind them.

16:20

Roseanna Cunningham (Perth) (SNP): I will not rehearse the crime statistics. Everyone knows that the figures are high and getting higher and that they probably still do not cover all the wildlife crime that takes place.

From the responses to a series of questions that I asked on the subject in 2006, it became clear that there has been no nationally accepted system of recording wildlife and environmental crime—I raised the issue in the debate in October 2007. I have searched the recommendations of the joint review and I am not sure that a standardised reporting system has been specifically addressed. Perhaps the minister can comment on the matter in his closing speech. I hope that my concern is misplaced but, if such a national system is not among the recommendations, I feel strongly that it should be part of any future wildlife crime reduction strategy, because if we do not have a true picture of the problem it will be impossible to know if any strategy is working.

Another concern is that there does not seem to have been any national plan to reduce wildlife crime and, even locally, only a few areas seem to have taken such crime seriously. I am glad that Tayside is one of those areas and I take the opportunity to pay tribute to Alan Stewart, the former police inspector who is now Tayside Police's full-time civilian wildlife and environment officer. He was the first wildlife liaison officer in

Scotland when he was appointed by Tayside Police in 1993. Reaching right back into his police career, he has been proactively involved in pursuing wildlife crime since the 1960s. Although he is perhaps not single-handedly responsible for Tayside's long-standing good practice, he must share much of the credit.

No one denies the extent of the difficulty presented by this area of criminal behaviour. I have commented on the previous lack of a national wildlife crime reduction plan, but we have to acknowledge that it is impossible to police vast tracts of our rural landscape and that, even if we ascertain that a crime has been committed, evidence gathering is difficult. Short of a countryside-wide network of rural closed-circuit television cameras to help in the investigation of wildlife crime—believe me, I have contemplated that—there will always be a problem gathering the evidence that is required to achieve a successful prosecution. It is therefore vital to encourage communities and individuals to play their part in reporting suspicious behaviour. I wonder how that will be achieved, because it is essential.

The authors of the review disclose a distressing failure to treat this area of crime seriously. That is fundamental, because if the police do not gather sufficient intelligence, do not take proper notice of the intelligence that they get or if they delay investigation, it will be harder to uncover the information that is required. I am not sure how it will be possible to persuade all police forces that the approach taken by both Grampian Police and Tayside Police is a model that they should follow, but that should be done—I hope that the minister can indicate how.

Intelligence and evidence gathering to the extent that perpetrators can be identified, charged and prosecuted is one side of the deterrence equation. The other side is the disposal, assuming a verdict of guilty, which is where the evidence is important. The report is rather kind to the courts when it deals with that aspect of the debate. I am not sure that most people would agree that the disposals always fit the crime. There certainly seems little to suggest that the fines that are handed out in most cases are much of a deterrent. I hope that that aspect of the issue will continue to be monitored. After all, the biggest predator in our countryside might be said to be the two-legged, wingless poisoner. No one would mourn the eradication of that species.

16:23

Robin Harper (Lothians) (Green): I welcome the opportunity to speak in a debate on wildlife crime for the second time in the session. It is certainly a topic that is worthy of the minister's

attention. I highlight my register of interests, particularly my membership of the RSPB.

In the previous debate, I argued that there must be greater prioritisation of wildlife crime, so I commend the minister for focusing his attention on this area of serious crime and criminality. I also argued that effective action and greater prioritisation go hand in hand, so I welcome the "Natural Justice" report, which makes important recommendations for preventing, investigating and prosecuting wildlife crime, such as creating a wildlife crime reduction strategy and putting in place full-time wildlife crime co-ordinators in every force in Scotland. That could be extremely useful. I would also like to congratulate organisations such as the SSPCA and the RSPB on the positive and vital role that they have played in helping the police. I am sure that the minister will acknowledge their important work.

The Government has been handed a good report to work with. However, we now enter the nitty-gritty phase of implementation. How quickly the Government will act to implement these important measures remains to be seen. Can the minister provide an indication of when the strategy for wildlife crime reduction will be produced? Further, can he tell us when he expects the full-time wildlife crime co-ordinators to be appointed? Those are two very important questions. Obviously, the full-time wildlife crime co-ordinators are fundamental and we must ensure that those new officers are appointed swiftly and are properly resourced, valued and supported.

The report, as has already been said, points to the exploration of landowners' liability or responsibility for the actions of their employees. There is, of course, precedence for that kind of move in Scots law, such as the licensing laws and health and safety legislation, and I encourage ministers to thoroughly explore the issue.

Wildlife crime is serious and the Scottish public cares greatly about it. Treating nature and wildlife with respect should be a shared vision for Scotland. I am glad that, today, we can send another clear message from this Parliament that wildlife crime is unacceptable.

Several doubts have been raised about the validity of the Liberal Democrat amendment. Clearly, there is no time today to investigate whether the amendment is sensible. The best that I can do is to acknowledge the fact that it was lodged in the spirit of seeking fairness, justice and equity. However, I am afraid that I will be abstaining in the vote on the amendment, as will Patrick Harvie.

I was pleased that the subject of snaring was brought up, by David Stewart and others, and I agreed with Christine Grahame when she said that

we must ensure, at the very least, that the laws that we have in place on snaring are obeyed, and that transgressors are identified and receive condign punishment.

I welcome the Government's motion, which we can support, and I look forward to more detail from the minister when he winds up.

16:27

Bill Wilson (West of Scotland) (SNP): Gun ownership in Scotland is a contentious issue, and so it should be. A gun in the hands of an irresponsible individual is a danger to humans and wildlife alike. Unfortunately, not only is present United Kingdom legislation on gun ownership ambiguous, it also makes a pointless distinction between firearms and shotguns. To hold a shotgun certificate, it is sufficient for a person to be considered not to pose a danger to the public safety or the peace; to hold a firearms certificate, however, one must, in addition, not be considered "otherwise unfit" to possess such a weapon.

I wrote to Scotland's chief constables about wildlife crime and weapons certificates. Their replies underlined the inadequacy of UK firearms legislation. Although all the chief constables stressed that cases were dealt with on an individual basis, some appeared to consider that committing wildlife crime qualifies people as "otherwise unfit" to have a firearms certificate, but the vague nature of the legislation resulted in inconsistent interpretations.

With respect to shotgun certificates, however, all respondents agreed that committing wildlife crime does not, under UK law, give grounds for revocation. Most used cautious language, but Superintendent Alan Smailes, responding on behalf of Grampian Police, wrote unambiguously:

"I am personally keen to see Firearms Licences revoked where offenders are guilty of committing offences against wildlife during the course of their employment."

I hope that we would all agree that individuals who are found guilty of wildlife crime are unfit to hold gun licences. The conclusion is clear: the law should be changed and those who are guilty of wildlife crime should be denied firearm and shotgun licences.

Scotland has no control over gun legislation. We have no control with respect to firearms, shotguns or airguns. Offences involving airguns are the most frequent form of firearms offence. It is a particularly unpleasant crime in which creatures are shot merely for the pleasure of wounding them. At least 75 per cent of vets, in one survey, had seen an animal that had been attacked by an airgun. After domestic cats, wild birds are the commonest targets. One SSPCA inspector in Aberdeen dealt with a dozen fatal attacks on birds

within a single year. The SSPCA notes that however many injured or dead animals are found, it is likely to be but the tip of the iceberg. Strathclyde Police wildlife crime co-ordinator, Joe Connelly, said that his force had a particular problem with attacks on deer and swans. According to *The Courier*, he went on to say:

"If you are getting teenagers starting off shooting cans and then progressing to swans, where do they end up as they get bored shooting swans?"

With that background, members will understand my disappointment at not having received a reply to my letters to Pauline McNeill asking for clarification of new Labour's position on airguns. This issue is too important for new Labour to hide its position. We know Aberdeen Labour councillor Norman Collie's position, because he called for airguns to be banned. Will the new Labour MSPs state their position?

The Deputy Presiding Officer: One minute.

Karen Gillon: Will the member give way?

Bill Wilson: I am in my final minute; I did hesitate.

In the meantime, Scotland is powerless to alter the conditions for issuing or revoking firearms certificates. Those who are convicted of wildlife crime offences will continue to brandish their weapons. Scotland is also powerless to prevent irresponsible individuals from purchasing airguns.

Westminster has such powers, yet Westminster will neither act, nor devolve the powers to Scotland. My message to Westminster is simple. Gordon Brown should stop dithering. Gordon Brown lacked the nerve to call a general election or to support a referendum on independence so, at the very least, he should find the nerve to let Scotland act on firearms.

Individuals who are convicted of wildlife crime are not responsible and are not fit to own firearms. On conviction they should immediately have their right to possess firearms removed, making Scotland's wildlife safer.

16:31

Karen Gillon (Clydesdale) (Lab): As others have done, I pay tribute to the work of Paddy Tomkins and Joe O'Donnell on the report, and I welcome the thrust of the report. For too long, wildlife crime has not been taken seriously by people across Scotland, but the previous Executive and current ministers are moving forward on the matter, and I welcome that, along with the report and its findings. The purpose of the Labour amendment is to ensure that those findings are taken forward as quickly as is practicably possible.

I will focus on a couple of the recommendations. Members and the Solicitor General for Scotland will not be surprised to hear that I have considerable sympathy for the concept of vicarious liability. The report identifies the fact that some agencies argued forcibly that for certain offences against wildlife it would be particularly effective to have legislation that makes an employer responsible for the criminal actions of their employees while in their employ. That is founded on the suspicion that, on a small number of estates in Scotland, employees are merely carrying out their employer's instructions by illegally ridding the estate of protected predatory birds and mammals. The report points out that some current legislation, such as the Wildlife and Countryside Act 1981, makes it an offence knowingly to cause or permit the offence to occur. Other statutory offences in the Criminal Procedure (Scotland) Act 1995 have implied guilt "art and part", in that anyone, including an employer, is guilty of an offence if there is evidence that that person

"aids, abets, counsels, procures or incites"

another to commit an offence. Those provisions require evidence of third-party, or employer, involvement rather than the strict liability that some would prefer.

I accept that there is no direct precedent for such a wide provision of criminal vicarious liability in Scots law. I very much regret that, and I am convinced that it would strengthen the protection that is offered to workers and the public if it were applied to offences such as culpable homicide. Across all sectors, ordinary working people fall foul of the law, while those who turn a blind eye or collude with their actions go unpunished for the death or injury of individuals or the destruction of our natural environment and the death or injury of wildlife.

Mike Rumbles: Does Karen Gillon agree that although it is important that employers take responsibility for their employees' actions if they are engaged in criminal offences and have been egged on to do it, the main point is that any sanction should be applied after the due process of the law and once people have been found guilty in a court of law?

Karen Gillon: I do think that employers should take responsibility for their employees' actions. In this area, as in others, we find that employers consistently hide behind the actions of their employees that they coerced their employees into taking. On sanctions being applied before a court process, there are examples of offences in Scotland in relation to which we may have frozen someone's assets ahead of a conviction or taken pre-emptive action.

An employer is vicariously liable for negligent acts or omissions by his employee in the course of employment whether or not such acts or omissions were specifically authorised by the employer. To avoid vicarious liability, an employer must demonstrate—that is the key word—either that the employee was not negligent and was reasonably careful or that the employee was acting in his own right rather than on the employer's business.

I accept, as the report acknowledges, that the whole issue will need to be given further consideration before it comes back to the Parliament, but I think that the issue should come back to the Parliament for a further debate. Personally, I take the straightforward position that those who are doing nothing wrong have nothing to fear from such provisions.

Finally, let me respond to Bill Wilson's rather bizarre speech, which clearly sought to open up a divide between the UK and Scotland. If the courts deem that a person is not fit to hold a firearms licence, the person is not fit to hold such a licence. No matter who is responsible for introducing the legislation, our system of law allows for UK provisions and Scottish provisions, so where those provisions come from is not the issue. In my view, those who have been found guilty of a wildlife crime should have their firearms licence revoked, which is what I am sure will happen in due course.

16:36

Rob Gibson (Highlands and Islands) (SNP): In today's debate, I am interested in considering how the strategy for tackling wildlife crime might be extended to deal with issues for which employers such as the Ministry of Defence should be made liable.

At the beginning of this week, it was reported that tracer bullets had sparked a huge heath-land fire near Cape Wrath. *The Press and Journal* reported:

"Nests full of eggs and young birds on the most north-westerly point of the British mainland may have been destroyed in a heath fire caused by military training in the area yesterday."

Does the minister agree that such activities—in this case, more than 2 square miles of land were set ablaze—are a kind of wildlife crime and that the MOD's activities need to be reviewed to see how they affect large areas? The MOD's actions have damaged wildlife in the Cape Wrath area on the very edge of the north-west Highlands geopark, which is one of our best and most scenic areas and is full of natural habitats.

Michael Russell: I could not possibly say whether the Ministry of Defence was guilty of a wildlife crime, but I think that Rob Gibson's point

illustrates the need for a responsible approach to land ownership and land management so that people do not run the risk of damaging nature. I hope that the Ministry of Defence will bear that in mind in future.

Rob Gibson: I thank the minister for that intervention. Given that we are discussing landowners' liability, I do not see why the MOD, as a large landowner and large land user, should be exempt from any provisions. In this case, RSPB Scotland was extremely concerned about the incident. Its spokesman pointed out:

"It's right in the middle of the breeding season."

A spokesman for Scottish Natural Heritage stated:

"We're obviously concerned about things like this happening and we're monitoring the situation."

This very week, we have seen physical examples of the large-scale activities that the strategy for tackling wildlife crime should consider. I hope that my short speech today will help to make it possible for such activities to be taken into account. I am deeply concerned that the MOD could say that activities on its land do not affect any other landowners, whereas others could be affected if such fires spread. The fact is that the MOD takes a cavalier attitude towards the wildlife on that land, which has been made exempt from the geopark because it is the only live firing range in north-west Europe. What that does for the wildlife, I leave to members' imagination.

The Deputy Presiding Officer: We now move to winding-up speeches. I call Mike Rumbles.

16:39

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Should the Conservatives not wind up first?

The Deputy Presiding Officer: No.

Mike Rumbles: The Conservatives did not lodge an amendment, so they should wind up first. I would hate to take the Conservatives' turn in this unusual debate, for which they did not lodge an amendment. It is normal—

The Deputy Presiding Officer: Order. It is normal that, in the winding-up speeches, we follow the normal order. Whether a party has lodged an amendment is of relevance only in the opening speeches.

Mike Rumbles: Thank you, Presiding Officer.

As part of the previous Executive, the Liberal Democrats pushed hard for tougher legislation to deal with wildlife crime. RSPB Scotland has described Scotland's wildlife protection laws as among the best in Europe. Ross Finnie made changes to strengthen enforcement by doubling

the fines for a range of offences and creating a network of environmental specialists in the Crown Office and Procurator Fiscal Service. The Liberal Democrats favour better investigation and prosecution of environmental and wildlife crime, which will require more resources, environmental police officers in every police authority area, more training for prosecutors and heavier penalties for environmental crimes. However, those penalties must be imposed only after due process of law.

Unfortunately, through his cack-handed attempt to misrepresent our amendment, Mike Russell has given the impression that the SNP Administration is willing to act against individuals to withdraw their incomes before the legal process has run its course. That is despite the assurances that he gave to the Parliament on 4 October, when he said:

"For the avoidance of doubt, I repeat that in the serious circumstances of taking away people's livelihood, we would require the heaviest burden of proof—I am happy to clarify that once again."—[*Official Report*, 4 October 2007; c 2529.]

The minister's objection to those very words even being put before the Parliament for debate betrays a certain level of insincerity and an unwillingness to act only after due process of law, which must disturb the many people across Scotland who will be listening to the debate, especially those in our rural communities.

As far as the Conservatives are concerned, I am again incredulous at their position. They do not back our amendment, which makes it clear that ministers should act to withdraw farm subsidies only after due process of law. The farming and rural community will not understand the Conservatives' stance, because if our amendment is not agreed to, SNP ministers will be able to take away people's incomes without due process of law.

I am afraid that John Lamont allows his dislike of Liberal Democrats to cloud his judgment. In failing to support the Liberal Democrat amendment, the Tories are betraying farmers up and down the country. Where is the Conservative amendment to the Government's motion? Where is it, indeed? Once again, the Conservatives have abandoned the field.

This should be a largely consensual debate. [*Laughter.*]

The Deputy Presiding Officer: Order.

Mike Rumbles: I ask Christine Grahame to keep quiet and listen.

The only contentious issue has been the reluctance of the SNP Administration to make it clear that it will act to withdraw farmers' European Commission income only if their employees are

found guilty of a wildlife crime after due process of law. We all agree that we need to take significant action on wildlife crime, but such action must not only be fair but be seen to be fair across the country. I hope—I always live in hope—that, even at this late stage, the minister will acknowledge that important point.

16:43

Nanette Milne (North East Scotland) (Con): I, too, declare an interest as a member of the RSPB.

During the debate on wildlife crime that was held in the Parliament last October, my party stated that the sickening criminal activity against Scottish wildlife that threatens some of our rarest and most iconic species needs to be tackled relentlessly until it is stamped out, and we welcomed the setting up of a review of the inconsistent application of the law to such crime, so we are extremely pleased that the conclusions of that review have come before the Parliament for discussion.

Like other members and the bodies that are concerned for the welfare of wildlife that have contacted us, such as the RSPB, we very much welcome the detailed conclusions and recommendations of the review and look forward to their implementation in due course. We hope that that will lead to the development of a strong and effective partnership for action against wildlife crime and a co-ordinated approach to the detection, investigation, prosecution and eventual punishment of the perpetrators of it, which will help to protect Scotland's vital natural heritage from the abuse to which it is currently subjected.

Therefore, we are happy to support the motion in the Solicitor General's name and, indeed, the Labour Party's amendment, which adds urgency to the call for the implementation of the Tomkins report by suggesting the production of an action plan with an attached implementation timetable.

However, as John Lamont indicated, we will not be supporting the Liberal Democrat amendment, which we think is badly drafted. We do not think that it is appropriate for today's debate, the purpose of which is to discuss the report's proposals rather than to consider any specific sanctions that might emanate from them. My party does not accept the withholding of single farm payments as a punishment for wildlife crime.

Mike Rumbles: Why are the Conservatives going to vote for it, then?

Nanette Milne: We do not accept it at all. Were the Liberal Democrat amendment to be accepted, Parliament would, in effect, be giving its support to the sanction.

Jim Hume: Will the member take an intervention?

Nanette Milne: I am not taking interventions from the Liberal Democrats.

Wildlife crime needs to be punished, but that sanction is not the way in which to do it. An important debate must be had about the penalties that should apply, but that is for the future, not for this afternoon. The Liberal Democrats have caused considerable confusion today, so I hope that their amendment will not win the Parliament's support at decision time.

We heard the usual separatist posturing from Bill Wilson, although I doubt whether many of us were particularly impressed by it. However, there have been several well-thought-out speeches, from Karen Gillon, Peter Peacock, Rob Gibson and others. I will ignore Mike Rumbles's speech.

Bill Wilson: Will the member take an intervention?

Nanette Milne: The main barrier to the eradication of wildlife crime is not a lack of legislation, as Scotland has some of the most stringent wildlife protection laws in Europe.

Bill Wilson: I take it that the member will not take an intervention.

Nanette Milne: I am not taking any interventions.

We fall short on the consistent enforcement of existing legislation and our efforts should be focused on setting that right.

There is a consensus that we need full-time wildlife crime co-ordinators in each police force. The Crown Office and Procurator Fiscal Service should put action against wildlife crime in the hands of a specialist wildlife prosecutor. As members know, I come from the Grampian area, where we are fortunate to have one of Scotland's four wildlife crime police officers, backed up by other part-time members of the force. I look forward to the time when all Scotland's police forces are in that position. I look forward to meeting the officer from Grampian Police next month and to learning at first hand about the detail of the work that he undertakes. I am particularly pleased that the minister has accepted my invitation to come to the North East Scotland region to share in that meeting. Unfortunately, no other parties took up my offer, but I will happily report back to them, if they wish.

I am sure that we all agree that the discussion has been interesting. I reiterate that we commend the work of the review, accept its recommendations and look forward to their timely implementation. We support the motion and

accept the Labour amendment, but we do not accept the Liberal Democrat amendment.

16:47

Sarah Boyack (Edinburgh Central) (Lab): We welcome the Tomkins report and we congratulate all those who worked on it. It is a comprehensive report that has clear recommendations and a clear agenda for action, with a call for partnership to ensure that the action is effective. I welcome the general support throughout the Parliament for the report, which provides a sensible set of fine-grained recommendations that were drawn up by people who understand how the police work and what would make sense. David Stewart and Christine Grahame set out most effectively the point that although we have good legislation—let us be in no doubt about that—there is simply too much wildlife crime happening in our country and we need to focus on how to eliminate it and how to enforce the law.

An overarching issue is political leadership, which is why we wanted to ensure that the whole Parliament supports the principle of a wildlife crime reduction strategy that is produced by the Scottish Government with a timetable. Our amendment was generated with the aim of getting cross-party support and a commitment from ministers. We now know about the rate of progress, so I welcome the Solicitor General for Scotland's comments that we will get the strategy in, I think, September—it is useful to have that on the record. However, we know that timescales can slip. If we look back to the Animal Health and Welfare (Scotland) Act 2006, we see that a huge amount of work is still to be done on the regulations, which need to be produced and then implemented.

It would be good to find out today how the minister sees snaring fitting into the agenda. I am aware that he intended to establish a group to consider the issue, but its meetings have been cancelled. It would be helpful if the minister would say where he sees that discussion taking place. Will it be in the partnership for action against wildlife crime sub-group or does the minister intend another agency to discuss it? Transparency on the issue is critical. All members are interested and there are many people outwith the Parliament who are keen to know what is happening. There is a strong demand for inclusion, so that everyone can get round the table. I hope that the minister will also consider the definition of wildlife crime. We have several pieces of legislation, so how they join up and are enforced is crucial.

The issue of resources is fundamental, which is why I am so pleased that the Tomkins report sets out the case for wildlife crime officer support in every police force, with full-time officers who are

properly supported by senior management. From members across the chamber, we have heard about the need for consistent activity across Scotland and for experience to be shared within the police forces and among the other agencies involved. We have also heard that the prosecution team has to be as well-briefed and as well-trained as possible. The process will have to move effectively from identification of the crime through to prosecution. It can make a huge difference to successful prosecution if the police have secured the evidence and if the prosecution team is knowledgeable too. Therefore, I very much welcomed the opening remarks from the Solicitor General for Scotland.

We support the report's recommendations 3 to 7 about better co-ordination and better information. They will be crucial. We also support recommendations 10 and 11. It will be important that legislation be thought through in depth by the sub-group. We want the sub-group to accept the recommendation about looking into criminal vicarious liability. Landowners have to take responsibility for what happens on their estates. The arguments are set out fully and effectively in the report. The issues must be considered properly over a period of time, and people have to be involved in the discussion.

Recommendation 11, on implementation, is important. That is why we will not be supporting the Liberal Democrat amendment. We believe that the report gets it right, but the issues require proper consideration before coming back to this Parliament. We should not be making policy on the hoof today. Proper action will be required to ensure proper implementation. Karen Gillon made the case for that extremely well.

We need action on several fronts. We need clarity in the legislation; we need resources for every police force; we need leadership and commitment in each police force; we need a parallel commitment in our prosecution service; and, crucially, we need all the other agencies to be involved effectively. We must not ignore organisations such as the Scottish Society for the Prevention of Cruelty to Animals, which have a special role in helping to tackle wildlife crime. I wonder whether the minister will agree to look into the financial support that the SSPCA puts into the system. I understand that it pays for many of the post mortems of animals whose deaths later lead to prosecutions. I question whether that is right; the SSPCA is a charity and we are talking about the implementation of the law. I hope that the minister will reflect on that point and then come back to us—although perhaps not in his final speech—with his thoughts.

We will need maximum effort. Recommendation 20 must be supported—the greater use of

Crimestoppers by members of the public. That would send a clear message that wildlife crime is unacceptable and should be treated, and acted on, like any other. As Peter Peacock said, wildlife crime must be treated professionally. There is excellent practice in different police forces, but the practice has to be universal across the whole country.

John Lamont spoke about the persecution of birds of prey. We know that that is happening and that it leads to a loss of biodiversity. What will the minister do about it?

With support across the chamber, I hope that the Government will get on, get the strategy in place, and then bring it back to us. There is clear support for it.

I press the Labour amendment.

16:53

The Minister for Environment (Michael Russell): I will dispose of the Liberal amendment immediately. I am sorry that we have been distracted by it—it is absolutely clear that the amendment is a waste of chamber time, which is deeply to be regretted.

Peter McMahon, who is now a correspondent for *The Scotsman*, once wrote a piece entitled "What are the Liberal Democrats for?" It is a question that many of us ask ourselves, and we find great difficulty in finding an answer. However, this afternoon they are for wasting chamber time: their amendment asks a body that does not exist to do something that cannot be done. If there could be a bigger waste of time, I cannot imagine it.

However, it is worse than that. We have heard political posturing of the worst sort—playing to the gallery. No doubt Mr Rumbles will announce in a press release immediately after this debate—if he has not already done so, and I would not bet that he has not—that this Government is in favour of penalising farmers. The system of cross compliance is clear. He knows the system and I know the system. Were we to do what the amendment suggests, Scottish farmers would lose every element of the single farm payment. It is a disgrace that he lodged his amendment, and it is a disgrace that he has wasted Parliament's time.

Jim Hume rose—

Michael Russell: Mr Hume is not going to waste any more of my time this afternoon.

As I proceed to address the serious issues in the debate, I note that Mr Hume never referred to them in his speech. I will deal first with strategy. I agree entirely that we should accept the recommendation that the Government should have a comprehensive wildlife crime strategy. At

its meeting two weeks ago, the PAW group accepted that recommendation. As the Solicitor General said, we will discuss the matter over the summer and return to Parliament in early autumn with a strategy to be debated and a timetable for implementation of recommendations. We will aim to do that in September, although I am glad that Sarah Boyack acknowledged that the timetable may slip a little.

The level of wildlife crime in Scotland continues to be unacceptably high. Figures on poisoning for 2007 show little improvement on the corresponding figures for 2006. There was an increase in the incidence of badger baiting and hare coursing continues to be a problem. Poaching is a wildlife crime, and the number of offences of poaching deer and salmon has risen. Abuse of habitats is also getting worse. Recently, there have been reports of hillsides being deliberately set alight in Sutherland, which is completely against the Muirburn code. All those acts are abuses of Scotland's natural heritage. That is the crime, and it is a crime that offends all Scotland.

The answer to wildlife crime lies not in the posturing that we have heard from the Liberal Democrats this afternoon, but in the serious debate in Parliament, in bringing people together and in ensuring that people move away from entrenched positions. We will make real progress only when land managers and conservationists share their experiences and knowledge and work together to isolate what I called in my statement on snaring the "cowboys and criminals" who still damage the countryside.

I accept the points that have been made this afternoon on snaring. Presiding Officer, you will not be surprised to know that I am not moving away from the statement that I made on 20 February, but I agree that we must enforce rules and regulations as they are set. The current failure to do so leads to incidents such as Christine Grahame described. I confirm to Sarah Boyack that we hope to use a sub-committee of PAW to take forward the regulatory and legislative framework to which I referred. I accept that the group should be inclusive in nature and would be happy to talk to organisations that genuinely wish to be part of the process of improving regulations.

The thematic review has been vital. To be fair, it should be called not the Tomkins review but the Tomkins-O'Donnell review. I pay tribute to the entire team in the review: Paddy Tomkins, Joe O'Donnell, David McCracken and Maura Lynch. I congratulate them on having worked superbly well. We must now build on that work.

I am pleased to announce this afternoon—
[*Interruption.*]

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

Michael Russell: I am sure that members will wish to quieten down when I start to talk about money. I am pleased to say this afternoon that we will provide PAW with the funding that will be necessary to support new law enforcement projects, which was one of the recommendations in the report. We believe that such projects will show the way to a more professional and systematic approach to combating wildlife crime. SNH will provide the funds—a total of £220,000 in the current spending review period. Substantial sums of £100,000 a year in 2009-10 and 2010-11 will be provided, along with some start-up resources this year, as PAW gets under way. That money will be invested in the future of fighting wildlife crime.

The report accepts that wildlife crime is a crime like any other; we can now move ahead on the basis of that definition and we have accepted the recommendations that affect the Government. As the Solicitor General said, the recommendations that affect the Crown Office have not only been accepted but are being implemented. I know that chief constables are taking seriously the recommendations that affect them.

We still have a big job to do. We must not only outlaw wildlife crime but change the attitude to it. We must make it clear that wildlife crime is as morally unacceptable as any other form of crime and that it must disappear from Scotland. We will do that as a Parliament if we work together. I am heartened by what we have heard today from almost all parts of the chamber, although it seems that the hardest people for us to reach are the Liberal Democrat spokespeople, which is deeply to be regretted.

Point of Order

16:59

Patrick Harvie (Glasgow) (Green): On a point of order, Presiding Officer. I seek your clarification on chapter 14 of the standing orders of the Scottish Parliament.

This morning, the Government published "Scotland's Climate Change Programme: Second Annual Report, April 2007—March 2008". The document is welcome and I am sure that many members will want to scrutinise it closely. It has relevance to the remits of several committees of the Parliament. However, although the media had early indication of the report's publication and have already asked me and other members for comment, committee clerks received no prior notice and the Scottish Parliament information centre informs me that hard copies of the report will not be available until next week—[*Interruption.*]

The Presiding Officer (Alex Fergusson): Order.

Patrick Harvie: Thank you.

It is clear that the Government has been less than forthcoming, but has it complied with standing orders? Given that there have been a number of similar instances in recent times, will you consider publishing reports on each minister's compliance in relation to such matters? Reports on individual ministers could be published annually, monthly or even weekly, if appropriate. [*Applause.*]

The Presiding Officer: This is not a matter for applause—unless of course members are applauding what I am about to say.

I thank the member for giving me advance notice of the point of order. I understand that the report's publication was notified to Parliament by inspired parliamentary question at 9.30 am today. I also understand that there is no requirement for the document to which Patrick Harvie referred to be formally laid before Parliament, so chapter 14 of standing orders does not apply. However, I always request that the Government make every effort to ensure that such documents are available to the Parliament as soon as they enter the public domain.

As to Mr Harvie's suggestion, I will take it away and ponder it at my leisure. [*Applause.*] That was a matter for applause.

Decision Time

17:02

The Presiding Officer (Alex Fergusson): There are 10 questions to be put as a result of today's business. In relation to the debate on the skills strategy, I remind members that if the amendment in the name of Fiona Hyslop is agreed to, the amendment in the name of Murdo Fraser will fall.

The first question is, that amendment S3M-1951.3, in the name of Fiona Hyslop, which seeks to amend motion S3M-1951, in the name of Rhona Brankin, on the skills strategy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)

Wilson, John (Central Scotland) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)

Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)

Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

ABSTENTIONS

Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)

The Presiding Officer: The result of the division is: For 47, Against 71, Abstentions 2.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S3M-1951.1, in the name of Murdo Fraser, which seeks to amend motion S3M-1951, in the name of Rhona Brankin, on the skills strategy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)

McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)

Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)

The Presiding Officer: The result of the division is: For 71, Against 47, Abstentions 2.

Amendment agreed to.

The Presiding Officer: The third question is, that amendment S3M-1951.2, in the name of Jeremy Purvis, which also seeks to amend motion S3M-1951, in the name of Rhona Brankin, on the skills strategy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)

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

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)

Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 57, Against 63, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The fourth question is, that motion S3M-1951, in the name of Rhona Brankin, on the skills strategy, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)

Mitchell, Margaret (Central Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)

The Presiding Officer: The result of the division is: For 70, Against 47, Abstentions 2.

Motion, as amended, agreed to.

Resolved,

That the Parliament notes that the Scottish Government's skills strategy was rejected by the Parliament on 12 September 2007; recognises the importance of skills development and utilisation in growing Scotland's economy; voices concern at the decision of the Scottish Government to move away from supporting adult apprenticeships in vital areas such as the tourism, IT and retail sectors without consultation with work-based training providers; calls on the Scottish Government to provide the Parliament, with immediate effect, the evidence to support these moves, and further calls on the Scottish Government to bring forward a revised skills strategy immediately after the summer recess containing detailed information about the level at which its 50,000 training places are being set, its targets for apprenticeships and the performance indicators used to measure success and details of how access will be provided to high quality vocational education for all school pupils aged 14 or above.

The Presiding Officer: The fifth question is, that amendment S3M-1955.1.1, in the name of Ross Finnie, which seeks to amend amendment S3M-1955.1, in the name of Nicola Sturgeon, on the Scottish Ambulance Service, be agreed to.

Amendment agreed to.

The Presiding Officer: The sixth question is, that amendment S3M-1955.1, in the name of Nicola Sturgeon, as amended, which seeks to amend motion S3M-1955, in the name of Margaret Curran, on the Scottish Ambulance Service, be agreed to.

Amendment agreed to.

The Presiding Officer: The seventh question is, that motion S3M-1955, in the name of Margaret Curran, on the Scottish Ambulance Service, as amended, be agreed to.

Motion, as amended, agreed to.

Resolved,

That the Parliament welcomes the improved performance demonstrated by the Scottish Ambulance Service in recent months, particularly in relation to responding more quickly to life threatening calls; congratulates the staff of the Scottish Ambulance Service for their efforts in achieving this improvement for patients; acknowledges the need to ensure that the Scottish Ambulance Service continues to improve across a range of indicators and that it effectively consults staff and communicates with the public about the service it provides for them, and calls on the Cabinet Secretary for Health and Wellbeing to make a full statement to the Parliament, at the earliest opportunity, on the operation of the Scottish Ambulance Service, specifically the use of single person crews, the deployment of rapid response vehicles, ambulance response times, rates of

assaults on ambulance crews and the impact of journey length on patient safety.

The Presiding Officer: The eighth question is, that amendment S3M-1954.1, in the name of David Stewart, which seeks to amend motion S3M-1954, in the name of Frank Mulholland, be agreed to.

Amendment agreed to.

The Presiding Officer: The ninth question is, that amendment S3M-1954.2, in the name of Jim Hume, which seeks to amend motion S3M-1954, in the name of Frank Mulholland, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 Hume, Jim (South of Scotland) (LD)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 O'Donnell, Hugh (Central Scotland) (LD)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Allan, Alasdair (Western Isles) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)

FitzPatrick, Joe (Dundee West) (SNP)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Henry, Hugh (Paisley South) (Lab)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McMillan, Stuart (West of Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Murray, Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Paterson, Gil (West of Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)
 Wilson, Bill (West of Scotland) (SNP)

Wilson, John (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)

Harvie, Patrick (Glasgow) (Green)

The Presiding Officer: The result of the division is: For 16, Against 102, Abstentions 2.

Amendment disagreed to.

The Presiding Officer: The final question is, that motion S3M-1954, in the name of Frank Mulholland, on wildlife crime, as amended, be agreed to.

Motion, as amended, agreed to.

Resolved,

That the Parliament welcomes the report, *Natural Justice: A Joint Thematic Inspection of the Arrangements in Scotland for Preventing, Investigating and Prosecuting Wildlife Crime*, by HM Inspectorate of Constabulary for Scotland and the Inspectorate of Prosecution in Scotland; commends the recommendations in the report, the implementation of which will bring to bear the full professional expertise of the agencies who investigate, detect and prosecute those involved in wildlife crime; looks forward to the development of a strong and effective partnership for action against wildlife crime, working to a new agreed strategy on wildlife crime and co-ordinating the fight against the abuse of Scotland's vital natural heritage; supports in full the recommendations of the Tomkins report, and calls on the Scottish Government to produce an action plan on tackling wildlife crime, including a timetable for the implementation of the report.

National Association of Youth Orchestras

The Deputy Presiding Officer (Trish Godman): The final item of business is a members' business debate on motion S3M-1232, in the name of Ian McKee, on the National Association of Youth Orchestras. The debate will be concluded without any question being put.

Motion debated,

That the Parliament applauds the objectives of the National Association of Youth Orchestras in supporting, encouraging and facilitating young musicians by giving them the opportunity to perform orchestral works at the highest level; recognises the association's vital contribution to the cultural life both of the capital city and all of Scotland, and would like to see it remain based in Edinburgh.

17:10

Ian McKee (Lothians) (SNP): I am grateful for this opportunity to bring two matters to members' attention—the value of the National Association of Youth Orchestras to the culture of Scotland, and the location of its headquarters. I thank all those who added their support for the motion.

Children who are gifted at music do not want to spend their time practising on their own at home. Many join informal groups or play in a school orchestra and the most talented and enthusiastic often become members of one of the many youth orchestras that can be found the length and breadth of Britain.

The National Association of Youth Orchestras was formed about 40 years ago with the intention of offering mutual support to orchestras that joined it. In this context, the word "national" refers to the United Kingdom, and services are offered to youth orchestras in England, Scotland, Wales and Northern Ireland. Some years later, the association founded its annual event, the festival of British youth orchestras. The festival, which lasts for three weeks, takes place in Edinburgh and Glasgow and coincides with the Edinburgh festival. It offers young people the opportunity to mix with members of other youth orchestras and to have the experience of performing to live audiences as part of the festival fringe. Because the event is associated with the Edinburgh festival, the youngsters gain access to the rehearsals of some of the world's top orchestras and can learn from the process.

Because the association was undertaking an increasing amount of administrative work, it was deemed necessary for it to have a permanent base. As much of the work related to organising the festival of British youth orchestras, Edinburgh was chosen as the location. It has been the

administrative centre of the NAYO for more than 20 years.

Time moves on and circumstances change. Issues that concerned the association's executive council included a large increase in the number of children who take up music and wish to join an orchestra and a consequential increase in the number of youth orchestras, many of which were not members of the NAYO, perhaps because they did not know of its existence. As a result, the executive decided, quite properly, to mount an inquiry to determine the changes that were required to cope with the new challenges. As part of that inquiry, a consultant was employed to report back to the executive with recommendations.

So far, I have given a factual description of events until last year. I do not think that anyone would have a major disagreement with what I have said, or indeed with what happened. Thereafter, however, the picture becomes more complicated.

In an article in the NAYO members publication in January 2008, George Caird, the chairman, referred to the review and stated that the association's staffing, activities and administrative location might have to change. When I spoke to the association's consultant, David Marcou, earlier this week, he said that it was likely that the administrative location would change but that no final decision had been taken and no redundancy notices had been issued to the Edinburgh staff. However, when I spoke this week to a person who had worked in the NAYO's office for 24 years, she was adamant that staff were told on 8 January that they would be made redundant in the second week of September, just after this year's festival.

I do not intend to go into the legal intricacies of what a redundancy notice is and is not, but there is no doubt that the staff thought that they were being made redundant, so much so that two of them handed in their notice in the next few days as they needed to look for other work.

All the writing on the wall suggests that the NAYO intends to move its administrative headquarters to England, if not London, even if it intends to retain a small presence in Edinburgh. What are the reasons for that decision? The association has decided to carry on organising the festival-associated activities in August, so much work still needs to be done in Scotland. Recruitment drives and other administrative activities can be mounted from an office anywhere, and if there are staff issues, they should be tackled in their own right rather than by moving an office, which is really using a sledgehammer to crack a nut. The City of Edinburgh Council is bending over backwards to help the NAYO with any accommodation problems.

What I suspect is the real explanation is one of many that were put to me—some in the association consider that the NAYO is hindered by having an operational base far from London and there is a broad consensus in England that having the head office in Edinburgh reinforces the perception that the NAYO is a Scottish organisation and not representative of youth orchestras nationally.

I do not know how often an organisation such as the NAYO needs to lobby UK ministers, but I would not have thought that it was frequent enough to warrant a major upheaval such as moving its head office. An easyJet return from Edinburgh is not all that expensive. Furthermore, that argument probably puts paid to the idea that the office could be located anywhere in England other than London.

Why does an organisation have to have an office in England to be called a national organisation? I argue that it will be easier to correct the misperception that a UK national organisation cannot be based in Scotland than the much more damaging perception of English parochialism that is engendered by the argument that a truly national organisation can be based only in England.

We are told that the decision to move headquarters has not yet been confirmed. I ask the National Association of Youth Orchestras to consider all the evidence and to think again before embarking on such a divisive policy.

17:17

Aileen Campbell (South of Scotland) (SNP): I thank Ian McKee for securing tonight's debate on the National Association of Youth Orchestras. I share his concern that there is doubt over the association's long-term future in the city, but I am sure that the council and Ian McKee will do all that they can to ensure that it remains based in Edinburgh. As the motion states, the association makes a vital contribution to cultural life not only in our capital city, but throughout the country.

The debate provides us with a good opportunity to consider the importance of youth orchestras to Scotland, and I have a particular interest in speaking tonight. While at school, I played—or at least tried to play—the oboe and I was in the school orchestra and the Perthshire central bands, which brought together young musicians from schools from across the county. I never played in the Perth Youth Orchestra, but many of my peers did.

The opportunity to be part of an orchestra should never be underestimated. It is thrilling to be part of something so big that sounds so wonderful, and to hear applause at the end of a piece is

exhilarating. On a practical level, the chance to practise and play their instrument in a full orchestra allows young musicians to hone their playing abilities and to improve their skills. Another obvious plus is that it is enormously gratifying to see the pleasure that people get from listening to an orchestra full of young people. It also allows those young people to make new friends and lifelong acquaintances.

Being part of a youth orchestra offers young musicians the opportunity to learn their trade and gain more experience before heading on to bigger and better things. I mentioned the fact that I played the oboe at school. When I was first oboe at school, a young Michael O'Donnell was second, but members should not be fooled into thinking that I was any good. In stark contrast to me, Michael displayed an obvious talent, and I am delighted to learn that he is now a professional musician with a formidable reputation that includes his playing at the Edinburgh and Cheltenham festivals and the BBC proms.

Others who have carved out remarkable careers have been Alasdair Beatson and Malcolm Edmonstone, also in my class at school, who are award-winning musicians and have performed around the world. Of course, we cannot forget Ayrshire's Nicola Benedetti, who was recently crowned best young British classical performer.

Those musicians have all played in youth orchestras, and I do not doubt that they will look back fondly at their time spent there and be appreciative of the support, tuition and experience that it gave them. They are doing Scotland proud, and I hope that youngsters in youth orchestras and groups across the South of Scotland—such as the Lanarkshire Orchestral Society, the North Ayrshire Schools Orchestra, and the Ayrshire Fiddle Orchestra—find as much enjoyment in their respective groups as I did. Who knows? They may be harbouring the next Nicola Benedetti.

Those examples and their successful stories illustrate why it is so important that we continue to support youth orchestras and groups in all their guises. That is why everything must be done to ensure that the National Association of Youth Orchestras stays in Scotland. I accept that the association's moving to London would not necessarily negatively impinge on youth orchestras and groups, but I worry that such a move could send the message that Scotland is not as good a location as London for UK bodies such as the NAYO, which we all know is not the case. As Ian McKee suggested, modern technologies and transport links surely enable wider dispersal of cultural bodies. In the 21st century world, London need no longer be the epicentre.

I share the sentiments of Ian McKee's motion and support him and the City of Edinburgh Council

in their efforts to ensure that this important organisation remains here. I am heartened that the council is working hard with the NAYO to achieve that.

17:20

Ted Brocklebank (Mid Scotland and Fife) (Con): I, too, congratulate Ian McKee on securing the debate. The news that the National Association of Youth Orchestras is likely to relocate its main operational base south of the border this autumn is an important straw in what begins to look like a chill wind blowing through the Scottish arts scene, which is made chillier by the continuing funding row with drama students at the Royal Scottish Academy of Music and Drama.

Last week, I attended Scottish Ballet's production of "Romeo and Juliet" at the Festival theatre. The performance was stunning. Even though I know little of the finer points of ballet, I had the sense that something important in how we conduct ourselves as a civilised nation was being played out on the stage in the capital. However, the coalition that controls the City of Edinburgh Council has withdrawn revenue funding from Scottish Ballet and Scottish Opera. Both companies are reassessing their plans, and it seems inevitable that performances in the capital will be affected. Some might argue that Edinburgh, which has world-famous arts festivals, has more than its share of cultural activities and can afford to cut back in times of financial restraint. I disagree.

As we have heard, the National Association of Youth Orchestras has been based in Edinburgh for more than 30 years and has mounted a summer season in the capital and in Glasgow every year for more than two decades. We now hear that that annual festival is guaranteed only until 2009. The association supports 125,000 young musicians and 1,800 orchestras from all over the UK. Its funding comes mostly from the private sector and charitable trusts. It attracts no Government funding, which will surprise many, given its sterling work to promote young musicians. The association's planned move is apparently aimed at securing part of the bigger share of Government funding that is available for youth music south of the border.

It is sad that arts funding in Scotland has not kept pace with increases in England, where funding has risen by 60 per cent in the past decade, in comparison with a 39 per cent increase north of the border. As a percentage of the Scottish budget, funding has dropped from 0.61 per cent in 1997-98 to 0.44 per cent in 2005-06. Under the Scottish National Party, arts spending is still not back to the 1997-98 level in real terms. We

are told that that shortfall will be exacerbated by Olympic spending.

Edinburgh cannot be complacent about having the world's premier arts festival. Cities such as Manchester are vying for the crown: it is said to be spending considerably more than Edinburgh to achieve its end. According to the Scottish Arts Council's "Thundering Hooves" report, Edinburgh's pre-eminent position could be seriously undermined by the burgeoning number of festivals that are competing for artists, audiences and funding. As we know, the Edinburgh festivals generate nearly £190 million in revenue for the Scottish economy annually, of which more than £140 million accrues directly to Edinburgh and the Lothians, so it is extremely concerning that the capital's coalition council is using cuts in arts funding to help to meet its budget.

The minister has many calls on her arts budget, but she should consider that the National Association of Youth Orchestras has had no Scottish Government funding and that governmental sources south of the border appear to be only too happy to bridge the association's funding gap. At the least, perhaps she should try banging together the heads of her SNP colleagues on the City of Edinburgh Council who, with their coalition partners the Lib Dems, still seem to expect golden eggs after killing the geese that lay them.

I recently watched entranced as Nicola Benedetti blew away a packed audience at the Royal Scottish National Orchestra's final concert of the season. Does the minister agree that it would be a national scandal if future Nicola Benedettis had to make their names elsewhere because their native country was too tight-fisted or too short-sighted to continue showcasing Scotland's talented young musicians and orchestras?

17:25

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I congratulate Ian McKee on securing this important debate, and I pay tribute to the NAYO for its important work in increasing opportunities for young musicians and for its annual festival of British youth orchestras, which has occurred every year for the past 25 years or so.

Ian McKee described the confusion about whether a final decision has been made. I will not go over that, except to say that I profoundly hope that it has not. I, too, read Professor Caird's article in "NAYO News". I was unpersuaded by his arguments for a move and can find no reasonable grounds for such a decision. I was struck by a recent quote in *The Herald* by Carol Main, who

was the director of the NAYO from 1979 to 2003. She said that she was "bewildered, frustrated and saddened" by the decision, and went on to say:

"Scotland has nurtured and sustained this organisation for many years, and I do not remember anyone ever saying to me, 'I don't know why you are based in Edinburgh.'"

The other thing that concerned me about Professor Caird's article was that he talked a great deal about the admittedly exciting developments in music in England, but seemed to be totally unaware of what was happening in Scotland in that respect. The youth music initiative, which I note the Scottish Government is fully committed to continuing, is a flagship policy that has made a great difference. I found Professor Caird's comments worrying. I am told that one of the problems may be that there is only one Scotland-based person on the NAYO board. We should make it our job to make them better informed about what is happening in Scotland.

There are many other music developments in Scotland. Sistema Scotland, for example, is a project that is just starting in Raploch to give a large number of young people new opportunities to learn an instrument. The project is based on a Venezuelan model and was initially driven forward by Richard Holloway. I hope that the Government gives further support to that exciting venture.

I was struck by the large number of Scottish members of the NAYO—both local authorities and independent orchestras and ensembles. As has been referred to, the City of Edinburgh Council is a member. My colleague Councillor Paul Godzik lodged a motion some time ago, and I am glad to hear from Ian McKee that the administration is working hard to help to resolve the situation with the NAYO. I hope that the City of Edinburgh Council and the Government will do everything that they can to keep the NAYO's headquarters here—that is important—and to ensure that its festival continues to take place every summer, both in Edinburgh and at the Royal Scottish Academy of Music and Drama, to which Ted Brocklebank referred.

It would be appropriate to end by reinforcing the point that the RSAMD is critical for Scottish music. I was encouraged by what the minister said at question time, but I urge the Government as a whole to do everything that it can to address the funding difficulty at that institution.

17:28

The Minister for Europe, External Affairs and Culture (Linda Fabiani): I thank Ian McKee for bringing to the Parliament's attention the wonderful work of the National Association of Youth Orchestras and the tremendous support it provides to young musicians throughout Scotland

and the United Kingdom. Every member who has spoken is concerned and agrees that there would be some loss to Edinburgh if the NAYO office were to move. Like Ian McKee and Malcolm Chisholm, I would like it if the confusion surrounding the issue could be cleared up.

I wish the City of Edinburgh Council success in its talks with NAYO, in the hope that accommodation will be found to allow it to remain in Edinburgh, and wholeheartedly applaud the organisation's work to support our brightest young talent and recognise its contribution to Scotland's cultural life. Edinburgh is a fantastic base for artistic organisations and NAYO has provided many opportunities for young people to participate in and experience orchestral music over the years, as have our Scotland-based youth orchestras.

NAYO represents youth orchestras throughout Scotland and provides encouragement, advice and access to key opportunities. The annual festival of British youth orchestras is a fantastic example of the contribution that NAYO makes to the development of young musical talent; it is NAYO's largest and most exciting annual event and it takes place during three weeks in August as part of the Edinburgh festival fringe. What an opportunity it presents! Last year's festival involved 43 concerts over 21 days in Glasgow and Edinburgh. The participants came from far and wide and included the Fife Youth Jazz Orchestra, the West of Scotland Schools Ensemble, Moray Concert Brass Band, Perth Youth Big Band, an orchestra from Kent, and Darlington and Dales Youth Orchestra. This year, we will have the orchestra from Kent, an orchestra from Shropshire and the National Youth Wind Ensemble.

Although NAYO has committed to continuing the festival of British youth orchestras in Edinburgh for 2008 and 2009, we all urge it to make a further commitment, regardless of the outcome of its consultation. After all, where would such a festival be better held in the UK than in Edinburgh, which has the world's biggest cultural festival? Where else could be deemed better?

There is a wealth of outstanding orchestral and instrumental opportunities for young musicians in Scotland. I will continue to work with them all and with colleagues in the sector to ensure that the musical landscape in Scotland flourishes.

The Scottish Arts Council supports a vast range of youth orchestras. The RSAMD, which Mr Chisholm mentioned, and our national performing companies continue to provide a range of opportunities for young amateur and budding professional musicians.

The Scottish Arts Council has funded various NAYO projects over the past 10 years. In 2004, the lottery money that the Scottish Arts Council

distributed was provided to the new festival of youth choirs, which was integrated with the festival of British youth orchestras.

Under the youth music initiative, NAYO has had support, along with the National Youth Orchestra of Scotland and the National Youth Choir of Scotland. I know that NAYO is ambitious for its future and the future of its members throughout the UK. Whatever the outcome of the consultation process, it must continue to work with our young people and organisations in Edinburgh and throughout Scotland in supporting that talent and inspiration and the determination of our young musicians to make great music.

Of course we would prefer NAYO to choose to stay in Edinburgh. I, like Ian McKee, Malcolm Chisholm, Ted Brocklebank, Aileen Campbell and the City of Edinburgh Council, urge NAYO to consider just what a fantastic base Edinburgh is for an orchestra organisation.

I would not like to close the debate without mentioning the National Youth Orchestras of Scotland, the National Youth Choir of Scotland, the national youth pipe band of Scotland and the National Youth Brass Band of Scotland. The Scottish Arts Council has been having a hard time lately, in the chamber and beyond, but I have to say that those organisations—our youth organisations—are all well supported by the Scottish Arts Council and they are going from strength to strength. They will continue to do so, because underpinning everything they do is an absolute love for and celebration of the music they produce. The people who work with them, some of whom are volunteers, have an absolute commitment to seeing that flourish. It will continue to flourish. We would prefer that it continued to flourish with the presence of the National Association of Youth Orchestras here in Edinburgh, which is a natural place for it to be. Moving away from Edinburgh would involve a sad decision, but it is a decision that only it can take.

Meeting closed at 17:34.

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