

MEETING OF THE PARLIAMENT

Thursday 4 December 2008

Session 3

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Scottish Parliament

Thursday 4 December 2008

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

Broadcasting

The Presiding Officer (Alex Fergusson):

Good morning. The first item of business is a debate on motion S3M-3013, in the name of Ted Brocklebank, on broadcasting.

09:15

Ted Brocklebank (Mid Scotland and Fife)

(Con): I begin by making a declaration of interest. As indicated in the register of members' interests, I have a shareholding in Scottish Television Ltd. The fact that those shares are languishing at a near all-time low says as much about my investment skills as it does about the current economic plight of STV.

The Commission on Scottish Devolution, chaired by Sir Kenneth Calman, published its interim report "The Future of Scottish Devolution within the Union: A First Report" on 2 December. The report states that devolution of broadcasting merits further consideration, although it accepts that it would be difficult to create a new Scottish digital channel, which Scottish Conservatives have long campaigned for, without the Scottish Parliament having a role in scrutinising and holding managers of that channel to account. I agree. Indeed, Conservatives said as much in their report to the Scottish Broadcasting Commission.

Like the Scottish Broadcasting Commission, I do not accept that a case has been made for the full devolution of broadcasting, but I have long argued that the Scottish Parliament should be much more involved in what is transmitted on television screens in Scotland and in how that is funded. It is no coincidence, in my view, that the drop in funding for network production of Scottish news and current affairs during the first eight years of the Parliament had much to do with the perception that broadcasting was a hands-off area that was reserved to Westminster.

I am delighted that the BBC in particular has promised to mend its ways and to allocate an increased share of network production to Scotland, although I believe that its aim should be to reach its target by 2012 rather than the more leisurely 2016. However, it is deeply concerning to hear that BBC Scotland is to shed another 74 broadcasting jobs, which is on top of the 100 who were made redundant last year.

In this climate, it is important that Channel 4, too, should substantially increase its share of production from Scotland. The excellent independent production sector in Scotland is being held back only by lack of continuity of work. In that regard, I welcome the arrival of BBC Alba. Even with limited funding, it has started to provide continuity as well as excellent audience figures.

The Office of Communications consultation on the future of public service broadcasting, however, reveals that for many broadcasters, including STV, the benefits of holding PSB licences will soon be outweighed by the cost of providing news and current affairs content at the required level. Indeed, according to Ofcom, that could happen as soon as next year for STV. That company has estimated that it could require a cash injection of some £5 million a year to allow it to continue to produce news and current affairs at present levels.

STV's situation is made worse because, along with UTV and Channel Television, it remains independent of ITV. ITV's chief executive, Michael Grade, has called for a single, United Kingdom-wide licence and has warned of the real possibility of ITV handing back its PSB licence. That would not be in Scotland's national interest, particularly with so many policy issues now devolved to Scotland, and certainly not in terms of employing Scottish journalists, many of whom, as today's sad news from *The Herald* indicates, face a bleak future.

STV remains committed to its public service broadcasting role. However, if ITV goes nationwide, that would place a question mark over whether STV would be able to acquire highly popular network shows such as "Coronation Street", "Emmerdale" and "The X Factor". Michael Grade argues that ITV subsidises the three independent licensees to the tune of £25 million a year—a charge that STV refutes—but there are understandable fears that a nationwide ITV could end up competing head to head with STV in Scotland.

In the turbulent, ever-changing world of broadcasting, should we care if our main commercial channel goes to the wall? I believe that the Scottish Parliament should be extremely concerned about that possibility. Even in troubled financial times, we should not forget the basic free-market principle that competition between providers drives up quality and choice. That position is echoed in the findings of the TNS System Three poll that Ofcom commissioned, in which 76 per cent of Scottish respondents said that it was important to have a choice of TV news providers in Scotland.

Competition is the lifeblood of broadcasting and the media in general. I spent some three decades of my life working for the commercial TV sector,

before working as an independent programme maker. The main competition was usually the BBC. Despite the BBC's recent difficulties and despite concerns about the spread of its activities, I remain a huge fan of it, and BBC Scotland in particular. In my days as a producer, the subsidised BBC could always outspend us, but few at the BBC would question the vital role that the commercial channels have played in spurring creative competition.

Among the many scoops that we achieved at little Grampian Television in my time were that we were the first United Kingdom regional TV company to broadcast in colour; we were the first to adopt the new lightweight electronic news-gathering cameras; and we were the first to broadcast live by satellite from a North Sea oil rig. Ken MacQuarrie of the BBC has generously conceded that competition from Scottish commercial TV companies was one of the main drivers in keeping BBC Scotland ahead of other regional centres.

I remain convinced of the need for competition, which is why we call on Ofcom to implement the enhanced evolution option, as favoured by most respondents to its consultation, with STV or a successor Scottish licensee providing PSB for Scotland, including the Borders region, as part of a wider UK network. We agree that additional funding will be required to do that. In that regard, Ofcom has identified several possible options. Potentially huge sums will be realised with the sell-off of the digital spectrum—some estimate it at £33 billion. Funds will be available, too, from unspent moneys that were previously allocated to the BBC for the digital switchover—some £130 million per annum. Of course, there has also been talk of top-slicing the BBC licence fee.

Since broadcasting is reserved, we do not believe that it is our role to plump for any of those options today, particularly since broadcasting is changing so quickly, but we do say that the funding issue must be addressed. We await with interest the announcement from the Secretary of State for Culture, Media and Sport Andy Burnham of Labour's broadcasting plans, which we hope will be produced as early as February. We will look to him to give strong support for commercial PSB competition for the BBC in Scotland and to indicate how that might be funded. We also look forward to his support for the proposed new Scottish digital channel, especially if Labour adopts the partially commercially funded model that Scottish Conservatives advocate, which could also provide a stabilising role for STV and avoid the need for a duplicate infrastructure. However, we accept that STV's existing problems need to be addressed before then.

We firmly believe that a digital channel, partly funded by commercials, could also allow for the development of city and local TV, which is widely available throughout Europe, with Spain alone having 1,000 channels. Such broadcasting is also highly successful in America, Canada, Australia, New Zealand and South Africa. It has been suggested that up to 16 local TV channels could be viable in Scotland, which could provide up to 330 new jobs. However, we think that the Government should urgently engage with Ofcom to ensure that the spectrum is available for the roll-out of a vital new digital service.

A future Conservative Government will be as committed to local TV as it will be to commercial PSB competition for the BBC in Scotland. I commend the motion in my name.

I move,

That the Parliament notes that 4 December 2008 is the final date for submissions to Ofcom's Public Service Broadcasting (PSB) Review, Preparing for the Digital Future; recognises that, while broadcasting is reserved, there is a need for a healthy, competitive Scottish-based television programme-making sector outwith the BBC, notwithstanding that organisation's historic, respected and pivotal role in Scottish broadcasting; recognises the role of STV as the only remaining Scottish-based commercial PSB provider; prefers Ofcom's enhanced evolution option with a commercial TV channel continuing to provide PSB for Scotland as part of a wider UK network; recognises that STV's survival as a PSB provider is at risk in the current economic climate, particularly since ITV is now advocating a single UK-wide brand, and calls on Ofcom to explore all options to ensure that there is PSB competition for BBC Scotland in the nation's rapidly changing broadcasting landscape.

09:23

Iain Smith (North East Fife) (LD): I am happy to speak in support of both the motion and the amendment, which is in my name.

As I said in the 8 October debate in Parliament on the Scottish Broadcasting Commission's final report, much of what underpins the commission's recommendation on a Scottish digital channel is the belief that STV cannot survive in its current form. The commission was right that there must be plurality in public service broadcasting to ensure that the public have choice, that there is breadth and depth of news and current affairs coverage, and that quality and standards are maintained. Nowhere is that more important than in Scotland, where devolution has increased the need for the public to have access to impartial and accurate factual broadcasting about public life in Scotland.

Unfortunately, as a result of increasing commercial and financial pressures on the broadcasters investment in news and current affairs has declined. I echo Ted Brocklebank's concerns about the additional job cuts at BBC Scotland and the impact that that may have on the

quality of broadcasting that is produced for Scotland by Scotland. Scotland needs vibrant and viable commercial public service competitors to the BBC, to ensure that the public continue to have access to a range of news and current affairs sources, and that, through competition, standards and quality are maintained. However, the reality is that, in its current form, the future for STV is bleak.

As a result of the actions, or inactions, of Ofcom and the UK Government, a situation has developed in which one company—ITV plc—operates as a near monopoly that can dictate the future direction of commercial public service broadcasting. When ITV was first set up—which happened before my time—it was deliberately given a federal structure, which is something that Liberal Democrats instinctively like. The principle was that a number of different regional broadcasters would come together to form a national network that would provide a mix of regional and national programming. Admittedly, some of the regions owed more to the geography of transmitters than to natural regions, but the idea was that no single broadcaster would be dominant, so the ITV schedule would be made up of programmes made by different regional companies. Indeed, there were strict rules against companies holding more than one franchise. Those rules were relaxed by successive Conservative and Labour Governments, as different licensing regimes and different franchise proposals were developed for ITV. However, the principle of plurality remained within ITV, and it retained a federal structure.

The present Labour Government has abandoned that principle by lifting completely the restrictions on how many franchises can be held by one company. That opened the door for the creation of the ITV plc monster, which now holds more than 90 per cent of the ITV franchises. ITV plc has virtually monopoly control of the ITV network and full ownership and control of the spin-off digital channels ITV2, ITV3 and ITV4. There is some abuse of that position in the broadcasting on those channels of programming that ITV does not own in its entirety. ITV plc has used that dominance to pressure the regulator to remove its public service broadcasting obligations and to reduce or eliminate completely its regional broadcasting requirements.

It was inevitable that the digital age would bring changes in the broadcasting landscape, given viewers' increased choice over what to watch and when to watch it. It was inevitable that the wider choice for advertisers would mean that ITV would no longer be the licence to print money that it once was. However, the failure of the regulator and the UK Government to prevent the creation of ITV plc by ensuring the retention of independent regional franchises removed plurality in public service

broadcasting, which has made it easier for the new monopoly ITV plc to put a gun to the heads of the regulator and say, "Agree to our demands or we walk away."

That is the context in which I fear for the future of STV. In an environment in which the ITV schedule is increasingly dictated by ITV plc, with fewer and fewer public service or regional broadcasting commitments, STV will find it increasingly difficult to provide commercial justification for regional opt-outs from popular network programmes. We need only look at the outcry when BBC Scotland moved "Spooks", which was broadcast throughout the rest of the United Kingdom, to make way for "A History of Scotland". I fear that it is only a matter of time before STV is forced to bow to the inevitable by falling under the wheels of the ITV plc juggernaut so that there is only one ITV franchise for the whole of the United Kingdom.

There is much to concern us in Ofcom's second public service broadcasting review. As I mentioned in the October debate, there is no requirement for ITV to commission any of 75 per cent of its programming from anyone other than ITV plc, leaving STV and UTV in the wilderness. To my mind, we should not support the enhanced evolution option, but it is the least worst option in the Ofcom review. The review is a desperate attempt by Ofcom to do a Canute and hold back the tide that is washing over it, but I fear that it is too little, too late.

The amendment gives us an important opportunity to touch on two other matters in today's debate. First, it is totally unacceptable that digital switchover will create a two-tier—or possibly even three-tier—system. Those who are fortunate enough to be served by a main transmitter will receive the full gamut of free-to-view digital channels; those who, by accident of geography, receive their signal from a relay transmitter—as is the case in much of Scotland, including in Cupar and Strathmiglo in my constituency—will get what has latterly been referred to as Freeview lite, which actually means restricted availability of programming. My constituents might be lucky that they will be unable to watch some of the rubbish that appears on digital television, but they will also not have access to high-definition broadcasts. Surely, as licence fee payers, my constituents are entitled to the same service as everyone else. All licence fee payers are paying for digital switchover, so all should be entitled to the same services as a result of switchover. It is a disgrace that that is not the case. Ofcom must do more to ensure that that happens.

Finally, on the seventh multiplex, I do not claim to be an expert on the technicalities, but I

understand that digital switchover provides a once-in-a-generation opportunity to enable transmitters to provide additional spectrum in Scotland. It is important that Ofcom takes on board the needs of Scotland—perhaps through a new Scottish digital channel—for local television by ensuring that we have access to that spectrum.

I move amendment S3M-3013.1, to insert at end:

“; further believes that all Scottish residents should have access to the full range of broadcasting following digital switchover, and calls on Ofcom to ensure that all relay transmitters are capable of transmitting the full spectrum of free-to-view broadcasting and that the 7th Mux is enabled in Scotland.”

09:29

The Minister for Europe, External Affairs and Culture (Linda Fabiani): It is timely that the debate is being held today, given that 4 December is the closing date for responses to the Ofcom consultation. Sadly, the debate is also timely following yesterday's news that BBC Scotland intends to cut even more jobs in addition to those that it cut earlier this year. It is hard to correlate that with Mark Thompson's commitment to production expansion in Scotland, which he said would have a floor, not a ceiling, of 9 per cent. Understandably, many in the Parliament and beyond will be concerned about jobs and programming.

I generally support the motion, but I cannot support its reference to supporting Ofcom's enhanced evolution model. Our response to the consultation, which is now on Ofcom's website, states that the Scottish Government has no preference for any of Ofcom's long-term models, provided that they are adapted to take full account of the recommendations of the Scottish Broadcasting Commission report.

We recognise that a commercial broadcaster can make a vital and vibrant contribution to broadcasting in Scotland. STV has a strong history, has a familiar and valued brand, and is a strong contributor to competition. As a provider of national and local news, STV is one of the strongest channel 3 licensees, with 42 per cent of people relying on it as their main source of news about Scotland. STV plays an important part in the Scottish broadcasting industry and makes a valued contribution to the economy.

We also recognise that STV is part of a complex licensing agreement with ITV that can pose difficulties, bring benefits and raise concerns. Most recently, those concerns have been about how STV can maintain its public service broadcasting commitments if ITV walks away from its public service broadcasting licence. I know that STV remains committed to being part of the public

service broadcasting landscape in Scotland. STV can continue to play a part in offering variety and competition in Scotland. We said as much in our response to Ofcom. However, as Ofcom's review suggests, we should also look at alternatives. We should not be restricted to focusing on plurality of news.

The Ofcom PSB review recognises that the requirements of the nations of the UK extend to

“sufficient content ... to address their distinct political and cultural needs”.

Research that was carried out by the Scottish Broadcasting Commission found that audiences in Scotland are less satisfied with current levels of provision in other key genres of programmes about Scotland. The proposed Scottish network would satisfy that demand for more Scottish programmes. In research that was carried out for the Scottish Broadcasting Commission, 82 per cent of those who were asked stated that they would be interested in watching a new Scottish television channel. The Scottish network would increase the opportunities for Scotland to see itself in a variety of quality programmes that would be available to all.

For an example of the desire for quality programming, we need look no further than BBC Alba. Its success since its launch in September shows that there is an appetite for quality Scottish content. The new channel secured viewing figures of 600,000 in its first week. Like members from all parties in the Parliament, I urge the BBC trust to give the new channel Freeview carriage so that it can reach all of Scotland and achieve its potential.

Ultimately, Ofcom has put forward a number of proposals for consultation. In the 8 October debate on the Scottish Broadcasting Commission report, I urged all members to respond to Ofcom's consultation. I hope that many have taken that opportunity to shape the future of public service broadcasting in Scotland.

09:33

Pauline McNeill (Glasgow Kelvin) (Lab): Presiding Officer, I apologise to members, to you and to Ted Brocklebank for not being present for the opening speech. I was held up with an important constituency matter.

I welcome the way in which the Conservatives have chosen to use their debating time this morning. It is timely that we should debate broadcasting on the closing date for responses to Ofcom's consultation on its second public service broadcasting review. It is always helpful to have a timely debate.

As we have discussed in previous broadcasting debates, seismic shifts have taken place in

broadcasting, as Ofcom reports have highlighted. The old regime, which existed for more than 40 years, was based on a deal that provided a monopoly on TV advertising. We also know from previous debates that, this year, Google made more money from advertising than did any of our television companies. We can see how things have changed dramatically. We will see quite dramatic change in the collapse of the old system, with 2012 being the final date for complete digital switchover. Digital platforms bring many opportunities, but there are many challenges and issues to resolve.

I take this opportunity to support what the minister said about the challenges in the industry and yesterday's announcement about the loss of more jobs at BBC Scotland. The BBC is an important part of our plurality in public service broadcasting, and I am sure that we will all continue to scrutinise its output, because we want quality to continue at the BBC.

Ofcom's work makes it clear that the public want to preserve public service broadcasting. That is the common ground that lies between us. Although we might have slight differences of opinion with the Conservatives about how that might be achieved, we are clear that the overall objective is to preserve what people want, and that is public service broadcasting—news and current affairs and other programmes that the public purse is expected to support.

We do not always get around to talking about radio, from which many people get their news. For example, many drivers listen to the news on their way to work or on the way home. We must pay some attention to radio's importance in this debate. We must be prepared to address any gaps in radio provision.

No one does not support the plurality of television. There are many different providers, such as Channel 4. Let us not forget Five, which has been an excellent provider of news and children's programmes. However, there are concerns about the ITV network and the proposal that ITV will eventually swallow up STV's identity. That would be a backward step and we should comment on it. STV has been particularly successful in providing local news to several local communities. It has drilled down into different communities to provide news where people want it. It has been a great success, and I hope that it will continue.

The motion provides enough scope for us to be able to support the general tenet of the Conservatives' position. We will not rule anything out, but we are not stuck on any particular model either. We are looking for options, partnership and plurality. Above all, we want quality in our public service broadcasting and programming. If we can

achieve that, we will have done something important.

09:38

John Lamont (Roxburgh and Berwickshire)

(Con): I welcome the opportunity to participate in this important debate. My speech will focus on the experiences of the Border TV region, and the challenges that ITV has faced in delivering the public service broadcasting commitment.

We agree that Ofcom in Scotland should be strengthened to ensure that the people of Scotland get a fairer deal from public service broadcasting. However, I am disappointed that Ofcom did not do more to champion the interests of the consumer during the review of local news services in the Border TV area. Although we agree with Ofcom's view that ITV should focus on programmes that have been made in the UK, network news, and national and regional news services, the proposed merger between Border TV and Tyne Tees is ill-suited to delivering those objectives and to achieving the most benefit for the Border TV area. Although Ofcom has given the green light to the proposals for Border TV and Tyne Tees, it is critical that Ofcom keeps a watching brief over the PSB commitment to the Borders to ensure that PSB is not further diluted and that ITV is held to its promises on the local opt-outs.

Experience in the Borders demonstrates the challenges that broadcasters, including STV, face in providing PSB. Despite being relatively successful, the continued existence of the local Borders news service could not be justified, given the economic challenges facing ITV. Border TV has provided local news and programming to the Scottish Borders, south-west Scotland, Cumbria and the Isle of Man for almost 50 years, and has the second largest geographical region in the ITV network. Despite the difficulties of catering for such a wide and diverse audience, the flagship daily news programme "Lookaround" has some of the highest ratings of any BBC or ITV regional news programme in the UK.

In March 2005, a Sunday newspaper highlighted those exceptionally high ratings when it reported that while "Scotland Today" and "North Tonight" drew a 26 per cent audience share, and "London Tonight" took a 28 per cent share, "Lookaround" was watched by a whopping 42 per cent of the Border TV region's population at 6pm on weekday evenings. Although I acknowledge that those ratings might have slipped in recent years, Border TV news continues to have some of the highest ratings in the UK.

Why does it have such a success rate? Why does it score so much better than the STV regions? The *Sunday Herald* put that question to

the then managing director of ITV Border, Paddy Merrill, who said that ITV Border news was “more relevant to people”. That goes to the heart of the matter: TV should be relevant to the communities that it serves. We need only look at the foot-and-mouth disease outbreak in 2001 to see the valuable public information service that the channel provided by giving people the latest, up-to-date news and public information on the problems as they unfolded. Similarly, in the past few hours, Border TV news has been providing a critical service to my constituents in Kelso during the gas network failure. The provision of such a service will be unlikely when the news comes from the north-east, with a local news opt-out. The loss of our local news service will be another example of people in rural communities being marginalised.

I fully acknowledge that the broadcasting market is developing, with a wealth of new platforms and services, including digital and multi-channel television. With broadband, there is also greater use of the internet to access news services. That might be the norm 10 or 20 years from now, but for many rural parts of Scotland there is no access to adequate broadband coverage—many have no access to broadband services at all. Furthermore, many people, particularly the elderly, still do not have access to computers and so cannot hope to gain access to alternative forms of news coverage if local news disappears completely. They depend on the local television services that are currently provided by ITV Border.

Ofcom must resist the agenda of urbanisation and centralisation. It must consider all the PSB options that are being proposed, and bear in mind the rural and diverse nature of parts of Scotland. The Scottish Conservatives believe that broadcasters have struggled to keep pace with the changing political environment. There has been a decline in Scottish programming and funding for Scottish programmes, which has damaged the creative industry in Scotland. Public service broadcasting must be reformed before the licences run out in 2014. I hope that the lessons of Border TV will be taken on board.

09:42

Stuart McMillan (West of Scotland) (SNP): Today's debate is timely, especially after yesterday's announcement that BBC Scotland is set to lose 20 posts from news and current affairs, as well as another 54 positions, including producers, assistant producers, directors and researchers. That is in addition to the 96 positions that were cut earlier this year. If the BBC wanted to make job cuts, it should have done the decent thing recently and sacked two people as opposed to the fudge that it came up with. That would have saved the licence fee payer millions of pounds that

could have been reinvested to maintain jobs, talent and skills in the corporation.

The debate is about broadcasting and competition in Scotland and the role of STV, which I will come back to in a moment. However it would be remiss of me not to mention yesterday's other shocking announcement—Newsquest's announcement that it is sacking its employees and asking them to apply for their positions, with up to 40 not being filled. That was a disastrous announcement for the media in Scotland. However, I wonder to what extent the announcement was another element of the hangover from when STV, under the Scottish Media Group, owned the Newsquest titles.

Referring directly to the motion, having received the Scottish Broadcasting Commission's conclusions, and looking forward to the Ofcom report, I am pleased that broadcasting is being taken seriously in this chamber. In these tough economic times, competition is largely put aside while survival is uppermost in the minds of most businesses. With the recent events in Scottish broadcasting, survival might well be the appropriate word.

It could be argued that there is internal competition between STV and ITV around public service broadcasting provision. However, I am concerned about the future of commercial public service broadcasting in Scotland because of the potential lack of competition for the BBC.

I am pleased that the Scottish Government's submission to the Ofcom review states that the Scottish Government shares Ofcom's view that the BBC should not be the sole provider of public service content. The stage 1 findings of the Ofcom review, which show the importance that audiences place on the continued availability of high-quality, original content that meets public service purposes, came as no surprise. Stage 2 of the review attempts to take forward the choices that are available to give audiences the tailored local output that they ultimately desire. John Lamont discussed that. It is ironic that the Scottish Broadcasting Commission reported in October that a substantial increase in investment in Scotland by the UK public service broadcasters is required. Yesterday's announcement and Michael Grade's comments about STV being subsidised highlight that that view is not being paid attention to or that there is no commitment to ensure that what has been proposed will be carried out.

Broadcasting is vital to Scotland's economic, cultural and democratic health, and, as I am sure members of all parties agree, more high-quality content should be produced here. Unfortunately, the recent report by the Producers Alliance for Cinema and Television—PACT—revealed that independent network television production in

Scotland fell dramatically in 2007. A mere two hours of independently produced drama were produced in Scotland for broadcast to the whole of the UK, which is worrying for the Scottish broadcasting industry. That enhances the Scottish Broadcasting Commission's case for a Scottish digital channel. It is time for London-centric broadcasting to come to an end and to allow Scotland to shine with the talent that is on offer here.

An interesting piece of information emerged with the damp squib that was this week's Calman commission report: the agreement with the Scottish Broadcasting Commission that there should be a greater focus on broadcasting in Scotland. The Calman commission went further in stating that the Scottish Parliament and ministers should take a more active role in considering the broadcasting industry. As a nationalist, I welcome any support to bring more—indeed, ultimately all—powers to the Parliament. Normal self-respecting nations have such a right.

In conclusion, I stress that the principle of competition between public service broadcasters creates a healthier industry for audiences as well as for broadcasters.

09:47

Ken Macintosh (Eastwood) (Lab): Mr McMillan's inventive interpretation of the Calman commission's findings is interesting.

Debates on broadcasting in the Parliament usually focus on, or are dominated by, the role of the BBC, which is, of course, the most important of our public service contributors. Today's debate centres on STV's role, on a day that is overshadowed by threats to jobs at three of our most important newspapers. The cumulative impact of commercial pressures, technological changes and developing viewing and reading habits, which are so altering our media landscape, has never been more starkly illuminated in recent times.

Before I turn to the decisions that will affect STV's future, it is important to express our concern, as Stuart McMillan has done, about the more than 200 jobs that are at risk at *The Herald*, the *Sunday Herald* and the *Evening Times*. Newspapers have, like STV, been badly hit by falling advertising revenue. Not only are advertisers switching to online media, but the crucial sectors of car and property advertising have been weakened by the downturn in the economy. The readership of all newspaper titles is in steady decline, but no one should be in any doubt that staff cuts or the loss of entire titles has serious consequences for an informed Scottish public and electorate. Journalists will be anxious

about what their new conditions of service will be and, indeed, about whether they will have a job to return to. I urge the owners of the *Herald* group to sit down immediately with the National Union of Journalists to rethink its overly dramatic approach to what we recognise to be a difficult situation.

The similarities between the pressures and decisions that the print media and the broadcast media face are clear. Nearly every member has expressed their concern, which I share, at the prospect of the proposed job losses at the BBC. I worry about the effect that such job losses would have on the quality of programme making at BBC Scotland. Mr Brocklebank highlighted the fact that Ofcom's consultation on public service broadcasting closes today, so we have the opportunity at least to signal our support for the maintenance of a competitive public service broadcasting sector in Scotland. The Scottish Broadcasting Commission's findings and the BBC's welcome commitment to expand its production in Scotland have been positive recent developments, and I include in the list of recent positives the attitude and approach of STV's new management.

It is clear that STV is in a difficult position. The switch to digital and the realignment of advertising revenues are just two of the factors that brought into question its ability to fund its public service commitment. The extra, uncalled-for worry is ITV's attitude in bidding, in competition with STV in effect, for a single national licence for the whole of the UK. I am not sure that a national ITV would be in the interests of Scottish viewers—in fact, I doubt that it would be in the interests of UK viewers. I suspect that we would end up with little to distinguish the commercial broadcaster from the myriad other commercial companies now available on the digital spectrum that serve up cheap American programming to complement some British-made but mass-market productions, with the fig leaf of a public service obligation to ensure that it retains its listing on front pages. I have no doubt that we would lose any commitment to reporting Scottish and local news and Scottish sport, weather and—dare I say it—politics.

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

Ken Macintosh: May I take an intervention from Margo MacDonald, Presiding Officer?

The Presiding Officer: You may, but I cannot give you extra time, Mr Macintosh.

Ken Macintosh: I will not do so if I will not get extra time. I am sorry.

With a national ITV, I doubt whether we would be left with any Scotland-based ITV programme production. That would have obvious and serious implications for regional and national diversity, not

to mention the impact that there would be on Scotland's creative economy.

STV is pitching for some form of subsidy in order to maintain its news and PSB programmes but, if support is needed, it should not come from licence fees. I am more sympathetic to a couple of other bids from STV, notably for recognition and status as an independent producer, not just as a broadcaster, and for it to have a central role in any future new Scottish digital channel.

These are worrying times for the broadcast and print media in Scotland. As politicians, we are used to getting kicked around the columns of the dailies and Sundays—if one believes everything in the papers, we sometimes respond by kicking journalists around the football park—but all members know about the importance of a vibrant, competitive and independent fourth estate. There is no doubt that we would miss STV if it were gone. Let us try to ensure that at least some of the changes that are radically transforming our choices as readers, viewers and listeners are shaped by, if not taken in, the public interest.

09:51

Aileen Campbell (South of Scotland) (SNP): Members have mentioned the timeliness of today's debate. As Linda Fabiani, Ken Macintosh and other members have said, it is unfortunate that it has become timelier—it is timely not only because Ofcom's consultation is drawing to a close but as a result of yesterday's announcements on restructuring and redundancies at the *Herald* newspaper group and BBC Scotland. As members have said, those announcements will be a body blow to the broadcast and print media in Scotland, and they must be disappointing news to staff as the Christmas holidays approach.

The recent Producers Alliance for Cinema and Television report, which Stuart McMillan mentioned, shows that there were "deeply disturbing" falls in independent network television production in Scotland in 2007. According to PACT, only two hours of independent drama produced in Scotland were broadcast to the whole of the UK during 2007. In comparison, across all the major broadcasters, 10,661 hours of programmes were made in London. On top of the situation being "deeply disturbing", it is dismal, disappointing and desperately London-centric.

It is against that backdrop that we must debate our aspirations for Scottish broadcasting, what we see as the broadcasting future in Scotland and how we can protect what exists at the moment and ensure that Scotland does not fall further behind. That is a pity, given that there was so much excitement about the publication of the Scottish

Broadcasting Commission's report and so much enthusiasm about what new technologies and new, fresh ideas could bring to the important Scottish broadcasting industry.

I do not need to remind members that broadcasting has enormous socioeconomic and cultural importance and that it is an important tool that informs, teaches and allows us to develop our imaginations. The programmes that we watch often bind society together through providing shared cultural experiences that enrich our lives. Unfortunately, however, Scotland has been and continues to be almost marginalised from having an appropriate level of coverage.

The Scottish Broadcasting Commission noted that the BBC remains the cornerstone of public sector broadcasting but found in the evidence that it gathered that there was a perceived lack of ambition in BBC Scotland productions—although that cannot necessarily be said of the First Minister's Reverend I M Jolly performance during "Children in Need". The commission also heard that BBC Scotland's output did not accurately reflect the energy and vitality of modern Scottish life, and that its cultural and creative content was limited.

I do not want to sound overly negative about BBC Scotland, because I thoroughly enjoy much of what it puts out—most notably "A History of Scotland", which has already been mentioned; I and, I am sure, others find it compelling viewing. However, despite the BBC being the backbone of public service broadcasting, Ofcom's review noted that people want broadcasting to continue beyond it. It would be great if that could be done via STV, but I would be keen to explore options outwith Ofcom's proposals, which seek to find ways to move forward into the digital era and are being regarded as the only game in town.

The commission suggested that there should be a new Scottish network to provide Scottish viewers with more high-quality Scottish programming, to create opportunities to be innovative with content and to nurture talent on and off screen, among other things. It is essential that we achieve those aims if we want programming to reflect our communities properly, whether in news output, sporting events, dramas or documentaries.

Whether or not members agree with the proposals for a Scottish network, it is clear that we must work together to get a broadcasting industry that is fit for purpose in the 21st century. The industry should realise the potential of a country whose brightest and best talents often move to London to pursue their careers. We need an industry that is capable of producing programmes that do not have to be twee or kilted to tick the "Scottish made" box and which can make programmes and documentaries that are not

always about Scotland but which can be about absolutely anything, with no limit to what is achievable.

If Scotland aspires to having a broadcasting industry that is fit for purpose, it needs to aspire to being a normal independent country that is fully in control of its broadcasting and which can respond to and reflect the unique needs and wants of the people who live here. Countless other small nations do that. With the digital age upon us, it is time for Scotland to switch on to its potential and get tuned in.

09:56

George Foulkes (Lothians) (Lab): I, too, congratulate the Scottish Conservatives on choosing the subject, and Ted Brocklebank on his well-informed introduction. As he said, there has been a revolution in media in the past few years, particularly in the use of digital TV, the internet and mobile phones, and the convergence of all three. The discussion has changed. I wonder seriously whether, just as the debate on the Scottish 6 o'clock news—if members recall it—is now as irrelevant as telegrams, discussion of a purely Scottish network is also out of date and, if I may say so, rather parochial.

I have read the Scottish Broadcasting Commission report carefully. I must say that I find it disappointing, as it contains little of substance on the programmes, ideas and schedules of which a Scottish network would consist—all we get are generalities. If Scottish producers make good programmes—and they do, such as “Rebus” and a range of others—those should be seen throughout the UK and abroad just as much as in Scotland. What do we in Scotland want to see that others do not? That needs to be spelled out. I have my doubts that there are many such programmes, except perhaps news and current affairs—I can understand that.

Members have received a letter from the NUJ stating that it wants to retain the quality of BBC Scotland. I must ask where it has been, as the quality is pretty poor at the moment. I agree with Iain Macwhirter's comments to the commission on that. I will give a few examples. In the mornings, members should switch from that awful parochial kailyard stuff on “Good Morning Scotland” to the “Today” programme, which has erudite people such as Jim Naughtie, who, incidentally, went to Keith grammar school.

Margo MacDonald: Will the member give way?

George Foulkes: No.

In the evening, rather than listen to “Newsdrive” with Abeer Macintyre whining away, members should switch to Radio 4, where they will hear the

mellifluous wit and wisdom of Scotsman Eddie Mair. Would anything that is proposed by the Scottish Broadcasting Commission bring those excellent presenters back to Scotland? I doubt it.

Margo MacDonald: Will the member give way?

George Foulkes: No.

I saw the most astonishing example yesterday. I do not know whether any members were watching “Reporting Scotland” when Jackie Bird talked about five presenters who had limited medical information disclosed by a doctor in Fife. We almost had Jackie Bird interviewing Jackie Bird about that astonishingly parochial matter. I do not find the commission's argument convincing.

On a note of consensus, I share strongly the concerns about the future of Scottish television, particularly with the worries about SMG's financial situation. I have seen programmes on the ITV network and spoken to people south of the border about what has happened when local commercial stations have been taken over by ITV. For example, a centre in Plymouth was closed down and local news and current affairs coverage is reducing. If anything comes out of the debate, I hope that it will be a unified agreement to fight that and to try to protect STV from being swallowed up by the ITV national network.

10:00

Ian McKee (Lothians) (SNP): It is always difficult to follow a comedian, especially one with such enormous potential as my old friend George Foulkes.

In the past, when one has considered Scotland's cultural wellbeing, thoughts have turned to traditional and classical music, dance or literature. In that august company, the electronic media, especially television, seem like precocious upstarts, yet we must not underestimate the effect of television on Scotland's cultural life today. It transmits directly to our living rooms images of national and local news, sport, music, dance and drama. Television is now an important adjunct in the glue that binds our society together—it defines how we relate to one another and what sort of people we are; it is like a mirror showing us how we appear. Just as a mirror allows us to adjust our hair or remove an unwanted speck of dust, television allows us to adjust how we interact as a society, especially if the picture of ourselves that is presented to us is not to our liking.

What if the mirror was not totally reliable and reflected a slightly different society? In those circumstances, it would not be so useful. The fact is that Scottish society is subtly different from the model that pertains in the rest of the UK. For example, we have different health, education and

legal services and our traditional forms of cultural expression differ slightly. That is why it is important that we have a healthy Scotland-based television programme-making sector that we can rely on to meet our needs. Until now, those needs have hardly been met.

That is not the only contribution that television makes. The making of television programmes in Scotland breeds a colony of artists, presenters and technicians and gives employment to them and to a host of support workers. The presence in our midst of such talented folk enhances our cultural life, not only through the programmes that they make but through what we might term the extracurricular activities and their contribution to the wider economy. If anything happened to eliminate that pool of talent in Scotland, we would be impoverished, culturally and financially.

I appreciate that BBC Scotland has a pivotal role in that respect, but we cannot rely on that institution alone. First, it alone cannot be relied on to produce enough work to keep those talented people based in Scotland. Secondly, as previous speakers have alluded to, the BBC has not exactly been dynamic in its treatment of Scottish affairs. The recent sackings and job losses do not bode well for the future. Competition is required so that high standards are achieved. For those reasons, it is essential to provide an environment in which other programme makers can flourish.

Ofcom's second public service broadcasting review recognises the challenges that face PSB in the years ahead and proposes three models for the post-switchover digital world. I do not have time to rehearse all the options, but it is arguable that none of them meets Scotland's needs. There are many options for the long-term future, but for now it is important that we maintain the integrity of STV, which is BBC Scotland's only major commercial competitor, and resist the suggestion that ITV be given the single UK licence. Instead, STV should be a PSB licence holder for Scotland and part of a network of UK licence holders that can commission programmes in Scotland and benefit from access to desirable UK networks. With pressure, that could increase the output of programmes that are made commercially in Scotland.

A healthy and competitive programme-making television sector benefits Scottish culture and the Scottish economy. As Scotland's needs differ from those of England and its regions, a one-size-fits-all UK policy is inappropriate.

10:04

David Whitton (Strathkelvin and Bearsden) (Lab): I welcome the opportunity today to debate again the important subject of broadcasting. I

should probably restate my interest as a member of the National Union of Journalists, a small shareholder in STV and a former employee of that company. Indeed, for two years, I was head of public affairs for Scottish Television, responsible for its corporate reputation with analysts and shareholders and in charge of the output from the press office to publicise its programmes. Things were very different 12 years ago when I had that job, although "Taggart" was still investigating murders in Glasgow, just as the programme is today. The fact that it is, and the fact that that programme has sustained its popularity for such a long time is testimony to the quality of its production and the fact that audiences continue to watch it. If it were rubbish, they would not.

Mr Brocklebank is to be congratulated on bringing broadcasting to the floor of the chamber yet again. As we know, today is the final day for submissions to Ofcom about its review of public service broadcasting and preparing for the digital future. In the previous debate, we made our views on that matter known. I certainly support the recommendation of the Scottish Broadcasting Commission that a new Scottish digital channel should be created. However, a debate is still to be had as to how that would be funded.

There is no doubt that advertising revenues for commercial stations such as STV are being squeezed, just as they are in the newspaper industry. Equally, there is no doubt that STV must be allowed to maintain its public service broadcasting licence. I will sound like a member of the SNP, but I do not believe that one single UK ITV licence will be good for the broadcasting industry in Scotland.

I mentioned one iconic STV programme, but there are others, and there is no doubt that losing the STV logo would be a serious threat to programme making north of the border. That would be felt particularly in the newsroom, where I once worked. Ofcom has already agreed to STV cutting in half its non-news output, but it also recognises that some public funding will be required to protect the flagship news programmes.

Regional television news has an important role to play in Scotland. It is also important that there should be competition for BBC Scotland, all the more so when we hear news of further planned cuts in staffing at BBC Scotland, including 20 posts in the news and current affairs department. As has been mentioned, the question needs to be asked how BBC Scotland intends to increase output produced in Scotland to 9 per cent if it is cutting staffing levels now.

At this point, I record my concerns about yesterday's announcement that all members of staff at the *Evening Times*, *The Herald* and *The Sunday Herald* have been sacked and invited to

reapply for their jobs. Some of those people are my constituents and, as a former father of the chapel at STV, I am disgusted by the tactics of the management. *The Herald* is one of the oldest newspapers in the English-speaking world and those who work for it deserve better, no matter what the company's current financial position.

Last week, I sent a letter to Ed Richards, the chief executive of Ofcom, in which I argued for STV to be given independent producer status. That would allow it to bid for commissions from both the BBC and Channel 4. If BBC Scotland and Channel 4 are to increase the amount of programming that they commission from Scotland—as they said they will—what I suggest seems a logical step. Sir Michael Grade, the boss of ITV, might not think much of Scottish programme makers or even of STV. If that is the case, he can have no objection to the company offering its wares to other networks. Then the audience can decide.

As others have mentioned, broadcasting is an important industry in Scotland. STV has played, and continues to play, a significant part in that industry. We should continue to lobby for it to retain its PSB licence for news and a separate news identity and do everything that we can to promote programmes made in Scotland for the Scots.

10:08

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I, for one, am pleased that George Foulkes took part in the debate. He demonstrated clearly that we cannot satisfy all viewers and reminded me of a constituent who came to one of my surgeries to demand that I personally reduce the number of adverts on Border Television because he was furious about their repetitive nature. When I tried to point out that that was the whole point, he was little convinced and I lost a vote in the process.

Ted Brocklebank brought today's debate to the chamber in the context of the Commission on Scottish Devolution. Helpfully, the commission pointed to broadcasting as an area for further consideration of devolved powers and Liberal Democrats welcome that. It touches on the core of our amendment, which Iain Smith outlined. We have argued for some time that there is scope not just for accountability but for equal and joint reporting by the BBC to the Westminster and Holyrood Parliaments, taking into account particular aspects of Scottish society and culture with our separate education system, kirk and so on, as well as our topographical and geographical considerations. I have experienced that live issue in the past few weeks in the Border TV area that I represent.

The minister knows that several issues were raised in the members' business debate that I secured about the digital switchover that took place on 6 and 20 November in the Border TV area, with which the Presiding Officer will be familiar. Indeed, the core of that debate is reflected in our amendment this morning, for which we seek support.

Iain Smith outlined the structural changes to ITV and local and regional television in the context of the centralisation agenda which, as John Lamont said, has had significant impact in the Border TV area. We debated that subject too. It has meant that there has been a dilution of local coverage and news gathering in the production of current affairs programmes and the main evening news bulletin in particular. I am glad that ITV responded to representations to ensure that there is protected news broadcast time at the start of the bulletin in the south of Scotland, but it is only six minutes at the head of the bulletin. That is a diminution of what happened previously and it will provide a reduced service to the Borders.

Today's debate is not academic; it is immediate. I am glad that the minister has been sympathetic so far to Liberal Democrat calls for equal provision of digital services in rural parts of Scotland—particularly right now in the Border TV area—as per our amendment. I am pleased that the minister has written to the UK Government expressing those views. I hope that she and the Government will take the next step and support our amendment at 5 o'clock this afternoon. I will be interested to hear her views on that when she sums up.

I was fortunate to be at the Selkirk transmitter on the morning of the switchover—I was told by the technician not to touch any buttons. Some 53 per cent of viewers in my constituency in the Border TV area will receive a second-class, diluted digital service. That is the highest such proportion in the UK, which is unfair. That situation needs to be addressed now in the light of our belief that this Parliament should have more powers over broadcasting. It is not a matter of glib commercial consideration; it is a matter of justice and fairness when my constituents are being discriminated against. Voting for our amendment today will send a signal that the Parliament is not satisfied with that situation.

10:12

Pauline McNeill: It is unfortunate that Ofcom has signed off a reduction in the obligations of the ITV network to public service broadcasting and we should seek to reverse that decision if we can. It is possible that, if we do not resolve the situation soon, we will lose a key public service broadcaster. That is why the debate is so crucial.

Ken Macintosh said that we have concentrated on the BBC's role as a PSB provider; it is politicians' responsibility to ensure that we have a balance of competition and plurality by focusing on STV's role. Stuart McMillan and Ken Macintosh were right to make the connection between the news about the *Herald* group and the response to the challenges of the BBC and the industry generally, which has been to cut jobs. Ken Macintosh made the crucial point that cutting jobs does not improve quality and that if we do not give the public good-quality information, they will be less informed. Let us not underestimate how important that is.

The biggest challenge that we face will be to find the funding mechanisms that will bring resolution. We are genuinely open minded about the funding of public service broadcasting, which has to be considered in the context of public sector provision, as well as the new digital channel. We can see the challenge to the public purse of maintaining public service broadcasting and providing funding for a new digital channel.

Aileen Campbell referred to the Scottish Broadcasting Commission. I put on record again that the commission has done excellent work. The commission has created a dynamic about broadcasting in the Parliament that would not have come about otherwise. Not surprisingly, however, I do not agree with Aileen Campbell that Scotland on its own would be able to provide the quality and the public subsidy that are needed. We need to consider how much the UK Government will raise by selling off the old spectrum and ask whether some of the funds should come from that.

The public want good-quality provision and, if the new digital channel comes about, it must focus on that. George Foulkes, who reminded us of the existence of telegrams as a method of communication and demonstrated how far we have come in that area, rightly pointed out that Scottish viewers want quality programming, whether their choice is "Spooks" or "Heroes". They want a mix of high-quality programmes. They want to see programmes that are made in Scotland, but they also want to see programmes that are made elsewhere. Perhaps George Foulkes, as ever, is boldly going where no one else dares to go. Perhaps he is saying the things about our output that others are thinking.

When it comes to news and current affairs, the public want everything, including online news and podcasts. We have to work out how we are going to give the public everything, and that is a serious challenge.

Ian McKee made an excellent speech about healthy programme making, which is crucial to us because it enhances our cultural life, whether or not our preference is "Still Game", which I believe

is now exportable to the rest of the UK even if it does have subtitles. However, we can argue about that at a later date.

David Whitton made the important point that STV has provided a competitive edge in public service broadcasting and has the potential to make more programmes. As he rightly pointed out, giving it independent producer status is something that should be considered for the future.

There is a lot at stake if we do not resolve the situation. We will support the motion and the Liberal Democrats' amendment at decision time.

10:16

Linda Fabiani: Various stances have been taken in this interesting debate, but there is a general recognition of the importance of quality and plurality in public service broadcasting. The Scottish Government wants to ensure that public service broadcasting fully meets Scotland's needs in the future. We have the benefit of the Scottish Broadcasting Commission's report to guide us on the matter. As I said earlier, we used the report's recommendations as our starting point for formulating our response to the Ofcom review. I remind everyone that we are committed to taking forward the Scottish Broadcasting Commission's recommendations. Members have expressed support for that.

The debate focused on STV and the necessity of competition in public service broadcasting. The Scottish Government recognises and values STV's contribution to broadcasting in Scotland, but I remain a wee bit concerned that the only safeguard to plurality in Scotland is in the hands of a commercial company whose decisions are based ultimately on commercial factors.

Ted Brocklebank: On plurality and the minister's concern about a commercial competitor, if the new digital channel comes along under the funding model that she describes—in other words, if it is fully funded—the only competition for the BBC would be another totally subsidised Scottish digital channel. That does not sound like competition to me.

Linda Fabiani: Everything that I have said, and everything that I put in the response to Ofcom, suggests that plurality means considering and discussing all the options and coming up with the best option for Scotland. We have not adopted any particular model.

Pauline McNeill mentioned radio, as she has in the past. I agree that radio is an extremely important part of broadcasting. Often in the morning, it is on the radio—especially local radio stations—that people pick up the news and current affairs that relate to them. Be they in Glasgow,

Skye or Fife, people hear things on local radio that interest them. The Scottish Government wants to ensure that radio services are maintained. Recently, officials sent a submission to Barry Cox, the chair of the UK digital radio working group, setting out the issues that we have with any proposed move towards digital radio in the UK, and especially about coverage throughout Scotland.

That brings me to the Lib Dem amendment. I completely understand where it is coming from. I have stated before in the chamber that we have concerns about coverage in the Borders, Perth and other places as digitalisation is rolled out. We will abstain from the votes on the Lib Dem amendment and the motion. That does not detract from our sympathy with what has been said, but I have a firm reason for our abstaining from the votes: Ofcom cannot force the commercial operators to upgrade the relay transmitters. However, discussions are taking place between Ofcom and the commercial operators to try to move the matter forward, and all members should support those important discussions. On the seventh mux, the Scottish Government has already sought an assurance from Ofcom that it will fully consider the Scottish federation of local television's submissions on the matter. We support the sentiment behind the Liberal Democrats' amendment and I assure them that they have our support on the matter, as I have stated many times before.

I close by reiterating my recognition of the value of STV to Scotland. It is valued by viewers as part of the broadcasting industry, and it is valued as a contributor to the economy. It has some much-watched programmes, and I hope that it remains part of the public service broadcasting landscape in Scotland. It is a recognised and valued brand that has the potential to continue to maintain variety and plurality in Scotland.

10:21

Elizabeth Smith (Mid Scotland and Fife) (Con): I hope that it is clear from Scottish Conservatives' speeches that we warmly welcome Ofcom's second major review of broadcasting in Scotland, which provides an exciting opportunity for Scotland to contribute to the debate on the future broadcasting model for the UK. We have no doubt that public service broadcasting needs to be reformed before the licence runs out in 2012.

I hope that we have also made it clear that there needs to be a healthy and competitive Scotland-based television programme-making sector outwith the BBC. The fact that surveys constantly show that Scottish audiences want a choice of channels for watching Scottish news reflects the quality of the regional news that is offered to them.

That is significant given that 85 per cent of the Scottish population use television as their main access to news and information. The public undoubtedly place considerable importance on the portrayal of Scotland in broadcasting. They believe that coverage should be inclusive and should provide for all audiences in Scotland and reflect Scotland's character.

I am sure that it is a source of considerable concern to Parliament, and perhaps even to Lothian and Borders Police, that Lord Foulkes has daily trouble with the radio knobs in his car as he seeks the mellifluous tones of Jim Naughtie and John Humphrys. However, he is right to point out that the BBC and other broadcasters face a fast-changing political and technological environment in Scotland.

As Pauline McNeill said, there has been a decline in Scottish programming and funding for Scotland, which is damaging to our creative industries.

Margo MacDonald: I wonder—as a former presenter of “Good Morning Scotland”—whether Elizabeth Smith would like to dissociate herself and the rest of Parliament from Lord George Foulkes's opinions.

Elizabeth Smith: Margo MacDonald, too, has mellifluous tones.

There are exciting opportunities for programme makers who choose to make the most of our strong independent sector. Scotland is the second-biggest production base outside London, with approximately 100 production companies. As my colleague Ted Brocklebank rightly said, we welcome the BBC's decision to allocate an increased share of network production to Scotland, but we hope that the target will be reached by 2012 rather than by 2016. We also hope that the increase in Channel 4's share of productions from Scotland and the introduction of BBC Alba will help to provide work for the excellent independent production sector.

We must recognise that it will become increasingly difficult for PSBs to provide and improve the services that they offer. Ofcom's review highlighted the fact that public service broadcasting is at a crossroads, and John Lamont flagged up some of the implications for the Borders. Audiences might value competition for the BBC, but we need to monitor carefully the underlying economic challenges that public service broadcasting faces.

Audiences might place a high value on UK-made public service programming from a mix of providers, but Ofcom makes it very clear that the costs of making programmes is going up while their main financial benefit—privileged access to spectrum—is going down. For example, if ITV is to

retain its PSB licence, the cost of having two STV licences will exceed the benefits probably by 2009-10. As a result, the Scottish Conservatives believe that the evolutionary method of reforming public sector broadcasting has most merit, even if that view is not shared by the minister. Under such an approach BBC, ITV1, Channel 4 and Five would continue to provide public service programming as they do at present, with either reduced commitments or extra public funding. As Ken Macintosh said, competition is vital if the media are to maintain transparency.

As UK broadcasting history shows, Conservative Governments have largely been responsible for plurality of provision. For example, we licensed ITV way back in 1955—just before my time—and oversaw the launch of the new satellite Channel 4 in 1982 and Channel Five in 1997. I have to say, without wanting to sound too modest, that that is why we are championing a new Scottish digital channel. Such a move would give a welcome boost to smaller independent production companies to provide local news and documentaries. I once again emphasise our commitment in that respect.

Mr Blair Jenkins has made it clear that there is a greater need for accountability within Scotland for the programmes that are run, and for greater influence on policy in responding to demand for different types of programme. The public are concerned about the variety and quality of the programmes they watch, so we must ensure that a workable future for public service broadcasting is developed.

As the executive summary to the Scottish Broadcasting Commission Report says:

“Broadcasting is important to the economic, cultural and democratic health of the nation. At its best, it has a unique power and impact which can enrich ... our thinking”,

our discussion and our society’s knowledge. I hope, therefore, that a solution will be found to secure the future of public service broadcasting.

We welcome the debate and I commend the Scottish Conservative motion to the chamber.

Local Government Finance

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-3014, in the name of Derek Brownlee, on local government finance.

10:27

Derek Brownlee (South of Scotland) (Con): Fundamental reform of local government finance should be neither considered lightly nor undertaken without full consideration of the positive and negative consequences of the options. It might feel as though we have been debating local income tax for many years, but the fact is that the system of local government finance is altered perhaps only once in a generation.

Why, in that case, should legislation be restricted to only one option—the Government’s option? We know that opinion in Parliament, as in the country, is divided on the issue. The SNP favours a nationally set income tax, the Liberal Democrats favour a locally set income tax, and the Greens favour a land value tax. We, on the other hand, have set out proposals for council tax reform. Labour has indicated a similar desire, although it would no doubt propose different reforms to those that we favour.

Today, we advance a simple proposition: instead of restricting consideration to one option, we should allow Parliament to consider all of them. Each of us can argue the case for our preferred option and outline the case against the options that we oppose. Such an approach would allow us to tease out the practical implications of the various options. Indeed, that point was raised in Margo MacDonald’s amendment, which we would have supported, had it been selected for debate.

The Government obviously does not agree with what I thought was a very reasonable proposition and has decided to close down debate on the matter.

David McLetchie (Edinburgh Pentlands) (Con): Stalinists.

Derek Brownlee: Well—

Last year, we were told to wait for the consultation to be published, then we were told to wait until the consultation had finished. Now we have been told to wait until next year. However, the Government’s real agenda is to make the issue of local government finance a straight choice between the status quo and its own proposals.

Quite apart from the lack of a majority for its proposals—which in itself is quite a problem—the problem with the Government’s approach is that no one in the Parliament is arguing for the status

quo. Even those of us who prefer to retain the council tax want it to be reformed. Although polarising the debate between the Government's preferred option and the status quo might give the Government a slightly better chance of winning a vote, it does not give Scotland a better system of local government finance because it simply excludes too many options.

Whatever our preference for local government finance reform, there is no point in our changing the law only for further change to be made in the next session of Parliament, when the arithmetic will be different. We might never reach widespread consensus on the right system, but unless we can fully examine every option and unless every party is able to put forward proposals on their own merits and have them debated and voted on, there will be no chance that whatever is voted through will gain lasting acceptance. Whatever one's perspective on local government might be, such an approach cannot be sensible.

Although the Government's amendment is simply a rehash of the case against council tax that it has made on many occasions, it does not seem to suggest that there is any problem with having a broader debate. The bottom line for the Government is that council tax reform is a serious option that should be considered.

The Conservative position is clear. I am not going to hide the fact that we do not like local income tax and reject both the SNP and Liberal Democrat variants. We want council tax reform, with the subsidy that the Government says it will use to subsidise local income tax used instead to reduce every council tax bill. On top of that, we favour a discount for pensioner households—something that Mr Alex Neil, who is absent this morning, has famously favoured—and we are very interested in options for a green discount for energy efficiency measures, which could be delivered via a property-based tax such as council tax, but not via a person-based tax such as local income tax.

We believe that there are so many problems with local income tax that if the legislation were ever passed, it would be unlikely ever to come into effect. At that juncture, reforming the council tax will be the obvious solution. If the Government is genuinely convinced that local income tax is better, why on earth does it fear counterproposals for a reformed council tax? The only reason for its opposition is that it knows that it is possible to deal with some of the concerns around council tax by reforming rather than abolishing it. The Government is ploughing this particular furrow not because it sees no merit in the various options for reforming local government finance, but because of political dogma.

I am not going to pretend that I have been convinced of the case for the land value tax, but the same argument applies: if local income tax is better, why on earth is the Government frightened of debate? Why is it worried about alternatives? If local income tax is that good, it will stand on its merits. Only if it does not stack up is there any reason to restrict the scope of the debate. I am certainly quite happy to examine the Green party's proposals on their merits. I hope that Parliament shares that view.

The Government is happy to tack on some mention of land value tax to every motion that it lodges on local income tax but, as far as I can see, it has done nothing to advance the debate on the issue—which is what I am sure it has promised Mr Patrick Harvie on every occasion. A look at the *Official Report* shows that we seem to have been discussing and promising the Greens serious consideration of land value tax since the first session of Parliament. However, that consideration has never taken place, so the Government should really stop stringing the Green party along on such an important matter.

We know what will happen to the Liberal Democrats: the Government will tell them that it will introduce local income tax at a fixed national rate initially to let it bed down and then, in the fullness of time, move—perhaps—to a locally variable tax. Of course, there is, because of the practical difficulties, no intention that that local variation will ever happen. However, the move will no doubt be enough to secure Liberal Democrat votes in the meantime.

Curiously, the Liberal Democrats have a greater chance of getting a vote on their preferred system of local government finance under the approach in the Conservative motion than they have under what is set out in their own rather tame amendment. No doubt they will make it clear whether they will support the Conservative motion if their amendment does not succeed. I look forward to their speeches.

I move,

That the Parliament notes the intention of the Scottish Government to introduce legislation to reform the system of local government taxation and calls on it to ensure that the scope of the Bill when introduced is sufficiently wide as to enable members to debate and vote on all options, including reform of the council tax, a land value tax, a local income tax with variable rates determined locally and the Scottish Government's own proposals.

10:34

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): What a difference a day makes. Yesterday, Mr Brownlee and Mr Whitton were engaged in the most ferocious political battle on the floor of Parliament.

I have never seen Mr Brownlee more venomous in a contribution to a parliamentary debate, nor have I seen Mr Whitton more exercised in defending the record of the United Kingdom Government. They were fighting about which Government—Labour or Conservative—was more responsible for the decline of the United Kingdom economy.

That was a ferocious battle, but unity has broken out today. Mr Brownlee and Mr Whitton are back in the same club—the council tax club for Labour and the Conservatives. They are determined to put on a show of unity today because the Conservatives were responsible for a 40 per cent increase in the council tax when they were in power and the Labour Party was responsible for a 60 per cent increase in the council tax when it was in power. No wonder they have been brought together in unity.

However, Mr Whitton should beware of the trap that Mr Brownlee has set for him. It is implicit in the motion, in which Mr Brownlee says we should consider all these options:

“reform of the council tax, a land value tax, a local income tax with variable rates determined locally and the Scottish Government’s own proposals.”

Of course, that presumes that the Labour Party has something to contribute to the debate. Mr Iain Gray, the Labour leader who was installed on 4 October, said candidly:

“We don’t have our own proposals. ... We went into the 2007 election with a proposal to try and make the council tax fairer”—

Mr Brownlee’s position—

“and it didn’t add up. Central to our new manifesto is a properly worked out suggestion for how we make the council tax fairer.”

There is not a scrap of evidence to suggest that Labour is anywhere close to producing that.

There are quotations not just from Mr Gray but from Mr Kerr, who in his aspirational moment when he wanted to be leader of the Labour Party in Scotland, said:

“I would immediately signal a long-term desire to replace the council tax.”

Mr Kerr obviously cannot support the motion, because it accepts to some extent the continuation of the council tax.

The man of wisdom on the Labour benches, who is unfortunately absent today—the man worth listening to on the Labour benches—is the former Minister for Finance and Public Service Reform, Mr McCabe, who said on 3 August that the council tax is an “unfair burden” and that Labour must back

“a firm timetable for abolition.”

He said that the plan to reform the council tax at the previous election was “a pointless fudge” presented as “a radical change”. The Labour Party should be very careful about the trap that the wily Mr Brownlee has set for it today.

Derek Brownlee: I was just wondering whether the cabinet secretary would listen to the man of wisdom on the Scottish National Party benches, Fergus Ewing, who said in 2006:

“It is reasonable to say that the council tax per se is not unfair”.—[*Official Report*, 1 February 2006; c 22919.]

John Swinney: We are a broad church that is prepared to tolerate open debate, unlike the “Stalinists” on the Conservative benches.

I am afraid that, despite Mr Brownlee’s logical presentation—or his best efforts at it—the Conservative position is completely and utterly all over the place. On 2 October, Mr Brownlee moved a motion that called on the Scottish Government to “publish in detail” the impact on local authority revenues

“prior to the introduction of a council tax abolition Bill

He accepted that we are going for council tax abolition. That prompted me, in one of my more generous moments, to say:

“I welcome the debate and the indication in the Conservative motion and the Labour Party amendment that those parties are at last coming to terms with the fact that change to local taxation is coming.”—[*Official Report*, 2 October 2008; c 11384.]

Today, we have a U-turn—a volte-face. We have seen the introduction of a new concept to the parliamentary etiquette—the multi-option bill. That is strange from a party that is so vehement in its opposition to a multi-option referendum on the constitutional question, which I heard Ms Goldie wax lyrical about some weeks ago. The Conservatives are chopping and changing their position without any certainty about where they are going.

Gavin Brown (Lothians) (Con): To save time, will the cabinet secretary tell us whether the Government is going to capitulate to the Liberal Democrats and have a locally variable rate?

John Swinney: Mr Brown just does not enter into the spirit of decent parliamentary debate. We are working together with the Liberal Democrats to reach consensus, as the First Minister set out so eloquently on that wonderful day when he became First Minister, when he explained how we would bring people together. Even Mr Purvis and I have been brought together in agreement today. I look forward enthusiastically to Mr Purvis’s speech, of which I am sure I will approve; I will just slip my speech over to him.

The council tax is unfair and regressive. It dominated the election campaign and people

throughout the country have realised that it has no credibility. The party that was its principal advocate was ousted from office because it had no credibility on the council tax.

We believe in a local income tax that is based on the ability to pay, which will reflect the interests of the people of Scotland. We are determined to press ahead with that reform.

I move amendment S3M-3014.2, to leave out from "calls on" to end and insert:

"believes that the council tax is discredited and should be abolished and that a local income tax based on ability to pay is a fairer system of local taxation, and calls on the Scottish Government to publish early in 2009 its detailed response to the consultation on local income tax for debate by this Parliament."

10:40

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I am not sure whether I can compete with the members of the council tax club or with the Very Rev John Swinney of the SNP broad church. I will, however, point out that—just last week, I think—Derek Brownlee demanded "clarity and certainty" about the legislative proposals that the SNP was due to bring forward, but now he is calling for greater confusion. He said that businesses want—need, in fact—a clear statement on the proposals that are to be brought forward in the spring. Now, he is calling for everything to be cast up in the air again. Two years ago, Mr Brownlee castigated the Burt review of local government finance and said that it was a complete waste of time. Now he wants to reconvene the commissioners to start that work all over again.

The publication of the bill by the Scottish Government will give Parliament an opportunity to consider the general principles of a system of local taxation that is based on the ability to pay and which is progressive and fair. Those are the general principles that Liberal Democrats support. I hope that that will get cross-party support in the chamber.

Hugh Henry (Paisley South) (Lab): Will the member give way?

Jeremy Purvis: I fear that it may not.

Hugh Henry: Can Jeremy Purvis confirm that the Liberal Democrats will not support the bill unless it provides for each council in Scotland to set a local rate of income tax at the outset?

Jeremy Purvis: Mr Henry asks me to address the amendment in my name, which I am happy to do. If parties support the amendment, that will give a clear signal that Parliament supports not only councils having flexibility in expenditure but their being available to them variable rates of local

income tax for local government revenue. Our position is clear: we do not support a national system of local taxation. Local taxation has to be local; otherwise, it is a national income tax addition, which we simply do not support.

It is interesting that the debate this week has been about the financial powers of this Parliament. There has been little debate about the financial powers of local government. Derek Brownlee is right to some extent that this debate is a once-in-a-generation opportunity. He also said that he regrets that the approach might well be dogmatic. I concede that the council tax is not a dogmatic policy, because it replaced a dogmatic policy. The council tax was crisis management—it replaced the poll tax—and was neither consistent with the core understanding of what local government powers should be, nor fair or progressive.

We have the ability to correct a 17-year wrong. That should be based not on a toom tabard of a concordat with local government, but on a proper fiscal relationship that will, in the long term, move to parity for local government for the revenue that it raises and the expenditure for which it is responsible. The structure for that should be based on principles that are similar to the principles for which we are arguing in the fiscal relationship with the UK.

We are still waiting for the Labour Party's response. After the debate in October, I wrote to Iain Gray asking for Labour's policy proposals. He wrote back saying that Mr Kerr would reply on his behalf. I am still waiting for that letter. I suspect that it will be part of a round-robin or a Christmas card.

I hope that other parties will bring forward their proposals. We have had some tinkering at the edges from the Conservatives, but everyone should understand that their core belief is that the council tax is fair. The Conservatives are wrong in that—communities throughout Scotland know that they are wrong. By voting for our amendment to the Government's amendment, we will send a strong signal of support for a local tax that is fair, progressive and based on the ability to pay.

I move amendment S3M-3014.2.1, to insert at end:

" , giving further consideration to a system of local taxation that includes local variability, protection for those in full-time education, transition support for businesses and appropriate taxation for people receiving high levels of income from dividends."

10:44

David Whitton (Strathkelvin and Bearsden) (Lab): I am very happy to take part in today's debate on local government finance, and I will be speaking in support of the motion in the name of

Derek Brownlee. Yesterday we were foes, today we are friends. Such is politics. If it is all right, in the spirit of parliamentary debate, for the SNP and the Liberal Democrats to get together, I see no reason why Mr Brownlee and I cannot get together in this particular case—especially as the very successful local council in East Dunbartonshire is run by the Labour and Conservative parties together.

Albert Einstein once stated:

“The hardest thing in the world to understand is the income tax.”

He could have added “local income tax in particular”. I agree with Einstein’s assessment. If one of the greatest minds of any generation struggled with the concept, I am certainly not alone in questioning the SNP’s proposed local income tax or, indeed, the Liberal Democrat variant. The proposed local income tax is simply another diversion by an SNP Government whose economic policy is beset by dither and decay. SNP members love to criticise the council tax, but they would do better to focus on the flaws in their own proposed system and to seek answers to the numerous problems that exist with local income tax. If they do not do that, they should just drop the idea altogether.

The SNP touts its support for the policy, but a look at the consultation numbers reveals a very different picture. The SNP’s consultation on the popularity of local income tax drew what are described in show business as “mixed reviews”. Although 55 per cent of individual respondents believe that the local income tax is the fairest approach to taxation, only 34 per cent—about a third—of people aged between 34 and 54, who make up the bulk of the working population, support a local income tax. Within that same demographic, 40 per cent of 34 to 44-year-olds and 43 per cent of 55 to 64-year-olds feel that the council tax is fairer. Only 47 per cent of those who were polled are full-time employees, who would suffer the most from the switch. Support for a local income tax is much different from what the SNP would have us believe, and it is certainly not at anything like the levels that the First Minister brags about.

Furthermore, the headlines do not reveal the mixed reviews that local income tax is getting from business.

Brian Adam (Aberdeen North) (SNP): Will David Whitton at least do us the courtesy of conceding that local income tax is rather more popular than the council tax, reformed or otherwise?

David Whitton: No I will not, because I do not see the evidence to back up that assertion.

The key theme from organisational responses to the consultation is that more information is required on local income tax before any sort of decision can be reached. Naturally, the SNP has delayed getting the answers to the business community. Clearly, there is a lot of concern during these troubling economic times about any sort of change to the tax structure.

The Deputy Presiding Officer: The member has one minute left.

David Whitton: Liz Cameron, chief executive of the Scottish Chambers of Commerce, said:

“It is extremely disappointing the Government are planning to press ahead with legislation to introduce a Local Income Tax in Scotland without addressing the widespread concerns among the business community regarding such a measure.”

The overwhelming support that the SNP claims simply does not exist. In addition, the introduction of local income tax in Scotland would complicate the relationship between Scotland and the rest of the UK. Income taxes are not as black and white as property taxes. What happens to people who work in London during the week but who reside permanently in Scotland? As is shown by the relationship between Sweden and Denmark, income taxes only complicate relationships. There is a bridge that allows easy travel between Malmö in Sweden and Copenhagen in Denmark.

Jeremy Purvis: Will the member give way on that point?

David Whitton: No, I will not—I am in my last minute. I am sorry.

What happens to the commuters who work in Denmark and live in Malmö? Through redistribution, the Danish Government must pay almost £37 million to the Swedish Government to compensate for loss of revenue, which causes the city of Malmö to lose out.

The Deputy Presiding Officer: The member should wind up.

David Whitton: Presiding Officer, I could speak all day about the flaws of local income tax but, sadly, time does not allow me to do so. Suffice it to say that we will support the Conservative motion.

10:49

David McLetchie (Edinburgh Pentlands) (Con): This is a Parliament of minorities and, since the welcome demise of the Labour-Liberal Democrat coalition, it is a Parliament in which a majority has to be constructed on every issue and in which, other than in the unlikely event of Labour and the SNP ganging up on the rest of us, the support of at least three parties is required for a majority. I believe that to be a healthy situation

that is broadly welcomed by people in Scotland of all political persuasions, and that our Parliament is the better for it.

Local government taxation has been a contentious issue for the past 30 years. It is a subject on which there are significant differences of opinion in this Parliament and in Scotland's other Parliament. Three parties broadly support a property-based tax, ameliorated by discounts and benefits, and referable to the financial circumstances and nature of the household that occupies any particular property. Two parties believe in introducing a local tax based on income.

Those broad lines of division mask significant differences among the parties on both sides of the property tax versus income tax debate. The Greens advocate a land value tax, while the Conservatives support the introduction of pensioner discounts for council tax. The Labour Party and others want council tax levels to reflect the energy efficiency of homes as a spur to achieving a sustainable energy policy. Equally, on the local income tax side of the argument, there are considerable differences between the Scottish National Party and the Liberal Democrats as to the form and scope of such an income tax.

The motion seeks to reflect that diversity of opinion in the Parliament. We do not think it right for the terms of debate to be framed solely by those who want to abolish a property-based tax and introduce an income-based tax. We believe that the scope of the proposed bill should be sufficiently wide to enable all parties to put forward their proposals and to seek to build a majority for a reformed system of local government taxation. That, we submit, is the fair way to proceed, and it should appeal to all fair-minded people.

Brian Adam: Would it be fair to characterise the Conservatives' proposal as seeking an enabling bill that would allow ministers to make statutory instruments to introduce any kind of local taxation that they might choose?

David McLetchie: No, we certainly would not support that proposition. We believe in real debate, not the few minutes that Mr Adam wants for debating a Scottish statutory instrument.

Our proposals should be supported across the chamber, but, as we know, that will not happen. I am disappointed by the sterile and partisan nature of the amendments that were lodged by Mr Swinney and Mr Purvis. I was particularly intrigued to note in the *Business Bulletin* that Mr Swinney's amendment is expressly supported by Jim Mather. I regret that Mr Mather will not be speaking in the debate. He has been conspicuously silent on the subject of local income tax. I wonder whether he, as a self-proclaimed friend of the Scottish business community, is embarrassed by the fact

that every single business organisation in Scotland has denounced local income tax. I wonder to myself whether local income tax might be another TPRA moment for Jim Mather—I refer to the third-party right of appeal, the policy that he really hates and cannot wait to dump at the first convenient opportunity. We should watch this space—we should watch Mr Mather very carefully on this one.

I was delighted to note the participation of Sir Sean Connery in the homecoming television advert. I am sure that we would all welcome the permanent homecoming of Sir Sean, and no one more than Mr Swinney, given that the resumption of tax residence in Scotland by Sir Sean would go a significant way towards plugging the gaping financial hole in Mr Swinney's local income tax plans. I ask myself whether Sir Sean might once again ride to the rescue of the Scottish National Party in its hour of financial crisis. On this occasion, I do not think so, but we never know.

I support the motion.

10:53

Mr Frank McAveety (Glasgow Shettleston) (Lab): It is always a pleasure to follow David McLetchie and his erudite commentary on the issues under debate. Like many members, I, too, welcomed the recently produced homecoming Scotland video. Incidentally, the video is to be shown only in cinemas in Scotland, rather than in cinemas across the world, so a lot of people will be making a 5-mile journey home, rather than the 3,000-mile journey home that we expected.

Sir Sean said:

"I think about you all the time",

but he will be chuckling at the fact that he will not be making a contribution under local income tax.

In his entertaining turn, John Swinney made no reference to any of the substantive points that have been raised in the motion and in the recent public debate. Perhaps he will welcome the opportunity to amplify the issues in the near future.

John Swinney also made no reference to the issues that were raised in the consultation response that he snuck out at the crack of dawn on a much more difficult news day than anyone could imagine. He did not mention the views that the Scottish Chambers of Commerce expressed last week or those of local authorities, which for a number of years have wanted to protect their autonomy against intrusion by central Government. He made no mention, either, of the concerns that many other public sector bodies have expressed about the impact on the voluntary sector if there was a shortfall in funding. Mr Swinney's speech might have been entertaining,

but those are substantive matters of interest that we need to interrogate.

John Swinney referred to old-time religion. I am a great believer that a sinner can repent and, when he is at the penitence stool, identify where he got it wrong. One member of the Scottish Chambers of Commerce said that LIT could have a “positively spine-chilling” impact on small businesses across Scotland.

In 1988, I became a member of the City of Glasgow District Council during the difficult days of the poll tax—I am sure that Conservative members went through that bitter experience. We were assured that the introduction of the poll tax would not have a significant impact on individuals or communities and that it was a reasonable response to concerns about the old rates, but the result was extremely negative. That is my concern about LIT, which does not address some of the fundamental issues to do with the funding of local government services.

When Mr Swinney mentioned Stalinists, I was reminded of the novel “Nineteen Eighty-Four” by George Orwell, in which those in power used Newspeak to restrict the nature of the debate and the language that could be used. They tried to remove from the language certain words that could be used to describe their policies. Something that was bad could not be described as such, so a new word, “ungood”, had to be invented. The words “excellent” or “splendid”, which I have heard Mr Swinney use about local income tax, became “doubleplus good”. I do not think that LIT is doubleplus good for those who need local government-funded services; in fact, I would call it doubleplus bad, because it makes three fundamental mistakes.

First, LIT is not a local income tax because it would be set nationally. Secondly, it would not give local government the autonomy to set taxation levels that would be appropriate locally. Thirdly, and most fundamentally, the Scottish National Party said at the last election that it wanted to remove the unfair council tax, but it did not complete the sentence. That is the problem with the policy that the cabinet secretary is defending—it does not complete the sentence, in that it does not deal with the impact that LIT would have. On that ground, I am happy to support the motion, which at least articulates the view that we want a better way to fund local government services than a local income tax.

10:58

Joe FitzPatrick (Dundee West) (SNP): It is with a sense of déjà vu that I find myself again speaking in a debate on local government finance, but I accept that as the abolition of the hated and

unfair council tax is top of the list of our constituents’ concerns, it should be at the top of the Parliament’s agenda.

It has been 21 months since the SNP announced its proposals for scrapping the council tax and introducing a fair local tax that is based on ability to pay. After all that time, we have still not heard about any real alternatives to those proposals.

David McLetchie: Yes we have.

Joe FitzPatrick: I will deal with the Conservatives’ position shortly.

Let me be clear: doing nothing is not an option. The people of Scotland will not forgive any party that stands in the way of the SNP Government’s bill to abolish the council tax.

In relation to his motion, I remind Mr Brownlee that it is the job of Opposition members to come up with alternatives to the Government’s proposals when they disagree with them. I will give credit where credit is due—Mr Brownlee has suggested tinkering with the hated council tax, but he must publish his workings because the sums just do not add up.

Some parties have been quite open about their lack of alternatives to the council tax. As Mr Swinney has already quoted what Iain Gray said last October, which was also mentioned in Parliament yesterday, it would be unfair of me to repeat it, but Mr Gray accepted that the Labour Party had no proposals and that the suggestions to tinker with the council tax that it made in the campaign for the most recent parliamentary elections were worked out on the back of a cigarette packet.

David Whitton: Does Mr FitzPatrick share my view that it was the SNP’s policy on local income tax that did for it in Glenrothes?

Joe FitzPatrick: I have no idea why the people of Glenrothes did not vote for the best candidate. We will learn lessons to ensure that that never happens again. I am quite convinced that the progress that the SNP is making throughout the country will continue at the next election.

Mr Gray said that the Labour Party was working on new proposals for making the council tax fairer, but so far we have heard nothing. However, given that he is often seen clutching a fag packet with a determined look on his face when he leaves the chamber after First Minister’s questions, perhaps he is indeed working on Labour’s new proposals, which were conspicuously absent from the consultation process. Labour’s position remains that it knows that the council tax is unfair, but it does not know what to do about it.

Neither Labour nor the Conservatives have mentioned what is, when it comes to the retention of the hated council tax, the elephant in the room—the much-delayed but ultimately unavoidable council tax revaluation. The revaluation that took place in Wales led to 65 per cent of properties in Cardiff being moved up by at least one band.

Derek Brownlee: The revaluation in Wales led to a 5 per cent increase in the overall tax take. It is perfectly feasible to do a revaluation on a revenue-neutral basis.

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

Joe FitzPatrick: Mr Brownlee and the Labour Party need to be open—they must tell the people of Scotland when they propose to carry out a revaluation. It is not possible to keep the council tax without having a rebanding.

I conclude by highlighting the views of one of the respondents to the consultation on local income tax. Scottish Action Against Council Tax shares the views of the majority of Scots. That organisation, which is made up of ordinary Scottish taxpayers from around the country, stated that it does not want the council tax to be tinkered with or any one-off payments or reductions to be made; it wants that hated tax to be scrapped altogether and replaced by a fairer local income tax that is based on ability to pay. That is what the people of Scotland want, which is why the SNP Government will introduce the council tax abolition bill, not the council tax version 2 bill.

11:02

Margo MacDonald (Lothians) (Ind): I might never have made this speech if Alex Salmond had only replied to the letter that I wrote to him at the general election to inquire about his plans for local income tax. That said, my speech should not be interpreted as offering support for what we must call “the hated council tax”. I prefer an income-based tax to a property-based tax. I remind Frank McAveety that the criticism of the poll tax was that the duke would pay the same as the dustman. His speech contained just a hint of Orwellian doublespeak.

I have always doubted whether a local income tax could be bolted on to a comprehensive and cohesive tax system such as the one that we have in the United Kingdom. The Government’s consultation paper on LIT asks who should collect the tax and whether it should be collected at source, by payment—by the taxpayer, I presume—or by a combination of the two. That is the Achilles’ heel of LIT in the devolution setting. In an independent country that had its own central

tax-collecting authority, there would be an instrument to instruct on LIT collection, but that is not the case in a devolved Scotland.

Paragraph 29 of the consultation paper states:

“We will work with the UK Government to ensure that processes are thoroughly tested before implementation.”

That clearly implies that HM Revenue and Customs, with the agreement of the UK Government, will be the LIT collection instrument, and that the UK Government will be asked to legislate to ensure that employers, who represent the first tax collection point, are required to calculate and deduct the tax and then to send it to HMRC for onward transmission to the Scottish Government. It is difficult to see how any body other than HMRC could be the collection instrument, because if the Scottish Government set up its own equivalent, that would eat deeply into the block grant that we get from Westminster.

What puzzles me is why, despite the number of times that the First Minister has reaffirmed his determination to go ahead with LIT, we have not heard anything substantial about the Government’s discussions with HMRC and the UK Government.

A constituent of mine who does voluntary research, a Mr Sillars—[*Laughter.*—]—made a freedom of information request to HMRC dated 3 October. He asked for copies of correspondence—including memos and notes—between the Scottish Government and HMRC since the 2007 election on HMRC becoming involved in the collection of the SNP Government’s local income tax and for any similar material from previous parliamentary sessions. He received this reply:

“I am writing to inform you that following a search of our paper and electronic records, I have established that HMRC does not hold the information you have requested.”

Before any bill is published, we need to know the position regarding collection by HMRC: whether it will do it, what the cost will be, and whether we believe that it will be able to do it accurately, given that department’s poor record on tax credits. If HMRC is not the chosen instrument of collection, what will be chosen, how will it be established, at what cost, and what confidence can we have that it will do the job properly?

All that I have said is, of course, predicated on the Scottish Government’s proposal for a national LIT—if that is not a contradiction in terms. When it comes to 32 variable taxes, it is all the more imperative that the bill spells out the detail, complexity and cost. That is why I find it very difficult to support the Government’s proposition on local income tax.

11:06

Duncan McNeil (Greenock and Inverclyde) (Lab): I suppose that today's divisions on the issues of fairness and what will replace the hated council tax are only to be expected. We have also heard the Scottish Government's analysis from Joe FitzPatrick, which shows that the division exists in the country too.

The consultation showed that groups that make up the working-age population are less supportive of local income tax than groups of older people. Only 10 of the 86 organisations that submitted views supported local income tax. Less than half said that it would be better for the economy, and less than half of the individuals who responded said that the proposed rate was correct.

My question is: how would those people know? How are they able to compare the local income tax system with a range of systems? How can individuals know how fair an income tax would be unless they know what they would be asked to pay? We still do not know that. We do not know whether the exemptions for students and the armed forces would go or stay. We do know whether people would be taxed on the current year's earnings or on the previous year's earnings.

Would it be considered fair for people in Greenock to pay 6p in the pound while people in Eastwood paid 4p in the pound? The business community would willingly agree that a cut in the business rate was fair, but we know that the impact of cuts on communities and the quality of services would not be considered fair. How would the principle of comparable service levels be maintained if there were different levels of taxation across the country?

Jeremy Purvis: Will the member explain why he is defending a system under which a taxpayer in his area could pay £1,050 while a taxpayer in my area paid £1,000? It is a question of local accountability. Why is local accountability fair for a property-based tax but not for an income-based tax?

Duncan McNeil: The division in the chamber is about replacing that system. There is broad agreement that the current system needs to be amended or replaced, and we are discussing how we test the fairness of different systems. If we have only one option—local income tax—rather than a range of options, how can we make that judgment? We are in a deep economic crisis, with unemployment expected to increase in Edinburgh. What would local income tax bring to local government finance in Edinburgh if the tax base collapsed?

Why are we still waiting? As Joe FitzPatrick said, it is 21 months since the policy was launched. The Chartered Institute of Public

Finance and Accountancy, a leading professional accountancy body for public service, has asked why we are still waiting for the promised detailed route map towards a local income tax. Critical issues have still not been answered, including the loss of the financial autonomy and accountability of local authorities and their democratically elected members—no small matter—and the £750 million annual shortfall. That professional body's strong recommendation was that the Scottish Government needs to be clearer on the detail. I agree. Only then will we be in a position to pass judgment on any new tax to replace the hated council tax.

11:11

Brian Adam (Aberdeen North) (SNP): The Conservative proposal before us is an unusual beast. Despite Mr McLetchie's denials, I find it difficult to see it as a proposal for anything other than an enabling bill. He is asking the Government to introduce a bill that offers a range of options. I presume that he has painted in all the options that are currently under debate, but as he is such a democrat, with such strong feelings about the effectiveness of a group of minorities running the country, I assume that he has not ruled out any system of taxation.

I find it hard to understand how Mr McLetchie can expect a Government to introduce the Opposition's proposals in a Government bill. Without wishing to dismiss other people's views, I find that an unusual approach to democracy.

David McLetchie: Will the member give way?

Brian Adam: If Mr McLetchie wants to explain his approach, I will be delighted to listen.

David McLetchie: We ask simply that the scope of the bill is such that we can introduce our own proposals. We do not need the Government to draft our proposals for us; we are more than capable of doing that—and of producing a more effective outcome than I am sure the Government will.

Brian Adam: Given that the Conservatives are not currently in government, minority or otherwise, I do not think that it is our responsibility to introduce an enabling bill that allows them to lodge the amendments that they want. If they do not care for the Government's approach, they will have the opportunity to vote against it.

The Conservatives' proposal, which is for what must be an enabling bill, has no credibility. It is clearly just a device to gather a grouping of those who oppose local income tax to support a motion. It is not a serious proposal for a serious bill.

Having listened to several Labour members, I am disappointed that we do not yet have any idea

what their alternative is. At least Mr McNeil described the council tax appropriately as "hated"—I perhaps picked him up wrong, but I thought that that is what he said. There is no doubt that the council tax is absolutely discredited. The Government, with some Liberal Democrat allies—who knows what will happen at 5pm tonight?—at least has a credible alternative.

Mr McNeil pointed out some aspects of the consultation. However, only five of the organisations to which he referred suggested that the council tax was the fairest way to proceed. There is no doubt that all the objective evidence suggests that local income tax is the fairest way to proceed.

If we are to debate alternatives, we need to have those alternatives. This is the time to have the debate about alternatives, not when we are introducing a bill, because a sensible bill can be about only one proposal. There may be debates on the nuances of that proposal, but an enabling bill is not credible, and it does the Conservatives no credit whatsoever to propose one.

The Government's LIT proposals make a lot of sense, and they clearly carry support in the country. If the Tories and Labour do not have alternative proposals, they should accept the will of the Parliament, which, following the two previous debates, has been to allow LIT to proceed. If they do not want to support the bill, they can vote against it when the time comes.

11:15

Hugh Henry (Paisley South) (Lab): Unusually, I agree with Joe FitzPatrick: the Conservatives need to publish the figures to justify and sustain their arguments. However, I hope equally that John Swinney will listen to Joe Fitzpatrick's exhortation and publish an analysis of the cost to small business of administering the local income tax. Joe FitzPatrick cannot justifiably ask the Conservatives to publish the figures that justify their arguments while failing to ask ministers of his party to publish the figures that justify theirs.

Derek Brownlee: I do not particularly blame Hugh Henry for not reading everything that comes out of the Scottish Conservative press office. However, we revealed our proposal for a pension discount in our manifesto and fully costed it last year; our submission to the local government finance consultation, which Mr Swinney talked about, was the longest of any; and, in September, we published our proposals for an across-the-board discount, so we cannot be accused of not publishing our proposals.

Hugh Henry: I made no accusations; I merely said that I agreed with Joe FitzPatrick's exhortation and that he needs to speak to John

Swinney about publishing figures. I welcome the thrust of Derek Brownlee's speech and congratulate him on it. It was measured and well set out. He is right to point to the futility of introducing a controversial taxation proposal in a Parliament such as this, given the uncertainty that the country might face after the next election and the further turmoil that would follow from that.

At some point, we need to consider what Brian Adam said about how much support there is. Joe FitzPatrick grandiosely stated that local income tax is what the people of Scotland want. Indeed, in the *Paisley Daily Express* this week, a nationalist parliamentary candidate welcomed the results of the Scottish Government's consultation on council tax. He said:

"I'm glad and yet unsurprised that the people of Scotland have given their backing to the SNP's proposal".

On what basis does he say that the people of Scotland have done that? He says:

"more than half of all individual respondents supported the SNP's proposals".

There were 430 respondents, 55 per cent of whom supported the proposals. In other words, only 237 people were in favour. That is what he calls the people of Scotland: 237 in favour.

Joe FitzPatrick described Scottish Action Against Council Tax as the voice of the people of Scotland, but I have never heard of that organisation. That shows the reality of the SNP's proposals. According to the SNP, 237 people represent the people of Scotland. However, its own analysis of the consultation responses says that

"Given the primarily self-selecting nature of"

the consultation exercise, the numbers could not be said to be representative.

The most damning point of the whole argument is the one that Margo MacDonald made about collection. She is absolutely right about the problems that would arise from trying to collect local income tax through HMRC. She is also right to say that, in an independent country, one could reasonably aspire to what the SNP proposes. However, with the dog's breakfast of proposals hidden from the people of Scotland as they are just now, the Parliament cannot reasonably draw any conclusion on any proposal.

When people are asked about their views on taxation, they may know what they are against. However, so far, the detail of the proposals that are on offer from the SNP and the Liberal Democrats has been hidden from the people of Scotland. If we are to justify ourselves as a truly democratic, representative Parliament, that detail needs to be published.

11:19

Alison McInnes (North East Scotland) (LD): I am not sure that I have been much enlightened by the debate. When I first read the Conservative motion, I was reminded of my childhood Saturday mornings at Woolies pick-'n'-mix: "Oh dear, we really can't decide what we want, but that's okay—we can have a wee taste of everything." I realise that I am a newcomer to the Parliament, but it is the first time that I have come across the pick-'n'-mix, multi-option bill, and I am glad to hear that Brian Adam—who is far more experienced than I—is also perplexed by that suggestion.

Of course, during the debate, the Tories confirmed that their favourite sweetie would be the retention of the council tax. I do not think much of their choice. Under that option, people on the highest incomes would benefit more than pensioners and low-income families. The proposal may be superficially attractive, but it would leave many of the poorest in our society out in the cold.

The Labour Party has been vociferous in its opposition to local income tax based on the ability to pay but, as yet, less than forthcoming about how it plans to tackle the gross inequities of the council tax system, under which the poorest 10 per cent pay four times more of their income than the richest 10 per cent do. The Labour Party has confirmed its membership of what Mr Swinney referred to as the council tax club, but it has not yet come up with a workable alternative.

Hugh Henry criticised our proposals by saying that they would burden local businesses with collection charges, but he failed to point out that, for many years, his Government asked local businesses to collect tax credits and that, with one week's notice, they were asked to change VAT—a heavy burden on them. Thousands of low-income households struggle under the punitive burden of the council tax. Does Iain Gray still believe, as he did two months ago, that that system is unfair? If so, when will he tell us what he wants to replace it with?

Earlier this year, a survey of 30,000 users of the internet service MSN money put council tax as the most hated tax—above fuel duty, inheritance tax, VAT and income tax. We know that it is a regressive and unfair tax that simply cannot be fixed. We want to replace it with a fairer local income tax that is based on the ability to pay.

Hugh Henry: What did the Liberal Democrats ask the wider public about what they believed the implications of a 6p local income tax might be, and what were the results?

Alison McInnes: The survey was not ours; it was carried out by MSN money, as I said.

The Scottish Liberal Democrats are prepared to work with the Scottish Government to abolish the council tax and introduce a fairer system. However, as Jeremy Purvis said, the current proposals do not address some key issues, including the protection of students, the accountability of local councils, support for small businesses and appropriate taxation for people who receive high levels of income from dividends. We will continue to pursue those issues with the Government and make constructive proposals.

Derek Brownlee: Will Alison McInnes give way?

Alison McInnes: No, I am in my last minute.

Changes to the council tax are overdue, but it contributes only a small percentage to the pot of local government funding, and other inequalities in the local government settlement need to be addressed. Local authority discretion and accountability should be strengthened. Unfortunately, the council tax freeze and that audacious con, the concordat, have weakened those principles. This year, local government is even more dependent on central Government hand outs. That is an unhealthy relationship, as it allows central Government too much control over what happens locally and leads to less local transparency in decision making and less local accountability. I am sure that there must be a fairer and more transparent way of allocating resources to local government.

The Liberal Democrats would like the vagaries of the local government formula to be addressed. If Aberdeen City Council was funded at the same level per head of population as Dundee City Council, it would have an astonishing £104 million extra every year to spend, so it is little wonder that Aberdeen City Council is struggling to cope with its budget allocation. A fairer system must be found.

We want a fairer system of taxation that is based on the ability to pay. It must be truly local and address issues such as the protection of students, support for small businesses and appropriate taxation for people who receive high levels of income from dividends.

11:24

David Whitton: Nothing that I have heard persuades me that the introduction of local income tax will be good for Scotland and the Scots. Indeed, it is clear that, contrary to what the First Minister and the SNP claim, there is no massive majority in support of the new nat tax.

As I pointed out in my opening speech, only 34 per cent—that is, just over a third—of people aged between 34 and 54, which is the main working age, believe that local income tax is the fairest approach to taxation. That contrasts with the

SNP's spin on the local income tax consultation. It claimed that 55 per cent of individual respondents to the consultation thought that local income tax was fairer. I am grateful to my colleague Hugh Henry for exposing that nonsense for what it was. The devil is in the detail.

On the subject of detail, fewer than half of the individuals who responded thought that local income tax would provide a wealthier Scotland. That view is shared by Scotland's business community, whose principal representatives held face-to-face talks with Mr Swinney last week. We do not know exactly what was said, but we can guess that the Confederation of British Industry Scotland, the Scottish Council for Development and Industry, the Institute of Directors, the Scottish Chambers of Commerce, the Federation of Small Businesses Scotland and Scottish Financial Enterprise were less than complimentary about the proposals, given that those organisations have loudly condemned local income tax. Indeed, I remind Mr Swinney of what was said in public forum by Norman Quirk on 19 November, at the Scottish Chambers of Commerce annual dinner. Mr Swinney had to sit and squirm as he heard Mr Quirk say:

"Even in an economic boom time, the risk to Scottish competitiveness would be worrying; in the current climate it is positively spine-chilling. Our clear message to the Scottish Government and the supporters of a local income tax is to listen to the overwhelming view of the Scottish business community and think again."

It is a wonder that Mr Swinney continues to go to business dinners. They are clearly bad for his health.

Margo MacDonald: Would the Labour Party support a progressive income-based tax if it were part of a cohesive system of taxation, or does it support a property-based tax per se?

David Whitton: We support a property-based tax per se.

Mr Swinney was, as always, good on rhetoric but short on comment about the local income tax consultation. Mr FitzPatrick did his best to push the party line but had no answer to the Glenrothes question. To be fair, neither does his leader, Alex Salmond. Suffice to say that the SNP was sent homeward to think again, as the song goes. Labour Party members think that it is time for the SNP and Liberals to think again about local income tax.

Brian Adam: Will the member give way?

David Whitton: I am sorry. I have only four minutes.

The Government says that its primary purpose is the growth of the Scottish economy and the creation of more jobs. Did it not listen to Mr Quirk?

Has it not heeded the views of the business community and the Scottish trade unions? Has it paid any attention to the views that were expressed during the consultation, particularly by people who are of working age?

Local income tax will penalise carers, armed forces personnel, families in receipt of tax credits and the disabled. Unless Mr Swinney and the SNP and the Liberals do the right thing, it will also penalise the whole of Scotland.

11:27

John Swinney: Margo MacDonald asked about the extent of contact between the Scottish Government and HMRC. Frank McAveety asked a similar question a couple of weeks ago at question time. What I put on the record in response to Mr McAveety remains the case. Her Majesty's Government has requested that the Government in Scotland take forward its discussions about the implementation of local income tax primarily with the Treasury.

We have had contact with the Treasury. We have also had discussions with the Department for Work and Pensions, the Ministry of Defence and HMRC. I met the Chief Secretary to the Treasury to discuss the issue and Treasury officials have been involved in discussions. A process of dialogue is under way and we have a detailed proposition to put forward, which we will discuss with the UK Government.

Hugh Henry: Can the cabinet secretary enlighten us about whether, in any of the discussions that he mentioned, the UK Government has indicated a willingness to collect the tax on behalf of the Scottish Government and return it to local authorities?

John Swinney: The UK Government has said that it will consider the proposals that we put forward. That is why we are taking forward discussions, which perhaps reflects the mature way in which the Scottish Government goes about its business with the UK Government.

Much comment has been made on the consultation exercise that the Government carried out. Let me put on the record that 55 per cent of respondents considered local income tax to be the fairest approach to taxation, compared with the 25 per cent who supported the council tax. Numerous recent opinion surveys have shown that somewhere in the order of 60 per cent of the public support local income tax. I gently point out to members that the issue predominated during the parliamentary election campaign, in which the council tax parties did not do well.

Derek Brownlee: Mr Swinney said that 55 per cent of respondents favoured a local income tax.

Does he agree that the 57 per cent of respondents who favoured a nationally rather than locally set tax should be listened to? Will those respondents' views be taken into account?

John Swinney: Ministers always reflect on the contents of consultation exercises and will continue to do so.

At the heart of the issue is whether we decide to make progress on local government taxation. Back in 1998, when Mr McAveety was the leader of Glasgow City Council, he had to come to terms with a defeat by the SNP in the Garrowhill by-election. He said:

"Labour voters in Garrowhill gave us a clear message. We've got to get our act together on such issues as the high council tax."

That was in 1998, but the Labour Party is still flailing around trying to reach an answer on what to do about the council tax.

Mr McAveety: Will the cabinet secretary compliment me on my ensuring that there was a council tax freeze in the following year?

John Swinney: I am delighted to welcome Glasgow City Council's council tax freeze, and I was delighted to propose such a freeze in this year's budget. I am only sorry that Mr McAveety could not bring himself to vote for a reforming budget, which froze the council tax and delivered to householders in every part of Scotland the support that he had delivered to the people of Glasgow in such a pioneering fashion.

I make two points that I think get to the nub of the debate. Brian Adam delivered a devastating critique of the Conservatives' proposition. He described how the Conservatives are calling for an enabling bill that would allow ministers to bring forward regulations that would make changes to local government finance. That is not how we should make such changes. The Conservatives have made no suggestions about how to resolve issues to do with the choice between the different propositions that are mentioned in the motion.

The most startling revelation in the debate came in Mr Brownlee's response to my colleague Mr FitzPatrick, on revaluation. The cat is out of the bag. The Tories are signed up to a revaluation of the council tax, which would punish them as much as the rates revaluation in the 1980s and the poll tax in the 1990s did. That is a sure sign that the Conservatives remain out of touch with the people of Scotland on the issue.

We will make our proposals for a local income tax based on the ability to pay, and we will argue for parliamentary support for those proposals.

11:32

Gavin Brown (Lothians) (Con): The local income tax is very different from all that went before it—the unpopular rates system, the unpopular poll tax and the unpopular council tax. The big difference is that the local income tax has become unpopular before anyone has paid a penny—at least the other taxes were around for 10 or 15 years before they caused outrage. The local income tax has been discredited before it is even finalised.

Mr Swinney was away in the realms of fantasy in his closing speech. He suggested that parties that supported a local income tax did much better in 2007 than did parties that did not support such a tax. Anyone who has even a casual relationship with mathematics can see that the number of members elected in 2007 who supported a local income tax was exactly the same as the number of members elected who did not support such a tax.

The most interesting revelation in the debate has been the unhappy dance between the SNP and the Liberal Democrats. The relationship is so unhappy that SNP members have not said whether they will support the amendment in Mr Purvis's name. It is telling that when Mr Brian Adam, who apparently launched a "devastating critique"—if members blinked they would have missed it—said that he is happy to work with the Liberal Democrats, he added, "who knows what will happen" in tonight's vote. I suspect that there will be 15 votes in favour of Mr Purvis's amendment.

Among some other interesting revelations, the main one involved the question of who will blink first on the local income tax. Will the tax be national, as suggested in the consultation exercise, or will it be otherwise? The Liberal Democrats have said that there is no way that they will agree to a nationally set local income tax. Will Mr Purvis capitulate or will John Swinney give up, desperate to secure the votes of the Liberal Democrats so that this discredited tax can be implemented? Only time will tell, but it is clear that one party or the other will have to give enormous ground and will receive a real red face.

Keith Brown (Ochil) (SNP): In light of the demand for clarity and detail, will Mr Brown confirm whether his party will support the retention of the £400 million in council tax benefits money if the change goes ahead? Further, will he tell us when the revaluation that the Conservatives now support will happen?

Gavin Brown: The Conservatives have been extremely clear about the benefits money: we are happy for that matter to be discussed and negotiated. We have not ruled out the retention of the £480 million or so. That position has been clear for months.

In the previous debate on this matter, Keith Brown agreed that it was important that the Government publish in detail the allocation method for the local income tax and, more important, state how it would affect each and every local authority. A few months ago, the Parliament resolved that that ought to happen. Although, in that debate, the cabinet secretary said that the Government had that information already, we have seen no sign of it.

John Swinney: Will the member give way?

Gavin Brown: I will happily give way, if the cabinet secretary can explain that.

John Swinney: We will entirely honour the commitment that we gave with regard to the motion in the previous debate, which set out the position that Mr Brownlee held before he flip-flopped on the matter and adopted the position that he outlined in today's debate.

Will Mr Brown clarify two points in relation to the other Mr Brown's intervention? First, why do the Conservatives not support the council tax benefits position that the Government put forward in this debate; and, secondly, when will the revaluation that is being endorsed as part of the reformed council tax proposition take place?

Gavin Brown: Mr Swinney is being utterly disingenuous and is taking Mr Brownlee's comments absolutely out of context. Mr Brownlee said that the revaluation in Wales ended up with a 5 per cent increase, but that it was possible to have a revaluation that was revenue neutral. He did not support the prospect of a revaluation; he simply put forward, in a theoretical context, how it would happen.

Joe FitzPatrick tried to advance the view that the consultation was heavily in favour of the local income tax. However, the best quotation that the SNP could find to support that view was from a group called Scottish Action Against Council Tax that—would you believe it?—said in the consultation that they were against the idea of continuing the council tax.

Let us examine the information that we have had since the previous debate. The financial black hole has got bigger—by an additional £300 million, according to the pre-budget report. We now know that only two councils supported the consultation, which says great things about the historic concordat—those two words usually get a round of applause from SNP back benchers, but not today, it seems.

We have learned that 59 per cent of people are not prepared to pay more than 3p in the pound, which means that there is a deep division between the SNP and the Liberal Democrats. On that basis, Mr Brownlee lodged a reasonable motion, which

was drafted extremely widely and kept open all the options, including options that we do not support. We put forward the idea of having a reformed council tax, and there have already been two proposals in that regard: one featured £150 being given back to every family in Scotland and the other featured a 50 per cent discount for pensioners. We said that we would listen to ideas about a land value tax. Some time ago, the Parliament resolved to consider that proposal, and I think that it is right that that should happen. Our motion even allows for discussion of both the SNP strain and the Liberal Democrat strain of local income tax. However, local income tax is discredited and unpopular; accordingly, I urge everyone to support the motion in the name of Derek Brownlee.

Question Time

SCOTTISH EXECUTIVE

General Questions

11:40

Budget 2009-10

1. Sarah Boyack (Edinburgh Central) (Lab): To ask the Scottish Executive whether it envisages meeting all of its expenditure commitments as outlined in its draft budget for 2009-10. (S3O-5067)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Yes.

Sarah Boyack: Is the minister aware of a report by the Centre for Public Policy for Regions that highlights the fact that the Scottish Government not only will spend more than its allocated budget but will use 90 per cent of its reserve at the Treasury? Given the expenditure commitments and in the light of the Parliament's vote on Labour's energy efficiency debate on 13 November, what progress has been made on identifying new funding mechanisms to promote an area-based roll-out of energy efficiency measures and microgeneration technology across Scotland, to the order of around £100 million?

John Swinney: As Sarah Boyack knows, the report of the Centre for Public Policy for Regions vindicated everything that the Government has said about the tightness of the financial settlement that we are now dealing with as a consequence of the changes to the profile of public expenditure arising from the spending review in 2007. We are dealing with a much smaller increase in public expenditure in Scotland than has been the case over the past eight years. For that reason, the Government has negotiated a deal that my predecessors were never able to negotiate, which involves a three-year arrangement to draw down end-year flexibility, which, of course, is Scottish public expenditure that has not been spent to date. We have factored that into our programme, and that will support our policy commitments and expenditure priorities.

As our manifesto said that we would, the Government has expanded the resources that are available for microgeneration and energy efficiency technologies, and the Government is continuing discussions with various parties in Government and outwith Government to ensure that we maximise the effectiveness of expenditure on energy efficiency measures to support the Government's agenda on climate change, which will receive a major boost by the publication on

Friday of the Scottish Government's climate change bill.

Margo MacDonald (Lothians) (Ind): Are we any closer to having the energy efficiency certificate for this building displayed in a prominent place as per the European directive that came into effect on 6 January 2006?

The Presiding Officer (Alex Fergusson): If I may say, I do not think that that question is relevant to question 1.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Will the cabinet secretary confirm that, in his meeting last week with the Convention of Scottish Local Authorities, a request was made of the Government for greater flexibility in the delivery of Scottish National Party manifesto policies and for greater flexibility within the concordat?

John Swinney: The Scottish Government continues a dialogue with local authorities on a range of issues. We examine the questions of the availability of finance and the progress that has been made on policy issues. That discussion will continue with the leaders of the local authorities in Scotland in the productive fashion that has been facilitated by the Government's new relationship with local government in Scotland.

Police Recruitment

2. Paul Martin (Glasgow Springburn) (Lab): To ask the Scottish Executive, further to its news release of 12 November 2007 that stated that an extra 150 police officers would be recruited by the end of the financial year, whether those were recruits whom chief constables were already planning to recruit. (S3O-5085)

The Cabinet Secretary for Justice (Kenny MacAskill): We promised that in 2007-08 we would recruit 150 additional officers, and that is what we delivered. This year, we are committed to recruiting 450 additional officers and, already, 440 of those officers have been recruited, with the remainder to follow.

Forces will be recruiting more than 1,600 officers this year—an all-time record. We will also recruit a further 200 officers in each of the subsequent two years.

We are well on our way to recruiting 1,000 additional police officers, as we promised to do in our manifesto. As I have said before, all of those officers are over and above recruitment that was already planned by forces.

We inherited the lowest police recruitment since devolution, but we have tackled that head on. As I announced on Tuesday, with 16,526 full-time equivalent police officers, we now have the

highest ever recorded number of police officers in Scotland.

Paul Martin: Last November, the Cabinet Secretary for Justice promised the Parliament that he would recruit an additional 150 police officers by the end of the financial year. I have in my possession a legally obtained document prepared by a senior police officer that confirms that the introduction of the so-called additional 150 police officers was already being planned by chief constables throughout Scotland.

Will the cabinet secretary apologise to the Parliament for failing to meet his commitment to deliver those additional police officers and for his blatant attempt to cook the books?

Kenny MacAskill: Absolutely not. If Labour had remained in power, it would not have committed to recruiting even one additional officer. We inherited from Labour the lowest level of recruitment since devolution, despite the fact that we also faced the highest level of retirements due to demographic trends.

We made a commitment to deliver 1,000 additional officers; we delivered 150 in our first year; and we are 10 short of delivering on our commitment for this year—and we will deliver. We have a record number of police officers but, as we have said, the issue is not simply the number of officers but how we deploy them. That is why I pay tribute to the chief constables for ensuring that the officers who we recruit are supplemented by officers who are taken from behind desks and put into our communities to make those communities safer and stronger.

Sandra White (Glasgow) (SNP): Will the cabinet secretary join me in congratulating Strathclyde Police, which has increased its numbers by more than 200, ensuring that the citizens of Glasgow and beyond are safe in their communities? Does he agree that rather than being concerned about whether the recruitments are planned or not, the public are just happy to have more police on the streets?

Kenny MacAskill: Absolutely. It was a pleasure to meet Chief Constable Stephen House on Tuesday when we were confirming the record number of police officers—I know that he has done a fantastic job in recruiting. I also pay tribute to the Strathclyde Police joint board—and to Councillor Rooney in particular—which has ensured that it brings in recruits, in addition to those that are delivered by the Government, and that it redeploys officers. I concur entirely with my colleague's sentiments.

Crofting (Support)

3. John Farquhar Munro (Ross, Skye and Inverness West) (LD): To ask the Scottish

Executive what support it is giving the crofting community. (S3O-5137)

The Minister for Environment (Michael Russell): The Scottish Government supports crofting communities by investing in public services and creating opportunities for sustainable economic growth. The rural affairs and environment portfolio currently provides more than £40 million a year in financial support to crofting communities through specific crofting grants, the less favoured areas support scheme and wider agricultural and rural development support.

John Farquhar Munro: That is encouraging, but the minister will be aware of the growing evidence that the Scottish rural development programme payments are too bureaucratic, unfocused and not easily accessed by crofters and farmers. I am also told that the payments are only available online, which excludes people such as me and others in the Highlands. It appears that consultants are the only people whom the current system supports. Will the minister take a long hard look at the Scottish rural development programme payments for the benefit of the entire crofting and agricultural community?

Michael Russell: The SRDP offers the opportunity to access considerable sums of money, and we want to make that as easy as possible. My colleague Richard Lochhead has already announced that there will be a review. The forestry elements are being considered by George McRobbie and his team, and I am grateful for the effort that they are putting in.

The previous Government devised the SRDP with stakeholders, and we would like a higher take-up of the scheme, although take-up has already been substantial. To that end, we will ensure that when the review takes place, it will emphasise access—easy access in particular—to the scheme, although many of the schemes are competitive, as they should be. I have addressed those and other issues at crofters' meetings this week in Benbecula and Harris, and the crofting community knows that we are concerned and that we want to move forward.

I can offer some specific assistance to John Farquhar Munro: training in computer skills will be available as part of the scheme and, as a retired crofter, he is probably eligible.

Strategic Transport Projects Review

4. Irene Oldfather (Cunninghame South) (Lab): To ask the Scottish Executive whether it has determined a date on which the findings of the strategic transport projects review will be announced. (S3O-5096)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): Ministers

have considered the emerging findings and there will be an announcement on the outcome of the review to Parliament on 10 December.

Irene Oldfather: I draw to the minister's attention a letter that I have received from the chief executive of North Ayrshire Council. It advises me that the council, its partners and the business community believe that upgrading the A737 is the single most important piece of investment to improve confidence in the economy of North Ayrshire. Will the minister assure me that the concerns of my local community will be taken into consideration in deciding the priorities and announcing the review's findings?

Stewart Stevenson: It would not be appropriate for me to anticipate the detail of next week's announcement, but I can say that three key factors will be applied. The first is to ensure the maximum efficient use of transport infrastructure; the second is to support the economy; and the third is to ensure that we have a safe network that is fit for purpose.

The Presiding Officer: Question 5 has been withdrawn.

Efficiency Savings

6. Keith Brown (Ochil) (SNP): To ask the Scottish Government whether it will quantify the cuts that would be required to local government and other services in Ochil were they to meet the United Kingdom Government efficiency savings target of 3 per cent. (S3O-5107)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Following the pre-budget report, our 2010-11 allocation is due to be cut by around £129 million as a consequence of changes to the United Kingdom Department of Health's budget. We also face a further cut, based on our Barnett share of a £5 billion reduction in UK departmental spending in 2010-11 and in 2011-12. Taken together, there is the potential for a £1 billion reduction in Scottish expenditure, of which £500 million is likely to fall in the current spending review period. Such a cut would have a significant negative effect on public services in Scotland.

Keith Brown: Does the cabinet secretary agree that there is a growing tide of concern and anger about new Labour's cuts in public services, whether through the lowest ever increase in the Scottish block grant from London; new Labour in Scotland's 3 per cent cuts, as outlined by Wendy Alexander; or the straight £1 billion cut to which the cabinet secretary just referred, which was announced by Alistair Darling. Does he agree that that anger is most keenly felt among local councils, voluntary groups and those who rely on those organisations for vital services?

John Swinney: As Mr Brown will know, the Scottish Government has worked extremely hard to put in place a financial framework that provides a growing share of the Scottish block of expenditure to local government, and a rising amount of support for the voluntary and third sector within Scotland. We recognise that those priorities are important, because the third sector and local authorities contribute significantly to the delivery of public services in Scotland.

It is clear that we will face a significant amount of public spending pressure in 2010-11, which has been inflicted on us because of a reduction in the budget that we expected, in good faith, to have at our disposal. As a consequence, there will be a great deal of concern in communities throughout Scotland. The Scottish Government will do everything in its power to change the mind of the United Kingdom Government on this question and to ensure that our priorities adequately support the Government's aspirations to make Scotland a more successful country.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Will the cabinet secretary confirm that if any Scottish Government departments or agencies, or health boards, begin to report efficiency outturns that are nearing or more than 3 per cent, the Scottish Government will not request that they artificially lower those outturns to be nearer 2 per cent to suit political purposes?

John Swinney: As Mr Purvis will have noticed from some of the outputs in the efficient government programme, different areas of public service already exceed the efficiency savings targets that have been set for them. The crucial difference between that programme and the situation that we face as a consequence of the decisions that the Chancellor of the Exchequer announced in the pre-budget report is that we have the ability to reinvest the resources from that programme in public services in Scotland. What the chancellor announced in the pre-budget report is simply a reduction in the resources that the Scottish Government believed, in good faith, we had at our disposal. That will have a negative effect on public services in Scotland.

Jackie Baillie (Dumbarton) (Lab): Is it not the case that there are both cash and time-releasing savings for the United Kingdom but only cash-releasing savings for Scotland, with the consequence that our public services are suffering real cuts now?

John Swinney: No is the short answer to that. The Scottish Government has set out an efficiency savings programme. Later this afternoon, I will e-mail Jackie Baillie the definition of efficiency savings and what counts as efficiency savings in Scotland, so that she can fully understand the high

standards that must be achieved before efficiency savings can be deemed to have been reached in Scotland. Of course, we reinvest those resources in the public services of Scotland. The significant difference between our position and that of the UK Government is that it has simply removed money from the allocation that we believed we had at our disposal—that is a cut.

Glasgow Prestwick International Airport (Discussions)

7. John Scott (Ayr) (Con): To ask the Scottish Government what discussions it has had with the management of Glasgow Prestwick international airport following the publication of the airport's development master plan. (S3O-5058)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): The Scottish Government has had no discussions with the management of Glasgow Prestwick international airport since publication of the airport's draft master plan on 29 October.

John Scott: I thank the minister for that reply. As he will know, Prestwick airport, which makes a huge contribution to the economy of Ayrshire and Scotland, forecasts that its annual passenger numbers are set to double over the next 10 years to 5.7 million. A key element identified in the master plan is the need to increase rail capacity on the Ayr to Glasgow line, and in particular the need to increase the current service frequency of two services an hour, especially at peak times. Will the minister support that position? Will he enter into discussions with Prestwick airport, First ScotRail and other relevant agencies to secure that increase in service?

Stewart Stevenson: Surface transport to our airports is an important part of the provision that we in Government must make. I shall be supporting Prestwick airport myself when I fly out on Sunday on its direct flight to Poznań for the climate change leaders side event that will take place on Monday and Tuesday. I recognise, both personally and as a minister, the importance of Prestwick airport and its being connected to the rest of Scotland.

Edinburgh Trams Project (Discussions)

8. David McLetchie (Edinburgh Pentlands) (Con): To ask the Scottish Executive what recent discussions it has had with the City of Edinburgh Council and TIE Ltd regarding the Edinburgh trams project. (S3O-5055)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): Recent discussions have taken place with the City of Edinburgh Council regarding the administration of the Scottish Government's £500 million

contribution and with TIE Ltd regarding the design for a tram-train interchange at Gogar. Preliminary discussions have taken place between the Scottish Government and the City of Edinburgh Council concerning additional means of funding the development of the Edinburgh waterfront area. In addition, preliminary discussions have been held regarding Transport and Works (Scotland) Act 2007 powers for further tram development.

David McLetchie: I thank the minister for that answer. Will the discussions on the additional means of funding the waterfront development refer to additional public funding for that, which would therefore be a back-door, additional contribution by the minister's Government to the funding of the trams project?

Stewart Stevenson: It is clear that we have capped our contribution to the trams project at £500 million. Any moneys that are left over after phase 1A may be applied to phase 1B. We have made no change to our commitments on public funding from this Government.

Economic Growth

10. Derek Brownlee (South of Scotland) (Con): To ask the Scottish Executive how it expects the level of economic growth to change in each year to 2012. (S3O-5057)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): The Scottish Government recognises that the performance of the Scottish economy is likely to weaken in the second half of 2008, reflecting the slow-down in the global economy. That is why we have taken the steps that are outlined in our economic recovery plan to support the Scottish economy through these challenging global economic conditions.

Derek Brownlee: But does not the Scottish economy, or at least income tax revenues, need to increase by 25 per cent in a single year to fill the hole in the minister's local income tax plans? Is that the Scottish Government's expectation?

John Swinney: Mr Brownlee has got his numbers completely wrong. The First Minister set out clearly to Miss Goldie last week exactly why Mr Brownlee's figures are wrong. There will clearly be an increase in the level of tax take as the economy improves. I gently point out to Mr Brownlee, after his morning of fawning over the council tax, that there will undoubtedly be pressures on council tax income as a consequence of the economic downturn, so what is good for the goose is good for the gander.

The Presiding Officer: Before we move to First Minister's question time, I am delighted to welcome Tanzania's high commissioner to the United Kingdom and Quebec's agent-general in

London, who have joined us in the Presiding Officer's gallery. They are most welcome.
[Applause.]

First Minister's Question Time

12:00

Engagements

1. Iain Gray (East Lothian) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S3F-1241)

The First Minister (Alex Salmond): Later today I will have meetings to take forward the Government's programme for Scotland.

Iain Gray: There was widespread concern in April when the Scottish Government suddenly announced the extension of First ScotRail's contract to 2014. There was no consultation with passengers or with the workforce or with trade unions. Indeed, there was no consultation with anyone at all. Audit Scotland was scheduled to review the operation of the franchise, but ministers could not be bothered waiting for that either. Last week, Audit Scotland produced its report, which raised concerns and led to the resignation of a senior Transport Scotland official. Why did the First Minister fail to consult on the franchise review and on the extension options? Why did he not wait for Audit Scotland's report?

The First Minister: I have read the Audit Scotland report that Iain Gray is brandishing. I found it interesting to see that, on the substance of the benefits of the franchise, Audit Scotland says the following:

"Transport Scotland's appraisal process was rigorous and has resulted in a guaranteed £73.1 million investment by First ScotRail".

That is what the heading of paragraph 57 says.

"Transport Scotland's management arrangements are generally effective",

says the heading above paragraph 27.

"First ScotRail's performance to date has been good, and continues to improve",

says page 24 of the report.

I would quarrel with one thing Iain Gray said in his introductory question: he said that the extension to the contract was unexpected, a surprise. I have looked back over the history of the contract. On 5 December 2002, the answer to a parliamentary question announced both the franchise length and the possibility of a three-year contract extension. That parliamentary question was answered by one Iain Gray.

Iain Gray: That is true, and I remember the lengthy consultation process we went through to award the franchise.

The Audit Scotland report says positive things about First ScotRail's performance and about the management of the franchise, but it says some scathing things about the Scottish Government's handling of the franchise extension. It states:

"The lack of consultation created practical difficulties."

Those practical difficulties will cost the taxpayer £1.5 million for closed-circuit television cameras in Strathclyde stations because the Minister for Transport, Infrastructure and Climate Change did not bother to ask where that money would be found between 2011 and 2014. Clearly, Audit Scotland believes that there may be other financial holes that will also need to be filled.

Will the First Minister admit that the failure to consult key stakeholders in advance was a serious and costly omission?

The First Minister: The Audit Scotland report sets out governance issues, which Transport Scotland will take on board and improve upon, but that does not deflect from the £73.1 million of investment that is identified in the report. Nor does it tell us why the matter was such a big surprise to Iain Gray, who six years previously opened up the possibility of a three-year extension.

Iain Gray: The contract involves £2.5 billion of taxpayers' money. The 215,000 passengers a day who depend on the service have just seen their fares soar. The contract was extended with no consultation, no assessment criteria and—most damning of all—no business case. Audit Scotland states:

"Transport Scotland did not provide the Minister for Transport, Infrastructure and Climate Change with a fully documented business case, taking the view that presentations to the minister were more appropriate."

That is public spending by PowerPoint. Perhaps the Minister for Transport, Infrastructure and Climate Change did not feel the need for a business case, but did the Cabinet Secretary for Finance and Sustainable Growth not ask to see one? Did the First Minister not ask to see a business case? Did no one in the cabinet ask what the business case was? Did the First Minister sign off the decision? If he did, on what basis did he do that?

The First Minister: On the basis that it would provide improvements for rail passengers and railway workers in Scotland.

I noticed that Iain Gray slipped in a remark that indicated that he does not like the fare increases. No one likes fare increases, whether they are rail passengers or anyone else, but as far as I understand his questions Iain Gray is not challenging the real benefits that Audit Scotland identified the three-year extension will bring in the way of investment in and improvements to passenger services.

Fares will increase by 6 per cent from 2 January, which means that the average Scottish fare will be £2.65. In the United Kingdom, it is £4.60. Other operators have similar average fares. Chiltern Railways' average fare increase is 7.5 per cent, First Capital Connect's is 9 per cent and CrossCountry's is 11 per cent. No one likes fare increases, but will Iain Gray acknowledge that the investment pattern, the additional millions of pounds that are coming into our railways and the fare structure look a lot better in Scotland than they do elsewhere?

Iain Gray: I am challenging an approach to government that too often poses too many questions about the way in which the Government goes about its business. What about the First Minister's cack-handed intervention in the Trump affair, or five ministers involving themselves in a planning application in Aviemore? What about the headlines alleging cronyism when it comes to handing out grants? Now we find that a multi-billion pound contract has no business case and a conflict of interest at its heart. There are too many questions and no answers. The Government clearly believes that the normal rules of transparency and good governance do not apply. It clearly believes that a nod and a wink will do, but it will not.

Members: What is the question?

Iain Gray: The question is coming; do not worry.

The Parliament's Audit Committee will want to consider Audit Scotland's report. Will the First Minister volunteer to appear before that committee and answer its questions about how the decision was made?

The First Minister: Of course. I am the first First Minister ever to appear before a committee. As far as the Trump affair is concerned, if it had been left to the Labour Party we can be absolutely certain that that investment would not have come to Scotland.

As far as procedures are concerned, at no stage in his line of questioning has Iain Gray challenged the real benefits identified by Audit Scotland for passengers and rail travellers in Scotland. That is important because the performance of Scotland's railways and the investment being made in Network Rail are some of the few areas in Scottish life that are protected from the £500 million of cuts that the Westminster Government is making.

On good and proper governance, I assure Iain Gray that Kenny MacAskill has personally assured me that he will not be sending in the polis to raid any MSP's office. [*Interruption.*]

The Presiding Officer: Order.

Secretary of State for Scotland (Meetings)

2. Annabel Goldie (West of Scotland) (Con):

To ask the First Minister when he will next meet the Secretary of State for Scotland. (S3F-1242)

The First Minister (Alex Salmond): I will meet the Secretary of State for Scotland in due course.

Annabel Goldie: Two weeks ago, I challenged Nicola Sturgeon on the deeply disturbing issue of hospital-acquired infections. A lot of the recent discussion has understandably centred on one incident in one hospital, but our focus has to be wider and we must be proactive, not merely reactive.

It was clear from what Miss Sturgeon said about monitoring such infections that the Scottish Government is still taking a health board-by-health board, hospital-by-hospital approach and that it aspires to extend that to real-time tracking by clinical specialty. To cut through the technical jargon, that is not good enough. We need to move to ward-by-ward, bed-by-bed real-time tracking if we want to know whether another Vale of Leven crisis threatens at any point in any day in any hospital.

We can do more. An electronic bed-management system that is perfectly capable of being extended to monitor bed and ward infections has already been successfully piloted in Aberdeen royal infirmary. Does the First Minister agree that, given what we know is out there, his Government's response to date has been tardy and inadequate? Will he now back the Scottish Conservatives' call for a bed-by-bed infection tracking pilot?

The First Minister: I do not agree that the Government's response has been tardy and inadequate. Annabel Goldie should acknowledge the substantial actions that have been taken to tackle hospital-acquired infections, not least of which are the trebling of available funding compared with that under the previous Administration; the setting of national targets to reduce *Clostridium difficile* cases; the provision of extra funding for prescribing policies, which are a key factor in tackling that dreadful condition; raising hygiene performance; the toughening up of cleaning standards; and, which is important, the empowering of senior charge nurses, the establishment of an independent inspectorate and the banning of the privatisation of cleaning contracts for the future. That is a substantial category of action.

Annabel Goldie made a specific point about Aberdeen royal infirmary. I am aware of the pilot exercise there. Obviously, we support that new technology in the national health service and we are perfectly happy to consider anything that will improve performance. More efficient bed

management and the tracking of patient movements mean that NHS staff can manage their patients more effectively and efficiently. If the approach that has been described is used to its full potential, it could offer a valuable addition to local surveillance. The tracking system has benefits. When the Cabinet Secretary for Health and Wellbeing visits NHS Grampian next week, she will see the pilot model at first hand, consider the planned extension to other facilities in the NHS Grampian area, and find out whether it would be appropriate to roll out the scheme throughout the national health service.

Annabel Goldie: No one denies that these are financially challenging times, not least for the health service. That is why we must spend our NHS resources on clinical imperatives, not on political targets. The technology that I mentioned can save lives. I have a detailed briefing on it, which I am happy to send to the First Minister today.

Does the First Minister recognise the urgency and necessity of addressing the problem now? We have the means to do so, but we now need the political will. It is no longer a question of if; it is a question of when. Will the First Minister undertake to make a statement in the Parliament as soon as possible on when and where a bed-by-bed infection-tracking pilot will start?

The First Minister: The Cabinet Secretary for Health and Wellbeing will visit Aberdeen to see the pilot scheme on Monday, and she will certainly report back to Parliament on what is found. The pilot offers a promising addition to the range of measures that are being taken to tackle hospital-acquired infections. At this stage, we must consider and evaluate the pilot and its cost effectiveness, but the fact that the cabinet secretary is going to see the scheme so early and that we are interested in its being rolled out over other facilities in NHS Grampian indicates that we see merit in its results thus far and that we are engaged and interested in finding out whether it can help us across the whole health service.

Cabinet (Meetings)

3. Tavish Scott (Shetland) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-1243)

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

Tavish Scott: Yesterday, the chief executive of Lloyds TSB, Eric Daniels, toured Government, parliamentary and media offices. I heard nothing yesterday and have read nothing today that says what the impact on jobs, branches and headquarters functions will be as a result of Lloyds

TSB's takeover of HBOS. Is the First Minister any better informed than the rest of us about what the specific impact on Scotland will be?

The First Minister: I was not privy to what Eric Daniels and Archie Kane said to Tavish Scott, but one aspect that they discussed with me was the formation of a Scottish board structure to be chaired by Archie Kane, which would be an organisational gain on what has gone before. That should be welcomed, but does it mean that we know a great deal more about the potential threat to competition and jobs and the threat of rationalisation? No, but nonetheless we heard something new yesterday that should be welcomed because we should welcome anything in a structure that protects Scottish decision making.

Tavish Scott: The First Minister will be aware that, next week, there is to be a hearing of the Competition Appeal Tribunal, to consider competition in banking. The Office of Fair Trading's report on the merger makes it plain that Scotland and Scottish business are most at risk from a drop in competition and a rise in bank charges. The Competition Commission should not have been bypassed by ministers on such a substantial takeover. The case has been taken to the tribunal by a group of Scottish businesspeople—the Merger Action Group—who have raised significant sums of money to pay for the appeal.

Is there not a place for the Scottish Government in the process, which is in the interests of Scottish business? We now have small business against big business and big government. The Treasury is threatening to enforce big costs against the challengers. Will the First Minister therefore examine the case for providing legal support for the challenge?

The First Minister: The Merger Action Group has gone to the Competition Appeal Tribunal precisely because it exists to allow what are termed aggrieved parties—they could be customers, shareholders or staff members—to progress an appeal against decisions of the secretary of state that they think are improper or hurried or have been prejudiced in any way. I can tell Tavish Scott that, on Tuesday, the Cabinet Secretary for Finance and Sustainable Growth wrote to the hon Mr Justice Barling, the president of the Competition Appeal Tribunal. We did that precisely because we share several of the Merger Action Group's concerns. I will make the letter available to the Parliament.

We have concerns about the impact on competition, which we previously set out in the Government's submission to the Office of Fair Trading. The Office of Fair Trading shared many of those concerns, but they were subsequently

ignored or set aside by the Secretary of State for Business, Enterprise and Regulatory Reform. The second aspect that we drew to Mr Justice Barling's attention was the suggestion—I believe that it was from Treasury counsel—that the matter should be settled under English jurisdiction. We thought that that was inappropriate, as both companies are registered in Scotland. I am delighted to say that, whether because of the letter from Mr Swinney or because of submissions from elsewhere, although the hearing will take place in London next week, Mr Justice Barling has settled that the matter will take place under Scottish jurisdiction, with any appeal being made to the Court of Session.

The procedures in the CAT are important and the Merger Action Group is perfectly entitled to exercise them. The matters to which Tavish Scott alludes, about which we are all concerned, are legitimate issues. The heart of the issue is that the Government ministers concerned, whether the Prime Minister, the Chancellor of the Exchequer or the Secretary of State for Business, Enterprise and Regulatory Reform, should deliver the level playing field that we were promised. I think that they have not done so. We will look with interest to see what the CAT decides.

The Presiding Officer: I will take a constituency question from Pauline McNeill.

Pauline McNeill (Glasgow Kelvin) (Lab): Does the First Minister agree that the announcement by *The Herald* group in my constituency that 240 journalists and staff will be sacked and invited to reapply for their jobs is a draconian employment practice in a modern Scotland and that it should be widely condemned? Does he agree that, notwithstanding the challenges that the media industry faces, *The Herald* and its sister papers have an important status in Scottish life and that the dramatic cut in jobs will be universally unwelcome? Given the public interest in the announcement, will the First Minister urge the management to negotiate with the trade unions to aim for a fairer process and a properly negotiated outcome?

The First Minister: Yes, I agree with that. It would be better if the management went into negotiations with the unions. This is a difficult time for the Scottish media and press and there is a range of possible redundancies in several outlets, but it would be far better to approach them through negotiation between management and unions.

The owners of *The Herald* newspaper might wish to reflect on another aspect: if another employer in Scotland did the same—if an entire workforce was made redundant and people were asked to reapply for their jobs—what would be the editorial stance of *The Herald*, given its traditions? If we imagine, as I do, that, given its traditions, that newspaper would appeal for exactly what Pauline

McNeill suggests, the owners of *The Herald* group should think carefully about the credibility of their newspaper in the light of the actions and style that they have adopted.

Paul Martin (Glasgow Springburn) (Lab): I am sure that we all agree that our communities are now much safer as a result of the imprisonment of Peter Tobin for the rest of his life. In light of the fact that DNA played such a crucial role in bringing Peter Tobin and others to justice, will the First Minister assure the chamber that he will keep an open mind on how we can legislate further to give our police officers additional powers in connection with the retention of DNA samples?

The First Minister: We have Professor Fraser's report, of course. We always look at such matters with a view to balancing the advantages and disadvantages of public safety.

Although many issues arise from the Tobin conviction that we must think about carefully, one thing that we should do is thank our police and prosecution services for making such an effective job of the trial. Although nothing can be said to temper the tragedy that affects the victims of that evil man, nonetheless the trial in Scotland was extremely satisfactory in its conduct and disposal.

Violence Against Women

4. Angela Constance (Livingston) (SNP): To ask the First Minister how the Scottish Government will support the 16 days of global activism to tackle violence against women. (S3F-1253)

The First Minister (Alex Salmond): The 16 days of global activism is an important feature of this time of year. On Thursday 6 December, during the days of action last year, I signed the statement of intent. By signing the statement I pledged this Government's commitment to tackle violence against women over the parliamentary session.

Specifically, the Government has committed more than £44 million to address violence against women. That includes funding every rape crisis centre in Scotland and working with Rape Crisis Scotland on its hard-hitting, awareness-raising campaign. We have launched the national domestic abuse delivery plan for children and young people and we have provided funding for the Scottish domestic abuse helpline, the national rape crisis helpline and the national offices of Scottish Women's Aid and Rape Crisis Scotland. We have also provided funding for a network of dedicated children's workers across Scotland. This year, we have continued with that commitment by holding what has now become an annual Scottish Government debate. This year's debate, which will take place later today, will be on forced marriages under a motion lodged by the Minister for Communities and Sport.

Angela Constance: I am sure that the First Minister will want to extend a warm welcome to Scottish Women's Aid and Amnesty International, whose representatives are outside the Parliament today.

Women with insecure immigration status who are fleeing violence are unable to access public funds, which pay for refuge accommodation and support, so will the First Minister state whether the Scottish Government is able, within its powers, to offer financial support? Will he make representations to the Home Office to exempt women who are fleeing violence from the no-recourse-to-public-funds rule?

The First Minister: We will continue to work with the Home Office to implement the new scheme, which was announced earlier this year by Vernon Coaker, a Home Office minister, to provide women on a spousal visa who have no recourse to public funds with a contribution to housing and living costs of up to £1,000. The Government has set up a working group to look at the matter further and it will report to ministers when that scheme is in operation.

It is true that, under the devolved settlement, the Scottish Government cannot go beyond the remit of the Home Office, but we will continue to engage with the Home Office and ensure that the views of this Parliament are put forward to protect many vulnerable women.

Educational Institute of Scotland Survey

5. Rhona Brankin (Midlothian) (Lab): To ask the First Minister how the Scottish Government intends to respond to the findings of an Educational Institute of Scotland survey that children's education in nearly two thirds of Scotland's local authorities is being harmed due to a downturn in classroom spending. (S3F-1258)

The First Minister (Alex Salmond): The Government has put record resources into local government. It is, of course, for local authorities to determine how best to use those resources within the context of the historic concordat. We will continue to work closely with the Convention of Scottish Local Authorities to deliver the best education for all Scotland's young people.

The report to which Rhona Brankin refers appears to be incomplete and localised. I am delighted to tell her that we now have available the estimated outturn figures for local authorities throughout Scotland for the current financial year. They show that the average increase in education budgets this year is 5.5 per cent. I hope that Rhona Brankin is able to change her supplementary question.

The increase has been possible because the Government rejected Labour Party calls for 3 per

cent efficiency savings, which, under the hungry caterpillar theory, could not be reinvested locally. We will continue to resist the annual cuts of £500 million that the Westminster Government wants to impose on Scotland. Labour's education cuts pose a huge danger to, and would damage, the future of Scottish education.

Rhona Brankin: The First Minister is always keen to trumpet the so-called historic concordat with local government, but back in the real world teacher numbers in Scotland fell by 900 in the past quarter and the number of non-teaching staff fell by 400 in the same period. In some areas, we now have the disgraceful spectacle of teachers having to pay for stationery out of their own pockets. Is it not time the First Minister stopped passing the buck, got out of his ministerial limo and listened to teachers, parents and pupils throughout Scotland? They were promised better schools, but they are now witnessing the stark reality of SNP education cuts.

The First Minister: I note that Rhona Brankin was not able to alter her supplementary question. I say to her that the source is the provisional outturn budget estimate returns, which are the returns from local government, and they show a 5.5 per cent increase in education budgets across Scotland.

One of the reasons I like the historic concordat is that it appeals to consensus in Scottish society. I am not saying for a second that only SNP councils have increased their education budgets. I acknowledge that there is an increase of 10 per cent in the North Lanarkshire budget, which is controlled by the Labour Party, and an increase of 11 per cent in South Ayrshire, which has a Conservative minority administration. The SNP administration in Stirling has increased its education budget by more than 14 per cent.

Bearing in mind that facts are chieftains that win and that those are the figures from local government itself, at what stage will the Labour Party acknowledge that the real threat to Scottish education is the £500 million of Westminster cuts that are coming down the road?

Bob Doris (Glasgow) (SNP): Does the First Minister agree that Glasgow City Council's decision to reduce teacher numbers is purely political, given that its education budget is increasing? Does he share my concern that the Labour Party in Glasgow is playing politics with the education of Glasgow children?

The First Minister: I have been generous, because that is my nature, in my comments on the cross-party complexion of councils throughout Scotland. In the same tone, I acknowledge that, within the average 5.5 per cent increase, no council has reported a decrease in its education

budget. There are new teachers in Clackmannanshire, Falkirk, Midlothian, Perth and Kinross, Scottish Borders and West Lothian.

In the context of rising education budgets, it is the case that some councils in Scotland seem to place a higher priority than others on employing teachers. I hope that there is not some political machination from the Labour Party to instruct its councils not to reduce class sizes because it has never liked the historic concordat.

First ScotRail Passenger Rail Franchise (Extension)

6. Alison McInnes (North East Scotland) (LD):

To ask the First Minister what assessment the Scottish Government has made of the Auditor General for Scotland's report into the extension to the First ScotRail passenger rail franchise. (S3F-1266)

The First Minister (Alex Salmond): As previously discussed, we welcome Audit Scotland's comment that the rigorous evaluation that went into the extension option appraisal has guaranteed more than £73 million of new money to benefit passengers, taxpayers and rail employees throughout Scotland. As I also said earlier, the report also highlights issues of governance for Transport Scotland, which will be considered for future improvement.

Alison McInnes: I listened with interest to the earlier exchanges on this issue. As publication of the strategic transport projects review is imminent, how can the First Minister expect the people of Scotland to have any sort of confidence that the Minister for Transport, Infrastructure and Climate Change can be trusted to make the right decisions about vital transport links when he is quite happy to commit an extra £800 million of taxpayers' money to First ScotRail without ever seeing a documented business case—a decision that, according to Audit Scotland, should not have been made in the way that it was?

The First Minister: I return to the real benefits that Audit Scotland has identified with regard to the decisions that were made. As for the issues of governance that are highlighted in the report, they will be looked at and Transport Scotland will make the relevant improvements.

Points of Order

12:30

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): On a point of order, Presiding Officer. During First Minister's question time, the First Minister said that the Minister for Justice would prevent searches of MSPs' offices by the police. My point of order—[*Interruption.*] Just listen, First Minister. My point of order is not about the veracity of what the First Minister said. Presiding Officer, you have made it clear often enough that you are not responsible for adjudicating on the veracity of what is said in the chamber, but I want to ensure that Parliament is not misled. As you will be aware, I raised this issue at the Parliamentary Bureau meeting. Are you willing to make a statement to Parliament as soon as possible about the proper processes involved if, at any point in the future, the police put such a request before you?

The Presiding Officer (Alex Fergusson): Thank you for the point of order. As you are aware, Mr Rumbles, you raised the issue at the bureau meeting on Tuesday. The matter is under consideration and the Scottish Parliamentary Corporate Body and the bureau will be informed of the outcome of those deliberations in due course.

The First Minister (Alex Salmond): Further to the point of order, Presiding Officer. I actually said—it can be checked in the *Official Report*—that the Minister for Justice has no plans to send in police to MSPs' offices. That is factually correct and Mr Rumbles, in pursuing his wider concerns, should note it.

The Presiding Officer: That is not a point of order, but it will be in the *Official Report*.

Margo MacDonald (Lothians) (Ind): Further to the point of order, Presiding Officer. I had meant to write to you on this matter. A precedent might have been set when, on one occasion, the police were invited on to the floor of the chamber and into the gallery to remove members of the press corps. In that light, it is perhaps apposite that you rule on privilege in this place.

The Presiding Officer: I can save you the trouble of writing, Ms MacDonald. As I have said, the matter is under consideration.

Jack McConnell (Motherwell and Wishaw) (Lab): Further to the point of order, Presiding Officer. I note that, last week, the Parliamentary Bureau agreed that you will present an adjudication on this matter to the bureau and others in due course. However, given this week's events at Westminster and the seriousness of the matter there and for elected parliamentarians

anywhere in the United Kingdom, I think that it would be appropriate for your adjudication to be reported to the full chamber when all members are present rather than in the *Business Bulletin* or to the bureau. I hope that you will take that point on board.

The Presiding Officer: I hear what the former First Minister says and will reflect on his point at the appropriate time.

12:33

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Health and Wellbeing

NHS Fife (Whyteman's Brae Centre)

1. Marilyn Livingstone (Kirkcaldy) (Lab): To ask the Scottish Executive what plans it has to upgrade and improve the health centre facilities at Whyteman's Brae, Kirkcaldy. (S3O-5084)

The Minister for Public Health (Shona Robison): NHS Fife is planning to transfer the podiatry service from Kirkcaldy health centre to Whyteman's Brae. That will free up accommodation in Kirkcaldy health centre to allow for expansion of the general practitioner practices based there.

Marilyn Livingstone: I will meet NHS Fife and staff at Whyteman's Brae later this month. The centre at Whyteman's Brae provides GP and community health services to some of the most disadvantaged communities. Does the Scottish Government have any plans to make additional resources available to support health practices such as Whyteman's Brae, to give them the additional support that is needed to provide a wide range of health services in disadvantaged communities?

Shona Robison: I am reviewing the proposals from all boards on the use of primary and community care premises modernisation programme funds. I expect to be able to advise boards of the results shortly. In addition to those funds, Fife has access to its normal capital allocation. My officials will be working with the board to help it to deliver its identified projects as quickly as possible. NHS Fife has received an increase of £0.768 million over its 2007-08 formula capital allocation. It has also been notified of its indicative formula capital allocations for the next two financial years. I am happy to remain in communication with the member over the issue.

Telehealth

2. Nanette Milne (North East Scotland) (Con): To ask the Scottish Executive whether it is satisfied that as much as possible is being done to introduce telehealth links ensuring easier, faster and more local access to health care. (S3O-5060)

The Minister for Public Health (Shona Robison): The Scottish Government established the Scottish Centre for Telehealth in 2005 to

facilitate the national introduction of telehealth services. There are many good examples of how the centre is helping to bring patients closer to health services, including testing access to hospital specialists from the homes of patients with chronic illnesses, such as motor neurone disease and epilepsy, and extending the use of telemedicine in areas such as unscheduled care and paediatrics. Looking to the future, the centre intends to mainstream such uses throughout Scotland where appropriate.

The Scottish Centre for Telehealth is nearing the end of its third year of existence and a review of its work is under way. That review will be complete by the end of January next year.

Nanette Milne: I understand that the Cabinet Secretary for Health and Wellbeing will visit the telehealth centre in the near future. I hope that she is as impressed with what she sees there as Mary Scanlon and I were during our recent visit to the centre.

What practical steps are being taken to accelerate the extension of small-scale pilot schemes through to comprehensive national adoption of telehealth services, which I am in no doubt would be cost effective for the NHS?

Shona Robison: The cabinet secretary will visit the telehealth centre on Monday, where she will see for herself the excellent work that is going on there. We have supported that work with resources over the past three years. The review that I mentioned will report early in the new year. Funding will be considered in relation to the outcome of that review.

The member asked about the work that the telehealth centre has been involved in. It has developed a number of interesting services. In Orkney, there is a service for patients with suspected minor stroke. In the Western Isles and Shetland, there are ear, nose and throat tele-endoscopy clinics for patients. We want to consider how the services that have been developed in those areas can be used elsewhere. It is about providing the evidence base for how we would do that. Of course, we would expect to share that learning with other boards and that they would use that information. Such work is especially relevant in areas such as the Highlands and Islands. Not only can it produce a better health care system for patients, but it is very cost effective.

Ian McKee (Lothians) (SNP): We have talked about the benefits of telemedicine for patients in their own homes, especially in remote or rural areas, but is the minister aware of the potential use of telemedicine to prioritise the patients who would benefit from early intervention and treatment in specialist centres? If given priority,

those patients could be given the treatment that they need as quickly as possible.

Shona Robison: Yes, I am aware of that potential. The development of telehealth—and, of course, telecare, which is separate but linked—has potential in many areas. We must use the technology to our best advantage.

I have said before and I will say again that we are only scratching the surface of the potential of both telehealth and telecare. I want us to step up their use in future—not only because of the demographic challenges that will face us, but because such systems will be better for patients in many respects. For example, patients may not have to travel to specialist clinics or other services.

I agree with the point that the member makes, and I will be happy to keep him informed of progress.

National Health Service (Winter Pressures)

3. Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Government how it is preparing for winter pressures on the national health service. (S3O-5091)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The NHS is once again building on the good practice and planning of previous years to prepare for the challenges of this winter. The huge planning efforts that are being made are underpinned by record funding levels, with a health budget that is now in excess of £10.6 billion.

Duncan McNeil: I note the comments that were made earlier this week about planning for the festive season. The pressures have already begun. On an icy day in my constituency this week, accident and emergency admissions to Inverclyde royal hospital shot up by 70 per cent. I am therefore concerned that plans should not cover only the festive season.

Will the cabinet secretary explain why, despite the Scottish Government's undertaking in March to achieve and maintain a level of zero blocked beds, we now have almost 100 blocked beds? That is creating substantial delays in our most vulnerable patients being discharged.

Nicola Sturgeon: Our plans for the winter apply not only to the festive season but to the entire winter season. That is appropriate.

The Government has made clear its intention to keep delayed discharges at zero. We achieved that in April and, although there has been a slight rise since then, the level of delayed discharges is now much lower than it was in previous years under the previous Administration. However, that gives me no cause for complacency. We will continue to focus sharply on this important area.

Duncan McNeil raises a general point about winter pressures. Members know that, because of adverse weather conditions, many accident and emergency departments had their busiest ever day on Tuesday of this week. In the Greater Glasgow and Clyde NHS Board area, attendances were up by as much as 20 per cent on previous highs. Despite that, more than 96 per cent of patients were still seen within the four-hour target. That was a massive achievement, and I place on record my thanks to all staff—clinical staff, management and support staff.

Perth and Kinross Council (Multiple Disability Support)

4. Elizabeth Smith (Mid Scotland and Fife) (Con): To ask the Scottish Executive whether it is satisfied with the level of support services available to people with multiple disabilities in the Perth and Kinross Council area. (S3O-5059)

The Minister for Communities and Sport (Stewart Maxwell): The Scottish Government is satisfied that Perth and Kinross Council is taking forward a number of actions to deliver better services for people with learning disabilities—including people with profound and multiple disabilities—following the best-value review that it undertook in 2006-07.

Elizabeth Smith: Over the past few weeks, I have been contacted by three sets of parents and carers, from across the Perth and Kinross Council area, who have expressed concerns that the provision of some support services—principally in the Bridge of Earn and Gleneagles areas—has been unsatisfactory. Will the minister agree to meet me to discuss my constituents' concerns so that they can be addressed as soon as possible?

Stewart Maxwell: I am aware of the important concerns that are being expressed by a small number of local parents. I am also aware that the Social Work Inspection Agency conducted an inspection of services in Perth and Kinross in 2006, which coincided with the best-value review that was being undertaken by the council at that time. A follow-up report from the SWIA is due to be published within the next week, which will help in taking the process forward.

In addition, there are plans for the refurbishment and redesign of services in the area. Those plans are at an early stage and will involve full consultation with everybody who is affected. However, I am more than happy to meet Elizabeth Smith to discuss any concerns that her constituents may have.

Jim Tolson (Dunfermline West) (LD): Is the minister aware of the considerable additional investment that is being made in disability services in Perth and Kinross, such as the £533,000 in

capital moneys that is being allocated for day service improvements and the additional £35,000 that is being used to improve respite for carers? Those sums are considerable. Will the minister join me in congratulating Perth and Kinross Council on its success in finding those resources to invest in these financially constrained times?

Stewart Maxwell: I am happy to congratulate any council that invests successfully in local services that support people, especially those who are struggling in these difficult times. I am more than happy to congratulate the council on its investment in that area. I hope that local services meet the needs of all local people, not just at this difficult time, but across all periods of time, to ensure that people who have multiple disabilities are provided with services that support their needs and that their families are not overburdened by the difficulties that they may otherwise face.

Violence Against Women (No Recourse Scheme)

5. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive when it will publish the report from the short-life working group examining options for assisting women who have no recourse to public funds, referred to by the Minister for Communities and Sport on 29 May 2008 (*Official Report*, col 9252). (S3O-5092)

The Minister for Communities and Sport (Stewart Maxwell): Since the last meeting of the short-life working group, on 27 May 2008, officials have been working with the Home Office on the no recourse scheme. Officials consulted the short-life working group on the draft proposal and comments from the group were fed into the Home Office at the end of October.

The Home Office will make an announcement about the scheme in the near future, and I have asked that the short-life working group provide a report on progress on the Home Office scheme in Scotland once it has begun operating.

Pauline McNeill: I am sure that the minister will agree that we are keen to see the detail of that. The facts on the ground suggest that there is hugely inadequate provision for families. In Glasgow, five families were provided for but another 42 families were not, and Glasgow Women's Aid suffered a loss as a result of that.

Will the minister assure me that there will be a speedy conclusion to putting forward options to rectify the situation? Will he further assure me that, given that only five local authorities refer to domestic abuse as a priority in their single outcome agreements, he will ensure that all local authorities make it a priority?

Stewart Maxwell: I share the member's concern on the issue of women who find themselves in that

difficult situation. It is disappointing that the Home Office has taken so long to implement the scheme. We originally hoped that the scheme would be in operation by the autumn of 2008, but I am assured that an announcement is due very soon and that the scheme will begin in the new year. I hope that that is the case. We will do all that we can to ensure that the scheme is in operation and helps some of the folk who are in difficulties because of the no recourse problem.

The member is aware that we have doubled the funding for work on violence against women to £44 million over the next three years. That has been widely welcomed and shows the Government's commitment to ensuring that women who have to leave their homes as a result of violence, or who find themselves in difficulty because of other problems with their children with regard to domestic abuse, get the protection and services that they require.

I am sure that that is a priority for all councils throughout Scotland. All the single outcome agreements are being renegotiated for the next year, and councils throughout Scotland are signed up to ensuring that we achieve the national outcomes, which include the outcome that people should be able to live free from violence and in safer and more secure homes.

The Presiding Officer (Alex Fergusson): Question 6 has been withdrawn.

National Health Service (Bullying)

7. Bill Wilson (West of Scotland) (SNP): To ask the Scottish Government whether it has estimated or will estimate how bullying impacts on the NHS and in other areas, in light of an increasing body of evidence linking bullying to mental and physical health problems. (S3O-5128)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): In response to the results of the 2006 NHS Scotland staff survey, the health directorates commissioned a project to examine dignity at work in NHS Scotland. That project commenced in August. In particular, it seeks to measure the impact of bullying and harassment in NHS Scotland and to develop tools and cultural improvements that will reduce the impact of such behaviour on all staff in the NHS.

Bill Wilson: Respectme's comments about Renfrewshire Council's anti-bullying strategy are:

"the guidance is head and shoulders above other local authority guidance that has been reviewed to date".

Given that, will the Scottish Government assure me that it is doing what it can to ensure that anti-bullying best practice is shared?

Nicola Sturgeon: I note Bill Wilson's comments about Renfrewshire Council's policy, which I welcome. I assure him that the NHS in Scotland will always seek to learn from best practice, whether through NHS boards learning from each other or through learning from other agencies. I am sure that, as we develop the work in the NHS on dignity at work, with the emphasis on tackling bullying and harassment, we will bear in mind such examples.

Members might be interested to know that the study to which I referred in my first answer will take between 12 and 18 months to complete. Members know that the NHS Scotland staff survey is conducted every two years. The previous survey was undertaken in 2006 and the results of the 2008 survey should be available in January.

Mary Scanlon (Highlands and Islands) (Con): I acknowledge the cabinet secretary's comments, but I remind her that while we await the welcome project that she described, many highly trained and experienced NHS employees will be suspended or on gardening leave, which has an almost immeasurable effect on an individual's health. Many such people are unlikely to return to work. After the survey's results are produced, I ask not only for those people to be treated with dignity, but for human resources departments in the NHS to be more professional and to conduct their business with more dignity than at present.

Nicola Sturgeon: I expect all HR departments in NHS boards to behave with dignity. If Mary Scanlon has cases that she wants to bring to my attention, I am more than happy to discuss them with her.

I agree absolutely with Mary Scanlon and Bill Wilson about the importance of the issue. I mentioned the 2006 staff survey, which showed that 18 per cent of staff considered that they had been the subject of bullying behaviour and that 19 per cent said that they had suffered harassment. That gives us some idea of the scale of the issue. It is essential to do work properly to identify the tools and the culture changes that we need to deliver to tackle bullying more effectively.

I value every member of staff in the NHS. It is important that their work is valued and that they are provided with a working environment in which they can give of their best.

Hospital-acquired Infection Rates (Reporting)

8. Ms Wendy Alexander (Paisley North) (Lab): To ask the Scottish Executive whether it will introduce regular reporting on hospital-acquired infection rates and, if so, whether the reports will be broken down by hospital. (S3O-5063)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola

Sturgeon): Yes, we will, and yes, they will be. We will introduce a common reporting template for all national health service boards to use from January 2009. Boards will be required to report on local performance, hospital by hospital, on key indicators such as MRSA, Clostridium difficile, hand hygiene, cleaning and the causes of adverse incidents to their bimonthly open board meetings. That information will be transparent and public and it is a vital part of our plans for local reporting systems.

Ms Alexander: I have no doubt that reports to bimonthly health board meetings will be welcome. Will the public be able to monitor online the performance of hospitals? The public can look at information online in their own time and at their leisure.

Nicola Sturgeon: Information that is made public is normally able to be monitored by the public. I assure Wendy Alexander that, as with other information from NHS board meetings, the reports will be available online. I am glad that she welcomes the reform and I hope that she welcomes the other substantial reforms that we are making to the monitoring, control and prevention of infection in our hospitals. I like to think that every member will come together to agree that that is a top priority.

NHS Orkney (Computed Tomography Scanner)

9. Liam McArthur (Orkney) (LD): To ask the Scottish Executive what discussions it has had with NHS Orkney regarding the benefits of locating a CT scanner in Orkney. (S3O-5135)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): Within the framework of national priorities, national health service boards are responsible for assessing the need for local services. It is therefore for NHS Orkney to consider the case for a CT scanner, and I am aware that it has been doing so.

Liam McArthur: Dr Bob Hazlehurst, who is NHS Orkney's stroke lead and a key player in its award-winning stroke telelink service with Aberdeen, firmly believes that having a scanner on Orkney is now essential to the delivery of high-quality care to patients in my constituency. As I am sure the cabinet secretary is aware, Dr Hazlehurst is preparing a cost benefit analysis of such provision for the NHS Orkney board.

Does the cabinet secretary accept that many of the savings from having a locally based scanner would arise from a reduced need for patient transfers to and from Aberdeen and stays at Aberdeen royal infirmary? While such savings would be welcome, does she recognise that they would accrue to NHS Scotland and Scottish

Ambulance Service budgets, which would make it impossible for NHS Orkney to factor them into its calculations? Can she reassure my constituents that, before any final decision is taken, a comprehensive cost benefit analysis will be carried out?

The Presiding Officer: That was almost a speech.

Nicola Sturgeon: I will try to avoid making a speech in response, Presiding Officer.

I recognise the strength of clinical feeling on Orkney about the benefits that could arise from having a CT scanner on the islands. As the member is aware, in visiting NHS Orkney over the summer to conduct its annual review, I detected directly the strength of feeling. It is for NHS Orkney—as for any other board—to assess the demand for and benefits of any such capital development. That is what NHS Orkney is doing.

As the member is aware, NHS boards receive revenue and capital funding allocations. For additional capital funding allocations to cover projects that cost more than £5 million, island boards are required to prepare a business case and submit it to the Scottish Government for consideration and approval. It is likely that a CT scanner for Orkney would come into that category. The Scottish Government is happy to consider a business case should one be submitted. If a CT scanner were to be introduced into the islands, savings would arise, not least, of course, for NHS Orkney.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): What is the cabinet secretary's response to the Auditor General for Scotland's deficit funding report, which shows NHS Orkney's recurring deficit to be 2.7 per cent this year and predicts that it will be 6.7 per cent next year? Other island boards and NHS Highland also show a deficit. How will she ensure that boards are adequately supported and that they can afford equipment such as CT scanners?

The Presiding Officer: You just made it, Dr Simpson.

Nicola Sturgeon: I have three points to make. You will be glad to hear that I will make them briefly, Presiding Officer.

First, I am sure that Richard Simpson meant to but simply forgot to congratulate the NHS on the findings of the Audit Scotland report, which was published today and shows that the NHS is in good financial health and is making good efficiency savings that are being reinvested in front-line patient care.

Secondly, when mentioning the financial position of NHS Orkney, I am sure that Richard Simpson also forgot to point out that, only a few weeks ago,

I allocated an additional £500,000 to NHS Orkney to bring it up to parity under the funding formula. That is another important fact that it would have been appropriate for Richard Simpson to mention in his question.

Thirdly, I ask Richard Simpson to reflect on the damage that will be done to NHS Orkney and the whole NHS if Labour's cuts to the health service—indeed, to the entire Scottish budget—go ahead.

St Margaret of Scotland Hospice (Funding)

10. Ross Finnie (West of Scotland) (LD): To ask the Scottish Executive what action it is taking to prevent NHS Greater Glasgow and Clyde from withdrawing funding from St Margaret of Scotland hospice in Clydebank in light of public and political support for its continued existence. (S3O-5133)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The continued existence of St Margaret of Scotland hospice is not in doubt. As the member is aware, NHS Greater Glasgow and Clyde is responsible for planning, providing and securing the provision of national health service services for its population. St Margaret's receives NHS funding for particular services that it provides, and the nature of those services determines the type of funding that is provided. NHS Greater Glasgow and Clyde continues to work with the board of St Margaret's on the services that could be provided in line with the NHS board's overall approach to the care and health needs of the population.

Ross Finnie: With all due respect to the cabinet secretary, I am afraid that I find unhelpful the comment:

"The continued existence of St Margaret of Scotland hospice is not in doubt."

The cabinet secretary is well aware that NHS Greater Glasgow and Clyde appears to be willing to keep the building open but has no intention of allowing it to continue as a hospice. That is the nub of the question. In its latest letter to the management of the hospice, dated 13 November, NHS Greater Glasgow and Clyde sets out alternative means by which St Margaret's might remain open, but they do not include services that would use the skills of the nursing staff at St Margaret's or its skills as a hospice. I repeat my question: what steps will the cabinet secretary take to ensure that St Margaret's continues as a hospice?

Nicola Sturgeon: With the greatest respect to Ross Finnie, it is incumbent on him when dealing with an issue as serious as this to familiarise himself fully with the facts and not to scaremonger needlessly in the chamber. He should be aware that NHS Greater Glasgow and Clyde's proposals

affect not palliative care provision at St Margaret of Scotland hospice but continuing care bed provision. I support the work of the hospice, which I have visited, but, when funding services that are provided by voluntary organisations, NHS Greater Glasgow and Clyde and all other NHS boards must consider the needs of the populations that they serve.

Discussions between the board of NHS Greater Glasgow and Clyde and the board of the hospice are on-going. I understand that NHS Greater Glasgow and Clyde has proposed two options that would secure the hospice's future and that, because no response has yet been forthcoming from the hospice, no formal proposal has been put to the board of NHS Greater Glasgow and Clyde. I encourage both organisations to continue positive dialogue, in the interests of the people and patients whom they both serve.

Des McNulty (Clydebank and Milngavie) (Lab): The minister is being disingenuous. She knows very well that the removal of two thirds of the funding that goes to St Margaret of Scotland hospice will make it very difficult for it to survive as a palliative care centre. At present, relatives of patients are being told by consultants that, because no new continuing care patients will be admitted to the hospice, there is no point in patients being placed on a waiting list for admission. It is not right that people are being diverted from the excellent facilities at St Margaret's to the dilapidated facilities at Blawarthill hospital, just along the road. Does the minister accept that St Margaret's delivers outstanding care to both continuing and palliative care patients and that the co-location of continuing and palliative care benefits patients and their relatives?

Nicola Sturgeon: I have already said what I think about St Margaret of Scotland hospice. I hope that all members accept that any NHS board or other statutory agency that commissions services from another agency must ensure that it commissions services that reflect the needs of its population. I would like the issue to be resolved without delay, because that is in the interests of everyone concerned.

I understand that the board of NHS Greater Glasgow and Clyde has put two options to the hospice's board, which I encourage to respond to those options. I also encourage both organisations to have a constructive dialogue that will lead to a resolution. I hope that all members, whatever their party, who have the concerns of the people involved genuinely at heart will do likewise.

Gil Paterson (West of Scotland) (SNP): Does the cabinet secretary consider that sufficient progress has been made towards addressing the issue of future service provision?

Nicola Sturgeon: It probably goes without saying that I would have liked progress towards resolving the situation to have been made faster. Those who can resolve the situation are the board of NHS Greater Glasgow and Clyde and the board of the hospice. I encourage both sides to discuss the proposals that have been made, so that a resolution can be found that is right for the populations that NHS Greater Glasgow and Clyde serves and that allows St Margaret of Scotland hospice to continue doing its work.

NHS Greater Glasgow and Clyde (Meetings)

11. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Executive when ministers last met with the chief executive of NHS Greater Glasgow and Clyde. (S3O-5089)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I last formally met the chief executive of NHS Greater Glasgow and Clyde on 18 August, when I chaired the board's annual review. Most recently, I saw him yesterday at the opening of Springburn health centre, when he updated me on the record attendances at accident and emergency units throughout the board's area on Tuesday. We agreed that the staff had done a sterling job.

Ken Macintosh: I am sure that, from her discussions with the chief executive, the minister is aware of the widespread concern about the recent review of the health visitor service in greater Glasgow. Does she agree in principle that health visitors should continue to be attached to general practitioner surgeries? If so, will she give me or GPs that assurance in writing?

Nicola Sturgeon: Not only do I agree with that in principle, but if Ken Macintosh cares to read the principles that have now been agreed between Greater Glasgow and Clyde NHS Board and the local medical committee, he will see that they state that every GP practice will continue to have an attached health visitor within the primary health care team. That principle is now recognised by everyone involved. I am pleased that the principles have been agreed and I encourage GPs, staff, stakeholders and, indeed, the health board to continue discussing the issues and taking them forward in a spirit of consensus.

Jackson Carlaw (West of Scotland) (Con): Is the cabinet secretary aware of suggestions that Greater Glasgow and Clyde NHS Board is introducing a number plate recognition scheme as an alternative to the hated hospital car parking tax, with fines applying after four hours? Does she agree that while the scheme, if confirmed, will certainly address casual commuter parking, it is debatable whether the period will be long enough for patients, it is doubtful whether it will be

appropriate for volunteers, and it will leave nursing and auxiliary staff even worse off than they are now? Will the cabinet secretary undertake to discuss the matter with the chief executive of Greater Glasgow and Clyde NHS Board, with a view to safeguarding the interests of all hospital car park users?

Nicola Sturgeon: I know that Jackson Carlaw supported the Administration's decision to abolish car parking charges at hospitals, which was a positive development that will benefit patients, staff and visitors. As a result of the decision, all the affected boards were asked to submit alternative car park management strategies to the Scottish Government. They have either done so or are in the process of doing so, and we will scrutinise and consider the plans carefully to ensure that they are fair to patients, visitors and staff.

It is no secret—and nobody in the chamber should ignore the fact—that there is enormous demand for car parking at some of our hospitals and that demand is often bigger than the supply of car parking spaces. Hospitals and boards have to manage that, but they should do so in a way that is fair. That will be the guiding principle as we scrutinise the policies.

The Presiding Officer: Question 12 has been withdrawn.

Scottish Ambulance Service (Savings)

13. Peter Peacock (Highlands and Islands) (Lab): To ask the Scottish Executive what savings it expects the Scottish Ambulance Service to achieve in the current financial year. (S3O-5098)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The 2 per cent efficient government savings target for the Scottish Ambulance Service in 2008-09 amounts to £3.668 million, and the service is forecast to achieve that sum in recurring cash revenue savings. In addition, non-recurring capital and productivity savings of £1.67 million are forecast. Those savings will be retained by the Scottish Ambulance Service for reinvestment.

Peter Peacock: Is the minister aware that the Scottish Ambulance Service predicts a saving of £160,000 from reducing the number of paramedics that it uses during night-time helicopter flights? According to the service's budget papers, the change will result in a reduced potential to treat some patients. Does the minister believe that the relatively small financial saving is worth the increased risk, albeit that the money will be reinvested in other parts of the service?

Nicola Sturgeon: It is up to the Scottish Ambulance Service to make decisions about the provision of the service as long as it provides a safe, good-quality service to the public and the patients that it serves.

Peter Peacock glosses over the central point in the debate, which is that every single penny of the efficiency savings that the Scottish Ambulance Service or any other national health service board achieves is reinvested in front-line care. So far this year, the Scottish Ambulance Service has invested in 30 additional front-line accident and emergency ambulance crews, including the vehicles and their running costs, and 10 additional posts in the emergency medical dispatch centres that deal directly with the public. It has also made other significant developments.

In all seriousness, I think that there is a real issue about members of the Labour group getting up in the chamber and complaining about efficiency savings that are being reinvested in front-line services when the party that they represent intends to impose £500 million-worth of cuts in the Scottish Government budget, which will result in real problems for NHS services across the country. Of course, that is without taking into account the £130 million that the United Kingdom Government intends to remove from the Scottish health capital budget, which will create serious problems for the Scottish Ambulance Service. I suggest that Peter Peacock turn his attention to that issue.

Nigel Don (North East Scotland) (SNP): The cabinet secretary will be aware that, following the transfer of an ambulance station to Ballater, the local community in Braemar has become involved in developing an ambulance service for the area. Will the cabinet secretary urge the Scottish Ambulance Service to take the same approach in other parts of the country? Does she agree that it is important for the service to evaluate what it is doing in Braemar?

Nicola Sturgeon: The Scottish Ambulance Service should—and, indeed, will want to—evaluate the approach and learn and apply any lessons that emerge. It is incumbent on the service to find innovative ways of delivering services to patients, particularly in our rural communities. As I have said before and will no doubt say many times in the future, people who live in areas where delivering public services is more difficult are still entitled to the same quality of service. How that service is delivered will vary from area to area, and the Scottish Ambulance Service is leading by example in putting in place innovative and imaginative solutions.

NHS Grampian (Cancer Referrals)

14. Alex Johnstone (North East Scotland) (Con): To ask the Scottish Executive what percentage of referrals for cancer treatment in NHS Grampian are seen within 62 days. (S3O-5061)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): In December 2000, it was announced in "Our National Health: A plan for action, a plan for change" that, by 2005, the maximum wait from urgent referral to treatment for all cancers would be two months. Quarterly performance statistics showing progress against the 62-day target, broken down by national health service board and cancer type, have been published from October 2004 and are available on the Scottish Government website. NHS Grampian's latest performance for patients diagnosed from April to June 2008 is 89.9 per cent.

Alex Johnstone: Is the cabinet secretary satisfied with the progress that has been made, particularly on colorectal cancer? Has she had any more discussions on how waiting times might be reduced further?

Nicola Sturgeon: No, I am not satisfied with progress, and I will not be satisfied until boards are delivering sustainably on the 95 per cent target. According to the latest figures, performance stands at 93 per cent, although there has been significant improvement across Scotland, with a 6.2 percentage point increase over the past year. Significant progress has been made on a target that has been in place for some time, but I want further action to ensure that the target is met not only across Scotland but in every NHS board.

As the member rightly points out, colorectal cancer is a particular issue in NHS Grampian. Melanoma is another concern, and such issues are being actively pursued by the Scottish Government cancer performance support team, which is establishing a programme of visits to boards and targeting, in particular, colorectal pathway improvements. NHS Grampian will be included in that round of support.

Epilepsy Specialist Nurses

15. Cathy Peattie (Falkirk East) (Lab): To ask the Scottish Executive how many specialist epilepsy nurses are employed in the national health service and what action it has taken to increase this number. (S3O-5099)

The Minister for Public Health (Shona Robison): We understand from Epilepsy Scotland that in Scotland there are 24 epilepsy specialist nurses: 11 for adults, seven for children and six for people with learning disabilities. We very much recognise the value that people with epilepsy attach to having access to an epilepsy specialist nurse and welcome the fact that the draft clinical standards on epilepsy, which were published on 24 November by NHS Quality Improvement Scotland, highlight the important role that epilepsy specialist nurses play in the provision of services.

Cathy Peattie: I agree with the minister's comments on the role played by epilepsy specialist nurses in providing services. However, is she aware of and will she look into the real shortage of epilepsy specialist nurses for children?

Shona Robison: As I said, NHS QIS's draft clinical standards on epilepsy will play an important role in ensuring that health boards consider the role of specialist nurses in their areas. For example, the managed clinical network approach is a good way of involving specialist nurses in the delivery of services. The draft epilepsy standards recommendation that services be organised through an MCN approach will, I am sure, be of great relevance to children's services as well as adult services.

Child Protection Services (Aberdeen)

The Presiding Officer (Alex Fergusson): The next item of business is a statement by Adam Ingram on a report into child protection services in Aberdeen. The minister will take questions at the end of his 10-minute statement; therefore, there should be no interruptions or interventions during it.

14:56

The Minister for Children and Early Years (Adam Ingram): I welcome the opportunity to set out how this Government is working with its partners to improve child protection services through inspection and collaborative work, to comment on the issue of legislation, and to update Parliament on the work that is under way to improve services in the Aberdeen City Council area following its recent inspection report.

The barbaric abuse that was suffered by Baby P reminds us exactly why we must ensure that effective support is in place for vulnerable children, so I am pleased to announce that I will launch a comprehensive review of our child protection guidance, drawing on the findings from the cycle of inspections that are under way, and reflecting the getting it right for every child change agenda for children's services. The review will build on the major three-year child protection reform programme that was launched by the previous Administration. It will take into account the aspirations that have been expressed by Scotland's child protection committees for embedding into consistent general use the best practice of Scotland's child protection practitioner community.

The findings of the recent Her Majesty's Inspectorate of Education report on Aberdeen are deeply concerning. We were in touch with the council prior to the publication of the Social Work Inspection Agency's findings of 4 June about social work provision as a whole. When the oral findings from the HMIE inspection became clear in mid-June, Aberdeen—with our support—started tackling its problems immediately, rather than waiting for publication of the final report before taking decisive action. I reassure Parliament that I have sought and received assurances from the council and its child protection partners that the report's recommendations are being addressed urgently. Although considerable work remains to be done, a remedial action plan is already well under way, led by a temporary reforming programme director, who was appointed on 7 July. His remit is to improve service delivery by realigning social work and establishing clear financial direction and accountability for the

service. Longer-term decisions will be for the incoming chief executive.

HMIE found organisational and operational barriers that obstructed front-line staff in Aberdeen in delivering effective child protection. In order to remove those barriers, the organisation of children's services is being redesigned to ensure that services are needs led, and that they mirror identified needs. Initial reviews of operational procedures have been completed and are being used to redesign services. The emphasis is on finding greater efficiencies and more effective social work interventions, so that the council will increasingly prevent, and divert individuals from, risk.

HMIE suggested that, at the time of its fieldwork in April and May, some children were being left in unacceptably risky situations. As a result, risk assessment of 900 existing cases is under way and will be completed this month in order to provide confidence that no child is in that situation, and 120 front-line staff have received, or are receiving, additional training. Also, lines of accountability have been shortened and strengthened significantly.

There have been no budget reductions in child protection services in Aberdeen. Elected members have increased capacity by funding additional social work posts, bringing the complement of children's services social workers to 90 full-time equivalents. Three posts were allocated to the social work team at Aberdeen maternity hospital and six new social worker posts will supplement the current children and families teams.

Those structural and practice changes are already delivering tangible benefits. The recent inspection by the Scottish Commission for the Regulation of Care into Aberdeen's fostering and adoption services recorded "significant progress", and added that improvements have taken place at every level of the service. The care commission imposed no requirements, which is encouraging, but there is still more to be done. HMIE will require a follow-up report in four months and I, too, will monitor progress.

Aberdeen's is the 24th inspection report to be published. The remaining reports are due by mid-2009. I announced my intention to instigate a review of our child protection guidance, drawing on the findings of those 24 reports and of the reports that are to be published in the coming months.

Joint inspection of services to protect children, which has been led by HMIE, is multi-agency—a first for Scotland—with inspectors seconded to HMIE from the Social Work Inspection Agency, the care commission, Her Majesty's inspectorate of constabulary for Scotland and NHS Quality

Improvement Scotland. The inspection team has the expertise to scrutinise all aspects of child protection provision and to understand how the different agencies need to work together.

The inspection process begins long before an inspector calls. The HMIE guide "How well are children and young people protected and their needs met?" helps services to examine themselves against 18 quality indicators, not just as preparation for inspection but as an exercise in self-scrutiny. The Crerar report emphasised the need for robust self-evaluation, which HMIE has championed for years. No organisation can improve without first taking a critical look at itself. That is now happening in Aberdeen.

Inspection is not just a one-off visit and even the best authorities could do better. Every report includes recommendations for improvement and every area is asked to prepare an action plan following inspection. Every authority can also expect a follow-up inspection within two years of the original visit. We encourage poorer-performing councils to work with other councils on improvements where that is appropriate.

I turn to the wider perspective. In cases in which children need multi-agency intervention, we need agencies to work effectively together, using the same language, sharing a common approach to assessing risks and needs and sharing information, with each agency playing its part but with clear lines of accountability and responsibility. The getting it right for every child policy is working to achieve that.

The previous Administration consulted on a draft children's services bill. When we came into government, we listened to social workers, the Convention of Scottish Local Authorities and others and we learned that new legislation would be better deferred until practical experience suggests whether legislating will yield real benefits. Parliamentary debate in 2006, during the passage of the Protection of Vulnerable Groups (Scotland) Bill, revealed concerns that a statutory duty to share information might lead to greater bureaucracy and a culture of organisations watching their backs, which might distract from the necessary focus on nurturing confident and competent decision making by skilled professionals on the front line. It is our skilled professionals who provide the key.

It is easy to seek to blame when something awful happens, such as the cruel life and death of Baby P, but without the compassion, judgment and vigilant care that is exercised every day by Scotland's child protection practitioners, many more children would find themselves trapped in intolerably risky situations. I value profoundly the work that those front-line staff do, and I welcome the opportunity that they have to continue to

receive the support that they need to do their jobs well, through developments such as the framework for continuous learning in social services, which I launched yesterday.

In summary, we are working with our partners to address the need for improved information sharing, improved risk assessment and improved multi-agency working on the ground.

We are beginning to see practical results from the getting it right for every child agenda, such as the national guidance that was launched in September. It is important that we continue to work through the pathfinders and with our partners to learn lessons. I am not ruling out legislation in the future, but our current path is clear. Our forthcoming framework on early years and early intervention will reinforce our policy.

I am heartened by the genuine consensus in the Parliament to continue listening and learning in the complex area of child protection. I am determined to offer leadership and to take action to protect our most vulnerable children.

A comprehensive review of our child protection guidance affords the opportunity to set out our vision for child protection for the next decade and to reflect the aspirations of Scotland's community of child protection practitioners to improve the delivery of services to our most vulnerable children. I am pleased to confirm that we will start that work in the new year with the full involvement of our child protection committee partners.

Rhona Brankin (Midlothian) (Lab): I thank the minister for the advance copy of the statement. However, I am disappointed, given the seriousness of the issue, that it was not the cabinet secretary who made the statement.

Social workers, teachers, health professionals, police and everyone who works to keep our children safe do a very challenging job. They make complex and difficult judgments and deserve our support. In most cases they do an exemplary job.

I welcome the minister's announcement of a review of child protection, but I do not believe that it is enough. When a similarly serious and critical report was released on child protection services in Midlothian Council in February 2007, both the council cabinet member and the senior official who were responsible for social work resigned from their posts and Hugh Henry, the Scottish Cabinet member responsible for children, met Midlothian Council as a matter of urgency to discuss the report.

Can the minister outline to Parliament the official meetings that the cabinet secretary or the ministers have had with Aberdeen City Council to discuss the issues highlighted in the report? The

report identifies failings in practice and management as serious as those that were brought to the fore by the Baby P case in Haringey, although mercifully no child has died as a result of the failings in Aberdeen. In Haringey, the council leader and the cabinet member for children both recognised the seriousness of the situation and stepped down from their posts. Does the cabinet secretary or the minister share my concern that neither the full Aberdeen City Council nor any of its committees have met to discuss the report? Is not it regrettable that no Aberdeen councillor has considered his or her position? Does not the attitude of Aberdeen City Council's leadership display a reluctance to take responsibility for their administration's serious failings? If Aberdeen City Council will not take responsibility, will the cabinet secretary take responsibility for protection of children in the Aberdeen area?

Finally, will the minister undertake to come back to Parliament in June to update Parliament through another statement on progress in implementing much-needed improvements to child protection in Aberdeen?

Adam Ingram: I acknowledge the member's support for social workers.

I met elected members and senior officials of Aberdeen City Council back in June, shortly after the publication of the social work report. My colleagues the Minister for Public Health, Shona Robison, and the Cabinet Secretary for Justice, Kenny MacAskill, also attended the meeting.

Over the summer, Aberdeen City Council has not only demonstrated its accountability, but has clearly assumed responsibility for improving the services that came in for such criticism both from the social work inspectorate and in the HMIE report that has subsequently been published.

I record my appreciation of the responsiveness of both the elected members and senior officials in Aberdeen City Council who have been brought in to sort out the problems in the social work department. They have done exceptionally well. As I mentioned in my statement, 900 child protection cases are being reviewed. They were immediately reviewed, and are now being gone through again as part of a risk assessment process. The training of social work staff is also on-going.

There have been significant improvements in the social work department of Aberdeen City Council. I would have thought that we should commend such actions rather than retrospectively hang blame on people. There have been significant changes in Aberdeen in the past six to nine months, and I put on record my appreciation of the work of Philip Cotterill, who is doing a first-class job in the circumstances that he inherited.

Elizabeth Smith (Mid Scotland and Fife) (Con): I welcome the ministerial statement, which commits the Government to a comprehensive review of child protection services and which details the progress that has been made in Aberdeen City Council. Let me restate the Conservatives' willingness to work with all parties to secure measures that will improve the protection of our vulnerable children.

The statement is timely, given the research that was published yesterday in *The Lancet*, which found that one in 10 children in the United Kingdom faces some form of physical, mental or emotional abuse and, just as worrying, that teachers, general practitioners and paediatricians have concerns about some support services. The inspection report on Aberdeen highlighted the fact that the quality of child protection services was unsatisfactory in key areas, referring particularly to some instances of high risk.

I have two specific questions. First, what is being done to improve the risk and needs assessment processes and the information-sharing process? It would be reassuring to parents to know about that. Secondly, what specific measures will the Government urge Aberdeen City Council to pursue to increase the number of safe places for children who are at risk of significant harm—not only those who are facing significant harm but those who are at risk—so that there is earlier detection of potential problems?

Adam Ingram: Elizabeth Smith mentioned the article in *The Lancet*. There were three clear messages from that article: we need to identify children's risks and needs at the earliest opportunity; we need to recognise the serious consequences of maltreatment later in life; and more attention is needed for neglected children, the outcomes for whom are as bad as those for abused children.

The evidence is that the number of referrals to child protection services is rising year on year, which may mean that we are getting better at identifying children who are in need of care and support. The getting it right for every child approach recognises and tackles neglect, as it does abuse. Our early years and early intervention framework, which is aimed at preventing risk and at building parental capacity and child resilience, will be announced soon.

Elizabeth Smith asked about what we are doing on risk and needs assessments. I will meet child protection committee conveners next week to discuss what further support is required to strengthen risk assessment and management in child protection cases. We have been developing a risk assessment model or framework through GIRFEC pathfinders and are considering how to embed that in the localised risk assessment

framework that individual local authorities might have.

Elizabeth Smith also asked about the number of places that are available. As we heard from the care commission, Aberdeen City Council has made significant improvements in fostering and adoption services over the past year. It is also making significant strides in reducing the number of out-of-area placements and it is seeking community-based places in Aberdeen for children who are at risk. Obviously, we will be able to give more feedback as matters progress in the next few months.

Margaret Smith (Edinburgh West) (LD): I thank the minister for the copy of his statement and for his personal commitment.

I welcome the announcement of a review of child protection guidance. Our amendment in the recent debate, which the Government and Parliament supported, asked for an immediate review, so I welcome the fact that the Government has acted on that.

I echo the comments that other members have made about the debt that we owe to staff, and I welcome the news that Aberdeen City Council is addressing the issues that arose in the extremely worrying report, particularly on risk assessment for children who might still be at risk.

I will raise some issues that I raised in the recent debate. The first is early intervention. One of the worrying statements in the report was that, in many cases, action was taken only when crisis point had been reached or a situation had gone beyond that point. What practical steps is the council taking to improve early intervention and to ensure that it is child focused, not parent led?

Many of the children who were on the child protection register did not have allocated social workers, which is worrying. Will the minister reassure us that that matter was dealt with immediately? Will he also give us some idea of whether the problem is common in other local authorities?

We are not wedded to the idea of legislation on information sharing. However, given the central importance of communication and information sharing between professionals, we are wedded to ensuring that it will not go off the radar screen but will be kept continually under review so that information that becomes available as a result of the review that the minister announced, and the on-going reviews of other council services, can be brought to bear in judging whether legislation is the best way forward.

Adam Ingram: Early intervention is one of the key initiatives that we want to take forward—indeed, it runs through all our proposals for

children's services. In Aberdeen, an initiative of which I think Margaret Smith would approve is the attachment of social workers and support workers to Aberdeen maternity hospital to identify babies who are at risk, largely from parental or maternal substance misuse. Support was put in place to ensure that those children would not go home to high-risk situations.

On allocated social workers, there has been a significant increase in the number of children's services social workers in Aberdeen. That is one of the investments that Aberdeen City Council has made. Six extra children's services social workers have been brought on board, and I understand that another four are due. Therefore, we are well on the way to ensuring that every child who is at risk has an allocated social worker. I cannot guarantee that that is the situation at the moment, but I will follow that up. When I meet officials from Aberdeen City Council next month, it will be high on my list of questions.

We are not closing off the possibility of legislation further down the line, but currently the pathfinders for the getting it right for every child programme are going on and we are considering the hard, practical steps that we can take to improve information sharing. We have not discovered legal barriers to information sharing; it is all about changing attitudes, behaviours and cultures and getting people to work together. If we identify barriers, or if we identify legal mechanisms that would help the process, we will bring proposals to Parliament in due course.

The Deputy Presiding Officer (Trish Godman): Before I call back benchers, I advise members that there are exactly five minutes left for this item of business. A considerable number of members want to be called, many of whom are local members. You will not all be called—I will not apologise for something that is not my fault. Make your questions very short, please. It would be helpful if the answers were short, too.

I call Brian Adam, who I hope can be followed by Karen Whitefield.

Brian Adam (Aberdeen North) (SNP): Does the minister agree that the inspection report system is excellent and has picked up problems early, which did not happen in Haringey? Will he say more about the next steps on the review that he announced?

Adam Ingram: It is important to acknowledge that the joint inspection regime that is led by HMIE is much more extensive and intensive than is the equivalent approach by the Office for Standards in Education, Children's Services and Skills—Ofsted—in England. In Scotland, inspectors review 60 to 80 case files in depth, and follow up their reviews through interviews with managers,

front-line staff and service users including children. Notice is given of inspections in order to allow the gathering of detailed information, which is important for establishing context and providing robust recommendations. We are interested not merely in a snapshot of the standards that are being operated by a council at a given time but in how the service needs to develop.

Early in the new year I will take forward the review of child protection guidance, along with all our partners, in particular child protection committee conveners, the Association of Chief Police Officers in Scotland and national health service partners.

Karen Whitefield (Airdrie and Shotts) (Lab): Is the minister concerned that Aberdeen City Council's social work budget for 2009-10 involves the axing of nine posts in children's services? I understand that two posts that support children and young people who are experiencing domestic violence are to be merged. Given that the HMIE report highlighted the council's failure to recruit and retain staff, will the minister assure members that there will be no future cuts to social work budgets for children's and child protection services?

Adam Ingram: I have said that child protection services have received significant investment and support from the Administration. The funding of services is a matter for the local authority. We know that Aberdeen has over the years appeared to have significant overspends in its social work and education budgets, and we know from Social Work Inspection Agency reports that there is no correlation between spending and quality of services. There is significant scope for efficiencies in Aberdeen City Council's social work services. Given the performance of the new management, I am confident that social work and children's services will be stabilised.

The interim social work manager has indicated that he wants to rejuvenate the partnership that Aberdeen City Council has had with third sector and voluntary organisations. As a result, I foresee significant improvements in services, such as advocacy services, which were the subject of a recent press release. I am confident that Aberdeen is on the right track.

The Deputy Presiding Officer: I call Nicol Stephen. Be brief, please, Mr Stephen.

Nicol Stephen (Aberdeen South) (LD): The minister will be aware that significant new cuts are being proposed in education and children's social work services in Aberdeen. I particularly welcome the proposed early follow up by HMIE in four months, but it is staggeringly clear that young vulnerable children are still being failed in some parts of Scotland. That cannot be allowed to

continue, and guidance alone will clearly not be enough. Will the minister confirm that the Scottish Government stands ready to provide additional support and resources to Aberdeen City Council to help it turn around the unsatisfactory situation, should that support be requested?

The Deputy Presiding Officer: Briefly, please, minister.

Adam Ingram: I think that Aberdeen City Council is getting significant support not only from the Scottish Government, but from friends within the local government community.

I am sorry, Presiding Officer, but it is important that I pick up on Nicol Stephen's comment that child protection guidance will not be enough. Of course it will not. However, we are taking forward a series of initiatives on child protection. There is the getting it right for every child approach to risk assessment, which I emphasised; the forthcoming early years framework; the establishment of the multi-agency support service to advise and support partners in the handling of complex cases; the forthcoming vetting and barring scheme to exclude from the childcare workforce those who would harm children; the guidance, associated with the road to recovery strategy, on children who are affected by parental substance misuse; and our review of child protection guidance. The Government is taking forward a range of initiatives to ensure that our children are safe and protected.

The Deputy Presiding Officer: That ends the questions.

Lewis Macdonald (Aberdeen Central) (Lab): On a point of order, Presiding Officer. When you invited back-bench questions, you indicated that you were looking for brief and focused questions and answers. Unfortunately, although I do not doubt the minister's sincerity on these matters, his answers were distinctly lacking in brevity. As a consequence, local members have not been able to raise many important issues, but instead have had only a lengthy description of the inspectorate system.

I seek your guidance on this matter, Presiding Officer, as it seems to me that the purpose of a statement is to allow members to ask questions in Parliament.

The Deputy Presiding Officer: As you probably know, Mr Macdonald, that was not a point of order. I accept what you are—

Nicol Stephen: On a point of order, Presiding Officer.

The Deputy Presiding Officer: I am in the middle of saying something. Has somebody gone deaf?

Mr Macdonald, that was not a point of order. However, I hear what you are saying. I asked the minister and back benchers to be brief. After that, I am not responsible for how long they take. You should remember that. Perhaps you should refer back to the Parliamentary Bureau and consider the length of time that was allocated for this statement—perhaps it was not enough.

I take your point, and regret that I was not able to allow local members apart from Nicol Stephen to ask a question. However, it is not my fault.

Now, Mr Stephen—we are all listening to you.

Nicol Stephen: In the *Business Bulletin*, no time is given for the start of the Scottish Government debate on forced marriages. Is it therefore possible for discretion to be used with regard to the start of that debate, in order that local members might ask questions on the minister's statement? Alternatively, might a motion without notice be moved to lengthen the time that has been allocated for questions on the statement by an additional five minutes?

The Deputy Presiding Officer: Under normal circumstances, it is possible to allow a bit of moving about of times. However, I point out that I am already in the position of having to write to two members who asked to speak in the next debate to inform them that I will not be able to call them.

Of course, all statements are important, but if members feel that a statement is particularly important, they might want to ask the Parliamentary Bureau to revisit the time that has been allocated to it.

I have timings in front of me. We have to vote at five o'clock. That is the rule—I am sorry, but I can say no more than that. However, I point out that, given the time that we have now spent on points of order, I will probably have to tell three members who wanted to speak in the following debate that I will not be able to call them.

Forced Marriages

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S3M-3011, in the name of Stewart Maxwell, on forced marriages.

15:30

The Minister for Communities and Sport (Stewart Maxwell): In debating the issues that affect our country, it is not often that we approach a subject with consensus in the chamber. I thank all the parties and their spokespeople for the constructive discussions that we have had in reaching—I hope—an agreed position on the resolution today.

I know that all members in the chamber agree that we want a Scotland where everyone can make vital life choices without threat of intimidation or coercion, or psychological or physical abuse. Whether to marry and who to marry should be decisions that are entered into freely. Forced marriage is a violation of human rights, an infringement of liberty and an abhorrent practice that has no place in Scotland.

To be clear, we are not talking about arranged marriage, which is a legitimate, common and successful practice in a variety of communities. Today's debate is about people who are forced to marry against their will, by coercion or threat, or through fear or manipulation.

Forced marriage has for too long been below the radar. It impacts on young girls and boys and on women and men across a range of communities—often vulnerable young people who are under the control of individuals or families and beholden to their elders with few means at their disposal to take alternative action.

We know from the experiences of those who have been forced into marriage how helpless, lonely and unsupported they feel, and—for those who have to leave their home environment, and sometimes their country—how traumatic it can be. The consequences of forced marriage are devastating to those involved. Many become estranged from their families and wider communities, lose out on educational opportunities and suffer domestic abuse, and there are high rates of self-harm and suicide.

One story that highlights the level of trauma involved concerns a young woman who suffered years of emotional pressure and abuse. It began when she was taken overseas at 17 under the pretext of attending a family wedding. When she arrived, she was told she was to become engaged to her cousin. She agreed when it was made clear that that would be the only way that she would be

allowed to attend university. She completed her degree while living under that threat, after which her family took her abroad, again under the pretext of visiting family. This time, she was told that she was to be married at once and would not be allowed to return to the United Kingdom until she had signed the marriage documents.

The young woman did her best to make her parents see her point of view: that she and her cousin had nothing in common, and that the marriage would be damaging for her. That emotional battle went on for five weeks and eventually, when the girl was exhausted and tired of being cursed by her family as a cause of dishonour and disgrace, she agreed to sign the marriage documents, but only if she was allowed to return to the UK. Thankfully, she was supported by Hemat Gryffe Women's Aid and is now seeking a divorce.

Sometimes those behind a forced marriage are motivated by a belief that the marriage will uphold family honour, realise long-standing family commitments or control the young people's behaviour and sexuality. They might believe that it will protect cultural and religious ideals or prevent what are regarded as unsuitable relationships. Whatever the motivation, there is no justification for forced marriage, and we will not and should not tolerate it.

Information on the numbers involved and the extent of the problem in Scotland is limited. The statistics from the forced marriage unit, which deals with approximately 300 to 400 cases a year, indicate that 85 per cent of victims are female, and that 30 per cent of all victims are minors. In January this year, the unit began to break down the origin of incidents that were reported to them. From January 2008 to September 2008, 40 reports came from Scotland.

One way in which we are exploring the extent of the problem is by jointly funding, with the UK Government, a confidential telephone survey. The survey will run for the period of the consultation—between December and March next year—and should add to our understanding of forced marriage in Scotland.

In 2007, the UK Government decided to introduce civil legislation in the form of the Forced Marriage (Civil Protection) Act 2007, which came into force last week. Civil court remedies are a devolved matter and those legislative changes will apply only to England, Wales and Northern Ireland. However, the Scottish Government's consultation "Forced Marriage: A Civil Remedy?", which is being launched today, gives us the opportunity to explore whether the introduction of new civil remedies would add to the protection that is available to those who are affected by forced marriage in Scotland.

Those who are affected by forced marriage tell us, poignantly, that many do not want to close the door permanently on contact with their family and the wider community, despite what they have gone through. Many would not want to pursue criminal proceedings but would find civil court remedies helpful. In addition to questions on legal remedies, we will be using the consultation to ask what non-legislative work needs to be in place to ensure both that all those affected can access the support they need and that communities can contribute to preventing forced marriage.

Although forced marriage predominantly affects women, we know that men are also victims. The consultation expects to gather views on how best to support men and women who are affected by forced marriage. Key to progressing that support work and to contributing to the Government's thinking on the issue is the forced marriage network. The network's membership is made up of key partners from the statutory and voluntary sectors and includes the police, the Convention of Scottish Local Authorities, Amina Muslim Women's Resource Centre, the national health service, Scottish Women's Aid, Victim Support Scotland and the Law Society of Scotland. I thank network members, some of whom are here today, for their invaluable contribution to the agenda. Their expertise is vital to the success of the consultation and to our wider work on the issue in Scotland. We hope that during the consultation the network will, with support from Government, bring as many people as possible together to discuss the issues involved and to let us know what should be done in the area. We need to hear the voices of those who are affected and those who understand the issues.

Among the victims of forced marriage are women who, for immigration reasons, have no recourse to public funds. That is a prime example of how our hands are tied by issues that are reserved to Westminster. I fully sympathise with the plight of those women but due to the Scotland Act 1998 the Government cannot provide funding or extend the remit of the Home Office scheme. I understand that the new system of support will be put in place in the new year. However, I am disappointed at the time taken to find a way forward. I will be keeping a close eye on the situation and I plan to write to the Home Office in the new year with the views expressed by the Parliament and by those who took part in the demonstration outside the Parliament earlier today.

Forced marriage is part of the broader violence against women agenda. Like every other member, I am clear that violence against women has no place here. No one should live with the fear of abuse or be stripped of dignity or self-esteem. That is why we support the international 16 days

of action to eliminate violence against women campaign. However, the Government's work in the area is not limited to the period of the annual campaign. It is an on-going priority for us all. Therefore, the Government has committed more than £44 million over the next three years to tackling violence against women and children, including domestic abuse. That more than doubles the funding from the previous three years.

In recognition of the needs of minority ethnic groups and the specific barriers to support that women face, we fund a number of projects under the violence against women funding stream, all of which focus on the wider issues of violence and its impacts on women from black and minority ethnic communities. They include the Amina prevention, protection and provision project and other projects with Shakti Women's Aid, Hemat Gryffe Women's Aid, the British Red Cross and the Legal Services Agency.

It is not possible to prevent forced marriage without tackling the inequality and continuum of violence that women in Scotland continue to face. Trafficking is an area in which there have been some recent developments. As a Government, we are committed to tackling that abhorrent and vile crime, through partnerships with the UK Government, the UK human trafficking centre, the police and local agencies. We want to ensure that effective measures are taken to combat that form of serious organised crime.

On 2 July, to coincide with the release of the results of operation pentameter 2, we updated the joint UK action plan, which sets out the actions we are taking. During that operation, in Scotland alone 56 premises were visited, 35 arrests were made and 15 victims of trafficking for the purposes of sexual exploitation were recovered. On 25 September, we announced our intention to legislate to provide the police with specific powers to close premises that are associated with human trafficking or child sexual exploitation. Those measures are intended for the forthcoming criminal justice and licensing bill, which will be introduced in the Scottish Parliament in 2009.

I am pleased to be opening the debate and, by launching our consultation, to be opening what is, in effect, the wider debate on forced marriage in Scotland. I hope that members agree that we have to take action on the issue. We have to change attitudes, increase understanding and awareness, and provide the support and protection that are needed by some of the most vulnerable people in our society. I urge all who have views on this very serious issue to make them known during the consultation. This Government is determined to listen to what communities, organisations and—most important—individuals have to say, and then to act.

I move,

That the Parliament recognises the right of every person to choose whom to marry without fear of physical, emotional or psychological abuse; recognises that forced marriage is a violation of internationally recognised human rights and a form of violence against women and has no place in Scotland; makes a clear distinction between arranged marriages to which both parties have freely consented, and which are an established and accepted practice, and forced marriage; welcomes the Scottish Government's consultation that asks whether forced marriage civil legislation is required and provides an opportunity to consider what more can be done to help those affected in Scotland and to ensure our communities are safer, stronger and fairer places for all; acknowledges the work of the Forced Marriage Network in tackling this issue, and supports continued efforts to assist those affected, raise awareness of the impact of forced marriage and to end this terrible practice.

15:39

Johann Lamont (Glasgow Pollok) (Lab):

Presiding Officer, please use your power to take some time away from my summing-up speech if that will help you to juggle times later on and means that you will be able to fit in other speakers. I would not dare to tell you what to do, but I know that a number of members will want to contribute to this important debate.

I welcome the opportunity to contribute to this debate on forced marriages, and I welcome the consultation document that has been issued today. The minister has outlined why the consultation will be important.

Just last week, the first forced marriage civil protection order was issued in England. If for no reason other than the fact that the protection offered in other parts of the United Kingdom should be offered in Scotland too, it is essential that we get the consultation right and act accordingly.

I welcome the minister's decision to hold this debate during the 16 days of action against violence against women, thus placing the issue in the broader context of the position of women across the world and the prevalence of violence against women in its many forms. I always feel rather ambivalent about the Scottish Parliament debate at this time of year, during the 16 days of events. However, it is of course encouraging to acknowledge that we have made progress, and it is right that we take the time to highlight the positive aspects. I believe that doing so reflects acceptance—across the chamber and beyond—of the continuing seriousness of the issue, and acceptance of the impact that violence against women has on the life chances, health and wellbeing of, and opportunities for, women and their families.

It is always refreshing to meet people who have been so resilient in their campaigning. Such

people have gathered here today on the issue of there being no recourse to public funds. I hear what the minister said in that regard, and I urge the Scottish Government and the UK Government to work together to see how creatively they can solve the problem. Local Women's Aid organisations ought not to be picking up the tab, and it may be that the Scottish Government can offer emergency resources to take the burden off local organisations while work on the bigger picture is sorted out. The vulnerable women at the centre of these issues must be the focus of our actions.

Such debates always highlight just how much remains to be done to tackle violence against women in its many forms. There is always a danger that we might be overwhelmed by the challenge and by the ways in which that violence is expressed, including domestic abuse, rape, the trafficking and enslavement of women, prostitution and forced marriage. Those examples are experienced globally, but progress will be made through local action—step by determined step—to support individual women, families and communities. The consultation on forced marriage should be placed in that context.

In discussing forced marriage, we continue to bear down on the broader issue of violence against women. Forced marriage is a distinct problem and it must be challenged, but it is a problem that is shaped by the same attitudes that still mean that—although women can smash all sorts of glass ceilings and can redefine their roles and expectations—even the most talented and pioneering women can be inhibited and controlled.

Jamie McGrigor (Highlands and Islands)
(Con): Does the member acknowledge that 38 per cent of the victims in forced marriages are male?

Johann Lamont: I absolutely accept that forced marriage is an issue that is not simply for women—although, because of defined roles in communities, it affects more women than men. However, I do not in any way dismiss the suffering of some young men in such circumstances.

No matter how talented individual women are, they can be scared in their own homes, and threatened and intimidated outside, too.

Experience tells us that—with forced marriage as with other issues—caring is not enough. Feeling for the survivors will not address the problems. We need to understand the causes; resource the people who know how to keep women safe; and tackle the causes through education, provision and legislative action.

There is an added dimension to the debate on forced marriage—the fear of causing some kind of cultural offence. However, as one young Asian Scot said to me, any right-thinking person must

believe that it is absolutely unacceptable to force someone into marriage. [*Interruption.*] Even if it happens to only one person, that is one too many.

We welcome the consultation, because it is critical to get it right—to act to protect and support women, but without the unintended consequence of forced marriage being driven underground. However, we hope that whatever action is taken will be kept under close examination, to ensure that it is having the desired effect. We must not close the door on any options, and we must ensure that protection is afforded to people facing the problem across the whole United Kingdom.

It is essential to have a proper understanding of the pressures on young people who may be forced into marriage—to know how difficult it is to resist forced marriage and how isolated and vulnerable a person can feel. There is an irony in the fact that young people are sometimes forced into marriage precisely because they are challenging the roles that are expected of them. In any provision that we make, we must understand the need to protect the individual and give them both the confidence that they will continue to be protected and the knowledge that, if they have the courage to resist, we will support them in doing that. We must be able to offer safety, advice, the time that is needed and support in the future.

Young people in such situations need trusted intermediaries—people who understand the families' cultural and community sensitivities and who are able to rebut and resist some of the arguments that are put to the young people. I ask the minister to reflect on how we can consult the most powerful voices—the voices of those who can talk to their own experience, which are often silenced because they do not have the confidence to come forward. He may wish to think further about how private consultation can be undertaken with some of those who have survived and are living with their experiences.

There is also the question of education in communities that still believe that forced marriage is reasonable. It is not an issue of religious belief; it is something that can be challenged inside communities. People can be supported to do that important work.

There is an issue with resources. Scottish Women's Aid's analysis of single outcome agreements shows that only seven local authorities make any mention of domestic abuse or violence against women as a local outcome. What reassurance can the minister give that he will act to prevent those issues from being deprioritised at a local level? I am not sure whether he is consulting COSLA on that analysis, and I do not think that he is consulting community planning partnerships. That might be a useful starting point for some of the discussions around the resource

implications and the education and support side as well as around the broader legal matters.

When will the advice on equality impact assessments and equality responsibilities in relation to single outcome agreements be issued? We were promised that advice, but it has not yet appeared. What has been the role of the national group on violence against women in shaping the consultation? The group is a powerful forum for such discussions, but I do not know whether it has discussed the issue, and if so when, or whether it plans to discuss it. That information would be useful to us in forming our view of the consultation. *[Interruption.]* What is the group's role in assessing, monitoring and considering the implications of single outcome agreements?

I welcome the debate and recognise the progress that has been made. I welcome the consultation although, as ever, I regret that it is necessary. Finally, I congratulate all those in the Parliament and far beyond who ensure that the issues facing survivors of domestic abuse and violence against women and those who are coping with forced marriages are kept in the public eye so that action can be taken. I urge the minister to sustain the focus on all fronts.

The Deputy Presiding Officer: I remind members to ensure that their mobile phones and BlackBerrys are switched off.

15:48

Jamie McGrigor (Highlands and Islands) (Con): I apologise to Johann Lamont. The figure of 38 per cent that I cited for male victims was incorrect—the true figure is 15 per cent, which is still highly significant.

The Scottish Conservatives welcome today's debate and the launch of the consultation on this important issue. Following the passage of the United Kingdom Government's Forced Marriage (Civil Protection) Act 2007, it is right for Scotland to consider whether legislative measures are required here to tackle the problem and, if so, what the most appropriate measures might be. Politicians here must be measured and take a gradual approach in coming to judgments on this extremely sensitive and complex issue.

The Scottish Conservatives agree strongly with the distinction that the motion makes between forced marriage—in which one or both members of the marriage are forced to marry against their free will, and which often involves abduction, abuse or imprisonment—and arranged marriages, to which both parties give their free consent. We recognise and respect the fact that arranged marriages have played and continue to play a significant role in the culture of some of our religious and ethnic minority communities. We

support strongly the right of people in those communities, for whom arranged marriages are a cultural norm, to continue to use that model, which we recognise has operated successfully for families and individuals for many generations.

As I said, our judgments must be measured. The Scottish Parliament can send a strong and unified message today that forced marriage violates basic human rights. Any British citizen should be able to look to their legislators and Government to protect them against such fundamental infringements of their human rights.

When doing research for my speech, I found it difficult to discover hard statistical information on the extent of forced marriages in Scotland. Since its establishment a few years ago, the Foreign Office's dedicated forced marriage unit has tended to deal with about 300 cases a year in the UK. I am aware of alarming evidence that suggests that that number has risen significantly in the past year, but I do not know the reason for that.

I share the opinion of many campaigners that forced marriage is likely to be massively underreported, as many people are too scared or are unable to report it to the authorities. The research that the Council of British Pakistanis (Scotland) did in 2004 for its incompatible marriages project suggests that the incidence of forced marriage is much higher and that it accounts for half the marriages that involve an Asian who lives in Scotland and a partner from outside the UK.

It is clear that forced marriage affects children, teenagers and adults from all races and religions, including Christians, Hindus, Jews, Muslims and Sikhs. We all need to make it clear that although the problem is significant in the Indian, Pakistani and Bangladeshi communities, it is not just a problem for our Asian communities. Every year, cases in the UK involve the middle east, the western Balkans and Africa, as well as other places. About 90 per cent of forced marriages that involve a UK citizen take place abroad.

Many who look at the issue from the outside see it as a problem that affects women, but it affects men, too. The Foreign Office's forced marriage unit calculates that about 15 per cent of the cases that it deals with involve reports by male victims. The Council of British Pakistanis (Scotland) suggested in 2004 that no less than 38 per cent of victims were male—that is where I got the figure that I cited to Johann Lamont. We need to bear in mind that factor at all times and to ensure that the solutions that are offered suit women and men. I suspect that underreporting by men is even greater, because of stigma and fear among male victims.

Awareness raising is important, not least so that victims—who often have little formal education and might have no English or poor English—know their rights and what help is available. In 2006, the UK Government ran the you have a right to choose campaign, which used a series of radio and press adverts, television fillers and posters. It usefully involved two well-known Asian actors—Meera Syal and Ameet Chana. We need to be imaginative about communicating most effectively on this sensitive subject and to take different approaches that are tailored to different communities' needs.

I commend the BBC documentary producers who created this week's excellent "This World" programme, entitled "Forced to Marry". It brought vividly to the screen the human misery that is involved, which we must all work to eradicate. For anyone who did not see it, it is available on the BBC iPlayer, and I recommend it.

The Scottish Conservatives acknowledge the good work of the forced marriage network, which the previous Scottish Executive established, in bringing people together. We pay tribute to the charities and individuals who campaign to raise awareness of forced marriage and to support victims. We hope that the forced marriage network will continue to play a positive role throughout the consultation and beyond.

The Scottish Conservatives are pleased to contribute to the debate. We are happy to support the Government's motion, as it is right to deal with this difficult subject on a cross-party basis. We look forward to many individuals and organisations taking part in the consultation and to the consultation's results. If, after taking account of the UK Government's Forced Marriage (Civil Protection) Act 2007, the Scottish Government decides that legislation is required, we will of course seek to work constructively to ensure that the legislation is as effective as possible, in the interests of all victims and potential victims of forced marriage.

15:54

Hugh O'Donnell (Central Scotland) (LD): I am grateful for the opportunity to speak in the debate and to put forward the Liberal Democrats' thoughts on forced marriage. We welcome the opportunity that the consultation document offers to clarify the views on forced marriage in Scotland of many stakeholders. I pay tribute to the work of MSPs in previous sessions of the Parliament, including that of Christine Grahame and Cathy Peattie, both of whom contributed to keeping the issue on the agenda. They should be congratulated on that important work.

I am pleased that, in reply to a parliamentary question that I lodged, Kenny MacAskill, the Cabinet Secretary for Justice, confirmed that the Government would be engaging in the consultation.

As the minister and other members have said, the issue is complex. Members have rightly pointed out that there is a difference between a forced marriage and an arranged marriage. Indeed, not that long ago, there was a place in Scottish culture for the marriage broker. That said, that was more than 100 years ago—

Stewart Maxwell: Does Hugh O'Donnell remember that?

Hugh O'Donnell: No, I do not.

Huge cultural pressure can be placed on young people. Prior to being elected to the Parliament, I had first-hand experience of that, as I have heard people recount their experience of such pressure. When two cultural entities come together by way of marriage, the situation can be challenging: what is acceptable behaviour to one party may not be acceptable to the other.

Forced marriage is only one part of the wider issue of honour killing. If we address the matter correctly through the powers of the Scottish Parliament, we can begin to address some of the wider issues, too. Cultural and religious traditions are very strong, particularly in our ethnic communities, and that is something that is much to be admired. Nonetheless, those traditions cannot be used as a cloak to hide the degradation and mistreatment of individuals, a substantial number of whom are women, as Johann Lamont said.

The Liberal Democrats are supportive of the way forward. If my memory serves me well, the Lib Dem peer Lord Lester introduced a private member's bill in the House of Lords back in November 2006. That bill became the Forced Marriage (Civil Protection) Act 2007, to which other members have referred. Interestingly, the act defines forced marriage as a civil wrong and not as a criminal offence. In so doing, it lessens the pressure on young people, who may not want to see their parents or other family members criminalised for doing something that is regarded as culturally acceptable in their community. Our focus has to be on ensuring that we educate people to see that such behaviour is unacceptable, culturally or otherwise. The advantage of putting such cases before the civil courts is that people do not go to jail.

The 2007 act includes legal guidance and provision for young people who may be put under pressure not to give evidence in court. If, as a result of the consultation in Scotland, legislation is introduced, we need to ensure that we take account of sensitive issues of that nature.

As far as I am aware, thus far, no other country has used the civil law as a means of attacking the issue of forced marriage. The approach that was taken by the UK Government is unique. I am pleased that the Liberal Democrats were instrumental in taking forward the proposal.

I recognise that being too firmly convinced that legislation is the best way forward is a dangerous step to take. To use the cliché, hard cases often make bad law. However, whichever method we use, we need to send out a strong message. Although making forced marriage a criminal offence is superficially attractive, we want to take an approach that works, which I suggest is the civil wrong route. I hope that the consultation responses will lead the Government to approach the matter in that way.

As Jamie McGrigor said, we tend to forget that forced marriage is a threat not just to the female population; it also affects males, for whom the stigma and pressures are different. It is not only Asian communities that suffer, as a wider range of communities are affected by forced marriage.

The work of Amina, which several members have mentioned, is critical. I seek an assurance from the minister that the resources that are available to organisations such as Amina will be protected, because this morning people outside the Parliament seemed to suggest that not all local authorities are taking the same approach.

Liberal Democrats welcome the consultation document, but the Government must not shrink from introducing legislation if that is the consultation's decisive finding.

16:00

Bashir Ahmad (Glasgow) (SNP): I welcome today's debate on an extremely serious and important issue. The term "forced marriages" is used a lot by the media, politicians and community organisations, but I am often surprised to discover how many people still do not know the difference between an arranged marriage and a forced marriage. It is important that we make that distinction, as we do not want to stigmatise any community. The important distinction between an arranged marriage and a forced marriage is that an arranged marriage takes place with the full consent of both parties. It often involves parents suggesting partners for their sons or daughters. If the girl or boy concerned is unhappy with the suggestion, the two parties do not take things further. The faces of those who do not know the difference between forced and arranged marriages are a picture when I tell them that my marriage was arranged.

A forced marriage is one in which one or both parties do not consent to being married. Often

they are physically or emotionally abused to make them take part and stay in the marriage; needless to say, the union is not a happy one. Forced marriages take many forms, but one thing is clear—they are all vile and must be tackled.

Unfortunately, forced marriages are often portrayed as a religious practice, but that could not be further from the truth. Forced marriages are a cultural practice, not a religious one. In Islam, the religion that is often wrongly associated with forced marriages, they are completely condemned. In addition, victims of forced marriages do not come from only one community. I have met people of different cultures and races who have been victims of forced marriages.

Although we condemn forced marriages wholeheartedly, it is important to stress that reported cases are few in number. Last year, statistics from the UK Government's forced marriage unit showed that 400 cases had been reported. No doubt the real figure is higher, with perhaps hundreds of cases a year going unreported. Although they might not be rife in Scotland, it is important to put across the message that one forced marriage is one too many. That is why I have been campaigning on the issue both in the Parliament and outwith it.

Having met a number of women's aid organisations, religious institutions and community groups, it is clear to me that a failure to act on the issue is not an option. If we go down the route of making participation in a forced marriage a criminal offence, we might prevent people from coming forward to report it. Many of those people would not want their mother, father or other close relatives to face possible time in jail if they had been involved in forcing a marriage.

Last year, the provisions of the Forced Marriage (Civil Protection) Act 2007 were enshrined in law in England and Wales, and the act took effect just last week. The authorities in England and Wales can now issue a forced marriage protection order to prevent a forced marriage from taking place. We in Scotland must follow suit. Civil legislation on the matter will be a positive step forward in tackling the problem. However, consultation is necessary because many different opinions from experts must be taken into account.

In my discussions on the matter with the Scottish Government, I have been pleased to note its willingness to address the problem. I hope that the Parliament will wholeheartedly support the Government's motion and work collectively to prevent anyone else from becoming a victim of this evil practice.

16:08

Cathie Craigie (Cumbernauld and Kilsyth (Lab)): As we know, there is no offence of forced marriage in Scotland. Civil and criminal law in Scotland offers some protection to victims who are forced to marry against their will, but there is no effective law to address the wholly unacceptable wrong that is forced marriage. That is why I support and welcome the launch of the Government's consultation to explore whether civil legislation on forced marriages is required. I come to the matter with my mind made up, but I hope that I will be open and listen to all the points that are made.

Although improved education and awareness raising are essential, only civil legislation can fully protect the shocking number of victims in Scotland who are compelled into a forced marriage. Unlike arranged marriage, forced marriage is not a respected cultural tradition. It is not a religious tradition, nor is it a matter of honour. Rather than a union between two consenting adults, a forced marriage is an abuse of human rights.

The significant differences in family law mean that consideration is needed to find a Scottish version of the provisions in the UK Government's Forced Marriage (Civil Protection) Act 2007. The Scottish Government should follow the Labour Party's path and introduce civil legislation to ban forced marriage and give the courts wide-ranging powers to protect victims.

As the consultation document points out, when the previous Scottish Executive consulted on this horrific problem, it rejected the criminalisation of forced marriage. I agree with that view for the same reasons that other members have set out. People are understandably reluctant to instigate criminal proceedings against a person who in many cases will be a close family member, and one can only imagine the competing emotions a person involved in such a situation must feel.

That said, the introduction of civil legislation to bring Scotland into line with the UK will send a clear message that forced marriage will not be tolerated for any racial or religious group, for any age or for anyone in any part of the country. Such legislation is—and must be—a preventive measure that, instead of seeking to prosecute perpetrators, seeks to protect individuals, to prevent forced marriages from happening in the first place and to act as a deterrent.

However, in seeking to protect victims of forced marriage, the Scottish Government must as part of the consultation recognise how forced marriage can trigger other crimes which, as Johann Lamont pointed out in her speech, can include physical, psychological and sexual abuse and other honour-based violence. The BBC programme that was

screened this week, which Jamie McGrigor mentioned, brought home to those who watched it not only how being involved in a marriage without consent affects individuals but how it can lead to the breakdown of the wider family. That cannot be good for any community and certainly cannot help to hold communities together. Legislation that protects victims of forced marriage might go some way towards tackling the cycle of abuse and violence that too often affects generation after generation.

I will conclude, Presiding Officer, because I know that you are stuck for time. I welcome the consultation as another step towards the elimination of forced marriage from Scottish society. Given that we must improve awareness of this horrific problem, it is right that we debate it again in Parliament. However, education is not enough; only by introducing civil legislation that brings us into line with the rest of the UK can we fully protect people not only from forced marriage but from the other crimes that it can trigger.

16:13

John Lamont (Roxburgh and Berwickshire (Con)): Although forced marriage is thankfully very rare in Britain and in Scotland, it can have a devastating effect on its victims. I therefore welcome the debate, as it provides an important opportunity for the Parliament to send a strong message that the practice is unacceptable in modern Scotland.

Like Jamie McGrigor and other members, I am pleased that the Government's motion draws a clear distinction between forced and arranged marriages. The crucial point is about consent—or, in the case of forced marriages, the lack of consent that makes them so objectionable. A study by the Home Office's working group on forced marriages clearly illustrated the devastating consequences for individuals who are forced into marriage. Many young women in such a situation become estranged from their families and suffer years of domestic violence. Even more frightening, some evidence has suggested a link between forced marriage and the particularly high self-harm and suicide rates for Asian women. I find it disturbing that something as archaic as forced marriage still infiltrates today's society and I hope that, through the efforts of our Parliament, we can move a step closer to a world without such a practice.

Understanding the position of Scots law on marriage is the first crucial step in beginning our fight against forced marriage. Fortunately, Scots law states clearly the requirements for marriage and leaves no room for marriages that fail to satisfy them. The minimum age at which a person can marry is 16—parental consent is not required.

It is important to note the requirement for both parties to understand the nature of a marriage ceremony and to consent to marrying. In Scotland, a marriage is deemed void if either party was forced to marry against their will. Marriage as a result of duress, force or fear does not satisfy the requirement of consent by both parties. If a marriage is deemed void, it is regarded as never having taken place. However, a decree of nullity may be required from the Court of Session in order for the marriage to be treated as void. An important characteristic of Scots law is that a Scottish court can take jurisdiction to decide whether a marriage is void on the basis of lack of consent regardless of where the marriage was performed. Thus, Scots law is well prepared to aid individuals who are victims of forced marriage, even if it occurred in a foreign country.

Stewart Maxwell: I acknowledge what the member says; he is quite correct in what he says about the law as it stands. However, does he accept that what he has just explained clearly is the position after the forced marriage has taken effect? Part of the civil remedy in England is about trying to prevent such marriages in the first place.

John Lamont: I agree with the minister entirely. I have set out what Scots law currently allows for. We are trying to prevent forced marriages, rather than deal with them after they have occurred.

It is important to recognise the progress that has been made in the UK in recent years to begin to address the problem and provide support for those who have become the victims of forced marriages. The forced marriage unit, which was set up by the UK Government in 2005, does a great deal of work in helping people to escape from forced marriages, as well as gathering information that is vital for gaining an understanding of the extent of the problem and the issues involved in forced marriages.

In May 2007, the Home Office and the Foreign and Commonwealth Office launched a two-year strategy to combat forced marriage. The approach suggested several activities relating to three crucial objectives: to increase education in order to raise awareness about forced marriage; to engage in more joined-up work with statutory agencies to ensure that best practice is shared effectively; and to work with the police and criminal justice system to ensure that existing legislation is used effectively in cases of forced marriage.

At UK level, the Forced Marriage (Civil Protection) Act 2007, which has been mentioned already, was passed by Westminster last year. The act sets out ways to help those who face the prospect of forced marriage, as well as those who have already become the victim of a forced marriage. It aims to provide civil remedies for those who face forced marriage, but it does not create any criminal offence of forced marriage.

Hugh O'Donnell: Will the member confirm that David Cameron initially proposed criminalising—in a non-civil way—forced marriage when the UK bill was introduced in 2006?

John Lamont: I am not aware of that proposal. My understanding is that we as a party supported the bill when it went through the Westminster Parliament. The Scottish Conservatives were, and still are, very supportive of the legislation and we welcome the Scottish Government's consultation to investigate the possibility of similar legislation for Scotland.

16:18

Christine Grahame (South of Scotland) (SNP): At this stage in the debate, it is inevitable that much has already been said. I might occasionally tread where others have been and repeat what they have said.

Consent is the essence of any contract and marriage is, of itself, a contract—a very special one. A contract requires the consent of both parties. The parties must have the capacity to consent and consent must be informed and given freely without coercion—physical, emotional, psychological or otherwise. As others have said, a forced marriage is one where consent of one party, or indeed both parties, did not exist. I do not think that anybody has mentioned this yet, but 30 per cent of cases involve minors.

The problem is complex indeed, as was demonstrated by the recent television programme, and cultural influences have a substantial impact on parents in the choice of a marriage partner for their children. The girl or boy who is party to a forced marriage often faces the worst of all dilemmas: by freeing themselves from the forced marriage, whether here or abroad, they are at the same time most likely in danger of alienating themselves from their immediate and extended family, even for life.

We need education, prevention and, in some cases, repatriation, but do we need legislation? I am not persuaded.

As other members have said, the matter of education requires to be handled delicately, because it crosses several generations and cultures. The majority of known forced marriages—there might be many more—concern Indian, Pakistani and Bangladeshi communities. It is a matter of educating not just parents but grandparents, aunts and uncles. I am pleased that the Asian community is taking the lead on the matter, which is very welcome.

Prevention could flow from the education process in the widest sense, but prevention can, and sometimes must, require determination, and it

can even be dramatic. In cases where the young girl or boy does not turn up for school, the teachers and the headteacher should not presume that they have moved elsewhere, even if their carers or parents avow that that is the case. Discreet inquiries must be made.

In the same television programme that I mentioned, one girl described how she had been kept prisoner in her own room, hoping that someone would come knocking on the door of the family home to rescue her. None came. I believe that her school had been told that she had gone on holiday to Pakistan. It was, of course, no holiday. Not only was she marrying someone for whom she had no affection and who beat her; she had moved from English suburbia to a remote mountain village with very basic facilities, surrounded by her husband's kinsfolk while hers were back in England. That was a terrifying and isolating experience.

Repatriation is not an easy matter. A girl or boy might risk everything, sometimes even their lives, to free themselves from what is a slavish existence. There are safe havens, both abroad and here, but taking that step is a sign of not just courage but desperation on the part of the few who do so. I applaud those who assist them on that path.

I turn to the issue of legislation. To criminalise forced marriages per se is bad—it would be counterproductive. Much has been said about that already. However, criminal acts could take place in a forced marriage. Kidnapping prior to the marriage is a criminal act, and so is rape. It is not that there are no criminal acts that might take place, but the criminal law should not apply to the service itself.

I note the English legislation, the Forced Marriage (Civil Protection) Act 2007, to which John Lamont referred. However, it is pre-emptive, so I cannot see how it is much better than our law under the Protection from Abuse (Scotland) Act 2001. That act, which came from a committee bill, allows for interdict and interdict ad interim, and a power of arrest is attached. Much of what has been done in the 2007 English legislation is encased in the Scottish 2001 act. I am pleased that the Minister for Community Safety, with his legal background, will be responding to the debate, because I have some further questions.

Johann Lamont: As far as I understand it, one of the big differences is that, in other parts of the United Kingdom, a third party can apply for an order. That is particularly important given the silencing and fear of those who are at the centre of the matter.

Christine Grahame: That is a very fair point, which I hope will be developed by the minister.

Johann Lamont might have caught me on that point, but that is fine—it is what a debate is for.

I refer to the situation of a forced marriage that takes place in Scotland. John Lamont is quite right that such marriages could be set aside in Scots law. Section 5(4)(d) of the Marriage (Scotland) Act 1977 says:

“there is a legal impediment to a marriage where ... one or both of the parties is or are incapable of understanding the nature of a marriage ceremony or of consenting to marriage”.

A difficulty arises with regard to forced marriages beyond Scotland's jurisdiction, for which this Parliament cannot legislate, of course—the Parliament cannot legislate beyond its own constitutional walls. There are procedures for the recognition or otherwise of marriages abroad. How would legislation in Scotland change that? That is perhaps the hardest thing to crack. I look forward to hearing the minister's comments when he sums up.

16:24

Marlyn Glen (North East Scotland) (Lab): We have heard some details about what forced marriages are, and we recognise the differences between a forced, or coerced, marriage and an arranged marriage that is freely entered into by both parties. Family law in Scotland already makes a marriage void if consent to it is given under duress, but making a marriage void after the fact is not sufficient protection for young men and women, nor is it a sufficient deterrent for those who may believe that they are preserving cultural or religious traditions.

As has been said, there is legislation for offences such as threatening behaviour, assault, kidnap, imprisonment and rape. I believe that we need to follow the UK example of having specific legislation against forced marriages. There is a need to send out a message.

Under the UK act, there will be forced marriage protection orders—court orders that require individuals to hand over passports, stop intimidation and violence and reveal the whereabouts of a person, and to stop someone being taken abroad. Failure to comply with an order could lead to imprisonment.

Experience shows that there are five situations when dealing with cases of forced marriage: a young person who fears they may be forced to marry in the UK or overseas; a report by a third party of a young person being taken abroad for the purpose of a forced marriage; a young person who has already been forced to marry; a young person being repatriated to the UK from overseas; and a spouse who has come to the UK from overseas. We must take each of those into consideration and

ensure that resources are available to protect and support those involved.

I am the Equal Opportunities Committee's race reporter and I have a special interest in all subjects that touch on the peoples and customs of all races who live here in Scotland and beyond. Our aim in Scotland is to give everyone a fair chance in life regardless of their circumstances, gender, race, sexuality, age, disability, religion or belief. However, multicultural sensitivity is not an excuse for moral blindness. I know that we are working to counter such problems, but we must acknowledge that in communities throughout Scotland there are massive problems of prejudice, including serious violence against women—forced marriage can be seen to lie at the extreme end of that spectrum of violence. I appreciate the minister's acknowledgement of those problems. I also appreciate—I hope that it is recognised throughout the chamber—that forced marriage is used to control the sexuality of young girls and young boys; the situation of young gay and bisexual men cannot be ignored when we consider the issue.

I am following with interest the Justice Committee's deliberations on the Sexual Offences (Scotland) Bill. It is scrutinising the details of the proposed new definition of rape, which is that sexual intercourse without consent or free agreement is rape. It is also considering the situations in which there can be no free agreement to sexual intercourse. In that context, it seems irrefutable that the consummation of a forced marriage is rape, so it should be included in the bill. I would be interested to hear the minister's response to that point.

Forced marriage is an abuse of human rights, as reflected in the United Nations declarations—I welcome the recognition of that throughout the chamber.

I would like to draw a parallel with the Prohibition of Female Genital Mutilation (Scotland) Act 2005, which the Equal Opportunities Committee scrutinised when the bill passed through Parliament during the previous session. That act makes it illegal to assist or arrange FGM, even if the crime of FGM takes place abroad. That is relevant to our consideration of how to deter forced marriages. If the 2005 act deters only one case of mutilation, it is worth the effort. Similarly, if new legislation on forced marriage stops one young person—a girl or a boy—from being coerced or forced into marriage, we are obliged to legislate.

I remind members that when it comes to such sensitive matters we should always be wary of taking evidence only from what we tend to call the usual suspects—who are often the gatekeepers of groups of unrepresented people. To balance that

bias, Elaine Smith, as the Equal Opportunities Committee's gender reporter, took evidence on FGM in private from groups who would not be expected to respond to open public consultations. I commend that approach.

I welcome the reconvening of the forced marriage network meetings and look forward to the results of the consultation that has been launched today—and to the proposed confidential telephone surgery, which is a good idea.

I emphasise that the fact that there are few reported incidents does not mean that forced marriages do not happen—the figures that are quoted must be regarded as the tip of the iceberg. We need guidelines and training for social workers and other public sector workers so that they can be more aware of the risk factors and spot the early warning signs of young people who may be in danger of being forced to marry. Challenging forced marriage is everyone's responsibility.

I look forward to the minister outlining the Government's commitments on the issue and explaining how the UK practice guidelines will be replicated for Scotland.

16:29

Cathy Peattie (Falkirk East) (Lab): I appreciate the opportunity to speak.

On 25 November, new laws came into force in the rest of the UK to prevent forced marriages and to protect those who have already fallen victim. Under the new legislation, victims, a friend or the police can apply for a forced marriage protection order—a court-assisted injunction that forbids actions such as taking people abroad for marriage, seizing passports or intimidating victims. It would also force family members to reveal a person's whereabouts. Penalties for breaching an order include up to two years' imprisonment.

The "Gender Equality Scheme: Annual Report 2008" noted that the Scottish Government was drafting a consultation paper on whether there is a need for additional civil legislation in Scotland. The Government said:

"We intend to publish the consultation in spring/summer 2008 and will re-establish the Forced Marriage Network to support the consultation and assist the development of the Government's future work on this issue."

I welcome the re-establishment of the forced marriage network, the Scottish Government's consideration of the issues and the possible introduction of similar measures, even though the timetable has clearly suffered from some slippage.

I appreciate that differences in family law in Scotland may mean that our approach needs to be different from that in other parts of the UK and that some legal protection already exists. My

colleagues and I take the issue very seriously as part of the violence against women agenda, and I stress the importance of maintaining a comprehensive and coherent policy and strategy in addressing gender violence and abuse.

I am aware that some people would like a criminal law response but that others say that many victims would be reluctant to instigate criminal prosecutions. I remind members that the argument against the prosecution of domestic abuse was that women would not come forward, and that that turned out not to be true.

It should go without saying that the Scottish Government has an important role to play in the issue. We do not know how widespread the problem is, but it is safe to assume that it extends well beyond the cases that are recorded in the official statistics. The forced marriage unit, Shakti Women's Aid and other women's aid organisations carry statistics; one study showed that only one in 10 cases is reported.

As well as considering legislation, we must ensure that the work of women's aid groups is properly recognised and supported. To tackle forced marriage effectively, the Government should consider more funding for refuges and increase education. I too draw members' attention to today's demonstration by Scottish Women's Aid and Amnesty International regarding the no-recourse-to-public-funds rules, which make it difficult for victims of forced marriages to act.

I hope that the forced marriage network will play an important role in the consideration of Scottish Government action and that the consultation will be inclusive and widely publicised. I agree with Marlyn Glen that forced marriage is everyone's issue and that we all need to work hard to end it.

16:33

Margaret Smith (Edinburgh West) (LD): This has been an important debate about a sensitive issue. Bashir Ahmad was right to say that one forced marriage is one too many.

I thank all those who have assisted people who are affected by forced marriage, whether through the voluntary sector, the FCO's forced marriage unit or the Scottish Government's forced marriage network, which was set up by the previous Executive. Hugh O'Donnell and many other members have rightly called on the Government to consider the impact of potential funding difficulties on some of the groups in the sector because of the importance of their work in our communities.

We welcome the Scottish Government's announcement of further consultation on forced marriage as there has been a significant change since the previous consultation. Legislation

elsewhere in the United Kingdom—the Forced Marriage (Civil Protection) Act 2007—targets forced marriages and creates a range of civil offences that cover not only those who force someone into a forced marriage but those who aid or abet the practice. Crucially, as we have heard, the act allows third parties to apply for court orders. That is an important feature.

I pay tribute to my Liberal Democrat colleague in the House of Lords, Lord Lester of Herne Hill, who introduced the proposal to Parliament as a private member's bill and managed to persuade the UK Government to support it to become law. It was a good move on the Government's part to take the bill on and make the change happen.

I have my own views on the need for legislation, although I understand that we must listen to what emerges from the consultation. The 2007 act is important legislation; it provides victims with a range of civil remedies, which include injunctions, and compensation. The civil route could answer some of the concerns that respondents to previous consultations have expressed: that by making forced marriage a criminal offence we would be expecting somebody to give evidence against family members, which could result in their going to prison; and that it would force the practice to go even further underground. I have some sympathy with Cathy Peattie's point that similar arguments were made about domestic violence and sexual abuse in families. It is a dangerous line to take. I would far prefer to take a pragmatic approach and ask whether legislation or another approach is more likely to stamp out this abhorrent practice. That is the key question.

Forced marriage is undoubtedly a complex legal matter, as Marlyn Glen and others have made clear. We must ask whether separate legislation is required or whether existing common law, legislation on protection from abuse or family law—or, indeed, proposed legislation on sexual offences—might cover it adequately. John Lamont made interesting points about voiding marriages, but it is fundamental that any legislation or any further action that we take be focused on preventing forced marriages rather than ensuring that we are able to do something about a forced marriage after the fact.

An element of the debate is reminiscent of some of the arguments that were used during the discussion of the Emergency Workers (Scotland) Bill. It was argued that emergency workers who are assaulted can be protected by common law, but there was also a genuine feeling that the people who protect us require specific legislative protection from us and that, in introducing that legislation, the Parliament would highlight the problem, raise awareness and make clear its utter contempt for those who perpetrate such attacks.

Similar arguments can be made for legislating on forced marriage.

Many members, including Bashir Ahmad and the minister, have made clear the difference between forced marriages and arranged marriages. Arranged marriages are an integral and acceptable part of the culture of many of our fellow citizens. It is essential that we make it clear that an arranged marriage in which both parties give their full and free consent is different from a forced marriage, in which an individual is coerced to marry. It is every person's human right to be allowed to choose whom they marry and when—or, indeed, not to marry. Forced marriage is a gross abuse of the individual's human rights and cannot and must not be condoned or apologised for in any way.

As Johann Lamont and Christine Grahame said, living in a forced marriage is deeply distressing and many who do so suffer serious depression as a result. Those who decide to leave a forced marriage find it incredibly difficult to come to terms with the situation, and it takes a huge amount of courage. They are compelled to cut family ties and start out alone. For many people, there are other aspects to the abuse: research has shown that an element of domestic abuse is involved in about 25 per cent of forced marriages.

I understand that the debate is being held partly as an aspect of our recognition of the 16 days of action on violence against women. Although it is true that the vast majority of victims of forced marriage are women, many are young men. Often, forced marriages are used as a means of controlling sexuality, including homosexuality. Many individuals are compelled into marriage in the belief that it will stop them pursuing relationships that are considered unsuitable. There is no standard victim of forced marriage.

The sad fact is that we do not know the extent of the problem. The Council of British Pakistanis Scotland believes that one Asian woman in 10 in Scotland was forced to marry. A great deal of work is being done to help those who are subjected to the practice, such as the good work of the forced marriage unit. We need to take a pragmatic approach to doing whatever will best tackle the problem and support the people who need our help. We need an approach that not only encourages people to speak out and can prevent forced marriages from taking place but provides assistance to those who have been forced into marriage and need to get out. The safety and welfare of the victims of forced marriage must be the primary concern.

16:39

Bill Aitken (Glasgow) (Con): The Conservative group will support the Government motion at decision time.

There is contradictory evidence, as we have heard in the debate, about the number of cases of forced marriage, but it cannot be denied that one case is one too many, as Bashir Ahmad said, and requires us to respond. In the interests of fairness I should say that the Westminster Government has come up with a praiseworthy response to the problem.

In taking action, we should be aware that a number of difficulties might arise. There is no doubt that most allegations relate to events far from our shores. Quite frequently, young girls have been persuaded or deceived into going to a foreign country—usually Pakistan or Bangladesh, given the evidence—where they have been forced into marriage. If, after the consultation exercise, the Government decides to legislate on the matter, there might be evidential difficulties in subsequent proceedings. However, that does not mean that we should not consider legislating.

The Home Office working group on forced marriage, which was set up a number of years ago, collected a great deal of evidence. Some is of only historical import, but some remains relevant. There is evidence that the problem, however big it is, is increasing, and it seems that unscrupulous individuals are using forced marriages to get by immigration and visa rules.

It is quite clear that no one can say that forced marriages are part of a particular group's culture or religious belief. During the Justice Committee's consideration of the Sexual Offences (Scotland) Bill, the term "free will" has generated interest and concern. It cannot be argued that the kinds of marriages that we are discussing involve even the narrowest concept of free will or are acceptable. I have been unable to find evidence of any religion, whether we are talking about Buddhism, Sikhism, Islam, Hinduism or Judaism, in which the term "free will" would not apply to a marriage. A marriage can take place only on the basis of the free will of the two parties; it must be consensual. Therefore, people who are involved in forced marriages cannot claim the protection of religious belief or cultural habit in their country of origin. That makes such marriages all the more unacceptable.

This is not a debate on violence against women, but it would be naive to suggest that violence is not an element in a great many forced marriages. Women who enter into such marriages, who are usually of tender years, can find themselves in a physically abusive relationship, and many instances of extreme violence have been catalogued.

What are the motives behind forced marriages? Sometimes they are to do with family honour or a long-standing family commitment. Sometimes the issue is controlling behaviour. A parent might not want their daughter to be with a person of whom they do not approve—many parents in quite normal circumstances have experienced those feelings from time to time, and I include myself in that category—but there is no justification for controlling behaviour that results in a forced marriage, which some people use to circumvent this country's quite proper regulations in respect of immigration and visa procedures.

Members have eloquently described the consequences of forced marriages, which can be extremely severe—physical violence, emotional pressure and deep depression and unhappiness has in many cases culminated in the suicide of the victim.

It is early days yet; the consultation process has hardly begun. I know that the Government will look closely at the results of the consultation. If it is felt that there is a need to legislate, there will be a degree of sympathy throughout Parliament for that. It is not a route that is without problems and pitfalls, but it might be the way in which we have to go in order to right a very real wrong.

16:45

Johann Lamont: It is a reflection on how far we have come that there is consensus that this matter is serious and appropriate for public debate and political action. We have come a long way from the time when agencies regarded such matters as being purely domestic, private and nothing to do with them. The irony in saying that forced marriage involves a violation of human rights is that there are at the heart of the matter people who have no awareness that they have a human right to say no, and no capacity to resist something that they see as being expected of them. It is a comfort to us that we are now able at least to recognise that it is a subject for public concern and action, and that many people in our communities would support such action.

At the heart of much of the work that we do, we must place ways of supporting people by reaching out to individuals and speaking to them about the issues that affect their families in language that they understand, rather than by putting up posters on the walls of places where they might go to seek help.

On domestic abuse, it makes me shudder to think that, when I was in the public services, we needed to help a woman who was fleeing violence by getting her a mobile telephone number that would not show up on a telephone bill. That shows just how frightened people must get. We have to

think about factors like that when we are shaping services.

We do not know the number of people about whom we are talking. As happened with domestic abuse, when we start to talk about the issue and give people confidence, the figures will go up. That, perhaps, is a matter that we must reflect on.

I welcome the consultation, because it is my instinct to support legislation. Indeed, when consultation was being undertaken at UK level, I was surprised at the consultation responses that expressed the view that forced marriage should not be criminalised, and called for civil legislation. I respected those arguments, which were made by people whom I trusted and who feared what would happen if forced marriage were criminalised. However, I stress that we should not close the door fully on legislation, because it might be that we realise in time that civil measures are not sufficient.

I ask the minister to reflect on the points that Marlyn Glen made about the implications of our approach to this issue for legislation that is currently going through Parliament or with which we might deal in the future.

I want to reinforce the points that were made about the distinction between arranged marriage and forced marriage. We should not overstate the prevalence of forced marriage and we should not afford certain people the opportunity to stigmatise whole communities by focusing on a practice that is anathema to most people in those communities. Although I would obviously commend the Labour Government for the action that it took, I recognise the work of others in this field, and I acknowledge how powerful it is when people such as Mohammed Sarwar and Bashir Ahmad speak up on these issues, because their doing so refutes the argument that whole communities are at fault, rather than a small section of those communities.

There is a debate about whether we should rely on education or legislation, but our approach cannot involve only one or the other; it must involve everything. We must use the legislative route to provide protection, but we must also work with communities and young people to give them confidence to resist.

Earlier, I made the point that it is not enough just to aspire and that we must will the means to deliver. We have to have resources for specialist groups who can speak within those communities, but we also have to train teachers and youth workers in the main stream who can listen and act to support young people in particular who are vulnerable and who need to be reassured that they are able to resist their families' wishes.

I urge the minister to consider the questions that I asked earlier. What does he consider to be the

role of the national group to address violence against women? How is the Government discussing local outcomes with COSLA and community planning partnerships? How is it asking them to assess the resources that would be required to support that work? When will guidance on the equality aspects of single outcome agreements be available? Answers to those questions are critical to allaying people's fears that there is not sufficient recognition of the challenge that this work presents while the process is ongoing.

I urge the minister to be creative—as other members have suggested—in how he consults, and to recognise that the conclusions that he reaches will not be the last word, but will be a critically important word in respect of supporting people who find themselves in such circumstances.

16:50

The Minister for Community Safety (Fergus Ewing): I welcome this afternoon's wide-ranging debate, and the cross-party support and commitment to eradicating forced marriage and other forms of honour-based violence—perhaps I should say so-called honour-based violence—and violence against women.

There have been a number of excellent speeches this afternoon, and I pay tribute to members who have campaigned on the issues for many years, during the two previous sessions of Parliament as well as the current session—Gil Paterson, for example, who has not been able to speak today.

What we know from the statistics is the tip of the iceberg, so the challenge remains huge and the necessity for action is clear. Cathy Peattie said that we might learn of only one case in 10 because the rest are not reported. We simply do not know how big the iceberg is, but we know that it is lurking beneath the surface, representing unreported violence against women. Each woman who faces the awful predicament of violence against her, and who is afraid to report it, is in a truly nightmarish situation.

I will respond to some of the many points that members have made during the debate, starting with Johann Lamont. She has, as members know, campaigned on these issues for a long time—long before she was first elected to Parliament, if that is not an ungallant way to put it. She mentioned single outcome agreements. They are, in a sense, toddlers—they are in their infancy in the historic concordat. National outcome 7 is:

"We have tackled the significant inequalities in Scottish society."

We expect that councils will address that in their single outcome agreements.

Johann Lamont: Does the minister agree that there is a difference between giving people certainty that something will happen, and expecting people to make it happen? There is concern that the issue has been deprioritised, and that the Scottish Government is not acting to ensure that such matters are included in single outcome agreements.

Fergus Ewing: There is a difference between the two prospects, but I certainly do not accept that the issue has been in any way deprioritised, nor do I accept that any council of any political hue would wish to deprioritise the issues—the situation is quite the contrary. From my work with Ronnie McColl, Harry McGuigan and Barbara Grant, I know that we have good relationships with all parties in our dealings with senior COSLA spokespeople. It is important that we work in partnership on all these matters.

It is also relevant to point out that we have substantially increased the funding that is committed over the three-year period to tackle the abomination that is violence against women—and men, but primarily women—to £44 million. That is a major contribution, and it is fair to say that it is a very substantial increase.

Many members talked about the difference between forced marriage and arranged marriage, and implied that they are in some way antonyms. The difference is the lack of consent. As Bashir Ahmad, John Lamont and others pointed out, there is consent in an arranged marriage but none in a forced marriage. Bill Aitken said that he could think of no religion that favours forced marriages and it was useful to hear Bashir Ahmad state that Islam has no place for forced marriages. As Johann Lamont did, I applaud people such as Bashir Ahmad and Mohammad Sarwar for making their views known and for providing leadership on such issues to their communities and their constituents.

Many members, including Margaret Smith, Christine Grahame and Johann Lamont, pointed out the difference between UK legislation and current Scots law. I must admit that I pinched myself—I had never heard Christine Grahame say that she stood corrected by Johann Lamont. That reflects the consensual tone of the debate. Johann Lamont was correct to say that the difference is that the position in UK law—the Forced Marriage (Civil Protection) Act 2007—is that third parties can apply for orders on behalf of a victim of a forced marriage. Powers of arrest can also be directed against others, not just against the principal perpetrator named in the order. In Scotland, on the other hand, only the victim can apply for an interdict and power of arrest, and

those are enforceable only against the person named in the interdict.

I am pleased that we are launching the consultation paper today and I restate the Government's commitment to this agenda. We are clear about the basis for our work—it is correct to consider the broader agenda of violence against women. We will not overlook violence against men, although more work needs to be done. We will consider the influence of alcohol, which is not a cause for violence but an excuse. It exacerbates violence and records show that alcohol is central in a high proportion of reported domestic abuse incidents.

I pay tribute to the 218 project in Glasgow, which I visited earlier this year. It provides a specialist multidisciplinary facility for women aged 18 years and over who are involved in the criminal justice system and may have co-existing addiction issues. That facility plays a great role in assisting victims of domestic violence. I pay particular tribute to all those who do excellent work at the project, which is at 218 Bath Street, Glasgow.

I turn to the consultation paper. Many members asked whether there should be a specific criminal offence relating to forced marriage. I remind members that, as is stated in paragraph 3 of the consultation paper, a previous joint consultation between the UK and the Scottish Government yielded mixed results: 39.4 per cent of Scottish respondents were against the creation of a new offence while 36.4 per cent were in favour. The balance of opinion today suggests that more MSPs are against criminalisation than are for it, although one or two members have argued that the door to criminalisation should not be closed. In the 19 questions that Stewart Maxwell has asked in his consultation paper, the focus is on the civil approach rather than on the criminal approach.

I recently read a crime novel by an Icelandic novelist called Indridason—a novel I thoroughly recommend—on domestic violence. Because of the paucity of my research, I do not have a quote to offer members, but the book says that victims of domestic violence suffer not only because of the violence against them but because they lose their souls. I feel that that offers an interesting perspective on the predicament of many people who face this awful fate, which is meted out to them by others.

I conclude by echoing a phrase that was picked up more than any other by members this evening. Bashir Ahmad expressed a sentiment that I think we all share: one forced marriage in Scotland is one too many.

Decision Time

17:00

The Presiding Officer (Alex Fergusson):

There are six questions to be put as a result of today's business. The first question is, that amendment S3M-3013.1, in the name of Iain Smith, which seeks to amend motion S3M-3013, in the name of Ted Brocklebank, on broadcasting, 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)
 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)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (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)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 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)
 Mulligan, Mary (Linlithgow) (Lab)

Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (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

MacDonald, Margo (Lothians) (Ind)

ABSTENTIONS

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)
 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)
 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)

The Presiding Officer: The result of the division is: For 74, Against 1, Abstentions 49.

Amendment agreed to.

The Presiding Officer: The second question is, that motion S3M-3013, in the name of Ted Brocklebank, on broadcasting, 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)
 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)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 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)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 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)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (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

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (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)
 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)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 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)

The Presiding Officer: The result of the division is: For 75, Against 0, Abstentions 49.

Motion, as amended, agreed to.

Resolved,

That the Parliament notes that 4 December 2008 is the final date for submissions to Ofcom's Public Service Broadcasting (PSB) Review, Preparing for the Digital Future; recognises that, while broadcasting is reserved, there is a need for a healthy, competitive Scottish-based television programme-making sector outwith the BBC, notwithstanding that organisation's historic, respected and pivotal role in Scottish broadcasting; recognises the role of STV as the only remaining Scottish-based commercial PSB provider; prefers Ofcom's enhanced evolution option with a commercial TV channel continuing to provide PSB for Scotland as part of a wider UK network; recognises that STV's survival as a PSB provider is at risk in the current economic climate, particularly since ITV is now advocating a single UK-wide brand, and calls on Ofcom to explore all options to ensure that there is PSB competition for BBC Scotland in the nation's rapidly changing broadcasting landscape; further believes that all Scottish residents should have access to the full range of broadcasting following digital switchover, and calls on Ofcom to ensure that all relay transmitters are capable of transmitting the full spectrum of free-to-view broadcasting and that the 7th Mux is enabled in Scotland.

The Presiding Officer: The third question is, that amendment S3M-3014.2.1, in the name of Jeremy Purvis, which seeks to amend amendment S3M-3014.2, in the name of John Swinney, on local government finance, 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)
 Finnie, Ross (West of Scotland) (LD)
 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)
 Hume, Jim (South of Scotland) (LD)
 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)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 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)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 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)
 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)
 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)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 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)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 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)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

The Presiding Officer: The result of the division is: For 61, Against 64, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The fourth question is, that amendment S3M-3014.2, in the name of John Swinney, which seeks to amend motion S3M-3014, in the name of Derek Brownlee, on local government finance, 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)
 Finnie, Ross (West of Scotland) (LD)
 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)
 Hume, Jim (South of Scotland) (LD)
 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)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 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)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 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)
 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)
 FitzPatrick, Joe (Dundee West) (SNP)
 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)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 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)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 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)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

The Presiding Officer: The result of the division is: For 60, Against 65, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The fifth question is, that motion S3M-3014, in the name of Derek Brownlee, on local government finance, 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)
 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)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)

Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 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)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 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)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 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)
 Finnie, Ross (West of Scotland) (LD)
 FitzPatrick, Joe (Dundee West) (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)
 Hume, Jim (South of Scotland) (LD)
 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)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 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)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 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 65, Against 60, Abstentions 0.

Motion agreed to.

That the Parliament notes the intention of the Scottish Government to introduce legislation to reform the system of local government taxation and calls on it to ensure that the scope of the Bill when introduced is sufficiently wide as to enable members to debate and vote on all options, including reform of the council tax, a land value tax, a local income tax with variable rates determined locally and the Scottish Government's own proposals.

The Presiding Officer: The sixth question is, that motion S3M-3011, in the name of Stewart Maxwell, on forced marriages, be agreed to.

Motion agreed to.

That the Parliament recognises the right of every person to choose whom to marry without fear of physical, emotional or psychological abuse; recognises that forced marriage is a violation of internationally recognised human rights and a form of violence against women and has no place in Scotland; makes a clear distinction between arranged marriages to which both parties have freely consented, and which are an established and accepted practice, and forced marriage; welcomes the Scottish Government's consultation that asks whether forced marriage civil legislation is required and provides an opportunity to consider what more can be done to help those affected in Scotland and to ensure our communities are safer, stronger and fairer places for all; acknowledges the work of the Forced Marriage Network in tackling this issue, and supports continued efforts to assist those affected, raise awareness of the impact of forced marriage and to end this terrible practice.

Young Drivers

The Deputy Presiding Officer (Trish Godman): The final item of business is a members' business debate on motion S3M-2650, in the name of Alison McInnes, on "Safe drivers are made, not born". The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the publication of the *Young drivers - where and when they are unsafe* report by the IAM motoring trust; notes with dismay the number of young people killed and seriously injured on Scotland's roads in the last five years, including nearly 100 people aged 17 to 25 in the Grampian area alone; further notes the 10 key recommendations of the IAM report, and believes that schools, young people, road agencies and local and national authorities should work together in order to introduce these measures and improve road safety for all our young drivers.

17:07

Alison McInnes (North East Scotland) (LD): I am pleased that my motion has been selected for debate this evening, and I thank all those who have already supported it.

Sadly, everyone in the chamber will know of constituents whose families have been devastated by the loss of a young person in a car accident. The number of young people who are killed or seriously injured on our roads is shocking. The stark accident statistics, of course, hide the real and lasting impact that such a loss has on family and friends.

The overall rates of accidents are coming down, with the number of road deaths in Britain below 3,000 in 2007, making our roads among the safest in the world. However, that success is overshadowed by the fact that young drivers are not getting any safer. Road crashes are the single biggest killer of 15 to 24-year-olds in industrial countries. In 2006, the Organisation for Economic Co-operation and Development concluded that

"the high crash fatality and injury rates of young, male novice drivers represent a major public health issue."

The research that was done by Jean Hopkin for the Institute of Advanced Motorists is comprehensive and makes a significant contribution to our knowledge of where and when young drivers are unsafe. She analysed almost 250,000 crashes in which people were killed or seriously injured between 2000 and 2006. Her work is published in the report "Safe drivers are made, not born", which contains practical recommendations for local authorities and Government to implement. There is a 10-point package of actions to make younger drivers safer, which includes practical and effective steps that

could be taken now to reduce the number of fatalities.

The debate is set against the background of Department for Transport proposals to make changes to the driving test. The consultation has closed and we expect to see the Westminster Government's proposals in the spring. We also await the publication of the Scottish Government's road safety strategy. The consultation on that closed in April, with a stated intention that the final document would be published in the autumn. However, we are still waiting for it. Perhaps in responding to the debate, the minister will advise us when that will be published.

I am sure that the Governments here and in Westminster are actively considering road safety, but we can afford to wait no longer. Recommendations in the Institute of Advanced Motorists action plan can be implemented now by the Scottish Government and I hope that there is cross-party agreement that that should happen.

For example, the institute suggests encouraging more understanding of driving in a wider range of road conditions in which novice drivers are most at risk, such as driving at night, in poor visibility and on rural roads. It suggests that we prepare learner drivers better for driving solo or with passengers by making them more aware of where and when they are likely to crash. The institute recommends integrating road safety education into the core school curriculum subjects so that young people develop a self-taught awareness of the risks and responsibilities of using roads as drivers, riders and passengers. It also recommends that we guide parents and carers to help children to become safer drivers through additional supervised driving practice in the family car.

I will focus on where young people are likely to crash; I am sure that other members will pick up on other recommendations in the report. The message that young drivers are at particular risk when driving on rural roads has come through loud and clear not only from the research but—sadly—from the coverage in my daily newspaper, *The Press and Journal*, which I commend for its campaigning stance on road safety. It has in the past convened a road safety summit and most recently offered a young driver of the year award.

The research found that young drivers

"tend to over-estimate their driving ability and under-estimate the demands of the driving task, driving too close to the point where they are likely to lose control of the vehicle".

I note that that trait is

"far less prevalent in young women drivers".

On rural roads, the most common accident to involve young males is a single-vehicle crash in

which the car leaves the road. More than a third of young drivers in killed or serious injury crashes skid or overturn. The research suggests that speed, judgment and poor vehicle control skills are particular issues. That is not surprising when we consider that most people learn to drive in towns and cities. Little, if any, time is spent on rural roads, yet we know that rural driving is some of the most demanding driving, especially when it is coupled with other hazards, such as bad weather or poor visibility.

In the light of those findings, we urgently need to direct our efforts to working with young male novice drivers to increase their understanding and experience of rural road driving. Of course, good examples of road safety initiatives exist throughout the country. In my region, Aberdeenshire Council supports the pass plus young drivers scheme by contributing a £45 grant, and a further £100 contribution to the cost is available from community safety groups. The uptake of those grants has been quite good.

Grampian Police runs its driving ambition scheme for sixth-year pupils in all Aberdeenshire schools and holds weekend events for those who leave school before sixth year. The community safety campaign safe drive stay alive is delivered throughout Grampian and reaches about 5,000 fifth-year pupils every year. Those events are open to college students and to any youngsters who leave school before fifth year.

I would like those local initiatives to be backed by a concerted and sustained national effort. I stress that I do not wish to demonise young drivers. I agree with Ms Hopkin's conclusion that

"While young drivers are a high risk group in themselves, most young drivers are not deliberately unsafe".

That is precisely why driver training and more driving practice before solo driving are really important. We let down our young people by not ensuring that they are equipped to deal with the demands of rural driving. Preparing our young people to be safer drivers must be our number 1 road safety priority. It would be a great investment. I would like the Government to work closely with schools, young people, their parents and carers, local authorities and driving instructors to develop a programme of continuing driver education. Passing the driving test should be just the start of a process, not the end. Safe drivers are made, not born.

17:14

Alasdair Morgan (South of Scotland) (SNP): I congratulate Alison McInnes on securing the debate. The topic is important to far too many families who are devastated by the loss of a loved one, as she said, and to those who are seriously

injured in such accidents, whose consequences might live with a family for ever.

As Alison McInnes said, the road safety statistics for young drivers are worsening—16 per cent more people in the 16-to-19 age group are killed now than were killed 15 years ago—despite a general increase in road safety. Road accidents and fatalities have gone down, and that has to be seen against a huge increase in vehicle journeys. In 1965, there were five fatalities per 100 million km; that is now down to one fatality per 100 million km. That is an immense improvement.

On reading the IAM report when it was published in the summer, I was reminded of learning to drive in the countryside in my youth. Again, the thought struck me that there but for the grace of God go I. The pattern of driving that is described in the report continues to be repeated, particularly by young people who drive on our rural roads.

It is important to remember not to demonise all young drivers, just as we must remember not to demonise all young people when we debate antisocial behaviour. Although we all notice the young person who drives noisily down the high street on a Friday night, we do not notice the young person who drives quietly down a side road on a Friday afternoon. We must remember that in debating the issue.

The IAM report shows the correlation between inexperience at any age and road accidents. It is not only young inexperienced drivers who cause accidents; there is the same problem with old inexperienced drivers. The research also shows that far too many drivers expect to learn about real driving, as they describe it, after they pass the test. Of course, some of them learn the hard way, and others learn it too late.

We have to do two things: reduce the level of inexperience at the time of taking the test and reduce the time that it takes to gain more experience after passing the test. One of the report's interesting recommendations is to do with the insurance companies. The idea that the premium on someone's insurance is increased when they seek to add their son or daughter to their policy while they are teaching them to drive, despite all the statistics showing that there is no increase in danger, is ludicrous. We should lobby the insurance industry on that.

As the report rightly says, more restrictions are not the way to go. There is evidence to show that the R-plate that is used in Northern Ireland, under which recently qualified drivers are restricted to 45 miles an hour, is largely flouted. We already have half a million unlicensed drivers in the United Kingdom and one in 20 drivers has no insurance. Thinking that we can successfully enforce further

restrictions is not the way to go. As I said, the emphasis should be on more training before taking the test and more skill acquiring after passing it.

Of course, we should try to get over the point—which we have not yet succeeded in doing—that, just as with school and university exams, the point of a driving test is not just to learn enough tricks to pass it; it is to become a good driver. That is another lesson that we need to get across to everyone who is involved in this important topic.

17:18

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I join others in congratulating Alison McInnes on getting this topic on to the agenda for a members' business debate.

During the first session of the Parliament, I became involved with some of my constituents in trying to promote post-test experience. As Alasdair Morgan has just said, post-test experience is vital. The insurance industry will reduce premiums if people complete a post-test learning programme. Indeed, Fife Council promoted such a system jointly with insurance companies.

We need to have a system whereby the Government works with local authorities to try to promote post-test additional experience, including in night driving, motorway driving and driving on rural roads. Those are the situations that are important for young drivers who have just passed the test, given that most single-car, run-off accidents involve young people. The systems are in place to do that, but they are not being promoted universally. That needs to happen.

No member has yet mentioned the green L-plate, which may be a useful thing to promote, albeit not as a measure of compulsion. I give cars that display red L-plates a slightly wider berth than normal, for my sake as well as that of the learner driver. Perhaps greater use of green L-plates should be promoted.

The United Kingdom Government is consulting on driving and alcohol levels. The matter is reserved but, nevertheless, in his discussions with our colleagues in the UK Government, the minister could promote the adoption of a system whereby drivers who are under 21 have to have a zero alcohol level. There is an evidential base for measures to tackle the combination of alcohol and inexperience in driving, unlike some of the other proposals for under-21s that the Parliament has rejected. It is recognised that people under 21 are less tolerant of alcohol. In light of that clear evidence and the fact that young people have less experience of driving, we need to support the large majority of youngsters who are much better than my generation at not drinking and driving at all.

Another issue is that young people tend to purchase and drive older cars, with much lower national car assessment programme scores. That is not good, but there is little that we can do about it.

My final point relates to the Scottish driving assessment service at the south-east mobility and rehabilitation technology services centre at the Astley Ainslie hospital. As a doctor, I used that service extensively for patients who were suffering from an illness that might affect their driving. The majority of people whom we referred were older people. We were trying to establish whether their impairment was such that they could no longer drive, and the centre provided them with a good assessment and support. However, there are two peaks in referrals—one for people between 16 and 25, and another for much older people. People aged 16 to 25 who have a sensory or other impairment that requires them to be assessed properly before they start driving are an important group. Currently, the waiting time for assessments is six months, as the centre is underfunded. I encourage the minister to undertake in his response to talk to the health ministers about ensuring that the service, which is promoted by both the national health service and the Scottish Government's transport directorate and is essential to the safety of patients and the public, is properly funded, to allow assessments to take place in a timely fashion.

17:22

Alex Johnstone (North East Scotland) (Con): I thank Alison McInnes for bringing the IAM report to the attention of Parliament and for securing today's debate.

I have a degree of experience of the problems that are associated with young and inexperienced drivers. I come from an extremely rural area—the kind of area where everyone seeks to get a driving licence as soon as they are 17, so that they may become mobile in a way that they were not previously. I had that experience, which was repeated by members of my family when they reached the required age. Because I live on a farm, and my son was the person in his peer group with a tractor, he got the job of bringing back wreckage from the roadside—he had a shed behind which he could hide it. Thankfully, none of his friends was killed or seriously injured in any of the accidents, but the experience made clear to me how many accidents involving young and inexperienced drivers take place. It also gave me strong opinions on the matter. Although I agree with most of what has been said already, I hope to make one or two additional points.

The first relates to young girls who, as newly qualified drivers, may be less enthusiastic and

slightly more timid than others. Friends of my daughter have told me that they have experienced intimidation on the roads. People who should know better victimise inexperienced drivers who are more timid in nature and cause them difficulty. We should not be prepared to put up with that.

It appears that we have a particular problem in the north-east. I may be wrong, but I read the north-east papers which, as we heard earlier, always contain reports of deaths and injuries associated with young and inexperienced drivers. Many accidents are caused by the frustration that arises on roads where slow-moving traffic is a problem, as difficulty in overtaking can provoke people into taking action that they should not take. I welcome the news that there will be further investment in some single-carriageway roads in the north-east—I hope that that will deliver a change.

I was not going to mention alcohol, but I heard it mentioned in an earlier speech, and I agree that we should reduce the limit for everyone. I know that there are difficulties with measuring consumption and securing a prosecution because it is necessary to have a line in the sand over which we can prove that the person has stepped, but the technology that is now available to us makes it possible to enforce a much lower limit than we have at present. We should move towards doing that.

I do not want to discourage young people from driving. I want them to take driving seriously. One problem that we have is that it is difficult to work out who is likely to be vastly overconfident and take their new driving licence, jump into a car and go off and do something stupid. It is an almost impossible task to select those people, because they are in fact the best drivers who go through the instruction and testing process. They are the most likely to pass their driving test at the first attempt—and then they go off and become involved in a serious accident.

We must do more in schools. It is my personal view and not my party's, but I have suggested that the right thing to do is not to increase to 18 the age at which someone can hold a licence but to permit 16 and 17-year-olds to drive while accompanied and under instruction. In that way, we can guarantee that they have a year of instruction before they pass their test. In addition, most pupils in Scotland would spend that year at school, and we could use the opportunity that schools provide to teach them proper road manners and ensure that they understand the risks. We could also perhaps identify the one or two individuals who might go out and do something stupid.

17:26

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I, too, congratulate Alison McInnes on bringing this important matter to the chamber for debate. It is interesting to note that half of the MSPs who are in the chamber this evening represent Aberdeenshire, where we have a real problem with accidents on rural roads. I know that from personal experience.

The Institute of Advanced Motorists report is excellent; it is comprehensive and well balanced, and it points out ways in which to address the problem of serious crashes on our rural roads, particularly in Aberdeenshire. I will highlight three or four of its recommendations.

I appreciate the tone that members have taken in the debate—measured and positive, just like the report. We recognise that the majority of young people have the right attitude to driving and that banning them from driving at night or carrying passengers would be unfair to them and would not influence the irresponsible minority.

I agree with Alasdair Morgan that we should be talking not about more restrictions on individuals but about training and enhancing people's experience. That is what the report recommends. It states that we need to introduce a

“greater focus on rural road driving”,

which is

“the greatest risk that new drivers face”.

It also states that we need to

“Persuade the insurance industry to set realistic family car premiums”.

I am glad that the IAM mentions new drivers, because our focus should be not young drivers but new and inexperienced drivers.

Alex Johnstone talked about teaching young people in schools. The report states that we should

“Teach in core school curriculum subjects the risks young people will face as drivers, riders and passengers”.

I agree. Rather than increase the age at which people can drive, we should consider lowering it so that people get a year of experience and tuition. I think that that is a good suggestion, but I have a problem with the recommendation that we

“Target police enforcement to find and take off the roads the reckless minority of young, mainly male, drivers”—

I would prefer it to say “the reckless minority of drivers.” There are enough of them, frankly. We see them all the time, never mind on a Friday night. Racing drivers disrupt people in villages and communities throughout Aberdeenshire, and the police could and should target them to take them off the road.

On the basis of personal experience, I take issue with something Richard Simpson said. He proposed a zero alcohol rule for under-21s. As Alex Johnstone said, we should forget about age; if we are to have such a rule, it should be applied across the board.

I have two sons, aged 18 and 21. As we live in a very rural area, three and a half miles from the nearest bus stop, they need access to vehicles. Both took the driving test when they were 17, one in the very rural Deeside community of Ballater, the other in the city of Aberdeen. I heard on the grapevine that taking the driving test in rural Ballater is not really the same as taking the test in Aberdeen, but I would far rather that they had both taken the test in Ballater, given that they drive on those roads all the time. Knowing how to drive in the city can come with experience.

Fortunately, my boys are not among the 23 per cent of people who, in their first year of driving, crash their car. That has nothing to do with age; it is about inexperience. In that respect, the IAM report contains many good points: this is not about restricting driving but about education and ensuring that drivers have more experience before we let them on to the road. My plea is that we focus not on all young drivers but on irresponsible drivers.

17:31

Nanette Milne (North East Scotland) (Con): I, too, congratulate Alison McInnes on securing this debate on an extremely important issue.

In my time as a north-east MSP, I have discovered that road accidents are a major problem in the area. Sadly, the north-east has the unwanted reputation of having some of the most dangerous stretches of road not only in Scotland but in Europe, although I point out that accidents are usually caused not by the roads but by inexperienced drivers not driving according to road conditions.

I am sorry to say that, since the end of October, when Alison McInnes lodged her motion, we have seen the tragic death of two more young men on the A947. This latest accident brings to 23 the toll of people killed since 2003 in road accidents within an eight-mile radius of Turriff. That figure is quite unacceptable, and I am sure that everyone in the chamber will want to extend their sincere condolences to the families of Edward Stalker and Derek Dawson.

What can we do? How can we change driving habits to address the unacceptable loss of young lives on our roads? I welcome the publication of the IAM's "Young drivers—where and when they are unsafe" report and support many of its proposals for improving road safety for all our young drivers.

I also fully endorse Alison McInnes's call for schools, young people, road agencies and local and national authorities to work together. As she said, that work is already under way in Grampian. I praise the efforts of partners such as Grampian Police, which, along with the fire and rescue service and other services in the area, has already developed programmes to engage actively with our young people in schools and colleges in the north-east.

Anyone who has been involved with the safe drive stay alive project that Alison McInnes referred to cannot have failed to be moved by its content and impact. I clearly remember the physical impact on the teenage audience of a very hard-hitting and explicit presentation on the effects of serious road traffic accidents on victims, those who cause accidents and the families who are left to cope with the resultant disabilities or the loss of their loved ones. The expressions on the faces of the pupils as they left the Beach Ballroom, only to be faced with the mangled wreck of a car involved in a fatal accident, showed that the message had got home. Perhaps that presentation should be made more widely available to get the message across to a wider spread of young drivers.

The Government needs to act to improve safety on roads in the north-east and I am pleased that ministers are taking the matter very seriously. Anyone who has driven on the A96 or the A947 will be aware of the long stretches of straight road that can lull drivers into a false sense of security and encourage excessive speed. We must pursue all means of making drivers aware of the risks by, for example, introducing warning signs and non-skid road surfaces.

Scottish Conservatives have long advocated the establishment by the Scottish Government of a special accident black spot fund to target the most dangerous stretches of our roads and junctions with safety improvements. Sadly, the previous Executive rejected the idea, although I point out that the model has worked successfully in other European countries and ensures that road safety does not drop down the list of spending priorities.

A number of policies are worthy of support, including the Scottish Government's new road safety campaign, which seeks to extend the pass plus scheme to support Scotland's young drivers. There are many others, as we have heard today. In a letter that he sent me this week, the First Minister pointed out that the Scottish Government is developing a 10-year road safety strategy for Scotland, which will be published early next year. I look forward to seeing the detail of that, because I understand that it will focus on measures to improve the safety of young drivers.

I hope that when the minister responds to the debate he will consider the potential of our black

spot fund proposal and the promotion and development of a route accident reduction plan for Scotland's national trunk road network.

This evening's debate has given us the opportunity to recognise the importance of the work that is needed to improve road safety for all our young drivers. The tragic loss of so many young lives on Scotland's roads is a major issue and addressing it has to be a high priority for the Parliament and the Government.

17:35

Robin Harper (Lothians) (Green): I congratulate Alison McInnes on securing the debate. I count myself as an honorary north-east driver, given that my experience of the north-east stretches back 50 years. The little roads around Aberdeen are not by any stretch of the imagination suitable for high-speed driving.

I spent my honeymoon on Jersey, where speed limits are as low as 15mph on the most dangerous roads. Above all, what young drivers need to be taught is patience and consideration for others. That culture on the roads needs to be encouraged. The motor car should be seen as an instrument to get safely from A to B. That is what the car is for; it is not for racing. Of course, it is not going to be terribly easy to develop that culture in the face of programmes such as "Top Gear", on which one sees people drooling over cars with 3, 4, 5 or 6 litre engines and which deliberately encourages a culture in which the car—

Mike Rumbles: Robin Harper has hit on an important issue. There is a 60mph speed limit on many roads in rural Aberdeenshire but many youngsters have said to me, "Wait a minute—the speed limit's 60mph, so I can drive at 60mph." We need something that tells people that the fact that the speed limit is 60mph does not necessarily mean that they should drive at 60mph.

Robin Harper: Indeed. Mike Rumbles has made one of the points that I was going to make. If one just clips another car while both are travelling at 60mph on a tight rural road, there is a combined collision speed of 120mph. Nobody would drive a car at anything like that speed.

I remember when the 50mph speed limit was introduced in 1975—I think it was in 1975, during the oil crisis.

Alasdair Morgan: It was 1974.

Robin Harper: I drove down to London that year and took exactly the same time as I had taken the previous year, when I drove the 400 miles at the full speed limit of 60mph or 70mph whenever I could. Instead of being absolutely tired out, I was relaxed and I had an evening out. Driving faster, particularly on rural roads—given all the braking

and accelerating that we have to do—is bad for the car, bad for one's heart and it does not get us to our destination much quicker than does driving sedately at 50mph.

Another thing that I have noticed is the amount of tailgating on rural roads. Alex Johnstone talked about drivers intimidating other drivers by doing that, which is most unhelpful. He also made a good point about allowing 16-year-olds to drive with their parents accompanying them, which would mean that they had a whole year of someone instilling in them the culture of driving carefully. Once people are over 25, they begin to calm down behind the wheel anyway, although I have noticed that some people's characters change completely when they get behind the wheel of a car; they call all sorts of things down on every other driver on the road and believe that they are the only sensible person there.

Dr Richard Simpson knows that it is very difficult to get a level of absolute zero alcohol in the blood. If we reduced the maximum level to 5mg or 10mg, that would probably be sensible in discouraging people from drinking at all before they drive. As has been pointed out many times, there is no safe level.

I thank Alison McInnes very much for securing the debate.

17:40

The Minister for Community Safety (Fergus Ewing): I am very pleased to have the opportunity to discuss this extremely important issue, and I thank Alison McInnes for lodging the motion, which has enabled us to do just that.

Young driver safety is a huge concern for us all and for the Scottish Government. It is a major concern for the great many people in Scotland who have seen young people die on our roads. One in four drivers or riders who were killed or seriously injured on our roads in 2007 was aged between 17 and 25. One in five new drivers is likely to be involved in an accident within one year of passing their test.

The recently published Scottish road accident statistics show that, in general, casualty numbers in Scotland are moving in the right direction, as I think Alasdair Morgan suggested, with 45 per cent fewer deaths and serious injuries in 2007 than there were in the mid-1990s. However, every road death is one too many, especially for the families involved. I am sure that we all know many families who have lost children or young adults in such circumstances. We are all determined to do everything that a Government and its agencies can do to prevent such tragedies.

I welcome the information and advice that has been provided in the report from the Institute of Advanced Motorists, which I read earlier this year. The Scottish Government is developing a 10-year road safety strategy, which will be published early next year. To respond directly to Alison McInnes, it was not published earlier because the consultation did not successfully elicit the views of young drivers. Those views are at the core of the issue, so we wanted to ensure that we got some analysis data about young people's opinions. We therefore felt it important to convene focus groups to gain better insight and understanding, which could be used to set actions for our strategy. The report on the focus group discussions will be published on 12 December.

Neil Greig, the head of the IAM Motoring Trust, sits on the panel of experts that was set up by Stewart Stevenson to advise on measures that can be expected to be most effective in improving road safety in Scotland over the next 10 years. Earlier this year, we consulted the public and stakeholders and sought views on what our strategy should cover. More than half the responses highlighted young drivers as the key road safety issue.

Members have made a number of useful and wide-ranging speeches. Alasdair Morgan pointed out that more regulation or laws will not necessarily reduce the number of fatalities, and that many existing laws—on driving without a licence, for example—are breached by a huge number of people. It is right that the whole power of the law should be brought down heavily on people who commit such serious road offences.

Dr Richard Simpson made a large number of useful points, for example about the value of post-test experience, green L-plates and alcohol levels. He advocated a zero-limit approach. I should make it clear that the Scottish Government is concerned about the matter, and we welcome the contributions of the British Medical Association and the Association of Chief Police Officers in Scotland on it. Lowering the limit and the introduction of random breath testing are options that should certainly be considered.

Mike Rumbles: Does the minister accept that the problem with having a zero-limit approach concerns next-day driving? It is absolutely right to say that people should not drive if they have been drinking but, as Robin Harper mentioned, there is an issue around retention of alcohol in the bloodstream.

Fergus Ewing: Mike Rumbles raises a serious issue. The Scottish Government has advocated a reduction in the limit, but we have not advocated a zero approach. We think that a reduction would be appropriate, given that the law has not been reviewed for many decades.

Richard Simpson alluded to the problem of what happens when one loses the faculty of sight as time goes on. It is not very gallant of me to mention my mother at this point—I will be in trouble—but I recall that she took an unusual approach to road safety when she last bought a car. It was a sprightly sports car. She pursued the unusual road safety mechanism of having it blessed by the monks of Pluscarden, near Milnord where she lived. I suspect that that may not necessarily become Government policy.

Scottish Government research—"Rural Road Safety: Drivers and Driving"—will be published on 12 December, along with the report on young people's views as they were reported to focus groups. The study on rural road safety, which has been highlighted by many members—including Alex Johnstone and Nanette Milne, to name two—found that more than a quarter of drivers aged between 17 and 24 reported having had a near miss while driving on a rural road within the last twelve months. Many members have acknowledged that as new drivers ourselves we were perhaps not safe to be on the road—we did not have the experience and we lacked confidence. That was certainly my view.

The Scottish Government responded earlier in the year to a consultation by the Driving Standards Agency on changes to the driver training and testing regime. Our response urged that consideration be given to the incorporation of the pass plus scheme into the training and testing regime. Nanette Milne referred to that. We advocate that step and agree with the argument that she adduced. At the same time, we strongly believe that the training of future young drivers starts many years before they can apply for a provisional licence. Education should be provided at all stages, from pre-school right through secondary school.

Road Safety Scotland's crash magnets resource for senior pupils aims to encourage responsible attitudes to driving before young people get behind the wheel. Its publicity campaigns aim to raise awareness among young people of their vulnerability on the roads—they are not immortal, they are not invisible and they are perhaps not always worldly wise. Patience is a virtue that they should learn from Robin Harper.

A great deal of good work is being done. The innovative campaign that used the Xbox gaming system has just won a Prince Michael of Kent award for innovation and excellence in road safety. Such initiatives are making a significant contribution and we are developing the approach. The Scottish Qualifications Authority is working to develop a pre-driver award that focuses on safe and responsible road use. The award will be available at eight centres in Scotland in January

2009 and there will be a more general roll-out in 2010.

The role of parents should not be overlooked. A guide for parents is available. It covers the development of attitudes that influence later driving behaviour, the driving test, the value of professional tuition, further training for new drivers, and further experience, particularly of different and more challenging road conditions, such as night driving on motorways, for new drivers. These are just a few of the initiatives that have been put in place.

I pay tribute to the work that many of our emergency services workers—in particular police and firefighters—do in their education role. I also express my personal concern about the toll that it must take on our emergency service workers to attend fatalities week in, week out and to have to deal with the carnage at the scene and with the survivors. That must be a demanding and difficult task.

The debate has been very useful. We are indebted to Alison McInnes for introducing a debate of the utmost gravity, relevance and importance to our nation. Collectively—as a Parliament and as a nation—we cannot and will not tolerate the waste of young lives on our roads. The devastation that it causes is immeasurable, so we are determined to work with our partners across government and in the private sector to try our best to prevent these terrible tragedies.

Meeting closed at 17:49.

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