

MEETING OF THE PARLIAMENT

Thursday 8 January 2009

Session 3

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Scottish Parliament

Thursday 8 January 2009

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

Homecoming Scotland 2009

The Presiding Officer (Alex Fergusson): The first item of business is a debate on motion S3M-3173, in the name of Jim Mather, on homecoming and its potential to support sustainable economic growth. I remind all members that Presiding Officers will no longer give a one-minute warning before the end of members' speeches. We are tight for time, so I ask members to stick strictly to the allocated time, or I will move on to the next speaker.

09:15

The Minister for Enterprise, Energy and Tourism (Jim Mather): I welcome everyone to this important debate. This is an exceptional year for Scotland. There are only 16 days until the official launch of the homecoming celebrations, which are timely in these challenging times. The programme is ready to run and we have wind in our sails. Even currency weakness is a strength as far as the year of homecoming is concerned.

If we did not have the idea of homecoming on the stocks—it has been planned for some time, as members will know—we would need to invent it to boost the economy, and the tourism economy in particular. Its necessity is further endorsed by the reaction of our Northern Irish and Welsh neighbours, who wish that they had come up with the idea, and by the positive approach that we have had from VisitBritain which, to its credit, is promoting homecoming 2009 as a major reason to visit the United Kingdom and Scotland.

We are inviting the diaspora and affinity Scots throughout the world to celebrate our shared heritage by joining us this year for one of the biggest family reunions that the world has ever seen. It is an open invitation: people all over the world can declare themselves to be family members, and we are inviting everyone who has either an ancestral or an affinity link with Scotland to come this year and celebrate who we are, what we have done and what we can do together in practical thematic terms. We will celebrate the heritage of Burns—for which the 250th anniversary of his birth is the trigger—as well as golf, whisky, innovation, the enlightenment and our cultural heritage, with major iconic signature events such as the gathering, whisky month and Celtic Connections.

There is already phenomenal engagement from the diaspora and affinity Scots throughout the world. All party leaders were involved in the launch on 18 December and every local authority is engaged. There is substantial private sector support from companies such as Walkers Shortbread, the makers of Famous Grouse, Scottish and Southern Energy and Clydesdale Bank, with many more to be announced, and from our universities and communities. They are all united in the worthy goal of making homecoming 2009 a huge success and a source of long-term benefit for Scotland.

The priority for us, and for everyone in Scotland who has yet to engage with homecoming, is to get involved by telling friends and relatives abroad about what is happening this year; reconnecting with our own roots and with family at home and abroad; reconnecting with and revisiting the multitude of great places and great venues throughout Scotland; inviting friends and relatives back; visiting our own home towns; and helping to activate the increasingly connected network of Scotland's Scots, the Scots diaspora and the vast army of affinity Scots throughout the world. That latter community is pretty much limitless.

Homecoming and the high-priced euro are two good reasons for Scots to stay at home for a holiday this year and to get value and memorable enjoyment from being at home in Scotland in 2009. More than 300 events are taking place throughout Scotland, and EventScotland is working with every local authority in Scotland to deliver inspirational events across the country. That fits well with our legacy strategy of growing tourism revenues by 50 per cent by 2015, in spite of the challenging times.

The Government is providing a core budget of £5 million for events and promotion. That is seed funding, but others are piling in, including local authorities, private companies, Scottish Natural Heritage, Historic Scotland and the National Trust for Scotland. VisitScotland is managing its budget this year with a homecoming 2009 theme.

The evidence shows that the marketing is working. A recent article from *The Scotsman* said:

"the Homecoming idea has suddenly become a brilliant marketing tool that could save the Scottish tourism industry in the coming year and beyond."

Just this week in *The Scotsman*, Mike Cantlay, who is convener of Loch Lomond and the Trossachs National Park Authority and an entrepreneur with businesses in Canada, said that his Toronto customer base is beginning to align itself with the idea. It is clear that the key audiences—the low-hanging fruit—for homecoming are the UK, the United States of America, Canada, Australia, New Zealand,

Germany and Ireland, but the scope goes beyond that to cover 40 countries.

The momentum is with us. There are now 9,000 direct links to the homecoming website from other sites, and every 35 seconds another North American will have registered on the website—the rate is increasing; it was every 38 seconds yesterday. Seventy-five per cent of those who are registering are interested or very interested in coming back to Scotland as a result of homecoming 2009.

Patrick Harvie (Glasgow) (Green): I note that the Minister for Enterprise, Energy and Tourism places great emphasis on the number of North Americans who are registering interest in homecoming. When I asked him at the briefing for the launch of homecoming whether any attempt had been made to assess the number of local as opposed to international tourists and the greenhouse gas emissions that would be associated with the increased tourism from homecoming, he told me that that had not been done. Why not?

Jim Mather: We are seeking to ensure that any flights that come from the United States are full. In difficult times, we think that homecoming will play best to that market. Beyond that, we are cracking on with the “Caledonia” advert: 60 per cent of the Scottish population have seen it, and 66 per cent are aware of the year of homecoming.

Jack McConnell (Motherwell and Wishaw) (Lab): Will the member take an intervention?

Jim Mather: I am pressed for time and keen to ensure that I move the motion.

The I am a Scot campaign is reaching 95 million people across the world through the website cometoscotland.com. Around 6,000 of the 8,000 passports for the gathering have already been sold, and momentum around our signature events is beginning to build in corporate Scotland.

In the current climate, homecoming is an ideal boost that is giving us a big push forward to ensure that tourism does well. The strengthening dollar and euro already bode well for Scotland. Our target return is an 8:1 ratio, so we expect to generate an extra £40 million from homecoming. We have the chance to capture the data and build on exceeding customer expectations so that we have more advocates and more people who are willing to come back, stay for longer, spend more and become repeat customers of Scotland.

That is all firmly in place. In addition, the Scottish homecoming cup, the next round of which takes place on Saturday, will promote the event and give us further coverage in the media.

Homecoming is a great event, which has real momentum, and everything augurs well for it to

have a great long-term legacy. I commend the fantastic homecoming programme, and I welcome the cross-party support for it.

I move,

That the Parliament supports Scotland's first ever homecoming celebration; recognises that the spectacular calendar of events and activities taking place this year from the weekend around Burns Night to St Andrew's Day will make for a unique year for all those joining the celebrations, including the people living in Scotland, the diaspora Scots and those with an affinity for Scotland who visit in 2009, and further recognises the potential for Homecoming Scotland 2009 to boost international and domestic tourism in support of the Scottish economy at this time.

09:22

Lewis Macdonald (Aberdeen Central) (Lab): In such tough economic times, it is, as the minister said, important to play to our strengths and to respond to opportunities. Homecoming 2009 offers opportunities to play to Scotland's strengths, and its timing has proved to be fortuitous in the current economic context. It is a long time since a boost to economic activity was quite so urgently needed.

Homecoming has the potential to play to some of our greatest strengths. It has a global reach among those whose families emigrated in centuries past, and a vast potential new market in the friends and relatives overseas of the people who have come to live and work here in more recent years. Rabbie Burns personifies the internationalism of Scotland, so to commemorate him while promoting Scotland as a destination worldwide is the kind of smart move of which he would no doubt have approved.

The issue for debate today is not whether homecoming is a good idea for 2009 but whether it is being promoted effectively, how significant a role it can play in sustaining the Scottish economy, and what more can be done to secure the best possible outcomes this year and to ensure a significant legacy. The wider picture of Scottish Government support for Scottish tourism is not entirely positive. Government investment in the sector is due to fall in real terms by 4.8 per cent in the next financial year and by 2.8 per cent in the financial year after that.

The response of ministers to last year's Economy, Energy and Tourism Committee report on achieving 50 per cent growth in tourism revenues was distinctly mixed; in some areas it is not yet clear what their final response will be. Labour's amendment highlights one concern that the committee raised regarding the withdrawal of adult apprenticeships in the tourism and hospitality sectors. I hope that the minister will go further on those today and guarantee that the apprenticeships will be available again in the

future. It is not enough to say that training needs to be worth while and to reflect the needs of employers; it must also meet the needs of trainees and of the sectors as a whole.

Our amendment also highlights our concerns about Scottish Government support for the Scots language and cultural institutions. It is not acceptable on the 250th anniversary of Burns's birth that the Scottish Language Dictionaries should be obliged to issue redundancy notices because of uncertainty about future Government funding. Ministers could end that uncertainty and they would save a lot of anxiety for all concerned by doing so now rather than in three months. Those are two examples of areas in which Scottish ministers could take early steps to demonstrate their commitment to tourism and homecoming 2009, but they are not the only ones.

Perhaps the biggest question mark is over the funding of homecoming. As VisitScotland has conceded, £5 million to support the homecoming calendar of events is a "pretty modest" contribution. It is not the scale of funding that might be expected if homecoming were being given its full potential weight. On one level, it was good to see homecoming highlighted as one of the SNP Government's six points in response to the imminent risk of recession. Sadly, however, as with most of the other points, its inclusion in the economic recovery plan is not accompanied by significant additional resources.

I listened with interest last night when Alex Salmond told the BBC that he hoped to see £40 million in additional tourism revenues as a result of homecoming 2009. That aspiration needs to be seen in the context of other outcomes to which Scottish ministers are already signed up. In context, £40 million might turn out to be a "pretty modest" ambition.

The tourism sector and the previous devolved Scottish Government agreed a common target of a 50 per cent increase in Scotland's tourism revenues between 2005 and 2015. Scottish National Party ministers have endorsed that target. Achieving the target would require annual growth over 10 years in the region of 4 per cent, or £160 million. Therefore, the question is whether the First Minister's £40 million target is in addition to the existing targets for increasing revenues annually or whether it stands alone. If it is additional, a total of £200 million in additional visitor revenues is required, and that is a challenging aspiration.

All parties in the Parliament want homecoming to succeed. Almost all of us want it to attract international as well as domestic visitors. What we ask of ministers today is clarity about the objective criteria for success and how success will be measured. Is the aspiration this year for increased

revenues of £200 million, of which £40 million will be an identifiable consequence of homecoming? If so, how will that contribution be measured? Alternatively, is the aspiration only to grow revenues by £40 million net, in which case, how will Scotland's longer-term targets be achieved?

Clear answers to those questions and a positive approach to other issues raised by Labour and other parties today will enable homecoming 2009 to progress with the broad support that it needs. I hope that the minister will respond accordingly. Like Burns himself, homecoming is too big and too important to be the property of any one party in Scotland today.

I move amendment S3M-3173.1, to leave out from first "recognises" to end and insert:

"welcomes and supports the calendar of events and activities taking place this year from the weekend around Burns Night to St Andrew's Day; recognises that this will make for a unique year for all those joining the celebrations, including the people living in Scotland, the diaspora Scots and those with an affinity for Scotland who visit in 2009, and calls on Scottish ministers to maximise the potential for Homecoming Scotland 2009 to boost international and domestic tourism in support of the Scottish economy by restoring full access to apprenticeships in the tourism and hospitality industries, bringing an end to uncertainty around future funding of Scots language and arts organisations and detailing how they will measure the contribution of Homecoming Scotland 2009 to supporting sustainable economic growth in the course of this year and beyond."

The Presiding Officer: Thank you, Mr Macdonald. I am sorry that there was a technical fault with the clock, but you were dead on time.

09:28

Gavin Brown (Lothians) (Con): I confess to being slightly more optimistic and upbeat than Mr Macdonald about homecoming, which I know, because I checked the website, is due to start in almost exactly 15 days, 14 hours and 30 minutes.

Homecoming is a hugely exciting initiative, which the Scottish Conservative party will support in its entirety. There are 101 official events and, almost as exciting, there are many unofficial events. I had a brief conversation yesterday with the Rev Sam Torrens, whose church in Edinburgh has arranged a completely unofficial event to which a group of parishioners from Maryland will come to try to find their roots in Edinburgh. If there are 101 official events, goodness knows how many unofficial ones will take place the length and breadth of Scotland over the year.

There are some new and exciting events. The gathering is one of the showpieces of the year; it will take place within a stone's throw of this building. From an economic point of view, I highlight the Forbes chief executive officers

conference at which chief executives from across the world will come to look at Scotland.

Homecoming is a hugely exciting initiative that has the potential to have an economic impact. Although 2009 will be a tough year, we have at least the possibility of bringing more tourists to Scotland to spend more money here because of the unique selling point of homecoming. It is critical that that happens, because 218,000 people in Scotland rely on tourism for their income and livelihood.

The main issue on which I will focus today is the subject of the Conservative amendment. The diaspora has enormous long-term potential. Homecoming 2009 is a big prize, but a far bigger prize will be won if Scotland can reconnect with the 25 million or so people of Scottish descent around the world. If we can connect properly and engage with them in the longer term, it will be excellent news for Scotland, good news for our economy and even better news for our tourism trade. It is important that homecoming is seen not just as a series of events but as a process of re-engaging far better and deeper over time with the 25 million or so people of the diaspora around the world. Homecoming cannot be just a one-off; it would be a great pity if it were.

We have heard the minister speak about what the Government is trying to do; I would be grateful for a bit more detail about how it intends to capture details about people who are coming here or who are interested in coming here. For many years, one of the weaknesses in the system—I include all Governments of all stripes going back 20 or 30 years in this criticism—has been that the level of detail that we capture about our tourists is not anywhere near as good as it could be. We could have far better information that could help our marketing efforts in the future. We need to know people's contact details and what their connection is with Scotland. Are there connections with particular parts of Scotland that we ought to know about? Are such people considering coming back and, if so, why? If they are not going to come back, why not? Do they know anybody else who might be interested? Who are the 25 per cent of people who registered on the homecoming website but are not interested in coming to Scotland? Why are they not interested? How do we get more of the 25 million people of the diaspora to come to Scotland over a long period?

We will support the Liberal Democrat amendment but not the Labour amendment at decision time. The world is watching and we have to look at the bigger picture. I move amendment S3M-3173.2, to insert at end:

“; recognises that ensuring a lasting economic legacy will depend on capturing information on those who visit during the Year of Homecoming with a view to creating a

substantial marketing database for engaging with the diaspora Scots going forward; further recognises that individual tourism providers will be the engines of economic growth generated as a result of the Homecoming, and urges the Scottish Government to ensure that the industry be fully engaged throughout.”

09:32

Iain Smith (North East Fife) (LD): I am pleased to make an opening speech in this homecoming 2009 debate on behalf of the Scottish Liberal Democrats, as it gives me an opportunity to put on record our thanks to our former colleague Donald Gorrie. It was Donald who first floated the idea of having a year of homecoming to encourage Scotland's vast and far-spread diaspora to come home to celebrate its roots. His idea was to give a boost to Scotland's economy, not just as a one-off tourism fix but as a way of encouraging many to “haste ye back” and, indeed, some to return home for good, to help to boost Scotland's population and to provide new skills, talent and enterprise for the long-term benefit of our economy and society.

Donald Gorrie's idea was developed by the Scottish Liberal Democrats and found its way into our manifesto for the 2003 Scottish Parliament elections and from there into the 2003 partnership agreement between the Liberal Democrats and Labour. The partnership agreement said:

“we will ... use the celebration in 2009 of the 250th anniversary of Burns' birth as one means to encourage Scots worldwide to return to Scotland.”

I am pleased that when the SNP took over the Government, it took forward the work that was already under way to develop homecoming 2009.

I was happy to be one of the Scottish Parliament's representatives to Scotland week in the USA and Canada last April. I took every opportunity to promote homecoming, as I have done on other occasions when meeting overseas visitors. I am happy to support and promote events such as the St Andrews festival in my constituency in November, which will be a key part of the St Andrew's day celebrations that form the finale to homecoming 2009.

I am not going to get into the debate about whether or not the calendar of events is spectacular. What is important is not the hyperbole that we adopt in the chamber but how we all work together to ensure that homecoming is a success. Homecoming must be more than a branding exercise and more than just doing what we would be doing anyway but calling it a homecoming event.

The Government has identified

“intensifying our activity and support for Homecoming 2009”

as one of the six points in its economic recovery plan. However, it remains unclear just exactly what that means. The budget allocated to VisitScotland by the SNP Government for promoting homecoming is less than the budget set by the previous Administration for promoting the year of Highland culture in 2007. Will the Government increase the budget available to VisitScotland to promote homecoming at home and abroad? We have all seen the homecoming advert, but many rightly asked why it was planned to show it only in Scotland. We are here already; we do not need to come home.

Perversely, the economic crisis presents Scotland with a massive opportunity, as the minister hinted earlier. The exchange rate, particularly against the US dollar and the euro, makes Scotland an even better value-for-money destination for both home and overseas visitors. It makes travelling abroad on holiday more expensive for Scots—and indeed for the English, Northern Irish and Welsh. Home tourism accounts for 85 per cent of all tourism business. There are great opportunities to promote the vast range of activities that Scotland has to tempt home tourists to holiday in Scotland this year.

Scotland has become a more affordable destination for many tourists from our key overseas markets, such as Ireland, Germany, France, Spain and, of course, the USA and Canada. What is the Government doing—whether it is through VisitScotland, other agencies such as Scottish Development International or British embassies—to build on those opportunities and to promote Scotland as the value-for-money destination of choice for 2009?

It is important that we continue to provide a high-quality tourism product and to improve the quality of that product. There is a serious danger that the credit crisis will result in many tourism businesses cutting back on investment and training, which will have an adverse impact on the quality of the product that they can offer. Perhaps the minister could explain what steps the Government is taking to support tourism businesses with investment and training during these difficult times.

We all want homecoming to be a success, but the Government needs to be clearer about what it is doing to promote that success, what its targets are and how they will be measured. That is why we will be supporting the Labour amendment this afternoon, and it is why I move amendment S3M-3173.4, to insert at end:

“and calls on the Scottish Government to bring forward details of its plans to promote Homecoming in Scotland, the United Kingdom and abroad in order to achieve maximum economic benefit from the celebrations.”

The Presiding Officer: We come now to the open debate. I ask for speeches of a tight four minutes.

09:36

Rob Gibson (Highlands and Islands) (SNP):

The homecoming debate is an opportunity for us to unite around the theme that Scotland is a great place to come to and that we have something to sell around the world. We have already managed to contact many people. About 60 per cent of the Scottish population have seen the “Caledonia” advert, 70,000 have viewed it on YouTube and 100,000 will see it on Ulster TV. Through public service broadcasting networks and the Discovery Channel and the History Channel, there is an audience of 100 million in America. The adverts are being seen around the world. I am glad that a multi-ethnic approach has been taken, and we in the Parliament should welcome that. The “Bollywood Steps” dance spectacle, the Jamaican Burns night at Celtic Connections and the Scottish tides-Polish spring event in Perth all show the outward-looking nature of the campaign.

Bearing in mind our involvement in music and our contacts through the love of music, we should recognise the excellent remarks that have been made by the Hebridean Celtic festival, for example, which asks people to send e-cards around the world, not just to advertise that festival but to remind everyone that it is part of the year of homecoming. Following the experience of Highland 2007, festivals such as Blas are already attracting visitors from Switzerland, Denmark, Germany, Éire, Australia and France, as well as performers from other countries. Keith Bruce wrote about the subject in *The Herald*. In the past, he had been a sceptic about winter festivals and so on, but he was delighted to comment on the outward-looking nature of the various events, in particular Celtic Connections.

We should not measure the benefits of homecoming Scotland only in bed nights and tourist dollars. However, we have an opportunity to set in place a year that we can measure at the end more clearly than was the case with the parameters that were set for the Highland festival of 2007. The report on that festival said that it was one of the most ambitious and complex cultural projects ever staged in the UK. Homecoming is more so. We should learn lessons from Highland 2007 and from the reports that were written about it so as to tighten up how we spend the money that is available for homecoming.

I am pleased to recognise that it is good for Scots to go and see other parts of their country, and I would be interested to hear other members' views on that. I note that Labour assumes that Rabbie would be supporting its amendment at 5

o'clock this evening. I will be glad to go to Ayrshire and to visit Rozelle house and see the paintings of the late Sandy Goudie, including his cycle of paintings inspired by "Tam o' Shanter". It would be interesting to hear what members representing other areas will do to get out a little more to other parts of Scotland.

I suggest that we should look more widely to attract people here. I know that Russian Hour television is filming a series about Scots who had a huge influence in Russia. Lermontov the poet is very famous there, and the geologist Sir Roderick Murchison, from my own area, is celebrated with a statue in Perm—there is a new word for the Parliament. It is in front of school number 9 in Perm, in case members are wondering. That sort of thing allows us to realise that there is a large amount of affinity around the country.

I am delighted that we are able to unite around the saltire in this campaign, and I will be delighted to see some other people using the saltire, doing more than just advertising our country. I am particularly pleased that VisitBritain has told us that it is getting right behind what we are trying to do here. This is an ideal context for—

The Presiding Officer: I am afraid that I must move on. I am sorry, Mr Gibson.

09:40

Margaret Curran (Glasgow Baillieston) (Lab):

This is a welcome debate for a welcome initiative. Of course I would say that: as Iain Smith pointed out, the homecoming was devised and directed under—Iain will forgive me—the previous Labour-led Administration. I take this opportunity to pay tribute to the work done by Jack McConnell, who is with us in the chamber today. As First Minister, he was deeply committed to the homecoming project, which he drove very effectively. I am sure that we would be interested to hear Mr McConnell's views on how it is being developed now.

We agree on the fundamental point that homecoming 2009 is a great concept and a fantastic opportunity. This morning's debate gives us the opportunity to examine the potential of homecoming for Scotland. We must also take the opportunity to feed back to the Government on what we think should be done and on how it is managing the process.

The potential of homecoming was always understood, but it takes on special significance in the context of the shift in global economic circumstances, particularly those that we are experiencing in Scotland. We must strive that little bit extra to squeeze all that we can out of the year.

Homecoming is essentially about promotion, connection and celebration. In Scotland, we have much to celebrate in what we are currently doing and in our heritage. I am sure that, at the 250th anniversary of Burns's birth, we will speak a great deal about his contribution to Scottish artistic and intellectual life. We must look beyond that, however, at the other examples of artistic endeavour and intellectual achievement that have made Scotland so proud over the years and centuries, alongside our great traditions of innovation and enterprise. I am sure that many members will talk about sport and whisky as we go through the homecoming year.

We Scots take great pride in our ability to connect and to be welcomed across the world. We have a reservoir of family and friends with a true bond to Scotland. They will forgive us if we try to make something of that this year and to maximise their potential for us. The whole debate around tourism and the economic results of homecoming will come centre stage, given the present economic climate.

I hope that the Government will pay attention to the serious points that Labour has made about how we capture that potential. We make them in the spirit of trying to make homecoming work, and I hope that they will be treated in that way. I think of myself as quite a generous person. I do not know Jim Mather terribly well, and I am willing to give him the benefit of the doubt, but there are one or two questions about how homecoming has been managed so far. I make a plea to him to recognise that there are certain things that he must get a grip of if we are truly to have confidence in homecoming and to maximise its potential.

The SNP Government has said that homecoming is the third point in its economic recovery plan. That clearly signals to the Parliament and to Scotland that the Government sees it as being of huge significance and that it is not just a welcome event and something to which the Government is deeply committed but something of true significance across all that the Government does. It is therefore legitimate for us to say that we are disappointed by and have concerns about the budget that the SNP is committing to homecoming—I am referring not just to the homecoming budget but to the cuts in the tourism budget, which Lewis Macdonald mentioned. It does not surprise me that the Tories will not support us on the matter of apprenticeships. It is not their strongest point. There is a serious issue to be addressed in that regard.

Points have also been made about the traditional arts in Scotland, and there are many other aspects that we need to prioritise. One of the

greatest disappointments, which I will come on to now in the last few seconds of my speech, was the furore about the advert. It was necessary to superimpose—

The Presiding Officer: I am sorry, Ms Curran. I said that I would have to move on after four minutes.

09:45

Roseanna Cunningham (Perth) (SNP): This is an uncontroversial debate that is not party political, although when Labour members talk about the approach that they are taking I sometimes want to reach for the nit comb. Of course the idea of homecoming predates the current Government. We owe a huge debt of gratitude to Donald Gorrie and Jack McConnell, who initiated the enterprise that the Government is enthusiastically taking forward.

The massive and catastrophic change in our economic circumstances could not have been foreseen when homecoming was dreamed up. We started by fearing that folk would not come to Scotland because they could not afford a holiday, but now, out of the blue, we can see a silver lining to the cloud that is the collapse of sterling. However drastic sterling's collapse is, in some areas it brings opportunities, because this year it will be cheap for people to come here on holiday and we will be a destination of choice. VisitBritain has recognised that and will use homecoming Scotland as a big part of its international campaigning. I predict that the rest of the United Kingdom will try to entice some of our visitors to London or Cardiff before or after their visit to Scotland.

"Caledonia", the song that was used in the homecoming advertisement, has long been a favourite of mine, because it is about homesickness. I have listened to and loved it for many years, because I lived abroad for many years and absolutely understand—at every level—the pull of homesickness. People who have not lived outside Scotland for a long time will never be able to understand how strong that sense of homesickness can be. The advert will be incredibly useful, and I am glad that it is getting wider coverage and currency and that more and more people will see it during the year.

It is important to emphasise that we are not just targeting expats. I am looking forward to the Scottish tides-Polish spring events that will take place in Perth from February to April, which reminds us that Scotland has new homecomers. We can invite all the Poles who have worked here and then gone home because their economy is stronger to come back for a holiday, bringing with

them the parents and families to whom they used to write and send money.

In the run-up to Christmas, I took the opportunity to write to all the Perths around the world, and I have had responses from Tasmania and New York state. I am glad that people are coming to Scotland. I encourage members to write to the mayors of towns that have the same name as their local towns.

Big industrial and corporate buy-in is down the line, and I predict that there will be more such buy-in as the year goes on. I wish that I had had my idea for a pilgrim way a couple of years ago—if I had done so, perhaps we could have launched the route this year. Individual members can take action.

I say to the critics, "Get over yourselves. Stop sneering. Stop taking a snobby metropolitan approach." Homecoming offers enormous incentives, and there will be a problem only if people turn their mouths down instead of up.

09:48

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): Like all members, I wholeheartedly support national and international initiatives that support our tourism industry, and I want to ensure that businesses throughout Scotland get as much benefit as possible during homecoming year.

I represent not only Burns's birthplace in Alloway but Mauchline, where he lived for years, so members will not be surprised by my enthusiasm for celebrating the Burns legacy through a wide-ranging programme of events. I congratulate the community organisations that are working hard to make those events a success. Homecoming year in Ayrshire will begin on 23 January with the Burns wha hae event—a weekend of performance, theatre and live music. The renowned guitarist Martin Taylor will return to what was his home area for a number of years, where he left a legacy of community involvement in bringing music to young people. Thanks to the efforts of the Mauchline Burns club, we will enjoy the hugely successful holy fair and a traditional ploughing match at Mossgiel. In north Carrick, events will build on last year's successful street fair in Maybole, which marked the event at which Rabbie's parents met.

The events will be a success in their own right, and it is fair to acknowledge that they have received funding and support from the Scottish Government and councils. However, opportunities have been missed, and there has been no coherent approach to supporting tourism and local businesses and sustaining the arts, which is disappointing. The First Minister might urge

businesses to accept the euro, but visitors to Alloway will find it nearly impossible to spend a penny, because South Ayrshire Council has closed the public toilets opposite the Burns heritage centre. Theatre goers will enjoy the performance on Burns night of “I, Robert Burns” at the Gaiety theatre in Ayr, but that might be the last time that they can do so, because the theatre is to be closed as a result of council cuts.

When Rob Gibson comes to Alloway to see the Goudie collection at Rozelle, he will also see a brand new primary school, which was commissioned under the previous Administration. He might share local residents’ dismay at the poor state of the local roads, and if he goes up the road he will find that Belleisle park is run down and the pets corner for kids has been slashed as a result of council cuts.

The people who gather for this year’s open golf championship at Turnberry might be astonished to find that the Maybole bypass and improved rail transport to Girvan were not higher on the Government’s agenda.

Many people in the arts community will find it hard to reconcile the Government’s warm words about supporting Scottish culture with the cuts and uncertain future that Scots language and traditional music organisations and projects are facing. A secure future for such projects would surely be a great legacy for 2009.

If we are serious about building investment, I hope that the Scottish Government will consider the campaign that the Scottish Federation of Housing Associations launched today. The SFHA is aiming to secure a real legacy for Scotland by campaigning for a house building programme, which would also bring benefits to the construction industry.

I want homecoming year to be a success. I want our local economy to benefit and I want our culture and heritage to be celebrated. Of course, I also want an Ayrshire team to win the homecoming Scottish cup, but I will say no more about that in advance of Saturday’s game between Ayr United and Kilmarnock.

09:52

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I take this opportunity to thank the minister for the useful assistance that he gave the Commonwealth Parliamentary Association on interaction with Canada.

There is no doubt that in Canada there is huge enthusiasm for homecoming. My third cousin once removed—I think that that is right—Ted Gunn and his French-Canadian wife Louise, who live in Québec, are coming to Caithness this year. They

are not coming for an official homecoming event, but their decision to come reflects the enthusiasm that is out there. As Roseanna Cunningham said, individual members can take action, perhaps by encouraging their relations to come to Scotland. Genealogy has not been mentioned, but it is hugely important. Every Canadian and American Scot would love to know more about where they come from. We can do more to develop and use records in Scotland.

It is important that we market different facets of Scotland. In the context of the marketing of the far north of Scotland—my constituency—I remind members that a fortnight on Tuesday an exhibition of photographs by Mike McCartney, the brother of Sir Paul McCartney, entitled “Mike McCartney’s North Highlands”, will be launched in the garden lobby of the Scottish Parliament. I hope that as many members as possible will come. The exhibition is not part of official homecoming marketing, but it will lead to a publication, which will be around for years to come and will form part of the bedrock for future initiatives. It is to the credit of the Caithness and north Sutherland regeneration partnership that it has taken the initiative as far as it has done. High-quality art and photography will help Scotland in the year of homecoming.

I spent Christmas in Northern Ireland and I saw with my own eyes that a flood of people came from the Republic of Ireland after Christmas to spend money. As members said, the strength of the euro and dollar against the pound represents a golden opportunity. It is an opportunity to support not just the tourism businesses in my constituency and all over Scotland, but those businesses that are affected by tourism even if they are not directly associated with it, such as—dare I mention it—the Scottish food industry. I will not go into dairy products, as that would not be appropriate without me declaring an interest. [*Interruption.*] I hear Rob Gibson say, “Thank heavens for that.” It behoves ministers and their officials to investigate how the money that will be taken can be spread as widely as possible to the benefit of other businesses.

This year also presents an opportunity in that many satisfied tourists will come back to re-experience a happy experience. If we can pull it off this year, that will act as a bedrock for future years when, we hope, the situation for Scotland and the UK will be far brighter.

It is hugely important that we do not miss the opportunity that the homecoming gives us. We can argue about budgets and what the targets should be but, from my perspective, what is most important is that the Scottish Government ensures that for the homecoming each part of Scotland plays to its strengths. I mentioned that my cousin Ted Gunn and his wife will come over, which is to

do with a clan in the far north of Scotland. By coming to Caithness and spending their money there, they will make a difference to the local economy, which must be good news.

I return to the Mike McCartney exhibition. I have already used the expression and I will use it again: if we can demonstrate the beauties and attractions of Scotland not just on a one-off basis for this year but on a more permanent basis, that will act as a bedrock for the future. Making the maximum effort at this stage will pay dividends in the future.

I have finished 10 seconds early.

The Presiding Officer: We are very grateful for that.

09:56

Willie Coffey (Kilmarnock and Loudoun) (SNP): It is a pleasure to speak in the debate on what will be an important year for Scotland. Homecoming 2009 will not only promote our country and all that it has to offer but bring Robert Burns to an international audience, many of whom will make his acquaintance for the first time.

As members have said, the events are many and varied and will be a perfect showcase for the beauty of our country and the talents of our people. There will be music, dance, singing, theatre, golf, clan gatherings, arts and crafts and family events, and, of course, the homecoming Scottish cup, which Cathy Jamieson mentioned. I am quite happy to nail my colours to the mast and say, "Killie for the cup!"

From scenes like these old Scotia's grandeur springs,
That makes her lov'd at home, rever'd abroad.

The homecoming will offer something for everyone at home in Scotland and, we hope, will provide a wonderful experience for millions of visitors.

The current poor economic climate in the UK brings an opportunity to attract more visitors to Scotland, particularly from the euro countries and the United States. Nearly 2 million visitors from the European Union nations came to Scotland in 2007, the highest number of which—300,000—came from Ireland. What a wonderful gesture of friendship and fraternity it would be—it would also make sound business sense—if Scotland's shops, hotels, pubs and visitor attractions welcomed those visitors with open arms and accepted their euros directly. That would no doubt be welcomed, too, by the many other tourists who come into the euro zone from further afield, who might opt to visit Scotland for a homecoming event.

Exciting times lie ahead, and many people are making a huge effort to make the year of the homecoming a great success but, as usual, there are some gloom merchants who have to have their say. I cannot let pass without comment an article

by Ross Lydall in yesterday's *Scotsman*, in which he attacked my home town of Kilmarnock and the efforts that are being made to revive it, which include making the new Robert Burns centre the centrepiece of a restored Kay park. Mr Lydall saw the remnants—and, we hope, the beginning of the end—of the neglect of many years, but he missed the enthusiasm and the determined efforts that are being made to turn things around. Although Kilmarnock may not have the riches and trappings of civic London, it has a richness and generosity of spirit that will endure such criticism. Shame on Mr Lydall for writing about us so negatively.

A year long festival of events will no doubt spring a few surprises along the way. By St Andrew's day, we will have a good indication of whether the homecoming has been a success and will be able to assess whether the momentum can be maintained to deliver the sustainable economic growth that we all seek.

The legacy of the homecoming year should be judged not just from the point of view of the economic benefits that it brings to Scotland, important as those are, but in the context of the opportunity that it provides to celebrate and share our culture with our many friends throughout the world. When was the last time anyone had a party and invited the whole world?

The homecoming is a glowing testament to the talent and power of Robert Burns, who, like Scotland, was loved at home and revered abroad. The American and French revolutions occurred in his lifetime, in 1776 and 1789 respectively. The compulsion to write about and interpret world events as he saw them, often at great personal risk, was too strong. Burns might have left us at the tragically young age of 37, but his legacy of work on themes such as love, liberty, humanity, compassion, social justice and equality is relevant to us today. Man's inhumanity to man may well feature in the next debate.

The homecoming will be with us shortly, so let us who are fortunate to be members of the Scottish Parliament open our arms and welcome our friends, old and new. Let the celebrations begin.

10:00

Elaine Murray (Dumfries) (Lab): My colleague Cathy Jamieson represents the birthplace of Robert Burns, but the bard's life ended in Dumfries, in my constituency. He and Jean Armour took over the tenancy of Ellisland farm, which is just north of Dumfries, in June 1788. He moved into Dumfries town in 1791 while he was working as an excise man and died there on 21 July 1796. He lived in Dumfriesshire for some eight years, which were extraordinarily productive,

despite tragedy and his increasing ill health. Some of his best known works, including “Auld Lang Syne”, “Tam o’ Shanter”, “Ae Fond Kiss”, “The Slave’s Lament”, “Scots, wha hae”, “A Parcel of Rogues in a Nation”, “My Love is like a Red, Red Rose”, and “A Man’s a Man for a’ that” were published during that period. The celebration of Robert Burns’s life and the year of homecoming have a particular relevance for Dumfries and Galloway, as they do for Ayrshire.

The organisers of the year of homecoming events in Dumfries and Galloway have been extremely productive. The programme of events on the homecoming website runs to 58 pages. The events are varied and sometimes ingenious in their interpretation of homecoming. They include Burns suppers, lectures, exhibitions, poetry recitations, summer schools and, at Michael’s church, where Burns is buried, the unveiling of a commemorative stained glass window and a wreath-laying event. Dumfries will host a mid-winter festival on 25 January, which will involve a procession of lanterns, a ceilidh and a fire show at the River Nith—I hope that the weather holds up for that.

It is a little-known fact that the bicycle was invented by Kirkpatrick Macmillan in Dumfries in 1839, and in May the bike will come home to Scotland, as Dumfries hosts the world mountain bike conference. The first holding of the conference outside Canada will provide an opportunity to showcase the seven stanes mountain bike trail in Ae forest to an international audience.

The Border gathering takes place at the end of July. Every year, the event attracts people from the USA whose ancestors hailed from the Scottish Borders to visit and to discover more about their family history. This year, the Border gathering will link in to the clan gathering at Holyrood park.

Migrating wildlife is not forgotten. As part of the year of homecoming, the Wigtown Bay visitor centre in the Presiding Officer’s constituency is promoting the observation of overwintering geese and the return of the Galloway ospreys from Africa. It is hoped that this year, some of the chicks that were born in Galloway will return there to nest.

There will be a multitude of events in venues across Dumfries and Galloway for locals and visitors to enjoy throughout 2009. I wish the organisers and promoters, who have put in so much work to ensure that those events happen, every success. However, I have concerns. I hope that visitors will arrive in Dumfries in their droves to see where Robert Burns wrote so many of his finest works. I know that they will enjoy the culture, the produce, the countryside and the hospitality of the region but, sadly, I doubt that they will be at all

impressed by the state of Dumfries town centre and of the high street in particular, which is full of empty shops, overgrown gutters and buildings that are in need of a facelift. Dumfries and Galloway Council has talked a great deal about town centre regeneration for many years, and some of the responsibility for the failure to act lies at its door, but the Scottish National Party Government has also failed to take the issue seriously. In his summing-up speech in last June’s debate on the small business rates relief scheme, Mr Mather said:

“The regeneration of town centres is now pretty much a given, and that will have an enormous effect.”—[*Official Report*, 11 June 2008; c 9561.]

I am sorry, but the situation has deteriorated. We now need direct intervention and investment in the infrastructure of our towns.

We all support the year of homecoming, but it and Robert Burns alone cannot save the Scottish economy. The Government needs to come forward with a programme of investment for the future of the Scottish economy beyond the end of 2009.

The Deputy Presiding Officer (Trish Godman): We now move to the wind-up speeches. I call Liam McArthur, who has four minutes.

10:05

Liam McArthur (Orkney) (LD): This has been an interesting debate, which has been truncated to allow time for more pressing issues to be considered. Nevertheless, the debate has demonstrated the collective political will to make the year of homecoming a success.

Iain Smith reminded members of the role played by our Liberal Democrat colleague Donald Gorrie in floating the idea of homecoming. Roseanna Cunningham acknowledged that and rightly set out the role that all of us as individuals have in making the year of homecoming a success. Of course, the original vision for the homecoming went beyond that of providing an economic stimulus. Willie Coffey and Rob Gibson correctly pointed out the cultural and multi-ethnic dimensions of the year of homecoming events. However, by playing to our strengths, homecoming potentially has an important role to play as we enter difficult and uncertain economic times.

Contributions from throughout the chamber reflected on the amendments and made the point that, if the year of homecoming is to be more than a one-off shot in the arm for Scotland’s tourism industry, the Scottish Government and its agencies must act to ensure effective promotion of the homecoming in Scotland, the UK and key overseas markets; ensure that our skills base is in

the best possible shape to provide the range and quality of experiences that will have participants in this year's homecoming returning year after year; and ensure that we can effectively measure the impact of the year of homecoming and follow up the contacts that are made during it.

Gavin Brown will not be surprised to hear me express caution about the creation of a mega-database of personal details, although I appreciate his point. Mr Brown and, indeed, Jamie Stone are right to point out the role that businesses, particularly small and medium-sized enterprises and those in some of the remotest parts of the country, will play in making the homecoming a success and, I hope, helping to sustain and grow their local economies.

In the limited time available to me, I simply echo the call of Iain Smith, Lewis Macdonald and others for the minister to set out clearly and precisely how the Government intends to intensify activity and support for the year of homecoming, not least in the light of modest budget allocations or, indeed, cuts. What specific steps are being taken, for example, in light of changes in the relative strengths of the pound, euro and dollar to capitalise on the situation through targeting both domestic and overseas visitors? Action is also needed on skills. Everyone accepts that Scotland is never likely to be at the cheap end of the spectrum for tourists, but it can quite legitimately lay claim to the quality end. However, that requires greater focus on and investment in skills. The minister must spell out what action he is taking to support improvements in that area.

I have developed a healthy scepticism about information that emerges from St Andrews house. I was surprised but not astonished, therefore, when I perused my initial copy of the map of events for the year of homecoming 2009. While a sizeable number of the events are not new, that is not to say that they will not be spectacular. I was a little disappointed to note that the internationally renowned St Magnus festival in my own constituency had not made it into the programme. Perhaps the minister in winding up can explain the criteria and process for including pre-existing events. However, I was shocked to see that Orkney was set to host the brass in the park event, though not as shocked as people in the Borders. That appeared to come at a cost, however, as the Orkney science festival had somehow been relocated to Harris. The Western Isles also seemed destined to host the creative connections Shetland event in August, though any disappointment my colleague Tavish Scott and his constituents might have felt was surely tempered by the suggestion by the EventScotland map that Lerwick was set to play host to the Edinburgh arts festival. Thankfully, those errors have been

corrected on websites and in the formal homecoming brochure.

The programme of events provides a solid basis for a successful homecoming on the 250th anniversary of Burns's birth. However, I hope that the minister will take on board the calls for action from throughout the chamber to ensure that the homecoming does, indeed, leave a long-lasting legacy.

10:08

Jamie McGrigor (Highlands and Islands)

(Con): The economic crisis that we face means that the year of the homecoming has an importance now that few could have envisaged when plans for 2009 were first put in place. However, like my colleague Gavin Brown, I am optimistic and upbeat about it.

Presiding Officer,

"Let me tell you that I love you and I think about you all the time."

Those are famous words from a famous song that are spoken, not sung, by Sir Sean Connery—007—possibly the most famous man in the world, in a good VisitScotland advertisement that should have stirred and shaken the emotions of women all over the world and sent them rushing to Scotland for a chance to see Sir Sean's knees during the year of homecoming. However, it was surely ironic that the ad was shown in Scotland and not elsewhere. In response to a written question from me, the Minister for Energy, Enterprise and Tourism told me:

"the advert is not being played on television or in cinemas beyond Scotland at this stage."—[*Official Report, Written Answers*, 18 December 2008; S3W-18519.]

I am therefore glad that the First Minister was able to boast only four days later about his delight that the advert would be seen after all by many millions of Americans, Canadians and others, as it would be screened on a number of key North American television channels, including PBS, CNBC, the History Channel and the Discovery Channel. I hope that my written question helped that outcome. However, none of my American friends to whom I have spoken recently has yet seen the advert. I therefore ask the minister which channels are showing it and at what times.

Michael Fry has certainly been publicising the homecoming. He said that Burns was an alcoholic, racist misogynist. I am sure that Michael Fry was being public spirited and that he simply wants to publicise the year of homecoming through this controversy. I really admire Burns, who, like so many other Scottish heroes, was active during the Scottish enlightenment, which led the world between 1740 and 1800. In 1760, Voltaire said:

"To see real civilisation you must now go to Edinburgh."

I believe that everyone should read the excellent book "The Scottish Enlightenment" by the Jewish New York professor, Arthur Herman, a man without a drop of Scottish blood in his veins, who simply says that the Scots invented the modern world. There were Scots like Robert Adam, the greatest ever British architect, who designed the White House; David Hume, the philosopher; John McAdam; George Stephenson; Thomas Telford—if only we had him today to build us a new Forth road bridge; John Witherspoon, who founded Princeton University, the greatest university of the English speaking world, which was based on the University of Edinburgh; Andrew Carnegie, the steel magnate who gave the world 1,000 libraries; and great inventors like Alexander Bell and James Watt.

We should never forget that the River Clyde in its heyday built one fifth of the world's shipping tonnage and that Paisley was the largest cotton manufacturer in the world. We should remember, too, that the American constitution was written by a Scot, typeset by another Scot and printed by Scots because they were the best—Audubon's "Birds of America", the most valuable book ever printed, was printed in Edinburgh. Last but not least, of course, is the hero Adam Smith, the great Conservative and founder of modern economic theory.

However, the mythical, romantic heart of Scotland that is longed for by the diaspora is in the Highlands. I will highlight some of the varied events that visitors can look forward to, including the westering home to Islay weekends; the roots and boughs, summer in the straths events that are being organised by the communities of the Mackay country; and the clan Ross gathering. World-famous events such as the Connect music festival at Inveraray and the Hebridean Celtic festival will also be very important in 2009.

I must also advertise the family history centre in the National Archives of Scotland on Princes Street, which is a wonderful facility in a beautifully restored Georgian building that contains the very latest information technology. Anyone can go in there to trace their roots. I pay tribute to George Mackenzie, the keeper of the records of Scotland for initiating—

The Deputy Presiding Officer: You should be finishing now, Mr McGrigor.

Jamie McGrigor: Is that the end? Thank you, Presiding Officer.

The Deputy Presiding Officer: I now call John Park, who has five minutes.

10:13

John Park (Mid Scotland and Fife) (Lab): I am not quite sure how to follow that.

We have had a shorter debate on the year of homecoming than we had hoped for, but I have genuinely enjoyed it. The speech that we just had from Jamie McGrigor and those from Jamie Stone, Rob Gibson and Elaine Murray helped me to broaden my horizons. I have learned quite a lot during the debate that I did not know at the beginning of it.

I assure Gavin Brown that we in the Labour Party all welcome the year of homecoming and are enthusiastic about it. However, we want to point out that such a significant event must be properly supported. I am sure that he will agree with that. This is not about flag waving but about playing to Scotland's strengths. As my colleague Lewis Macdonald said, it is about Scotland's ability to take longer-term advantage of the many people who will visit our shores this year. Let us be clear that the homecoming is very important and that it needs meaningful support.

We have genuine concerns about standards of employment in Scotland; we had a members' business debate last night on the *Evening Times* and *The Herald* in that respect. The number of adult apprenticeships has been cut in the tourism and hospitality sector, which is an area of the economy that could be taking up the slack as other areas of employment contract in the coming year. However, for now, we have lost a key Government intervention that we believe is vital to the delivery of truly sustainable economic development. No one will disagree that there have been concerns about standards of employment in the tourism sector over a number of years. Opportunities for employees to develop are all but disappearing, which will do nothing to help standards of employment. One of the legacies of the year of homecoming that I would like to see is a pulling-up of employment standards in the tourism and hospitality sector. I hope that the minister has had some time to engage on that issue with business organisations, such as the Confederation of British Industry, the Scottish Chambers of Commerce and the Federation of Small Businesses, and with the Scottish Trades Union Congress. Perhaps he will say in his summing-up speech what discussions he has had with those organisations.

As Jim Mather and many others mentioned, the value of sterling and a variety of factors mean that, in plain economic terms, Scotland will be an attractive place to visit this year. With people feeling concerned about the economy, they will be more likely to stay in Scotland. The pound's falling strength against the euro and the dollar mean that going abroad will be a less attractive option for

many Scots. However, we should not use fluctuations in currency as a central plank of our homecoming strategy or of our tourism strategy, just as we cannot use the blunt measure of how many people visit Scotland this year to gauge the success of the year of homecoming.

For those reasons, we will support the Conservative and Liberal amendments, which raise a number of pertinent points about the importance of how we measure the success of the year. We need to capture the information so that our tourism sector can respond effectively. If homecoming 2009 is to play a part in helping the sector to achieve its target of 50 per cent growth by 2015, such information will be important not just to tourism but to Government in determining the type and level of support that it gives to the sector in future. I hope that the minister can respond to that point when he sums up.

Iain Smith was right to say that the homecoming concept was designed in a different economic climate. Because of the challenging economic circumstances, the readiness of business to engage will have changed. I hear what the minister said about the support that is being given by the wider business community, but perhaps he will say a little bit more about how the Government intends to engage with the business community over the coming year to ensure that that support is sustained for the duration of the year and beyond.

I echo Margaret Curran's comments about the role played by Jack McConnell and ministers in the previous Executive in initiating the year of homecoming. I also echo Liam McArthur's comments about the role played by Donald Gorrie.

Cathy Jamieson highlighted what homecoming will mean for community groups not just in her constituency but across the country. I do not share her hope that an Ayrshire team will win the homecoming cup; as a representative for Mid Scotland and Fife, I have several teams that I could pick from. However, I must be careful, so I will not pick one out.

I believe that many Scots and visitors will welcome and support today's debate and the events that will be taking place all over the country, but the real legacy for our tourism sector and for businesses, communities and other areas will come not from those events but from the Government's policy decisions to support homecoming. That is why we will support the motion and all the amendments. We believe that the debate complements homecoming and the idea of where we want to go in the future.

I look forward to supporting events across the country as an individual. Many members have said that they will urge their friends, families and colleagues to do the same. I look forward to

playing my part in homecoming over the coming year.

10:18

Jim Mather: As John Park said, much that is fresh has been said in the debate. It has been very good to hear the diverse, cross-party paternity and maternity rights to homecoming being strongly established. We are a small nation, but we have a big history and a strong legacy.

A key component that has come through in the debate is homecoming's start-up act, which is the Robert Burns legacy. Unlike Michael Fry, I see our national poet as a true patriot, a true romantic and a cultural giant. I stand full square behind Cathy Jamieson and Willie Coffey on that point. Burns is the trigger for the 2009 year of homecoming, which, as Gavin Brown said, is now imminent. The year will kick off with the launch of the world famous Burns supper in Alloway, to which all party leaders have been invited. International focus will be provided by Nicola Sturgeon and Michael Russell in Brussels—they will be running a Burns supper there—as well as by the Lord Advocate in London, by Kenny MacAskill in Canada and by the First Minister in Washington. Some 1,700 Burns suppers will take place worldwide, moving the year forward. We will be able to celebrate Scotland's unique contribution globally and commemorate where we are and where we are going.

On intensifying that activity, I will talk first about the advert, which will be shown in the States during Burns week. PBS will run a version of the advert based on the Connery contribution; BBC America will run the full advert; the Discovery Channel in North America will also run the full advert; and Google TV will run the advert in the USA. In March, the advert will have another week-long burst in Scotland and other parts of the UK. On Saturday of this week, Jenni Falconer will do the voice-over on an advert that will be broadcast at all homecoming Scottish cup ties.

On top of that, an evocative home of golf video will be subtitled in Mandarin and shown on Chinese state TV, thanks to the good work of Madam Tan here in Edinburgh.

Jamie McGrigor: I am glad to hear that homecoming will be properly advertised. However, has the minister taken into account the fact that people make their holiday plans now? Is homecoming being publicised enough abroad at the moment?

Jim Mather: As I said earlier, our websites are effective. The come to Scotland website is registering a new contact every 35 seconds—some 100,000 contacts had been registered by November. We intend to have another burst of advertising on the website this month. We have

9,000 corporate links. All of that is beginning to work very well indeed.

Jack McConnell: Will the minister take an intervention on that point?

Jim Mather: I am really short of time, as I have two minutes remaining in which to get my points across. However, I will take an intervention.

Jack McConnell: I am delighted that the Government has added further advertising to the campaign, following my intervention last month. However, I want to ask about another issue that I raised with the First Minister last summer.

The promotion of homecoming appears to be concentrated on the Commonwealth, North America and some European countries. It seems to me that the vision for homecoming should have at least some regard to the fact that the world's big new tourism markets will be China, India and elsewhere. Over the past few months, have additional events and activities been added to the programme to take account of that priority?

Jim Mather: I thank the member for that lengthy intervention. If he had listened to what I said, he would have got the point that the home of golf video has been translated into Mandarin. We are also pressing the issue in 40 other countries.

As John Park suggested, we are specifically linking with business communities to ensure that we continue the intensification. We have a new point-of-entry campaign in all our airports. Each displays the homecoming theme along with key local strands. We are developing that flavour going forward.

To ensure that we secure a legacy from homecoming, we are measuring the data with the largest ever database, with links to 2.4 million Scots affinity organisations. We are taking specific measurement measures to ensure that we have things measured to the n^{th} extent going forward. We are looking to have conversion studies on the effectiveness of the programmes as well as event organisation outcome reports. Omnibus surveys will be run throughout the country over the year to ensure that as many as possible in Scotland are aware of what is happening and to try to get beyond the 66 per cent awareness figure.

Next June, as Gavin Brown mentioned, Steve Forbes will bring global business leaders here for their annual European CEO forum. That gets to the nub of the issue, because the key message of homecoming is that Scotland is open for business. We have the hospitality, the skills, the culture, the expertise, the warmth and the innovation. We also have a hearty and very healthy obsession with ensuring that our visitors and inward investors find coming to Scotland a thoroughly rewarding experience.

Gaza (Humanitarian Disaster)

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S3M-3179, in the name of Nicola Sturgeon, on the humanitarian disaster in Gaza.

10:24

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): First, let me take the opportunity to thank all parties for their support and co-operation in securing today's very important debate.

The scenes of devastation that we have witnessed in Gaza during the past 12 days have been truly horrifying. Concern is widespread, and is felt by Scots throughout the country, regardless of faith, colour or creed. The Scottish Government has already added its voice to calls for an immediate and complete cease-fire, and I hope that Parliament will do likewise today.

The Scottish Government strongly condemns attacks on civilians, whether Israeli or Palestinian. Like every other reasonable person, I believe that Israel has a right to defend its citizens from rocket attacks. However, it also has a duty to act reasonably, proportionately and within the obligations imposed on it by international law.

So far, the current offensive on Gaza has killed more than 600 Palestinians, more than half of whom were women and children, and injured more than 3,000 people. A couple of days ago, the conflict took a horrifying twist when a United Nations school that was sheltering children and their families was struck by Israeli mortars, killing 40 people. Such acts have rightly been condemned worldwide, as has the continued firing of rockets by Hamas militants. All sides involved must understand that the continuing violence is shattering any glimmer of hope for a long-term solution and lasting peace in the region.

Of course, today's debate is not primarily about the political situation in the middle east, on which each of us will have our own views. For my part, I believe strongly in the right of Palestinians to self-determination; I also believe that peace in the middle east demands a two-state solution, with a secure Israel and an independent and viable Palestinian homeland.

Today's debate is about the humanitarian crisis that is gripping Gaza. No one can fail to be affected by the images of children, women and the elderly suffering in the most horrific conditions imaginable. The humanitarian crisis has intensified in the past 12 days but its roots extend much further back. For the past 18 months, there has been a complete blockade of the Gaza strip,

during which there has been no exporting or importing of any goods to or from Gaza. Basic essentials such as medicines, bread, rice and clean water have been in very short supply. That has obviously had a devastating effect on the lives of ordinary people in Gaza and crippled what was already a very fragile economy.

Approximately 85 per cent of the Gazan population is dependent on UN food aid, which, according to the UN relief and works agency in the region, has almost run out. Unemployment is severe, with more than 60 per cent of the population without any meaningful employment. Even before the current assault, Gaza's hospitals and health clinics were completely overrun and severely lacking in basic medical supplies.

I am aware that Sandra White, Pauline McNeill and Hugh O'Donnell recently braved a 13-hour boat ride across the Mediterranean to Gaza. They will no doubt speak about the appalling conditions that they witnessed.

Throughout the past 12 days charities and non-governmental organisations from across the world have been pulling together to help the people of Gaza. Scottish aid agencies have also played a significant role. I was delighted to speak at Islamic Relief's emergency fundraising event last weekend, along with Pauline McNeill. The strength of feeling that emanated from people who wanted to do whatever they could to help the people of Gaza was tangible, and a total of £160,000 was raised, which will go towards incubators and other medical supplies for the people of Gaza.

In addition to Islamic Relief, other aid agencies are working on the ground in Gaza, with people risking their lives every day to try to bring much-needed help and relief to that suffering population. Many aid agencies, such as Save the Children, Christian Aid and Oxfam, have offices and volunteer bases in Scotland, which shows that we are a deeply caring nation that, along with many nations worldwide, will do what we can to ease suffering wherever it happens in the world.

I can advise Parliament that Scottish Government officials are in regular contact with the NGOs that are working in Gaza. They have been advised that, following a decision of the Cabinet on Tuesday, the Scottish Government stands ready to respond favourably to any requests for humanitarian assistance that might be made by those working on the ground. In addition, the First Minister has written to the Israeli Government to express our desire—and, I hope, that of the Parliament and the Scottish nation—for an immediate cease-fire.

As the Israeli bombardment of Gaza continues, the calls for an immediate cease-fire become louder. Since the conflict began, the Scottish

Government has been echoing calls from the UN secretary-general and other world leaders for a cessation of violence. Let us be clear that only a complete cessation of violence will suffice. Three-hour pauses in bombing are not sufficient to feed 750,000 people. Only when arms are laid down and dialogue begins can the people of Gaza begin to hope to rebuild their lives.

Yesterday, I was encouraged—as was everyone else in this country and across the world—by the positive noises from both sides involved in the conflict around agreeing to principles of a truce. The efforts of French, Egyptian and UN diplomats to broker a truce must be supported, and the Scottish Government does so. In the meantime, we will do whatever we can to support our aid agencies in any way that we can to help alleviate the terrible suffering of the people of Gaza.

I hope that the Parliament will come together today to speak with one voice, and I urge all members to back the motion in my name. I know that it has the support of many across the chamber.

I move,

That the Parliament expresses its concern over the loss of all lives in the conflict in Gaza; joins the international community in calling for a ceasefire; acknowledges the unfolding humanitarian disaster in Gaza; recognises and welcomes the role being played by those in Scotland involved in the humanitarian response, and supports the work of all charities and NGOs in Scotland that are responding to this situation.

10:31

Pauline McNeill (Glasgow Kelvin) (Lab): This morning, it is right that we should spend some time discussing how Scotland can respond to the humanitarian disaster that is happening in the Gaza strip. I do not suggest that that exceeds our responsibilities, although the diplomatic response is rightly the United Kingdom Government's responsibility. However, our humanitarian response and our commentary are not unimportant in a matter that is of such human concern. The scale of the suffering to which the Deputy First Minister alluded and the subsequent dominance of the news coverage of the situation in Gaza means that the public expect us to add our voices to those of the international community and to recognise that the situation is of world concern.

This morning, we hear that, as predicted, the violence has spread, with reports of rockets being fired from Lebanon. It is right that we, as politicians, express our views, because that is in tune with the public's mood as they watch the disaster unfold.

Like Nicola Sturgeon, I put on record my thanks to all political parties and their business managers, who made it possible for us to have this short and important debate.

The world must focus on an immediate cease-fire on all sides. The UK Government is arguing hard for that, as is the UN Security Council. Before Christmas, I led a members' business debate on Gaza on the very last day of the parliamentary term; it is hard to believe that such a catastrophe unfolded days later.

I want to be clear that the inflicting of casualties on both sides of the conflict is to be condemned. Ordinary Palestinians and Israelis are suffering as a result of the failure to reach a peaceful settlement in the middle east. All acts of violence must be condemned.

While sharply criticising Israel's actions in strong language, Pope Benedict also said that both sides think of their own interests while innocent people die. Successive Israeli spokespersons have denied that there is a humanitarian crisis in Gaza; I can hardly find the words to respond to that statement. We have all watched the air strikes, of which there were 60 last night. Almost 700 Palestinians are now dead; on Tuesday, 130 were killed and more than 3,000 were injured.

As we know from our past discussions, it is difficult for the Palestinians to respond to such a crisis. There are no wheelchairs or crutches for those who are injured; there is a lack of basic medicine; and, in some cases, there is no anaesthetic to allow basic procedures to be carried out.

No inch of Gaza is safe. It is a built-up area with no hiding places. There is not much electricity or clean water. The sewerage system is at the point of collapse. Schools are not functioning and food is not available. There are no stockpiles of anything because of the crippling effects of the siege in the months leading up to the air strikes. Nothing can be repaired and, as we know, the hospitals cannot cope. Twenty per cent of the casualties have been children, and the health of the people in Gaza was poor to begin with.

As Nicola Sturgeon said in her opening speech, Sandra White, Hugh O'Donnell and I made the 15-hour trip—I emphasise the fact that it was 15 hours, and therefore too long—to Gaza. I have now been there twice, and the second time I was able to see the deterioration that had occurred since my first visit. It is important for people at least to understand the extent of the siege, its effect on civilians and how they might have responded to it.

I was an observer during the 2006 Palestinian elections, when Hamas was unexpectedly elected to govern. To understand the Palestinian response

to the repeated failures to address the underlying issues and to bring about peace in the middle east, we must at least understand what is going on there. A homeland for Palestinians has been promised for more than 60 years, and the failure to keep that promise is the world's failure. The siege of Gaza has meant that an entire population has been collectively punished, yet, I am afraid, the siege was endorsed by the leaders of other nations, including Egypt—although I pay tribute to Egypt for trying to bring about a cease-fire now. Egypt's closure of the Rafah border has caused untold human suffering.

I spoke to Douglas Alexander this week about our humanitarian response, and I am pleased to hear that the United Kingdom was the first country to announce an immediate aid package of food and water. I have also raised the issue with David Miliband, the Foreign Secretary, who is rightly arguing in the Security Council that any cease-fire agreement must include open and accessible border crossings. It is all very well to collect aid, but if we cannot get it into Gaza we will not be able to respond to the crisis. The siege must be lifted as part of any final deal. In the circumstances, the Scottish Government is right to respond to the humanitarian crisis, and I welcome the Deputy First Minister's statement this morning that the Government will do all that it can within our devolved responsibilities.

I spoke to people in Gaza this week, when I was able to get a connection. It is important to them, given that they have been isolated for so long, to feel that people in the outside world care about what is happening. We have a lot of hopes for the Obama presidency, which might bring fresh thinking in the middle east. Barack Obama has a lot of responsibility to bear, and I hope that he changes the course of American foreign policy.

However, the responsibility lies not just with President Obama. We know that the root of the conflict is the world's failure to establish a Palestinian homeland; the lack of commentary on the illegal occupation of Palestinian territory has led to this sorry situation. I am pleased to support the motion in Nicola Sturgeon's name.

10: 38

Ted Brocklebank (Mid Scotland and Fife)
(Con): Few of us who spoke in Pauline McNeill's members' business debate on the last day before the Christmas recess could have expected the escalation in violence that we have witnessed in Gaza over the past two weeks. Indeed, all members will be united in urging an immediate and sustainable cease-fire.

The Scottish Conservatives deplore the tragic deaths of civilians in Gaza, including those of

nearly 200 children. However—I make no apology for repeating my words of the previous debate—it is difficult to achieve the moral high ground on human rights with the Israelis given the fact that, within living memory, 6 million Jews were exterminated with absolutely no regard taken of their human rights. Of course, that does not give the Israelis carte blanche to ignore the human rights of their Palestinian neighbours.

I am glad that today's motion confines itself to what we, in Scotland, can do in a humanitarian role in Gaza. Foreign relations are the responsibility of the UK Government. Although it may have suited the First Minister's image of himself as a world statesman to call for an Israeli cease-fire, it is difficult to imagine how his plea specifically for Israeli restraint could prompt anything in Gaza other than the question, "Who is Alex Salmond?" What we can do here in Scotland is start to show a little more intellectual honesty in the way in which we report and comment on the Palestinian crisis. Even-handedness is not about accepting every claim from Hamas as gospel and every counter claim from Israel as propaganda. A little more scepticism might be applied to the claims from both sides.

In the members' business debate that we held before Christmas, there seemed to be little recognition among those who spoke of the fact that there are two sides to the conflict. Member after member condemned the Israeli blockade of Gaza—indeed, I did so myself—but with little apparent recognition of how and why it began. Hamas is a militant organisation that is funded by Iran, which itself is dedicated to the destruction of Israel and is widely believed to be developing nuclear weapons. It is the right of the sovereign state of Israel to protect itself and its people from militants. However inconvenient that fact might be, and however short memories have become, Israel happens to be boxed in by nations that are hell-bent on its obliteration. Indeed, the Hamas charter of 1988—which has never been rescinded—proclaims the necessity of Israel's destruction

"at the hands of Islam".

We are told that Israel's response has been disproportionate because more Palestinians than Israelis have been killed so far. Should we just ignore Israeli claims that Hamas has deliberately situated weapons under apartment blocks and in mosques and hospitals? Independent UN observers confirm that 75 per cent of the dead in Gaza so far have been Hamas terrorists.

Bill Wilson (West of Scotland) (SNP): Will the member take an intervention?

Bill Butler (Glasgow Anniesland) (Lab): Will the member give way on that point?

Ted Brocklebank: No, I will not. I have only four minutes.

Bringing about a cease-fire now is no easy matter, as there must be a cease-fire on both sides. It is pointless to demand that Israel stop launching rockets if Hamas is simply going to resume its random rocket attacks on the cities of Be'er Sheva, Ashqelon and Ashdod. Frankly, it is not in Israel's interest to prolong the current invasion, partly because Hamas will undoubtedly declare victory if it survives the Israeli onslaught—which it will, in some form—and partly because the current invasion risks escalating the situation on Israel's other borders, including the border with Lebanon, as we have already seen today.

This is a disastrous time for the 1.5 million people who live in the Gaza strip, who cannot flee and who are increasingly caught in the crossfire and the Israeli bombardment. There are also nearly 1 million people in the southern Israeli cities who are still under threat from Hamas rocket attacks. I agree with Nicola Sturgeon and Pauline McNeill that the best that we can do here in Scotland is support the work of all Scottish NGOs and charities in responding quickly and generously to the increasingly tragic situation.

In the debate before Christmas, hope was expressed that a new, charismatic American President might be able to break the logjam in the middle east and begin the process of achieving the two-state solution that Israel has accepted must be established. The events of the past 13 days make that look increasingly like a second-term objective for Barack Obama. I fear that, sadly, the agony of Palestine is set to endure.

10:42

Hugh O'Donnell (Central Scotland) (LD): The Palestinian people are paying a dear price for Europe's guilt about what happened to European Jews. I find Mr Brocklebank's comments completely inappropriate but unsurprising, given the fact that the Conservatives did everything that they could to prevent the debate from taking place, notwithstanding what the cabinet secretary said.

I congratulate all the organisations in Scotland that are taking practical steps to help the people in Gaza. Even those of us who were there recently can have only a limited understanding of what has gone on in the past two weeks. We have watched in horror as the conflict in Gaza has claimed innocent victim after innocent victim. We have watched the UN schools, for which the Israelis have the co-ordinates, being completely destroyed. The past two weeks have been a telling indictment of the international community. We have an outgoing United States President who is giving Israel carte blanche to do what is being

done to the people of Gaza and, regrettably, an aching silence from the President-elect. We also have a European Union that is encumbered by clumsy decision making and confused messages.

Nevertheless, there is a glimmer of hope, which has been referred to by other members. It is the short respite in the bombing that has been promised by Israel, along with the talk of a cease-fire. The three hours to which Nicola Sturgeon referred is barely enough time to do anything—let alone to feed a population of 1.5 million—but it is a start, even if it is intended only to deflect growing international criticism of what Israel is doing.

As other members have said, Israel has every right to defend itself, but its current approach is self-defeating and conveniently ignores the roots of its existence in the Stern gang and Irgun. There is no more a military solution to this situation than there was to the situation in Northern Ireland. We must get the sides to talk to each other. We were brave enough to talk to the Irish Republican Army, so why can we not make the Israelis brave enough to talk to Hamas and Hamas brave enough to talk to the Israelis?

Jackson Carlaw (West of Scotland) (Con): Will the member give way?

Hugh O'Donnell: I am sorry, but I have only four minutes.

The overwhelming use of force by Israel and the unacceptable loss of civilian lives are radicalising moderate Palestinians. We are now seeing Hezbollah launching attacks from Lebanon.

Britain must condemn unambiguously Israel's tactics, just as it has rightly condemned the Hamas rocket attacks. We must lead the European Union towards using its economic and diplomatic influence in the region to broker peace. That includes, if necessary, cancelling the preferable trade agreement that it is currently negotiating with the Israelis.

Finally, the world's leaders must accept that the response to the election of Hamas has been a strategic failure. Attempts to divide and rule the Palestinians by isolating them and collectively punishing an innocent civilian population in Gaza will not succeed. No terrorist organisation has ever been bombed into submission. To secure peace in the middle east, Hamas must turn its back on its terrorist activities to help to create Palestinian unity and Israel must recognise that the people of Palestine have as much right to exist on that land as the Israelis do. In Scotland, we must do all that we can to support the humanitarian efforts for the civilians in Gaza.

The Deputy Presiding Officer: We now move to the open debate. There will be four-minute speeches, and I remind members that no one-

minute warnings will be given and that they should therefore keep an eye on the clock.

10:47

Sandra White (Glasgow) (SNP): I thank the Scottish Government and all political parties for acting swiftly to enable us to have this debate. It is important that the Scottish Parliament sends a message to Israel and the rest of the world that there must be a cease-fire and an end to the killing on all sides. I say to Ted Brocklebank that we cannot blame the Palestinians for the horrors that were visited on the Israeli people.

Some 700 Palestinians and 11 Israelis have been killed in the recent events. I leave members to ponder those numbers. Disproportionate? I would say so.

Like others, I have visited Gaza. I have seen the refugee camps and I have eaten and drunk with the people, and it breaks my heart to watch the continued bombardment night after night. Gaza is a densely populated area in which the people have suffered greatly through the siege. Members might have seen a small red-haired boy during the television coverage. We spoke to that boy when we were there, simply because he stood out because of his red hair. I wonder whether that small red-haired boy is alive today to speak on behalf of the people of Gaza.

We met people on the streets and in hospitals, and we met kids in schools. Those kids said to us, "All we want is a life the same as yours. We want to be free. We want to be able to study and move freely throughout our country." That is not too much to ask. Sadly, those kids cannot even attend their schools any more, because those schools have been bombed. As we have heard already, a UN school was bombed and 40 children were killed.

Yesterday, there was a three-hour cease-fire to allow aid to enter. That was a completely inadequate amount of time. How long would it take to get the aid in? How long would it take to get it to the right people? Furthermore, after the so-called truce, leaflets were dropped warning people to leave their homes or face air strikes. Following that, 60 air strikes were carried out. Where were those people supposed to go? Gaza is densely populated, and Gaza city is almost the same size as the middle of Glasgow. Where could those people go? Into the sea, which is patrolled by Israeli boats?

The UN and the international community have called for a cease-fire, yet they are ignored. What is the point of having institutions such as the UN if no one listens to them and no one obeys the laws that they create?

When we visited Gaza, the situation was dire. As the Deputy First Minister said, nothing was going in and nothing was coming out. Children were in incubators and people were on dialysis machines, and no one knew when those machines might be turned off because Israel controls the power. They had no fuel for ambulances to bring people to hospital. That was before the recent invasion; just think what it must be like now. Gaza is undergoing a humanitarian crisis of huge proportions. That must be stopped. There must be a long-lasting cease-fire, not just three-hour truces here and there, so that aid can be delivered to the Palestinians.

The situation cannot continue. There must be peace in the middle east, and there must be a two-state solution. There must be a Palestinian state, as people must be allowed their democratic rights. Bombing and killing people is not the way forward. I agree that both sides are engaged in killing, but the situation is disproportionate.

As I said, I see what is happening in Gaza on the television every night. I see the frustration of the people in Gaza and feel the frustration of people in Scotland and throughout the world. I visited a couple who left Gaza on the boat with us—an old man, whom we brought to Scotland for treatment that was unavailable in Gaza, and his wife. They now stay with their son in Riddrie in Glasgow. They are lovely people, and they gave me a warm welcome. I say to the people of Gaza that we want to give them a warm welcome. There must be a cease-fire, and the bombings must end.

10:51

Des McNulty (Clydebank and Milngavie) (Lab): Like many others, over the past fortnight I have found myself shouting at the television as I have watched the carnage in Gaza. There may be terrorists in Gaza, but there are clearly many more civilians, and they are being bombarded day after day by aircraft, helicopters and artillery. Last weekend the army moved in, and now even more civilians taking refuge from the bombardment are being killed and injured.

The barbarity of the acts that we are witnessing is accentuated by the calculations that lie behind them. First, there is the political calculation that sees the month before the inauguration of Barack Obama, combined with the run-up to elections in Israel, as a window of opportunity for the unleashing of a violent onslaught. Secondly, there is the calculated media and diplomatic offensive that has gone side-by-side with the military intervention and was months in the planning. It is regrettable that, in their coverage of Gaza, the United Kingdom media have chosen to give so much prominence to Israeli spokespersons proffering justifications for the indefensible rather

than focus on the effects of sophisticated weapons on a civilian population.

Above all, media coverage—especially television news coverage—omits the vital context of the conflict, which is the fact that Palestinians have been systematically herded into smaller and smaller parcels of territory after forcible removal from their homes. In Gaza, the people have been barricaded in and deprived of vital infrastructure and supplies.

There have been Israeli casualties in areas close to Gaza as a result of the firing of mortar rockets. Any terrorist acts that lead to such deaths or injuries are to be condemned, and I do so unreservedly, but the systematic destruction that is being caused in Gaza by much greater firepower is neither a proportionate nor an appropriate response. Military action has not succeeded in preventing attacks on Israel in the past. The only solution is one that removes the source of the grievance, and that is where Israel has failed. The current bombardment of Gaza will make a negotiated solution all the more difficult to achieve—indeed, it appears calculated to do so, which is something that the international community should take into account in its response. We are dealing not with a humanitarian crisis that can be dealt with if medical and food aid are brought in to relieve immediate suffering following a cease-fire but with a continuing political crisis that will fester, with huge consequences for the whole world, until there is justice for the Palestinian people.

There is no doubt that both sides share blame for the failure to reach an agreement at Camp David. However, if Hamas has succeeded in winning the support of many of the people of Gaza, it is because the previous Palestinian leadership was weakened in its ability to negotiate successfully—and the undermining of that leadership was a deliberate act of policy by Israel and the Americans, who were not prepared to tolerate a strong Palestinian leadership. To achieve a political solution, Israel will have to negotiate with leaders who are chosen by the Palestinian people. It will have to make territorial concessions, including concessions in Jerusalem, which it is currently not prepared to do.

I want to see an end to the bloodshed in Gaza, but it is not enough simply to stop the bombardment. Peace requires justice, and engagement on the basis of mutual respect is a prerequisite of any progress, but it cannot be achieved by military means. The international community must demand justice for the Palestinians—justice whose legal basis is the UN resolutions that we have failed to enforce for so long. It is time for us to demand not just an end to the fighting but a lasting settlement. We have a

responsibility—the whole world has a responsibility—to ensure that that is done.

10:55

Christine Grahame (South of Scotland) (SNP): I will not join the many armchair experts on the complex situation in the middle east and, in particular, the Palestine-Israeli conflict. Instead, I turn to somebody who knows what he is talking about. Writing in *The Independent* yesterday following the massacre at the UN school of 40 civilians, including old women and children, Robert Fisk asked:

“Have we forgotten the 17,500 dead—almost all civilians, most of them children and women—in Israel’s 1982 invasion of Lebanon; the 1,700 Palestinian civilian dead in the Sabra-Chatila massacre; the 1996 Qana massacre of 106 Lebanese civilian refugees, more than half of them children, at a UN base; the massacre of the Marwahin refugees who were ordered from their homes by the Israelis in 2006 then slaughtered by an Israeli helicopter crew; the 1,000 dead of that same 2006 bombardment and Lebanese invasion, almost all of them civilians?”

I say to Ted Brocklebank that Israel, to its Government’s shame, has a bloody track record that stretches over decades.

In Robert Fisk’s words, what happened at the UN school

“was not just shameful. It was a disgrace. Would war crime be too strong a description? For that is what we would call this atrocity if it had been committed by Hamas. So a war crime, I’m afraid, it was.”

I respect those words.

What are the excuses that we hear again and again? Robert Fisk writes:

“After Israeli artillery had fired shells into the UN base at Qana in 1996, the Israelis claimed that Hizbollah gunmen were also sheltering in the base. It was a lie ... Israel claimed the bodies of children killed in a second Qana massacre may have been taken from a graveyard. It was another lie.”

As he states:

“we may well have the bodies-from-the-cemetery lie and we’ll almost certainly have the Hamas-was-in-the-UN-school lie and we will very definitely have the anti-Semitism lie.”

That is the backcloth to what is continuing.

I do not underestimate the fact or the number of the Israeli dead, but we have had 600 Palestinians dead in just over a week and thousands over the years since 1948. The size of the Gaza strip is just 360km², which is twice the size of Glasgow. With a population of 1.5 million, it is the sixth most densely populated country in the world. Its population density is 30 per cent greater than that of Glasgow, and some 40 per cent of the population are children. Wherever strong missiles

and shells are aimed by the Israelis, they are likely to hit a child.

Let us not forget that, whatever we think of Hamas, it won the Palestine parliamentary elections by popular vote, and international representatives observed the elections to be fair and free. I say to Ted Brocklebank that, if the boot were on the other foot and what is happening in the Gaza strip were happening in Israel with the same power, force and deaths, there would be a huge international outcry and calls to put in more than international aid. There would be calls not only for an immediate cease-fire but for a free flow of goods, medicines and all the other things that a nation requires to sustain itself.

The people have been under siege for decades. Teachers and policemen are not paid, and people have to drink contaminated water because the sewerage system is breaking down. Fishermen are shot if they go beyond the dirty waters to fish because—of course—the waters are also occupied by the Israelis. Ted Brocklebank should start reading Robert Fisk.

10:59

Marlyn Glen (North East Scotland) (Lab): I am pleased that members have been given the opportunity to come together in this debate and I am sure that we can unanimously agree the terms of the motion. I welcome the Deputy First Minister’s assurances on the many responses that the Scottish Government has already made.

As has been said, in December, Pauline McNeill secured a members’ business debate on dignity for Palestinians. In that debate, we heard about the journey that she, Sandra White and Hugh O’Donnell had recently taken to Gaza and how things were at that time. Their descriptions were distressing and moving then, but now, as they feared, the situation has become much worse: we have not just a blockade of Gaza but what is being described as just short of all-out war. I have been careful with the tone of my speech to try to avoid becoming inarticulate with outrage, and I commend those who have managed to describe what has been happening in Gaza.

There are demonstrations throughout the world at which people are calling for a cease-fire. Here in Scotland, people are gathering outside the Parliament and elsewhere in Edinburgh, and in Glasgow, Dundee, Inverness and Galashiels, to name just a few, to call for a halt to the conflict. I watched the BBC news last night and heard about the three-hour respite from the conflict that has been granted to the Palestinians—three hours in which people can go outside, queue for food if they can find it, catch up with news and, sadly, bury their dead. I find the concept of a temporary

humanitarian aid corridor reminiscent of the situations and language in the novel "Nineteen Eighty-Four". It is a bizarre situation that I find horribly difficult to understand, given that everyone knows that the cease-fire will end and that the attacks will start again, which they duly did.

The BBC is beginning to analyse the very different strengths of firepower on the two sides and the consequently very different numbers of casualties. The public can make up their own minds about the rights and wrongs of the situation when they look at the facts. It is up to us to try to articulate those facts. However, yesterday's front-page news moves down the agenda today. Our debate is important because it can keep the conflict in the news here in Scotland and add to the international debate.

I am against all war and I deplore the loss of lives on all sides in conflicts. People in Gaza need food, cash and medical supplies. They need what everyone needs: the basics for a proper life. We must do everything in our power to ensure that there is a proper response. Supporting the motion is a small but necessary step.

11:02

Robin Harper (Lothians) (Green): Ted Brocklebank attempted to be fair and even-handed, but this is not the time to be fair and even-handed; this is the time for us to express our horror at what is happening to the people of Gaza at the hands of Israeli aeroplanes, troops, guns and tanks. This is a time for us to recognise that what is happening is entirely unfair, disproportionate and unconscionable.

I congratulate Nicola Sturgeon on bringing the matter to the Parliament for debate this morning. I also congratulate her on restricting the terms of the motion to what we can do. However, I draw members' attention to something else that we can do. We can put political pressure on the European Parliament. In particular, the parties that are represented in the Scottish Parliament can lean on their European representatives.

In December, against the advice of the European Parliament, the European foreign ministers decided to upgrade European Union relations with Israel. I shall repeat this at the end of what I am about to say, but I appeal to members to lean on their representatives in the European Parliament and ask them to keep up the pressure. The decision must be revoked.

Sandra White: Is the member aware that Alyn Smith MEP has a motion in the European Parliament on exactly that point? It proposes that we keep up the pressure on Israel and not have trade links while the conflict continues.

Robin Harper: I thank Sandra White for that useful intervention. We can all lean on the other MEPs to support that motion.

The decision in December to support the upgrade in EU relations with Israel ignored the fact that Israel is in breach of an essential element of the earlier agreement, which requires states to respect

"human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement."

That is what both sides signed up to, but the agreement has been unilaterally abrogated by the Israeli Government. Israel and, indeed, the world would view endorsing an upgrade of relations at this time as an endorsement of Israel's gross and repeated breaches of international human rights and international humanitarian law.

The EU should go further and suspend the current EU-Israel association agreement, to send a strong message to the Israeli authorities about the EU's refusal to tolerate persistent human rights breaches. No new agreements must be made with Israel until it meets commitments on human rights and democratic principles, as enshrined in the current association agreement.

Violence can never be justified or condoned, and the longer the deadly blockade and occupation continue, the further away the conditions for peace will get. I appeal to members to lean on their MEPs and support the motion that has been lodged in the European Parliament. The Government must do everything it can and we must do whatever we can in the Scottish Parliament.

11:07

Bashir Ahmad (Glasgow) (SNP): I thank the Scottish Government for lodging the motion.

Since 27 December, we have witnessed an assault on Gaza that is unlike anything before. The numbers involved are truly horrific. Almost 700 Palestinians are dead and more than 3,000 people, including many women and children, have been injured.

As many of us know, Gaza has been under Israeli blockade for the past 18 months. Hospitals are fast running out of medical supplies and the region's power supply is at a critically low level. Furthermore, almost 85 per cent of Gazans depend on food aid. With the addition of the conflict in the past 12 days, we are now witnessing a full-blown human catastrophe.

I and a number of my parliamentary colleagues condemn the Israeli aggression that we have witnessed. I echo members' calls for an immediate

end to attacks on the Gazan people. Hamas must also stop firing rockets.

As has been mentioned, aid workers from Islamic Relief and other Scottish aid agencies are risking their lives to help distribute the most basic essentials to the people of Gaza. They must be congratulated on their brave efforts, but we must consider what else Scotland can do. In previous conflicts, Scottish hospitals have treated the badly injured. I ask the cabinet secretary to look into that possibility to show the ordinary people of Gaza that we stand with them at this difficult time.

Peace is never achieved through the barrel of a gun; it is achieved only through dialogue. I sincerely hope that those who can effect change in the region act in a fair, balanced and humanitarian manner. There is no doubt that, as a nation, we will offer to play whatever role we can to achieve what many people see as impossible: a lasting peace in the middle east.

11:10

Patricia Ferguson (Glasgow Maryhill) (Lab): I welcome the opportunity to take part in this important debate. It is right and proper that the Scottish Parliament should express its view on the crisis in Gaza.

We all know the genesis of the current Israeli attack on Gaza. Colleagues around the chamber have ably talked about the history of the region; I will not repeat what they have said. In the past few weeks, Israel has claimed that the attack is an attempt to weaken Hamas. Let us examine that claim. Hamas forms the elected Government of Palestine. That might not be my or the UK Government's choice—it is certainly not Israel's choice—but it is the Palestinians' choice. If anything is guaranteed to strengthen Hamas's position, it is the current series of attacks. In a radio interview at the weekend, the only Fatah MP left in Nablus—which was once so associated with Fatah that it was known as "Fatah City"—declared his view that Israel's attack would undoubtedly strengthen the hand and position of Hamas.

The very nature of the Gaza strip means that an attack on Hamas is, of course, an attack on Palestinian men, women and children. Israel knows that. Israel's claims that it

"makes every possible effort to avoid civilian casualties"

surely stretch our credibility. It also knows that its actions in the months and years before the current incursion have weakened the Gaza strip's infrastructure, reduced fuel levels in the area and left hospitals struggling on back-up generators, many of which are already failing. Five UN health centres have closed because of the recent hostilities. If we add to that the lack of basic

medical supplies, we can only begin to imagine the plight of the injured—of whom there were some 2,700 by 6 January—and the despair of the medical and nursing staff who are trying to treat them. No one can have any doubts about the scale of the humanitarian tragedy that is unfolding before us.

I welcome the Scottish Government's commitment to assist the humanitarian efforts. NGOs such as the UN and the Red Cross have important roles, and we must neither forget nor underestimate their work and the perils that they face in trying to deliver assistance.

As has been mentioned, there was a three-hour break in hostilities yesterday to allow humanitarian aid to be delivered. That exercise, which was welcome, will be repeated today, but it is simply not enough. Agencies have reported that, during the brief lull, Gazans rushed on to the streets to buy essential supplies and check on friends and family members whom they had not been able to have contact with in recent days.

The conflict can end only by means of a cease-fire. Hugh O'Donnell was right to say that a military solution will not work. It is vital that the international community puts pressure on Israel and Hamas to end all violence as soon as possible.

In 1967, in the aftermath of the six-day war, the United Nations Security Council unanimously agreed resolution 242, which still stands. That resolution emphasised

"the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security".

Time does not allow me to read out the full resolution, but suffice it to say its terms have never been honoured. It is as relevant today as it was in 1967. There must be a viable Palestinian state and a secure Israel, and the resolution is the key to solving the problems of the middle east, which must remain the ultimate objective.

Today, the Holyrood Parliament joins legislatures across the globe in calling for a cease-fire in the current crisis. The people of Gaza are calling out for such a cease-fire, and we must add our voice to theirs.

11:15

Jim Tolson (Dunfermline West) (LD): Like millions of other people, I am absolutely shocked by the huge scale of the Israeli attacks that have been taking place since 27 December and which we have seen on the worldwide television news. With 1.5 million people crammed into the Gaza strip, high levels of civilian casualties were inevitable. There is no credibility in the Israeli

statement that the Palestinians have used people as human shields, because it is impossible to have human shields when so many people are crammed into such a small space anyway.

In December, I attended the cross-party group in the Scottish Parliament on Palestine. The feedback from Hugh O'Donnell, Sandra White and Pauline McNeill on their audacious boat trip to Gaza was absolutely heartbreaking. There was also feedback from Palestinian people, many of whom had suffered for years in their homeland at the hands of the Israelis. There was feedback, too, from aid workers who had been attacked and harangued out of Gaza, and from Scots who had lived in Gaza and had felt that in many ways they were living under occupation. We heard heartbreaking points from all. We heard that no spare parts are allowed for sewerage systems and how Israeli gunboats force fishermen to remain close to the shore and to fish in waters that are contaminated with sewage, which inevitably contaminates the food chain.

I decided to be no armchair supporter. I was sufficiently moved to join 2,000 demonstrators in Glasgow last Saturday. A cross-party group of MSPs was there in support of the demonstration, although there were no Tories. The demonstration, which was on behalf of and in support of the people of Gaza and Palestinians worldwide, was peaceful but vociferous. The heartbreaking news about what has been going on in Gaza, particularly since 27 December, was well elocuted by many. I cannot condone the rocket attacks on Israel, but the Israeli response is utterly disproportionate. All violence must stop now and not just for three hours per day. Violence breeds violence and only a democratic settlement will bring lasting peace.

Nicola Sturgeon was absolutely right that almost all Scots are concerned about the situation. As she said, the violence is shattering and hopes for a long-term peace are the way ahead. I back those sentiments fully. The motion's focus on charities and NGOs pulling together is the right approach. The one point on which I agree with Ted Brocklebank is that that is one response that Scotland can make, whereas we cannot act on many other matters. Nicola Sturgeon also referred to the MSPs' trip to Gaza in November. That was a brave and audacious attempt by our colleagues to provide aid. They definitely managed to do that and I am glad that they did. At the end of the day, as Nicola Sturgeon said, we hope that the Parliament will speak with one voice on the issue. It is crucial that we do so.

Pauline McNeill was one of the members who went on the trip to Gaza. She talked about how Scotland can respond to the crisis in humanitarian ways. We heard much about that at the

demonstration last Saturday. People can comment here and elsewhere on what is happening to try to ensure that the Palestinians' story gets out to a worldwide audience. We can also comment on the scale of the suffering, which has been going on for many years and not just since 27 December. Pauline McNeill rightly suggested that the public expect us to add our voice to that of others. The world focus must be on an immediate cease-fire in Gaza. Some Israelis, and even George Bush, have denied that there is a humanitarian crisis. There is no credibility whatever in that statement. I am glad that Mr Bush is going, but I wish that I could believe that the Israeli Government will be more reasonable in the future. I do not hold out too much hope of that.

Ted Brocklebank's speech was sad indeed. Although he deplored the tragic deaths of civilians in Gaza, including those of 200 children, he soured the debate somewhat, which was rather sad to witness. Hamas is not just a militant organisation—no more than the Tories are in the Parliament. It is unfortunate that Ted Brocklebank took that line. My colleague Hugh O'Donnell, who took part in the trip to Gaza, made a good speech. I am glad that he congratulated the organisations that are taking practical steps to help people in Gaza. The Liberal Democrats' UK leader, Nick Clegg, has called on the UK Government to stop arming the Israelis. I certainly back that call.

11:20

Jackson Carlaw (West of Scotland) (Con):

Naturally, the debate has at times been emotionally charged—so it must be when images of raw conflict are broadcast into our homes as it happens. The debate has borne witness to the personal commitments of members from across the Parliament to the troubles and peoples in the region and to members' passions. I make no complaint about that. The motion acknowledges the suffering, about which we have heard testimony, and recognises and welcomes the role that Scotland can play in adding to the international humanitarian relief, even though responsibility for international representation rests with the Government at Westminster.

The Parliament has a direct responsibility for the public in Scotland. The actions of the Government of Israel are the responsibility of that Government and not of the Jewish population here in Scotland. I therefore express my dismay that the heightened language of some is being used to justify remarks by others, publicly published, that can be described only as dangerously anti-Semitic. We have a duty to choose our words carefully, as do the press in their columns. For example, it was questionable for *The Herald* to publish remarks

from a well-known contributor that included veiled threats to

"the state of Israel and Jews all over the world."

Two and a half years ago, during the events that culminated in the withdrawal of Israel from Gaza, similar language and lack of editorial control in *The Herald* and *The Scotsman*, particularly on their websites, led to an unprecedented level of hostility to the Scottish Jewish community, the vast majority of whom live in Glasgow and the west of Scotland. Many talked of feeling intimidated, for the first time in their lives, when walking the streets and they were appalled by a disgraceful attack on the Jewish cemetery in Glasgow. In the past 24 hours, senior members of the Jewish community have reported to me an increase in nuisance calls to Jewish—not Israeli—organisations and the distribution of hate mail to the community. I have a copy of one piece of such mail, which is chilling and as fundamentally unacceptable as are attacks on the integrity of the Muslim population in Scotland, or fear and suspicion of that population, in response to domestic terrorism.

In this month, when we commemorate the millions of lives that were lost in the Holocaust, we must remember that paying lip service to that commemoration is not enough. The debt that is owed to the international Jewish community was recognised in the establishment of the Israeli state. It has a right to exist and to defend itself. However unwelcome the observation is today, the fact is that, ever since the withdrawal from Gaza, Hamas has continued to pepper Israel with rocket attacks. Those attacks are now being complemented with the use of longer-range successor rockets, the reach of which places nearly a million Israeli citizens at very real risk. It is the duty of their Government to defend them.

Some people have raised exaggerated expectations for President-elect Obama. He has been reluctant to become involved in the debate ahead of his inauguration, but he has previously commented thus:

"If somebody was sending rockets into my house where my two daughters sleep at night, I'm going to do everything in my power to stop that. And I would expect Israelis to do the same thing".

I applaud that comment. There is not much difference between Obama's reaction and that of the Bush Administration.

This is not a time to speak against a cease-fire—far from it. The Israeli objectives—to destroy the weapons supply tunnels that are tolerated by her neighbour and effectively to emasculate the Hamas military potential—need to be secured promptly, as much to prevent the escalation that the rockets that were launched a few hours ago

from Lebanon might presage as for any other reason. However, the cease-fire must be a cease-fire on all sides. Therein lies the difficulty, for unlike the Irish Republican Army, which, in the talks on and resolution of the conflict in our country, accepted that an armed solution had no future, Hamas has no such compunction. There is no point in Mr O'Donnell ignoring that truth, nor for that matter in Christine Grahame quoting Robert Fisk, passionate as he is, as anything other than a highly partisan anti-Jewish correspondent. Any cease-fire cannot be used by Hamas as an interlude to rearm and recommence rocket attacks.

Hamas is a terrorist organisation that is determined to have an armed struggle and which has set its face against the reason of most others in the region, who have recognised that a negotiated two-state solution is not only the only proper solution, but one that is actually achievable. Meanwhile, the 1.5 million civilians in Gaza are trapped in the most ghastly of situations. Their security and welfare have been ruthlessly exploited by Hamas, which deliberately sites its rocket launchers in schools, mosques and elsewhere where it hopes to hide behind human shields and exploit the consequences.

The current conflict must end promptly. We must all hope that the Franco-Egyptian initiative achieves that. Thereafter, with fresh moral authority, the incoming US Administration of Barack Obama needs to work with the people, including President Abbas and the Palestinian Authority, who are dedicated to securing a positive and lasting peaceful solution. Hamas can participate if it finally accepts the very clear conditions that were set in 2006: to renounce violence, abide by previous agreements, and accept the basic right of the state of Israel to exist.

Meanwhile, I give every encouragement to people in Scotland who are responding to the humanitarian situation. There is an urgent response to the immediate need of innocents who are caught up in the heart of an avoidable tragedy.

11:25

Pauline McNeill: The business manager of the Conservative party was quite helpful in allowing us to secure a debate this morning. However, I am sad to say that the speakers from the Conservative party have not reflected their business manager's spirit. *[Interruption.]*

The Deputy Presiding Officer (Alasdair Morgan): Order.

Ted Brocklebank: Will the member take an intervention?

Pauline McNeill: I will not.

I want to address the points that were made by Ted Brocklebank and Jackson Carlaw, who should perhaps clarify their position.

Ted Brocklebank suggested, or inferred, that 75 per cent of the Palestinian casualties were Hamas terrorists; he did not say that directly, but he implied it. Does that mean that the children who have been killed in the air attacks—20 per cent of all those killed—are the terrorists? There have been bombings of whole families—of 15 or 16 members of the same family. Are they the terrorists? What about the women who are lying on hospital floors, who cannot be treated because there is virtually no space for them? Are they the terrorists? Surely the Conservatives cannot believe the propaganda on that.

We have not witnessed anything like this for years in the middle east. Let me make our position clear. There has been a suggestion that we are not calling for a cease-fire on both sides, but that is not the case; we are calling unequivocally for a cease-fire from Hamas and from the Israelis, who have the most powerful army in the world.

Robin Harper said that perhaps the problem is that we have been too even-handed in our approach. Many commentators have said that while we have clearly supported Israel's right to defend itself, its right to security and its right to exist, our failure to criticise its repeated violations of international law is perhaps where the international community has failed.

Hugh O'Donnell was brave enough to ask why only the Palestinians should pay the debt for the horrors inflicted on the Jewish people.

I cannot leave Jackson Carlaw's point unanswered. He is absolutely right to say that there have been attacks on Jewish communities in this country. I, and others, have written directly to *The Scotsman* and *The Herald* about the blogging that I believe is anti-Semitic. We are in unity with the Conservatives on that point. Many Jewish people in Scotland have spoken out bravely about Israel. We always make the clear distinction that we are talking not about the Jewish race, but about the actions of the Israeli Government and leaders. I have always believed—and this is true now more than ever—that the Israeli people and the Palestinian people want a settlement. Let us be clear that the leaders on all sides have failed to deliver that.

Patricia Ferguson and others talked about the Palestinian elections of 2006. I was there; I observed the elections and even I was shocked by the radicalisation that had taken place in the west bank as well as the Gaza strip, with 70 per cent of the popular vote going to Hamas. That would not be my choice—Patricia Ferguson said that, too—but we can see why people made it.

When I met Isaac Herzog, a Labour minister in the Knesset, who has been on television in the past few days, he admitted to me and to other MPs that they humiliated and failed the Fatah leadership and, as a result, the Palestinian people wondered what the point was of voting for a moderate Government if it was going to be ignored. What was the world's response? We asked Hamas to lay down its arms and enter into dialogue, but on day 1 of the elections we withdrew all the financial support. Ever since then, the ordinary people of Palestine have suffered.

I am afraid to say that there are analogies with what happened in Lebanon, which I also visited, when the Israeli army bombed a UN shelter in Qana to which civilians had fled. Under international law—perhaps this will be disputed, too—people are not supposed to bomb UN points of security to which people have fled. In Qana, there are graves of civilians who were killed when the shelter to which they ran, with big blue UN flags displayed everywhere, was bombed. A similar thing happened last night. Even the UN workers said that there was no evidence of firing from the school. Are they not telling the truth, either—who knows? I like to think that the end result was unacceptable to any human being.

I am glad that we have had the opportunity to exchange views, which is important. We must find points of common ground, despite the fact that we may disagree about how to resolve a conflict that has been around for 60 years. On Saturday, members of the general public came along to hand over things from their medicine cupboards, such as medicine that was in date, because they wanted to do something practical. We can do something practical, too.

Since I came back from Gaza in April, I have been working with Edinburgh Direct Aid to try to get a convoy of medical aid and equipment to Gaza. That will prove difficult now. It would be crazy to suggest that we should even attempt it until the current situation has been assessed. It would be a symbolic gesture, but I think that Scots want to make that connection. They believe what we believe and, like everybody in the middle east, they want peace. Until we get peace, they want to do something practical to help. I appeal to all members of the Parliament who want to do something practical to write to pharmacies in their area to ask whether they are willing to donate medicine. If we cannot take it to Gaza, there are plenty of agencies that will.

On Friday, Greater Glasgow Health Board agreed to donate decommissioned equipment so it can be taken to Gaza. As we know, people there are in need of absolutely everything. We have perfectly good equipment here, such as full

anaesthetic machines, which they could use. It is just a question of getting it over there.

11:32

The Minister for Europe, External Affairs and Culture (Linda Fabiani): It is absolutely right that the Parliament discusses these issues. Throughout the debate, we have heard the depth of feeling that the developing humanitarian crisis in Gaza has generated here and elsewhere. In Scotland, the UK and beyond, people have been demonstrating because they are sickened by what they are seeing and because they recognise that a death by violence is an unjust death.

We have heard about the history and complexity of the politics of the region, which are long standing. We heard about the failure of UN resolutions and the failure to secure a viable two-state solution for Palestine and Israel.

All citizens of the world have the right to go about their business without fear of attack and, as we have heard today, a people must attend to its security. However, the Israeli Government must also know that world opinion and its long-term self-interest cannot be reconciled with the effects that the recent bombing and ground offensive have had on the people of Gaza.

More than 600 Palestinians have died since the military offensive began and more than 13,000 people have been displaced. As Sandra White and others have said, people have been displaced within a tight settlement, which has been blockaded for such a long time. These people have nowhere to run to. Food is in short supply and more than 70 per cent of people are without a water supply. Medical facilities are under extreme pressure. As the United Nations Relief and Works Agency for Palestine Refugees said, having a three-hour cease-fire each day on both sides and having a humanitarian corridor open, is completely insufficient to feed 750,000 people a day. A permanent cease-fire is needed.

Whatever one believes about the politics of the region, the humanitarian plight of the people of Gaza is straightforward. At least we have achieved consensus on that today. I am glad that we can all add our support to those Scots and Scottish organisations that are contributing to the international efforts to confront the food, water, energy and medical emergencies that the conflict in Gaza has brought about.

A number of NGOs and aid agencies that are based in Scotland are currently working in Gaza. For example, Christian Aid Scotland is supporting the partner organisation the Palestinian Medical Relief Society, which is working in Gaza's hospitals. Also, Mercy Corps Scotland expects to deliver more than \$250,000 worth of food, non-

food items and medical supplies to the war-affected families. However, its truck-load of food commodities remains in the queue of vehicles at the closed border for entry into Gaza. The border is also closed to humanitarian personnel. Mercy Corps is continuing to lobby and make applications for entry into the Gaza strip to enable it to disperse those supplies.

The British Red Cross has donated £75,000 to the Palestinian Red Crescent Society. We have heard much in the debate about the work of Islamic Relief. Its assistance includes emergency food supplies, food aid to hospitals and the purchase of medical equipment in the west bank for delivery to Gaza. In addition, Save the Children is providing food and medical supplies and Oxfam UK, which works with partners in Gaza, is trying to gain access.

As Nicola Sturgeon said, Scottish Government officials are in regular contact with NGOs that are working on the ground in Gaza. We stand ready to respond favourably to any request for humanitarian assistance. In that regard, the main problem at the moment, according to the Department for International Development, is not the lack of assistance that is being offered but the ability to get that assistance to the people of Gaza. As Des McNulty said, we all have a responsibility to try to help any people who are suffering as much as the people of Gaza are suffering; they need that human response from the rest of us.

I return to the cease-fire. Only a complete cessation of violence will suffice; three-hourly pauses in bombing are absolutely insufficient to help the Gazan people. Only when arms are laid to rest and dialogue begins will the people of Gaza be able to rebuild their lives.

We are in contact with DFID, as we are with the Scottish NGOs and the Foreign and Commonwealth Office. It is essential that, when we are enabled to be of assistance, the response should be a co-ordinated one. DFID has pledged £4 million of humanitarian assistance. Again, it has stated with our full backing that full and safe access for supplies and aid workers is essential. On behalf of the Parliament, I express our respect for Scottish aid workers who go to places of danger. We respect their absolute care for the plight of others wherever they live in the world.

The long-term peace and security of the peoples of Israel and Palestine depend on meaningful dialogue and a two-state solution. At times, one can feel that people have been talking for long enough and that we are hitting our heads off a brick wall, but finding a meaningful solution to any violent conflict around the world is never easy. Any solution depends on dialogue and on people of closed minds opening up their minds. We have seen examples of that many times round the

world. I am sure that each member can think of an example.

Closed minds have to be opened; there has to be a new beginning. Courage and bravery on both sides are needed if people are to start afresh and sit down together. All Governments must care seriously about the people whom they represent. Governments around the world, particularly those with influence, should be striving to represent their people and working to achieve a solution.

I ask members to support the motion at decision time.

Question Time

SCOTTISH EXECUTIVE

General Questions

11:39

Disclosure Scotland

1. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the Scottish Executive whether it will review the operations of Disclosure Scotland with regard to adults who were looked-after children. (S3O-5442)

The Cabinet Secretary for Justice (Kenny MacAskill): Disclosure Scotland has no knowledge of whether any individual applicant was previously a looked-after child and no information would appear on a disclosure that identified an individual as having previously been looked after.

Jeremy Purvis: The cabinet secretary is aware of correspondence that I have had with a constituent who was given a supervision order during the time that she was a looked-after child. Under Disclosure Scotland practice, that remains on her criminal record until the age of 40. If she had not been a looked-after child, the information would have been wiped at the age of 16. The Association of Chief Police Officers in Scotland and the relevant police authority took 11 months to decide who was responsible for making a decision on whether the information should be wiped from the record.

As a result of correspondence with the cabinet secretary, I am glad to say that the matter has been resolved, for which my constituent and I are grateful. That said, will the cabinet secretary review the procedures, law and protocols that differentiate between those who were looked-after children and those who were not when it comes to what appears on a Disclosure Scotland form?

Kenny MacAskill: I thank the member for the prior intimation of his substantive question. First, I apologise for the difficulties in the timescale, which were due to administrative oversight. Lothian and Borders Police have now addressed the matter.

We accept that there is an anomaly here, but it is clear that this is a question of balance. We do not seek to prejudice the situation of someone who was a looked-after child, but we need to ensure public safety and the care and welfare of our children. Ministers are considering a variety of options. I assure the member that we are seeking to ensure that we get the right balance between protecting children and ensuring that people who

were looked-after children subject to an element of protection are not further prejudiced.

National Health Service (Patient Transport)

2. Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): To ask the Scottish Executive what measures it is taking to facilitate national health service patients living in Scotland's remotest areas accessing transport to hospitals and clinics. (S3O-5447)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): NHS boards across remote and rural Scotland are working with their community planning partners to improve access to health services.

The Scottish Government is supporting the work of NHS Scotland's remote and rural steering group, led by the chief executive of NHS Highland, which will, amongst other things, develop a national framework within which boards and their partners can take local decisions that reflect local transport and health care priorities.

Jamie Stone: I recognise the genuine hard work that the cabinet secretary and her team have put into addressing the problem. There is a lack of public transport in the Highlands and, even where it exists, people often have to wait for a long time for services in inclement weather. There is also the unhelpful attitude of those who answer telephone calls from patients.

Next week, local authority representatives and I will meet constituents and health professionals to discuss the problem and to establish proposals. I hope that the cabinet secretary will undertake to examine closely those proposals and work with the people on the ground.

Nicola Sturgeon: I absolutely agree on those concerns. Good-quality transport is essential if we are to ensure good-quality and equitable access to health care, particularly for people living in rural communities. We need to ensure that such transport is provided right across Scotland. The challenges in so doing are particularly acute in remote and rural areas. It is essential that NHS boards, regional transport partnerships, local authorities and other agencies where appropriate work constructively together in this regard.

I welcome and am interested in the meeting that the member described. I give him the absolute assurance that I will consider any proposals that are made as a result.

Rob Gibson (Highlands and Islands) (SNP): In light of the meeting, will the cabinet secretary consider proposals such as one that would see NHS Highland running the ambulance service in the north? That could be a means of enabling us

to achieve the integrated approach that is missing at the present time.

Nicola Sturgeon: I appreciate the sentiment that lies behind the question, but integration depends not on structural changes, which can often be a distraction, but on agencies working together. I make it clear on a regular basis to NHS boards and the Scottish Ambulance Service that it is absolutely essential that they work together in a cohesive and integrated fashion to ensure that the needs of patients are put first.

Some of our more remote and rural areas give particular challenges to all those agencies, but that does not mean that they do not have the responsibility to work together. As the members who are involved in the issue are aware, if an example of integrated working not working as it should ever comes to light, I will look into the issue as speedily as possible.

Rhoda Grant (Highlands and Islands) (Lab): The minister is aware that volunteer patient transport service drivers are crucial to patient transport in remote and rural areas. There are two volunteer drivers in the west Highlands north of Skye, which is not enough to provide the service. Will the minister look at the costs to NHS Highland of providing taxis where the service fails and at the number of missed appointments that are due to failure of the service? Will she guarantee that no patient will lose their patient guarantee if they miss three appointments due to failure of the service?

Nicola Sturgeon: The last point that the member raises would be taken into account if a patient missed an appointment not through their fault but through the fault of another part of the service.

I agree that volunteer drivers and volunteers generally in the NHS make a valuable contribution; I put on record my thanks to them. Volunteer drivers provide a fantastic service that is important to local people. Often the service is provided by people who are known to patients; it is also cost effective. I appreciate the great sacrifice that volunteers often have to make. I know that recently high fuel costs have been a particular problem for volunteer drivers. That is why the Scottish Ambulance Service has committed itself to looking regularly at the mileage rates that are paid to volunteer drivers, to ensure that those are increased where necessary and appropriate. I agree with the premise of Rhoda Grant's question. Without the contribution of volunteer drivers, many parts of Scotland would suffer a great loss.

Strathclyde Police Chief Constable (Meetings)

3. Mr Frank McAveety (Glasgow Shettleston) (Lab): To ask the Scottish Executive when ministers last met the chief constable of

Strathclyde Police and what matters were discussed. (S3O-5416)

The Cabinet Secretary for Justice (Kenny MacAskill): I last met Steve House on 12 December in Easterhouse in Glasgow—I think that the member was present at that meeting—when I announced the Government's £1.6 million funding package in support of the national violence reduction unit's ground-breaking community initiative to reduce violence project to tackle gang violence in the east end of Glasgow. I am sure that the member will join me now—as he did then—in welcoming the project and acknowledging the good work that is being done in his constituency and throughout east Glasgow by Glasgow City Council, Greater Glasgow and Clyde NHS Board, the violence reduction unit and the police to tackle this most serious issue.

Mr McAveety: I associate myself with the minister's remarks. Has he discussed with the new chief constable—who in my experience is a direct and hands-on chief constable who wants to give support to communities—the way in which we provide support to victims of crime, especially the old issue of how we can give them greater support? What view would the minister take on a member's bill relating to victim support in Scotland?

Kenny MacAskill: The Government has made it clear, on the record, that it is trying to ensure that victims remain at the heart of our justice system. We want to ensure that victims are treated with dignity, respect and compassion. I have discussed the specific issue that the member raises only tangentially with Mr House, and I have not discussed the proposal for a victims commissioner. We have said that that is an interesting suggestion that we are happy to consider, but our first priority is to ensure that victims are treated as victims and that the agony that they have endured and the injury that they have suffered are not compounded. That means that they must be treated with the respect and dignity that they deserve in their first interface with the police, the prosecution and the courts.

Equally, we must ensure that we fund and resource victim support properly, as we are doing. Record funding of £5 million has gone to Victim Support Scotland, and £25 million has gone to the Criminal Injuries Compensation Authority. We are more than happy to consider the concept of a victims commissioner, but our clear priority is front-line services and ensuring that victims are treated with dignity and compassion, as opposed to having a commissioner deal with problems once they have arisen.

A9

4. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Executive when it will complete the dualling of the A9 from Perth to Inverness as set out in the strategic transport projects review. (S3O-5349)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): We have a fully committed programme of transport infrastructure investment to 2012 that targets improvements to the A9. Dualling the A9 is a Government commitment. We are delighted that for the first time the project is included in a national transport strategy in Scotland. Furthermore, design work to dual the Birnam to Luncarty station section of the road is progressing currently.

The strategic transport projects review now provides a robust framework of schemes, the delivery of which will be prioritised in each spending review. A timetable for undertaking further work on the A9 upgrade from Perth to Inverness will be developed as part of the prioritisation process. That will be set in the context of overall affordability and our commitments to other STPR proposals.

Murdo Fraser: I am surprised that the minister is being so equivocal on the question of the completion date. On 11 December, that fine paper *The Press and Journal* reported that

"a source close to First Minister Alex Salmond",

no less, revealed that the dualling of the A9

"will be completed by 2020"—

no ifs, no buts, no qualifications and no suggestions that that is dependent on what the Treasury may or may not say about Forth bridge funding. Will the minister indicate clearly whether the road will be dualled by 2020—yes or no—and if not, why not?

Stewart Stevenson: The member will be aware that previous Governments of which his colleagues were part and Governments made up of other parties failed to make the kind of commitment that this Government is making to the A9. The substantial investment that is being made has been widely welcomed in the whole of the Highlands and at the southern end of the A9. The member should have absolutely no doubt about the Government's commitment to the A9 and about the fact that we will not wait until 2020 to make appropriate progress on the road. We are making such progress now and will continue to do so.

Dave Thompson (Highlands and Islands) (SNP): What is the Government's estimate of the total investment in transport infrastructure in the

Highlands that is contained in the STPR? How does that compare with the investment that was made by previous Scottish and United Kingdom Governments in the 20 years prior to the STPR?

Stewart Stevenson: I thank the member for giving me the opportunity to reinforce some aspects of my previous answer. I do not have with me the entire list of interventions, but I have one or two of them, which amount to £4.2 billion—a very substantial investment that has already been widely welcomed and is unprecedented in modern times, if we compare it with the interventions of all previous Administrations.

Des McNulty (Clydebank and Milngavie) (Lab): We have had no dates from the minister, so I ask him to give some dates in response to this question. When will the Government implement a programme of road widening on the A82 at selected locations between Tarbet and Inverarnan and between Corran ferry and Fort William?

Stewart Stevenson: We are aware of the issues relating to the A82. As I said in answer to a question from John Scott in December, there were 13 deaths on the road in 2007. For that reason, we are treating as a matter of urgency the issue of improvements that are geared towards creating greater safety on the A82. I note that constraints on the A82, such as traffic lights, have been in place for 20 years or more, so it is welcome in the west of Scotland that, at last, this Government is engaging to provide in early course the improvements that are necessary to improve safety on one of Scotland's more dangerous roads.

National Health Service Boards (Meetings)

5. Mary Scanlon (Highlands and Islands) (Con): To ask the Scottish Executive when the Cabinet Secretary for Health and Wellbeing next plans to meet the chairs of NHS boards. (S3O-5360)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I have regular monthly meetings with NHS board chairs and will meet them next on Monday 26 January.

Mary Scanlon: Will physiotherapy services be discussed at the next meeting? The previous Liberal-Labour Administration revealed that, in 2006, 28,000 patients were waiting for physiotherapy in Scotland. Last year in Inverness, many patients had to wait more than a year for physiotherapy. What plans does the cabinet secretary have to reduce waiting times for physio, to increase mobility, reduce pain and help people to get back to work?

Nicola Sturgeon: I agree strongly with the sentiments that are behind Mary Scanlon's

question. The member is right to point out that access to good-quality physiotherapy services is an essential part of rehabilitation of patients, which is an important part of our strategy. The Government has a strong commitment to the reduction of waiting times generally. Thanks to the efforts of NHS staff, we have had considerable success in bringing waiting times down.

As I have said previously in the chamber, the Government, in addition to continuing the downward pressure on waiting times, is considering what further services can be brought into the scope of waiting times. We have already given a commitment on audiology, and we are considering other ways in which we can improve physiotherapy services—for example, we have been working on some of the issues that have presented a challenge for newly qualified physiotherapists to try to get them into the service. We are examining different options to promote direct referral to physiotherapy services in a more joined-up and consistent way, in order to improve the delivery of service.

That is a priority for the Government, and I am happy to keep Mary Scanlon up to date on developments.

NFU Scotland (Meetings)

6. Liam McArthur (Orkney) (LD): To ask the Scottish Executive when it last met representatives of NFU Scotland. (S3O-5437)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): I often meet representatives of NFUS, including here in the Scottish Parliament, on farms throughout Scotland and at European Union councils. Most recently, I attended the NFUS less favoured area committee on 1 December, reflecting my concern about the challenges that the livestock sector is currently experiencing; and on 17 December I met the NFUS to discuss fallen stock, among other issues.

Liam McArthur: I thank the cabinet secretary for that response. Does he recall giving a commitment in the Parliament during a debate last autumn to make every effort to bring forward less favoured area support scheme payments before the end of 2008? Does he accept that the failure to achieve that has disappointed many hard-pressed Scottish farmers and crofters? What steps is he taking, in discussion with the NFUS, to ensure that the next round of single farm payments and LFASS payments can be made in 2009?

Richard Lochhead: I do not accept the premise of the member's question—we are making LFASS payments that will begin to arrive in accounts at the beginning of next week, which is quicker than last year. We have already paid 93 per cent of

single farm payments, which is also quicker than last year. I know that that has been warmly welcomed by farmers and crofters the length and breadth of Scotland.

With regard to the substance of the member's question about making the LFASS payment and the single farm payment at the same time, great minds think alike on that particular subject—I am investigating whether that would be possible in future, because I understand the benefits. As ever with the common agricultural policy, it is not as simple as it might at first appear, given the need for separate audit and accountability processes, but I am investigating it to find out what is possible.

Energy Companies (Excessive Profits)

7. Alex Neil (Central Scotland) (SNP): To ask the Scottish Executive what representation it has made to the United Kingdom Government or the Office of Gas and Electricity Markets regarding the regulator's investigation into excessive profits generated by energy companies through sharp rises in gas and electricity prices. (S30-5386)

The Minister for Enterprise, Energy and Tourism (Jim Mather): The Scottish Government submitted a written representation to Ofgem in November 2008, as part of its inquiry into energy retail markets.

We made clear our concern that some customers, especially those on pre-payment meters, were facing higher premiums than appeared to be justified. We support the initial proposals from Ofgem, as announced on 16 December, to change the supplier licence conditions to prohibit such unfair pricing. We have also supported the proposal for clearer billing information to make comparisons between different tariffs easier. We are continuing to engage with Ofgem on that on-going inquiry and would support any move that would reduce domestic energy costs.

In addition, as part of a series of meetings with the energy supply firms in recent months, we have made it clear that we wish prices for consumers to come down as soon as possible.

Alex Neil: I thank the minister for that comprehensive reply. I ask him to draw to the attention of Ofgem the fact that wholesale prices have been reduced by around 40 per cent while retail prices have only been reduced by around 10 per cent, and that there is a need, in all fairness, to close that 30 per cent gap.

Jim Mather: As a result of our representations and those of others, and as stated in the pre-budget report, Ofgem will now monitor trends in retail and wholesale prices to ensure that there is not an unnecessary time lag in price cuts. In

addition, we are sending the message to the energy companies that they have a vested interest in competitive prices, because that keeps Scottish companies viable and competitive, keeps people in work and allows more people, families and businesses to be able to afford energy efficiency and energy prices.

Jamie McGrigor (Highlands and Islands)

(Con): Due to the very cold weather this winter, my constituents in the Highlands and Islands have been using more heating and are now worried about how to pay for it. Why is the cost of gas and electricity rising in Scotland when oil prices have reduced from \$140 to \$40?

Jim Mather: I have explained that we are putting on pressure about the time lag. In addition, in the interests of the constituents that Mr McGrigor and I share, and of constituents throughout Scotland, the Government is bringing forward an additional £10 million for the central heating programme in 2008-09. It has also established a carbon emission reductions target steering group on which all the major energy companies are represented to try to get Scotland's fair share of CERT spending and to integrate Government spending with private sector spending to maximise the effectiveness of energy efficiency programmes throughout Scotland. That will be announced as part of an energy efficiency assistance package in April this year.

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-1322)

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

I take this opportunity to wish all our viewers a happy new year.

Iain Gray: Concern has been growing—quite rightly—about how the First Minister will pay for the new Forth crossing. In the past he was unequivocal that it was a job for the Scottish Futures Trust. He said:

"If we have a new bridge, a bond issue is definitely the way to do it",

and as recently as last May, his finance secretary agreed, when he said:

"Of course that's the type of project that could be taken forward under the auspices of this model".

What happened? When did the First Minister finally realise that his Scottish Futures Trust would not work and could not build a bridge?

The First Minister: The finance minister announced to Parliament last year that the Forth crossing would be built using traditional public procurement. The reason why is obvious: the Forth crossing is the biggest capital project in Scottish history it is on a strict timetable to be built by 2016-17 and it needs certainty of approach. Therefore, the public procurement model is the best way to build it. Unfortunately, it is also the only way to build it at present because it is the only method that can deliver the Forth crossing on timetable and on budget, which this Government is doing. The previous Administration could not even make a decision to build the bridge.

Iain Gray: When the First Minister and the finance secretary said that the Scottish Futures Trust would build the Forth crossing, did he not realise then that it was the biggest capital project in Scotland and that it needed certainty and a timetable?

The truth is that the Scottish National Party wasted two years on the Scottish Futures Trust fantasy, and when that all fell apart it gave the Treasury two weeks to consider its daft alternative, which was to bring money back from the future to spend now. The most basic understanding of public finance tells us that that is not credible.

The First Minister is right that his Government announced in December how the bridge would be built. The most basic rules of integrity in Government tell us that we do not announce how we will spend money that we do not have. What on earth did the First Minister think he was doing in bringing the single most important transport project in Scotland—"in a lifetime", according to Mr Swinney—to Parliament without there being a financial package in place?

The First Minister: Yes—but we have the money in the capital budgets and we are building the bridge. That is the difference between the SNP and the Labour Party. The question is this: should we pay for the largest capital project in Scottish history over three years or over 20 years? Would Iain Gray buy his house over three years or would he do it over a longer period? It makes sense for the biggest capital investment in Scottish history to be profiled over a substantial period.

Iain Gray said that the Treasury was given two weeks to reply but, in fact, it took six weeks. I tell Iain Gray that the Treasury doesnae do anything in two weeks. There is a precedent in the international finance facility, which was dreamed up by the current Prime Minister, who was then Chancellor of the Exchequer. He argued that the public procurement process should be used because of the significance of that facility.

Iain Gray should pay close attention to the letter that came back from the Treasury because it blows out of the water any prospect of a private finance initiative or public-private partnership being the solution. It says in the letter that such an approach

"would not solve the budgeting problem"

because everything is now on-budget. Labour's old dodge of paying through the nose for PFI has been blown apart by the chief secretary's letter.

Iain Gray: The trouble is that the Government has demonstrated its inability to build anything, even using traditional public procurement. Only yesterday, the Low Moss prison project was delayed for two years. That £100 million project is far smaller and far more straightforward than the new Forth crossing, but the Government has been unable to take it forward.

The Government has a track record on iconic transport projects. One of the First Minister's first acts was to cancel the Edinburgh airport rail link, which came to more than half a billion pounds—£650 million was saved. He certainly has not used that money to build any schools or hospitals. It would be a start on the new bridge, however. What has he done with that £650 million?

The First Minister: It is being spent on building the infrastructure of Scotland, including the M74

project, which is rather crucial to the economy of Scotland. *[Applause.]*

The Presiding Officer (Alex Fergusson): Order.

The First Minister: The financing of the Forth bridge is a matter of substantial public concern, so it has been of great interest to hear the reactions of Iain Gray's Labour spokespeople when they have been asked whether there would be tolls if they were in charge of building—or not building—the bridge. Des McNulty said on Radio Scotland on 10 December that they

"would look at all possible options."

Even more dramatically, David Whitton—standing in for Andy Kerr this week—was asked by Glenn Campbell whether the project would be a PPP or whether tolls would be considered. He replied, with that air of certainty that the Labour Party can conjure up in such moments of crisis:

"I don't know if that rules them out or not."

With Labour, it would be no bridge or a toll bridge.

Iain Gray: The SNP inherited a budget that had the money for the M74 in it. It also had the money—*[Interruption.]* It also had the money—

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

The Presiding Officer: Order.

Iain Gray: That budget also contained the money for the Edinburgh airport rail link. What has the Government done with that money? It has not built schools or hospitals with it.

Somebody once said:

"He that is good for making excuses is seldom good for anything else."

The First Minister always has plenty of excuses, but we do not want to hear them. We want to hear how he will deliver what Scotland needs with the powers that he has and using the £30 billion at his disposal. That is the business of a serious Government, not penning fan mail to Sean Connery. Scotland needs schools, hospitals and a new Forth crossing, but the First Minister needs a fight with Westminster to hide behind. When will the First Minister start putting the interests of Scotland first, instead of the interests of the SNP?

The First Minister: The SNP always puts the interests of Scotland first. That is one of the major defining differences between the SNP and the London Labour Party. *[Applause.]*

The Presiding Officer: Order.

The First Minister: In fact, 71 schools have been finished or substantially refurbished during our term of office.

Members: Oh!

The First Minister: Seventy-one. That is—*[Laughter.]*

The Presiding Officer: Order.

The First Minister: That is well on the way to the 250 that were promised in the Government's programme. The Labour Party does not like it, but facts are chieftains that winna ding: 71 school projects have been taken forward in this term of office.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Not by you.

The Presiding Officer: Order.

The First Minister: As far as the Government is concerned—*[Interruption.]*

The Presiding Officer: Order. When I ask for order, I expect to get it. Sorry, First Minister.

The First Minister: Even although it is the new year, Presiding Officer, you hope for a great deal from the Labour Party. I am hoping for a realisation that Labour's PPP/PFI dodge has been blown out of the water. It is not just that the Government must do as it is doing—building the greatest construction project in Scottish history on time and on budget—but we, as a Parliament, should recognise that we need the powers of a normal Parliament and a normal Government so that we can progress such capital projects in the best and most cost-effective way. That is the fundamental difference between a Government that is standing up for Scotland and a Labour Party that is waiting to hear from Westminster what it is allowed to do.

Prime Minister (Meetings)

2. Annabel Goldie (West of Scotland) (Con): To ask the First Minister when he will next meet the Prime Minister. (S3F-1323)

The First Minister (Alex Salmond): I have no immediate plans to meet the Prime Minister in the near future.

Annabel Goldie: In the 1990s, the Conservative Government secured land for a new Forth crossing. In 2007 there was, at least, a Scottish National Party manifesto commitment to realise the plan. The new Forth crossing will be one of the most iconic and important transport projects for Scotland in generations. Surely any First Minister worth his salt would have spent the past 18 months working out not just the design of the bridge but how to pay for it.

The public and Parliament want to know why a funding request to the Treasury on such an enormous project, which has such financial implications, was submitted only 14 days before

the announcement. The First Minister just said—I quote him verbatim—that

“the Treasury doesnae do anything in two weeks”.

If the First Minister is serious about the project, why has he spurned my party’s offer of talks with our shadow Treasury team at Westminster to find a way forward? Is his refusal more evidence of his real agenda? Is it the case that he does not want to find a solution but wants only another row?

The First Minister: I am afraid that I was not aware of the offer from the shadow Treasury team. However, I have received an offer from the Treasury team, which Mr Swinney has accepted, to reach an amicable settlement on the issue.

We have specified how the Forth crossing will be paid for: it will be built and paid for by conventional public procurement. Already, the advantages of that have been shown by the reduction in cost by £1.7 billion, because our approach provides certainty on how the project can be delivered.

The point about capital reprofiling is not about whether the Forth bridge will be built—it will be built—but about whether it will be accounted for over three years or over a longer period, which is the approach that any sensible business or family would take to a capital project. We know that PPP/PFI has been blown out of the water and we know that Labour is thinking about tolling the bridge. Perhaps Annabel Goldie, on behalf of the shadow Treasury team, can say what she thinks would be a better method than our chosen method of conventional public procurement, to deliver value for money for the people of Scotland.

Annabel Goldie: It is a bit difficult for my party’s shadow Treasury team at Westminster to hold discussions with the Scottish Government when the First Minister does not even know that the request has been made and special advisers have already spurned the request. That demonstrates the impotent approach to a vital issue.

The First Minister knew what he wanted two years ago. He loves the limelight but shirks the hard graft. He would open a can of beans sooner than he would open discussions with Westminster. He would rather burn bridges with Westminster than build bridges in Scotland.

There is only one conclusion: for the First Minister, this is not about building a bridge in Scotland but is yet again about picking a fight with Westminster. For him, it is a blame game. It is the politics of grudge and gripe, grievance and girn. Will he admit that this is about not Scotland’s national interest but parochial Scottish National Party interest? Will he admit that he is putting his party before his country?

The First Minister: It is best that we pursue the offer of talks with the Treasury, which says that it will respond constructively, before we consider talks with the shadow team—irrespective of who knows about them. Now that Annabel Goldie has informed me of the offer, I look forward to hearing the shadow Conservative team’s views on how to finance a bridge.

The SNP knows how to finance the bridge. We will do so by conventional public procurement. We know that we are taking the money out of the capital budgets and we have already made substantial efficiencies and savings in that regard. I hope to be around to attend the opening of a Forth crossing that has been built by the SNP Government under conventional procurement. I might have to wait longer to find out from any other party how it proposes to finance the bridge, given that the other parties’ chosen or favoured schemes of PFI have been blown out of the water. I live in hope that at some stage during the next few months a semblance of an idea will emerge from the other parties—whether or not that happens in talks with shadow teams—on how they would build the bridge. We know how we will build it: on time and on budget.

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-1324)

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

Tavish Scott: I have a letter that was sent to all eligible staff at the Scottish Inter Faith Council on 11 December. It is their redundancy notice, which was sent by the convener of the executive committee, Major Alan Dixon. He writes:

“despite every reasonable attempt made by the SIFC Executive Committee on your behalf, core grant funding from Scottish Government beyond 16 January 2009 has not yet managed to be secured ... we are hereby giving you notice that your employment with SIFC will terminate on 16 January 2009.”

Can the First Minister explain why it is the right time to risk closure of the Inter Faith Council through Government dithering and delay?

The First Minister: I am glad to inform Tavish Scott that the Inter Faith Council will not be closed, because the matter has been resolved. I hope that he believes that that is an example of effective action by the SNP Government.

Tavish Scott: I am delighted to hear that, but the First Minister needs to explain why redundancy notices were issued to all the staff at that time. If that is the case, we want that

information to be put on the record and placed in the Scottish Parliament information centre today.

It is difficult to understand why, at this time of year, when the world is in the state that we see on our television news every day and when we have just had a parliamentary debate on Gaza, the Scottish Inter Faith Council was forced to issue redundancy notices before it could get straight answers from the Government. If the First Minister can now clarify exactly when the situation was resolved, we would all welcome that information.

The First Minister: Tavish Scott's correct response would have been to say, "I welcome the assurances that the First Minister has given. The Parliament should unite in welcoming the work of the Inter Faith Council." All organisations must submit their applications for funding, which must go through due process. Thanks to the intervention of the relevant minister, that due process has been completed. The Inter Faith Council's funding is secure and the damaging effects that Tavish Scott was worried about will not come to pass. In this new year, cannot he find it in his heart to welcome the Government's effective action?

Tavish Scott: I certainly welcome that action. All I am asking the First Minister to do is to put on the record in Parliament exactly when that action was taken and why redundancy notices had to be issued. Can he do that today, please?

The First Minister: I welcome the fact that Tavish Scott has got round to welcoming our action. The record is this: when the issue came to pass because the funding position had not been resolved, the relevant minister intervened and resolved it. That is what happened—that is the process of events. I would have thought that any reasonable person, of whom there are plenty in the Inter Faith Council, would regard that as an example of effective government in action. No matter how many times Tavish Scott asks the question, he should welcome the fact that the issue—about which he was, no doubt, genuinely concerned—has been resolved.

Forth Crossing

4. Christina McKelvie (Central Scotland) (SNP): To ask the First Minister what implications the decision by HM Treasury to refuse the proposed funding package for the new Forth crossing will have for capital spending by the Scottish Government. (S3F-1346)

The First Minister (Alex Salmond): The Scottish Government is prepared to fully provide for the construction costs of the Forth replacement crossing because its immense economic importance to Scotland means that the project has top priority in our capital programme. That view is

widely shared in Scotland. However, if no adjustment is made to Scotland's capital budgets from the Treasury, there will be a substantial impact on other capital projects in the period 2013 to 2016, when the crossing will be under construction. We have sought HM Treasury's assistance in reprofiling the capital budget over a number of years to reduce that impact. The initial reply is disappointing, but offers further constructive discussions, which are being arranged and will be conducted in that spirit.

Christina McKelvie: Does the First Minister agree that what that case and the current economic situation show is that it is essential that the anomaly whereby local authorities and Network Rail have borrowing powers but the Scottish Government does not is rectified as soon as possible?

The First Minister: Yes, indeed. That question gets to the very heart of the issue. Previous Governments had the option of using PPP and PFI to get round the lack of borrowing powers but, as the letter from the Chief Secretary to the Treasury indicates, that is no longer an option. Indeed, it is obviously the worst option because if we proposed a Labour-type scheme for PPP, not only would the entire capital cost fall on a single year, which would swallow more than half the capital budget in that year, but we would then have to pay for the next 30 years the on-going borrowing costs of PPP. We would end up paying for the bridge twice—no wonder the Labour Party is thinking of tolling the bridge.

Jim Tolson (Dunfermline West) (LD): A new Forth crossing is of the utmost importance not only to my constituents in Dunfermline West but to the whole Scottish economy. Given that the Scottish Futures Trust and holding out the begging bowl to Westminster have failed, where is the credibility in the First Minister's assurances that a new crossing will be completed in 2016, when no funding is in place?

The First Minister: The funding is in place. That has been done by traditional public procurement. The advantage of doing it that way has been demonstrated by the substantial savings that have already been made in the cost estimates for the bridge. When, or if, any of the other parties comes forward with a better funding mechanism than the certainty of public procurement under our proposals, of course we will listen. However, we know that we can build a bridge on time and on budget.

Patrick Harvie (Glasgow) (Green): If the on-going commitment to an additional road bridge puts other projects—such as public transport investment—at risk, it will make the current Government's transport policy even less sustainable. In the light of the Treasury's decision

on the matter, is it not time to take the cheapest, quickest and most sensible option and fix the bridge that we already have?

The First Minister: The majority of people in the chamber, and certainly the majority of people in Scotland, do not believe that we can risk the closure of one of the integral links in the Scottish transport system, which would be the inevitable result of anticipating that it would be possible to sort the current bridge without having to close it for a substantial time. I think the decision to have the new Forth crossing carries substantial support.

In terms of the risk to other transport projects, the risk is that there will be delay if we are not allowed to spread the cost of this huge capital project over time. The analogy—I hope that Patrick Harvie will support this aspect—is with the ability that we have in respect of rail improvements, which are substantial across Scotland at present, for Network Rail to borrow. That has allowed us to procure a huge programme of rail facilities across Scotland. That is the mechanism that we need for all transport projects so that such uniquely costly projects can be spread sensibly over time.

International Development Policy (Gaza)

5. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the First Minister whether the Cabinet will discuss its international development policy in the light of the humanitarian crisis in Gaza. (S3F-1326)

The First Minister (Alex Salmond): Cabinet discussed the situation in Gaza on Tuesday. Our international development policy, as part of our wider international framework, sets out our position as a responsible country in the world, and already enables the Scottish Government to consider humanitarian assistance, where appropriate. We are in contact with non-governmental organisations in Scotland that are operating in the region and we stand ready, as the Deputy First Minister has indicated, to consider bids for support for humanitarian assistance in Gaza.

The Scottish Government joins a wide range of people in the international community in calling for an immediate ceasefire and free access for humanitarian supplies and aid workers, and I have written to the Israeli ambassador to reiterate that call.

Pauline McNeill: I thank the First Minister for that answer. On the 13th day of continuous bombing in the Gaza strip, with almost 700 Palestinian deaths, it is fitting that the Scottish Cabinet has discussed how we can respond to this disaster in a humanitarian way. That will complement the £7 million that has been

announced by the United Kingdom Government to go directly to Gaza. Does the First Minister hope, as I do, that the Scottish Parliament will tonight add its voice to the international call for a cease-fire? Will the First Minister be able to support the efforts of Edinburgh Direct Aid and others who are standing by to take to Gaza medical equipment and aid that have been donated by health boards, when it is safe to do so? Critically, can the First Minister consider helping in the appeal to Scottish hospitals to donate emergency medicines, where possible? Such medicines are desperately needed, and doctors in Gaza have made a special appeal for them.

The First Minister: The whole of Parliament and Scotland have been shocked by the scenes that we have seen from Gaza. People understand and know that warfare that is conducted in such a confined strip of land inevitably carries with it the risk of substantial civilian casualties, which is what we have seen.

On all three points that Pauline McNeill made, let me respond constructively. First, as the Deputy First Minister said, we stand ready to help NGOs that have plans for the area and to accept bids for assistance because we want to do our bit to help the humanitarian situation. Secondly, we hope that Parliament joins us in calling for an immediate cease-fire and humanitarian assistance. Thirdly, we will look imaginatively and constructively at any proposals whereby the skills and abilities of the Scottish health service can be of assistance at this time. In all three areas, we would like to do even more: what we have outlined is the least that we can do. In terms of how Parliament—and the Government—presents itself, we think we are doing the right thing by the people of Gaza in contributing to the international effort.

Ted Brocklebank (Mid Scotland and Fife) (Con): I noted the First Minister's appeal on 3 January for an immediate Israeli cease-fire. This morning, he has told us that he has written to the Israeli ambassador to call for a cease-fire. In any future appeals, would it not be wiser to call for an abiding cease-fire from both sides?

The First Minister: I am happy to say that: that is what "cease-fire" means and the Deputy First Minister said it today. The reiteration of the call to the Israeli ambassador has come because Israel is a state and states are bound by international law in terms of how they conduct military activities. It is entirely reasonable that we, as a Parliament and as a Government, make that call. Governments and states must abide by international law in their conduct of military activities and the implications for civilians. That is the law of civilisation as well as international law. I know that Ted Brocklebank supports that view.

Ken Macintosh (Eastwood) (Lab): Is the First Minister aware of the increases in anti-Semitism and in Islamophobic attacks that follow upsurges in violence or tension in the middle east? Will he follow the previous Executive's example in announcing new funds to improve security for Scotland's minority communities, particularly to tackle vulnerable sites such as faith-based schools, mosques and synagogues?

The First Minister: We have responded constructively in other times of tension that had implications for community relations in Scotland and we are ready to do so again.

Economy

6. Derek Brownlee (South of Scotland) (Con): To ask the First Minister what measures the Scottish Government plans to take in 2009 to support the economy. (S3F-1340)

The First Minister (Alex Salmond): The Scottish Government is taking a range of measures within its powers to support families and businesses affected by the economic downturn. One of those in the budget bill will be the welcome extension of relief on business rates for tens of thousands of small businesses under the small business bonus scheme. We look for the support and good will of all members in ensuring the passage of that important measure in the upcoming budget bill.

Derek Brownlee: It is amazing what can be done by adopting Conservative policies.

In that spirit, given that not a single business organisation in the country has a good word to say on local income tax, can the First Minister give us some clarification? Over the Christmas period, an aide to the Cabinet Secretary for Finance and Sustainable Growth said that:

"The reality of local income tax is that the proposal contains key advantages for Scottish business."

Can the First Minister name them?

The First Minister: The key advantage, as set out, is that a tax cut would help the economy and the people of Scotland. The other key advantage of a local income tax is fairness, in that it would be based on the ability to pay. Given that Conservative members supported our council tax freeze because, like us, they—I hope—understand the iniquity of the council tax, would it not be better to go the whole hog by supporting the abolition of the unfair council tax?

Alex Neil (Central Scotland) (SNP): Does the First Minister agree that, in a period of economic downturn and rising unemployment, the worst possible measure that the Scottish Government could take would be to implement £800 million-worth of public spending cuts, as has been

proposed by some? Equally damaging would be any prospect of Mr Swinney's budget being voted down by Parliament, because that would also lead to higher unnecessary levels of unemployment.

The First Minister: There seems to be a choice of public spending cuts in Scotland from the other political parties in the Parliament. There is the £800 million of cuts proposed by the Liberal Democrats, although we have no idea how they would be made. There is also the £500 million of cuts by the Labour Party, which I read in the paper this morning is already starting to have implications for Glasgow City Council. Perhaps now, after the Christmas recess, the Labour Party will admit that that amounts to £500 million-worth of cuts in the Scottish economy.

Earlier this week, I was astonished to find the leader of the Opposition at Westminster joining in the call for public spending cuts by suggesting what I assume will be another £500 million of cuts, not for next year or the year after next, but for this year. So we have a choice between cuts of £800 million, £500 million the year after next, or £500 million more from the Tories. It is little wonder that, as the people of Scotland consider the array of cuts that are proposed by the Opposition parties, this Administration will defend public services and be in office for a substantial length of time.

Margaret Smith (Edinburgh West) (LD): On a point of order, Presiding Officer. Will you consider the fact that during First Minister's question time, the First Minister suggested that the £1.7 billion reduction in the cost of the new Forth bridge is down to the funding mechanism? Will the First Minister reflect on his words and accept that at this morning's Transport Scotland briefing for local MSPs, we were informed that significant parts of the reduction were down to a range of changes, including loss of the multimodal element of the proposed bridge and the reduction in the amount of related road building?

The Presiding Officer: As the member well knows, that is not a point of order for me. However, it is now on the record.

12:31

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Europe, External Affairs and Culture

The Presiding Officer (Alex Fergusson): Good afternoon. The first item of business this afternoon is themed question time, and the first set of questions is on Europe, external affairs and culture.

Question 1 was not lodged.

National Theatre of Scotland (Funding)

2. John Wilson (Central Scotland) (SNP): To ask the Scottish Executive what level of funding will be provided to the National Theatre of Scotland for the financial year 2009-10. (S3O-5392)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The National Theatre of Scotland has been allocated £4.49 million from the Scottish Government in 2009-10.

John Wilson: In light of the international success of its production of "Black Watch", has the National Theatre of Scotland reaped any reward from increased ticket sales for the staging of subsequent productions?

Linda Fabiani: "Black Watch" has indeed been remarkably successful. The Scottish Government's international touring fund contributed to the cost of the NTS presenting the play in its enormously successful 2007 New York run. When the NTS was invited to play another season in New York in 2008, it earned enough at the box office from an audience of more than 26,000 to cover all its direct costs without the need for further Government investment. Ticket income from all NTS productions has increased by 46 per cent from £1.3 million in 2007-08 to a projected £1.9 million in 2008-09.

European Ministerial Counterparts (Meetings)

3. Ian McKee (Lothians) (SNP): To ask the Minister for Europe, External Affairs and Culture when she next plans to meet European institution representatives and what business they plan to discuss. (S3O-5382)

The Presiding Officer: Before I call the minister, I must remind members that they are meant to stick exactly to the question that they lodge. Dr McKee, your original question refers to

"European Union counterparts and what business will be discussed".

I suspect that, on this occasion, the difference is not that big.

The Minister for Europe, External Affairs and Culture (Linda Fabiani): I am always keen to engage with EU counterparts when the opportunity arises, and since taking office I have met a number of my ministerial counterparts including, most recently, ministers from the Governments of Catalonia, Hungary and Ireland. I also regularly attend meetings of the joint ministerial committee on Europe, at which issues of mutual importance are discussed. The committee will next meet in March. Of course, I take all opportunities to promote Scotland's interests, whether at home or abroad.

Ian McKee: How is the minister using her international contacts to promote the year of homecoming?

Linda Fabiani: I take every opportunity to promote Scotland's year of homecoming—and, indeed, all of Scotland's attractions—to EU and other ministerial counterparts. For example, at the annual reception for the consular corps, which will take place on 20 January, the First Minister and I will invite representatives of the countries represented in Scotland not only to participate in homecoming but to consider how their country's citizens might take part.

Creative Scotland Bill

4. Rhona Brankin (Midlothian) (Lab): To ask the Scottish Executive what plans it has to bring a creative Scotland bill back to the Parliament. (S3O-5398)

I am sorry, Presiding Officer—I meant to say "back to Parliament".

The Minister for Europe, External Affairs and Culture (Linda Fabiani): It is always best to be exact, Presiding Officer.

As announced in Parliament on 3 September 2008, we plan to legislate for creative Scotland's principles and functions in the proposed public services reform bill.

Rhona Brankin: I would be grateful for an exact response to my supplementary. Will the minister indicate the costs of establishing creative Scotland? Are reports that they have soared to £7 million accurate? Does she share my concern that those rising administration costs will result in money being diverted away from front-line arts spending? Indeed, is it not the case that the Scottish National Party has squandered the support for creative Scotland that had been built up by the previous Administration and has

completely lost the artistic community's confidence?

Linda Fabiani: We are finalising the transition costs, which will be presented to Parliament at the appropriate time. That is as it should be.

Ted Brocklebank (Mid Scotland and Fife) (Con): Given the difficulties that the minister experienced during the passage of the Creative Scotland Bill in explaining to the Parliament which agency would be responsible for disbursing funding to the arts in Scotland, can she now tell us whether Scottish Enterprise or creative Scotland will be the lead agency in funding arts bodies?

Linda Fabiani: What is important to the Government and recipients of funding is having a transparent system for disbursing such funds. We are working with partners to create the best possible system for giving funding to creators in our country.

Iain Smith (North East Fife) (LD): The uncertainty and confusion over creative Scotland's future is entirely the result of the Government's incompetence. Will the minister explain why the Government is determined to go behind Parliament's back by establishing creative Scotland without returning to the Parliament to address our funding concerns? When will she come back to Parliament to answer the serious concerns that were raised when the Creative Scotland Bill's financial resolution was rejected last summer? Why is she unwilling to proceed on a cross-party basis? Why did she refuse my request for a cross-party meeting to consider the best way forward for creative Scotland?

Linda Fabiani: We will agree to differ on the difficulties of presenting plans for creative Scotland to Parliament last year. I contend that the Opposition lacked understanding, which forced the bill's failure.

It is perfectly right to bring our plans for creative Scotland back to Parliament in the public services reform bill. As Opposition members have said, we do not need to go down the legislative route, but legislation is important, not least to establish the arm's-length principle for the arts, which had never been mooted until our Administration produced the Creative Scotland Bill. Parliamentary scrutiny will take place when the public services reform bill is introduced.

Scotland's Culture Website

5. Cathie Craigie (Cumbernauld and Kilsyth) (Lab): To ask the Scottish Executive when it intends to update the Scotland's culture website. (S3O-5401)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scotland's culture

website was a pilot that began in 2002, which the Scottish Library and Information Council developed and ran for the then Scottish Executive. I understand that the council is considering how to develop the site.

Cathie Craigie: I appreciate that the Scotland's culture website was established as a pilot, but I hope that the minister agrees that the information that the website supplies is especially helpful to people who are thinking of visiting Scotland as it is available in many languages. However, if a Google search by anyone who was thinking of visiting Scotland led them to that website, it would not set a good example—especially in our homecoming year—because it is not up to date. Is the website intended to be linked with relevant and updated material as soon as possible?

Linda Fabiani: As Cathie Craigie and I have said, the website started as a pilot portal. The Scottish Library and Information Council developed it until 2006, when the council decided, using its own funding, to retain a member of staff to develop the website. The council has examined how to continue to resource the website and is considering giving it a serious revamp.

In March last year, I announced our support for the establishment of digital access Scotland—a forum to encourage and improve access to Scotland's archives, libraries and museums—of which SLIC, Museums Galleries Scotland, the Scottish Council on Archives, Historic Scotland and the national collections are a part. I imagine that SLIC is working closely with its partners to ensure that the Scotland's culture website, for which it is responsible, corresponds with and enhances other work that the Government is funding.

Young People (Exchanges)

6. Nanette Milne (North East Scotland) (Con): To ask the Scottish Executive what it is doing to develop cultural exchanges and visits abroad for young people from Scotland and vice versa. (S3O-5353)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government and its partner agencies support extensive cultural exchange activity involving young people and will continue to do so in 2009 and beyond.

Nanette Milne: In 2006, the minister's predecessor visited the Aberdeen international youth festival—I am a trustee of the charity that runs it. She was greatly impressed by the variety and talent of the young performers and by the relationships that had been established between Scotland and many other countries over more than 30 years as a result of the festival. I invite the

minister to visit Aberdeen in August to see for herself the outstanding contribution that the AIYF has made to Scotland and its role in the year of homecoming. Can the Scottish Government offer practical support and advice to develop international cultural links with young people who participate in such festivals, particularly at this economically difficult time, when the importance of events such as the AIYF might be undervalued?

Linda Fabiani: I would be delighted to visit the Aberdeen international youth festival this year and will try my hardest to do so. I was disappointed not to be able to go last year because I have heard very good things about it. The festival receives lottery funding from the Scottish Arts Council, and I was amazed to read that, since 1973, around 33,000 young people from 81 countries have performed at it. It is indeed a success. This year, the participants are also taking part in the year of homecoming, with support from EventScotland.

The festival is only one of many young persons initiatives in the arts that the Government funds. I am pleased to say that we also sponsored three students from screen academy Scotland to attend the world congress of film schools in Beijing in October 2008. We will continue to consider how we can best support such initiatives, because they are very important.

Scottish Artists Union (Meetings)

7. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Executive whether the Minister for Europe, External Affairs and Culture plans to meet the Scottish Artists Union to discuss the establishment of creative Scotland. (S3O-5419)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): I am currently arranging meetings with various groups to discuss the establishment of creative Scotland. The Scottish Artists Union is, of course, welcome to participate.

Ken Macintosh: I think that I am pleased to hear that response, although I would certainly be pleased if the minister responded to the clear expressions of concern from Scotland's artistic community about the establishment of creative Scotland. Before or following her meetings, will she clarify exactly what reduction in support Scottish artists can expect to receive from an organisation with a standstill or smaller budget but greater responsibilities?

Linda Fabiani: I remind Ken Macintosh that, last year, I announced to the Parliament £5 million for new and innovative funding for the arts and creativity under creative Scotland.

Architecture

8. Gil Paterson (West of Scotland) (SNP): To ask the Scottish Executive what its plans are for architecture in Scotland. (S3O-5387)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): We have increased support for architecture to almost £2 million. A key priority is to integrate architecture more effectively with other policies on the built environment, including the reform of the planning system and the Scottish sustainable communities initiative. In autumn 2008, I commenced a review of Architecture and Design Scotland, and I intend to announce the outcome of that review before the Easter recess.

Gil Paterson: Will the minister give further details of how she intends to integrate policies on the built environment and improve place making?

Linda Fabiani: The aim is to provide a stronger focus on the creation of better places within a modernised planning system. The directorate for the built environment was established in February last year, and work is now under way that draws together architecture, planning and building standards. That includes policy on designing streets, advice on master planning and support for improved skills and training in urban design and place making. I intend to announce further work in a statement on policy following the outcome of the review of Architecture and Design Scotland.

Glasgow 2014 Commonwealth Games (Cultural Programme)

9. Patricia Ferguson (Glasgow Maryhill) (Lab): To ask the Scottish Executive what role the directorate for Europe, external affairs and culture has in the cultural programme that will accompany the Glasgow 2014 Commonwealth games and what progress has been made with that programme. (S3O-5404)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The Scottish Government's role in the development of the cultural programme is that of a full and active partner and the main sponsor of the games. The directorate for Europe, external affairs and culture is represented at all relevant working group meetings.

Patricia Ferguson: I am slightly disappointed that the minister did not follow up my question about the progress that has been made on the programme of cultural events that will accompany the sporting events in the Glasgow 2014 Commonwealth games. Perhaps she will do that next. Will she also confirm that Scotland will adopt the model proposed by the state of Victoria, which hosted the Melbourne games, and ensure that

access to all events in the cultural programme is free of charge to those who participate?

Linda Fabiani: I reassure Patricia Ferguson that the work is in progress and that the Melbourne games in the state of Victoria are one of the successful events that provided a legacy that we are examining as we put together our programme for the games and consider the legacy that we can give the country. We are studying the international examples closely and taking them into account.

Scottish Language Dictionaries (Funding)

10. Marlyn Glen (North East Scotland) (Lab): To ask the Scottish Executive whether it will provide an update on future funding for Scottish Language Dictionaries. (S3O-5406)

The Minister for Europe, External Affairs and Culture (Linda Fabiani): The funding arrangements for Scottish Language Dictionaries that have prevailed until now do not serve the best interests of the organisation. I am currently considering how that situation may be addressed.

Marlyn Glen: I thank the minister for that answer, such as it was. I had hoped for an update on what the funding would be.

Does the minister agree that, to survive as an authoritative source of Scots, Scottish Language Dictionaries should be treated as a special case for financial support? Such organisations need the stability of secure, long-term funding, particularly in this year of homecoming. Does she agree that any uncertainty must be resolved as soon as possible?

Linda Fabiani: I reassure Marlyn Glen that I am considering how the situation may be addressed. I do not think that the funding arrangements that were put in place by our predecessors in government best serve the interests of that organisation. The Scottish Arts Council, which funds Scottish Language Dictionaries, has agreed transitional funding until November 2009, which has allowed me the space to consider how best to take the matter forward.

The member may be interested to know that we are arranging a major seminar for 9 February, in Stirling, with representatives of the Scottish language groups, Scottish Language Dictionaries and other interested people, to consider the results of the audit of the Scots language that we commissioned and to discuss ways of moving forward to protect the heritage Marlyn Glen referred to.

Education and Lifelong Learning

Citizenship

1. Bill Kidd (Glasgow) (SNP): To ask the Scottish Executive what plans it has to encourage the promotion of positive citizenship in schools. (S3O-5379)

The Minister for Schools and Skills (Maureen Watt): The objective of citizenship education is to develop in young people the capability for thoughtful and responsible action and participation in all aspects of the community, from local to global. Scottish schools engage very positively with citizenship education and have greater opportunity to do so through the curriculum for excellence, which seeks to enable young people to develop as responsible citizens.

Bill Kidd: I recently met Sir Bernard Crick, who has sadly since died. He had great hopes for the development of the ethos of citizenship, democracy and the individual's place in society as central to the education of our children and young people. Does the Scottish Government believe that that approach should be a central tenet of Scottish education?

Maureen Watt: I, too, put on record my sadness at the death of Sir Bernard Crick. I met Sir Bernard, and we had correspondence on citizenship. The Government agrees with the late Sir Bernard that the development of the ethos of citizenship, democracy and the individual's place in society is central to the education of our children and young people. Indeed, one of the overall aims of the curriculum for excellence, which we are implementing with energy and vigour, is to enable young people to become responsible citizens, with respect for others and commitment to participate responsibly in political, economic, social and cultural life.

Elizabeth Smith (Mid Scotland and Fife) (Con): The Government has rightly acknowledged the important role that outdoor education can play in citizenship. What is the timescale for the strategic group that is working on the outdoor education programme? When will the group report on its deliberations?

Maureen Watt: I hope that the member appreciates that I have been keeping her in the picture as much as possible on the work of the group. I am afraid that I cannot give her an exact timescale, but I know that the group is working speedily to come up with some suggestions.

Sarah Boyack (Edinburgh Central) (Lab): I welcome the minister's commitment to the promotion of citizenship in schools. The eco-schools programme, which the minister has continued, is a fantastic way of promoting global

and environmental citizenship and of showing how children can play a role in tackling climate change.

In light of the announcement on Monday this week by the Cabinet Secretary for Education and Lifelong Learning on the roll-out of small-scale renewables in schools, will the minister tell us how many schools it is intended should benefit this year? When does she expect the Scottish National Party manifesto commitment on renewables for all schools to be implemented?

If the minister does not have that information to hand, I would be delighted to receive an answer in writing.

Maureen Watt: I give a commitment to write to the member with the precise details of what she asks for.

The member is right about the importance of the eco-schools programme. Many schools have embedded it as a central part of the curriculum. An example of that is Shawlands academy, which won the BT Scotland greener schools award. My colleague Fiona Hyslop has visited the school, and I visited it to offer support when it won the United Kingdom sustainable school of the year award.

By embedding healthy eating and the eco-schools programme in the school curriculum—centrally, and not just as an add-on—we are showing just how committed we are that the curriculum for excellence should promote active citizenship.

Secondary Schools (Laurencekirk and Kemnay)

2. Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive when it will provide Aberdeenshire Council with access to new funding arrangements in order for the council to construct new secondary schools at Laurencekirk and Kemnay. (S3O-5443)

The Minister for Schools and Skills (Maureen Watt): The Scottish Government is making available record levels of capital funding for investment in local authority infrastructure, including schools. Of course, it is for local authorities to decide on their own investment priorities.

We are committed to continuing the school building programme. We have already indicated that decisions about future resources will be taken not later than the next spending review. The Scottish Futures Trust has started the process of engaging with individual local authorities to identify appropriate delivery and funding solutions.

Mike Rumbles: The minister knows that, in addition to the normal funding process, the previous Scottish Executive made £63 million of public-private partnership funding available to

Aberdeenshire Council for new schools at Portlethen, Lairhilloch and Hill of Banchory in my constituency. Despite having been in office for two years, the Government has failed to provide any new kind of funding for any new schools in Aberdeenshire. Is the minister content to continue to do nothing about that, and to let children learn in schools such as those at Kemnay and Laurencekirk, which are no longer fit for purpose? The council cannot do anything until the Government introduces its new scheme.

Maureen Watt: It is indeed true that Aberdeenshire has a disproportionately large number of schools in poor or bad condition, and that the member's party has been in control of Aberdeenshire Council for 10 years or more. As a result of pressure from opposition in the council, a bigger commitment has been made to the school estate this year. For example, there is a commitment to replace Alford academy. That will begin to tackle the backlog of schools needing to be replaced in Aberdeenshire.

Contrary to what the member suggests, the Government has given record levels of capital to local government. Aberdeenshire Council is at last using that funding for schools.

Ken Macintosh (Eastwood) (Lab): The minister will know that Aberdeenshire is not the only area of Scotland that is waiting for the much-vaunted Scottish Futures Trust—I think that everybody in Scotland is waiting for that. If she is not able to give me a date for when a school will be commissioned, will she give me a date for when she will encourage councils to make bids to the Scottish Futures Trust when they are putting together programmes for schools in their areas?

Maureen Watt: The member knows that, of the 328 schools that were built under the previous two Executives, fewer than half were built using the PPP programme. Many were built using conventional funding. This Government is well on track towards lifting 100,000 pupils out of poor-quality school buildings. Over the past year, 71 major school building projects were completed.

Ken Macintosh: On a point of order. I asked a simple question about a date; I did not ask for a party-political lecture about what we did as the previous Executive. Will the Presiding Officer encourage the minister to try to address at least part of the questions that she is being asked?

The Presiding Officer: Mr Macintosh, you know that that is not a point of order. Ministers alone are responsible for the content of their replies.

Class Sizes (Primary 1 to Primary 3)

3. Helen Eadie (Dunfermline East) (Lab): To ask the Scottish Executive whether it is confident

of delivering its pledge of lower class sizes for primary 1 to primary 3. (S3O-5403)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): Yes. Under the terms of the concordat, local government has agreed to make year-on-year progress on reducing the maximum number of pupils in P1 to P3 classes to 18.

Helen Eadie: What actions does the Cabinet Secretary for Education and Lifelong Learning propose to take to address the developing situation at Inverkeithing primary and other primary schools in the Dunfermline East constituency? Incidentally, not one new school has been announced since last year for that area, which is controlled by the Scottish National Party and in which the upwards trajectory for class sizes is such that they may double instead of being reduced to 18.

Fiona Hyslop: I remind the member that local authorities are responsible for education in their area. If she had been paying attention, she would have noted that Fife Council has announced further capital spend for new schools in Fife. Over the 2008-09 session, 27 schools have been given additional teachers to cut class sizes. There are challenges in areas such as Fife, Perth and Kinross and West Lothian, which have growing populations. However, although Fife has areas where the population is growing, it has managed to add to the teacher workforce in order to cut class sizes. I think that she should welcome that.

Murdo Fraser (Mid Scotland and Fife) (Con): Can the cabinet secretary tell us how many councils in Scotland will provide class sizes of no more than 18 in primary 1 to primary 3 by 2011?

Fiona Hyslop: Murdo Fraser knows full well that the agreement with local government is that it will work to provide year-on-year progress on cutting class sizes to 18. It is a tribute to some local authorities that they have made early progress on that. As he will be aware, some local authorities will want to focus their attention on areas of deprivation, while others will want to take down the class sizes in all their schools. I am delighted that Fife, as was referred to in my previous answer, is making significant progress on cutting class sizes. I look forward to hearing news of that nature from across Scotland.

School Leavers

4. Johann Lamont (Glasgow Pollok) (Lab): To ask the Scottish Executive what steps it is taking to address the high proportion of young people from deprived backgrounds or with disabilities leaving school who are not going into employment, education or training. (S3O-5413)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): Helping all young people into education, employment and training is a top priority for the Government and we have a specific indicator to that effect in the national performance framework. To support delivery, I recently launched 16+ learning choices, which will be rolled out across Scotland by 2010. The new model will bring a particular focus to improving outcomes for young people who leave school at the earliest opportunity and for those who need additional support to make a successful transition.

Johann Lamont: I am sure that the minister shares my concern that young people from deprived backgrounds and those with disabilities are disproportionately represented among young people who are not in education, employment or training. That is a challenge to equalities as well as to the development of skills and education. Will the minister outline specifically what Skills Development Scotland will do to address the needs of those young people and improve their future prospects, what annual targets have been set for Skills Development Scotland in relation to those young people and how she plans to monitor such targets?

Fiona Hyslop: There were a number of questions there. I refer the member to the national performance framework, because it has the responsibility and the targets. Local community planning partnerships and, more important, the partnerships that involve Skills Development Scotland and all the other partners that can help the young people to whom she referred have made provisions to make significant progress. That is why we already see a gearing-up of the partnership work to help those young people.

The member is right that the position in Scotland is not acceptable. That is one of the reasons why, in the 16+ learning choices model—I hope that the member has an opportunity to review the consultation on that—we want to focus support to allow more flexibility and more choices for those young people so that they can combine experiences in the voluntary or other sectors with more traditional school work. We want to provide opportunities for more young people to remain in education out of choice, as opposed to having compulsory education until the age of 18. We want to provide a far wider range of experiences and help to fund better provision than that which those young people might find in colleges. I strongly urge the member and others to have a look at the 16+ learning choices consultation.

Rhona Brankin (Midlothian) (Lab): What benefits for young people from deprived backgrounds does the minister envisage will flow from the Government's intention to institute

nationally benchmark testing in literacy and numeracy at primary 7, as reported in today's *Herald*?

Fiona Hyslop: We had debate on that yesterday and I think that the member is stretching the question. However, it is important to put on record that we welcome the cross-party support that exists for assessment of young people in primary education to ensure that we improve pupil literacy and numeracy. In tackling literacy and numeracy skills, we also need to focus on adults, so our recent announcement of a survey on adult literacy and numeracy is important.

I agree with those members who said that we should not have formal external examinations in primary 7—a point made by Elizabeth Smith in yesterday's debate—as that would not necessarily be the way forward. However, we want better assessment for better teaching and learning to ensure that young people have the tools that they need. To go back to my response to Helen Eadie's question, if we can get literacy and numeracy supported by smaller class sizes in primary 1 to 3, perhaps the problem that Johann Lamont mentioned of young people leaving at 16-plus without going into positive destinations will be tackled properly.

Skills Development Scotland Chief Executive (Meetings)

5. David Whitton (Strathkelvin and Bearsden) (Lab): To ask the Scottish Executive when it last met the chief executive of Skills Development Scotland and what was discussed. (S3O-5433)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): The chief executive of Skills Development Scotland met the Scottish Government at the regulatory review group meeting on 19 December 2008. The discussion focused on the role of Skills Development Scotland in improving regulation within the Government's better regulation agenda.

David Whitton: I thank the minister for her answer, although it is a wee bit disappointing.

Given that a number of retail outlets—most notably Woolworths—have announced closures in the past few weeks, and given that redundancies in the banking sector are, unfortunately, anticipated in the weeks to come, will Skills Development Scotland be looking for more money to finance the programmes for which it is responsible? What extra funding has the cabinet secretary requested from the finance secretary to facilitate that?

Fiona Hyslop: Clearly, the Government is working on its economic recovery plan to focus on the support that is needed for economic recovery, but particular attention is being put on partnership

action for continuing employment. We are improving and refocusing PACE to ensure that it is geared up to do what is required. I can reassure the member that PACE was actively involved with Woolworths staff in particular in the weeks before and during the Christmas period. I put on record my thanks to all the staff in Skills Development Scotland and the PACE teams for their work over the past few weeks, particularly in supporting the staff of Woolworths and other companies that have announced redundancies. I am committed to delivering and improving on the PACE agenda. I will make an announcement on that shortly.

Nursery Teachers

6. Hugh Henry (Paisley South) (Lab): To ask the Scottish Executive whether it remains concerned at the removal of nursery teachers from nurseries in some local authority areas. (S3O-5409)

The Minister for Children and Early Years (Adam Ingram): The Scottish Government expects there to be an increase in the overall level of teacher involvement with three and four-year-olds in nurseries. How that is delivered, under the terms of our concordat with local government, is for local authorities to determine on the basis of local needs and circumstances.

Hugh Henry: The matter might well be for local authorities, but the minister might have found the wording of my question familiar because his party's manifesto in 2007 stated:

"We are concerned at the removal of nursery teachers from nurseries in some council areas."

Those are almost the exact words in my question.

In Renfrewshire, full-time teachers are being removed from six nurseries, including the Johnstone and Spateston nurseries in my constituency. Teachers will visit those nurseries only once every five or six weeks. Does the minister have concerns about that, or would he advocate that as a model for all nursery schools in Scotland?

Adam Ingram: My understanding of Renfrewshire Council's restructuring of nursery provision is that its aim is to provide access to a nursery teacher for all pre-school children. That was not the case before the new administration took over. The 20 per cent of Renfrewshire children who are served by partner providers will now benefit from teacher input into their pre-school education and care for the first time. The member will be interested to learn that I have been invited to meet the council administration early in the new year, when I intend to discuss the restructuring plans with the council. Clearly, the council needs to be able to show that improved

outcomes for children will be delivered by the provision.

Asylum Seekers (Further and Higher Education)

7. Patrick Harvie (Glasgow) (Green): To ask the Scottish Executive what barriers prevent asylum seekers from accessing further and higher education. (S3O-5362)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): Key issues around barriers to asylum seekers accessing further and higher education were raised in research that was conducted by the Scottish Government and the Scottish Refugee Council in 2004. They included lack of proficiency in English language and literacy, lack of full refugee status, and child care issues. We have been working to remove those barriers and, as a result, we now have the most generous provisions available to asylum seekers across the United Kingdom.

Patrick Harvie: The Scottish Government understands the value to Scotland and those young people of their being able to access further and higher education, and I welcome the work that has been done to date. However, conditions still apply and uptake appears to be low; by some estimates, it is fewer than 20 individuals in Glasgow and the west of Scotland. Will the cabinet secretary agree to review the existing conditions, including the conditions that individuals must be 18 or under at the time of the asylum application, which must have been prior to 1 December 2003, and that they must have been resident in Scotland for three years? A review of those conditions would give the opportunity to ensure the maximum uptake, so that every young person who could benefit is able to do so.

Fiona Hyslop: The terms that are laid down for young asylum seekers reflect the terms and conditions that affect other students. For example, the three-year residency requirement affects all students who apply for the support that young asylum seekers get. We are trying to ensure that young asylum seekers get the same access and financial support as similar students who have been resident in Scotland for three years. Although I am happy to keep that under review, my scope might be limited. We always knew that the numbers would be limited—there were 17 last year and this year there are slightly more—but we wanted equity of treatment, and that is what we have managed to deliver.

Christina McKelvie (Central Scotland) (SNP): In light of the announcement that was made a few days ago about new approaches to the welfare of children who are seeking asylum, is the cabinet secretary pleased about the proposal for a pilot for alternatives to detention, and in particular about

the ending of the detention of children in Dungavel detention centre in my region?

Fiona Hyslop: I have pursued this issue consistently. I welcome the announcement on the new code of practice and duty by the UK Border Agency. It is important for the new code to ensure that there is fair treatment that meets the same standard that a British child would receive; that the child's interests are primary so that there is no discrimination; and that their asylum applications are dealt with in a timely manner. I understand that that will be part of an amendment to a UK bill.

I am also pleased to see that progress has been made on alternatives to detention. This Government has called for that for some time. Home Office officials have the key responsibility of driving the pilot forward and positive work has been done with Glasgow City Council officials in particular. It is important that Scotland ensures that children's needs are always paramount, wherever they come from and for whatever reason. We have to have a sense of decency about how we treat children. The Government welcomes the alternative to detention pilot.

Scottish Baccalaureate (Universities and Colleges Admissions Service Tariff Points)

8. Elizabeth Smith (Mid Scotland and Fife) (Con): To ask the Scottish Executive when it expects an announcement from UCAS about the tariff points that will be awarded to the new Scottish baccalaureate when it is considered as part of a university application. (S3O-5351)

The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop): UCAS will be considering the tariff rating for the interdisciplinary project element of the new Scottish science and language baccalaureates in its work schedule for 2009. The Scottish Government and the Scottish Qualifications Authority will be working with UCAS between now and the spring to ensure that it has all the material that it needs to carry out that exercise, with a view to having the results ready in time for the first learners starting their baccalaureates in summer 2009 and applying in autumn 2009 for entry to university from 2010.

Elizabeth Smith: Does the cabinet secretary expect that the tariff points that are to be awarded for the science baccalaureate will be the same as those awarded for a modern languages, social sciences or arts baccalaureate?

Fiona Hyslop: That is an interesting question and I look forward to the answer. I am not sure that it is appropriate for Government ministers to set the tariffs for universities. If I did so, I am sure that I would hear a howl of complaint from elsewhere. That should be left to the specialists and educationists who can evaluate a course and

subsequently set the tariff. As was said in the debate yesterday, the improvements in the tariff ratings for highers and advanced highers compared with those for other qualifications south of the border show that Scottish students are well placed. Even with an A* rating coming in for advanced highers, the likely, or proposed, rating that could be achieved by the interdisciplinary project as part of the baccalaureate will certainly provide an additional assurance that Scottish students who apply to universities do not lose out. If anything, they will be far more competitive than ever before.

Offender Management Plan

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-3174, in the name of Kenny MacAskill, on protecting Scotland's communities—the Scottish Government's offender management plan.

14:55

The Cabinet Secretary for Justice (Kenny MacAskill): On Wednesday 17 December, the Scottish Government delivered on its commitment to publish before the end of the year our plan for a coherent offender management strategy. I was visiting the young offenders institution at Polmont when the plan was launched. Polmont is in the throes of a major refurbishment that will give us a modern, fit-for-purpose young offenders institution. However, in common with the majority of our prisons, it is full.

What makes the situation at Polmont particularly distressing is the fact that the offenders there are all young men aged under 21, many of whom have been in prison before. Youth is not an excuse for serious or dangerous behaviour, and the young men who have been convicted of serious crimes deserve to be there. *[Interruption.]* Nevertheless, that is nothing like the whole story. Records show that, in 2007-08, there were more than 1,100 receptions into Polmont for a sentence of less than six months. Those receptions will not have involved 1,100 different young men; more likely, a substantial proportion of them are the same young men caught in a cycle of reoffending.

That is the picture across the whole prison estate. In 2007-08, there were more than 11,000 receptions for adult males and 829 receptions for women. *[Interruption.]* The Scottish Prisons Commission report said that, in 2006-07, nearly 7,000 offenders who got a prison sentence had already accumulated between them a staggering 47,500 previous spells in prison—at a time when the level of recorded crime is at its lowest for 25 years.

The Deputy Presiding Officer: Order. The cabinet secretary may have a BlackBerry or other electronic device in his pocket that is interfering with the sound system.

Kenny MacAskill: It is off.

We remain committed to providing a modern, fit-for-purpose and, for the most part, publicly run prison service. We have committed to three new prisons and we are investing a record £120 million each year in prison capacity. However, we cannot and will not keep building more and more prisons

to fill with offenders who are caught in the cycle of low-tariff reoffending.

Richard Baker (North East Scotland) (Lab): The cabinet secretary is opening prisons that we commissioned when we were in government. What is his response to reports last night that there will be a delay of some two years in the construction of the Low Moss replacement prison?

Kenny MacAskill: That is just not true. There has been a delay in the construction of Low Moss because, for two and a bit years, the previous Administration faffed around deciding whether the contract should be awarded to the public sector or to the private sector. That cost us £2 million when we could simply have delivered a public sector prison whose first wall might have been up or at least started by now. We are delivering not simply a new prison at Low Moss; we are delivering a public sector prison, where the top priority is safety, not private profit.

However, prisons do not come free. One new prison means fewer new schools or hospitals or less support for our elderly. At a time when resources are tight and must be spent prudently, we want to provide for our pensioners, not pander continually to prisoners. Today, Parliament has the opportunity to debate our plans for a modern offender management strategy that is based on the twin planks of a robust regime of community penalties and strong and proportionate management of offenders who are sentenced to prison. Our aim is to deliver immediate, visible, effective, high-quality, flexible and relevant justice.

Our plan has grown out of the major reforms to the Scottish criminal justice system that are already under way or are complete, such as the 2007 review of community penalties and the valuable and much-praised work of the Scottish Prisons Commission. The commission's key themes of swift justice, payback, reparation and better management of offenders for whom prison is the right option underpin our vision for change.

Reflecting all those developments, our plan will bring about the introduction of a new community payback sentence to allow courts to impose a range of requirements on the offender, including taking part in unpaid work, supervision, alcohol or drug interventions and programmes to address offending behaviour.

We want to speed up the process for delivering community sentences. Under our proposals, the offender will have to sign off on their undertaking before leaving court and will have a first appointment with criminal justice social work within one working day. Any unpaid work or activity will have to start within seven days and the entire sentence will have to be completed within six

months, instead of the current 12, unless the court decides otherwise at the point of sentencing.

We will legislate to make it clear that judges should not impose a custodial sentence of six months or less unless they believe that the circumstances suggest that no other option is appropriate.

We are not doing this on a whim or a fancy. The Scottish Prisons Commission recommended that approach based on the available evidence. In 2004-05, three quarters of those sentenced to six months or less were reconvicted within two years. In comparison, three fifths of those given community service orders were not reconvicted in the same period of time.

Richard Baker: I think that the cabinet secretary is comparing apples with pears.

Can the cabinet secretary tell us how the new community sentences that will be handed out will be resourced?

Kenny MacAskill: I dispute the assertion that we are comparing apples with pears. We are comparing the rates of reoffending of those who were sentenced to six months or less with the rates of those who were given a community service order. I do not think that the two groups cannot be compared.

On resourcing, the member will be aware of the record funding that the Government is investing. We have also committed to an additional £1 million this year and another £1 million next year. Further, the issue is being addressed in conjunction with local authorities, which I will talk about later. For now, I merely point out that Councillor Harry McGuigan, the Convention of Scottish Local Authorities' spokesperson for community wellbeing and safety—who is a member of the Labour Party—is driving forward in unity with us on this agenda.

Robert Brown (Glasgow) (LD): Mr Baker raised the question of resources. Can the cabinet secretary give us any indication of the timescale for the process of replacing short-term sentences with community service orders?

Kenny MacAskill: Obviously, that will be, to a certain extent, dependent on primary legislation. However, as I have said to Mr Brown elsewhere, there is a journey that must be undertaken, and some decisions that have been taken on the bench demonstrate that that journey is already under way. We have to ensure that adequate resources are provided, and I can give members an assurance that they will be. Equally, we have to ensure that the process can be ramped up.

We accept that, in an ideal world, even more money would be invested. However, we live in a time of economic problems, we have inherited a

prison estate that is not fit for purpose, and we are having to invest £120 million a year to sort out what was not dealt with before. We are doing what we can, and we will ensure that the appropriate measures are in place.

We will make the necessary changes to the Custodial Sentences and Weapons (Scotland) Act 2007 to deliver, in due course, a more proportionate and effective system for end-to-end sentence management of offenders, and consequently end the current arbitrary system of early release that is provided for in the Prisoners and Criminal Proceedings (Scotland) Act 1993.

Our plan is not starting from scratch. We have already invested heavily in the criminal justice system. We are completing the justice reform package that was started by the previous Administration, to its credit.

We have invested an extra £1 million for speedier and more immediate delivery of community service orders and will be investing a further £1 million through community justice authorities to assist local authorities to reorganise service provision to meet much tighter timescales in delivering community sentences. We have also funded three community justice authorities to evaluate new approaches to improving the visibility of community sentences in their areas.

We will move forward to deliver the key elements of our new offender management plan. However, the reform agenda is huge and we cannot deliver it alone. The key to success is commitment from our local authority partners, health and third sector providers, the community justice authorities and the judiciary at every level.

When our plan was published, Councillor Harry McGuigan, COSLA's spokesperson, said:

"We welcome this latest and important step on the road to tackling re-offending and making communities safer."

He added:

"We ... look forward to continuing this productive partnership as CoSLA, the Scottish Government and the Community Justice Authorities"—

that is, the strategic partners at the local level—

"work to deliver our shared objective of fewer short prison terms and more offenders paying back to communities for the harm they have done."

In many respects, there is nothing new about the agenda. We have debated the same points for a number of years while prison numbers have continued to grow and more and more offenders get drawn into the hopeless cycle of reoffending. As Cathy Jamieson said on 6 December 2004,

"There are no simple ... solutions to tackling crime and offending in Scotland. However, I am clear that locking up offenders for short periods of time, and releasing them back

into the community without action to address their behaviour, is not the answer."

We have always said that prison is absolutely the place for serious and dangerous offenders. Through tough community penalties, however, I want minor offenders to give something back to the communities that they have damaged, instead of their simply sitting in prison for a few weeks or months at the taxpayers' expense. Reducing the number of people whom we imprison will also free up valuable Scottish Prison Service resources and enable it to deal more effectively with those whose crimes are serious and who present an unacceptably high risk to public safety.

As the Scottish Prisons Commission said, Scotland has choices. Let us make sure that we make the right one.

I move,

That the Parliament supports the Scottish Government's plan for delivering a coherent offender management strategy built on a robust regime of community penalties and payback and a strong and proportionate management for offenders sentenced to prison and welcomes the publication, on 17 December 2008, of *Protecting Scotland's Communities: Fair, Fast and Flexible Justice*, which sets out the Scottish Government's strategy to tackle reoffending and enhance public safety through a system that will deliver immediate, visible, effective, high quality, flexible and relevant justice.

15:07

Richard Baker (North East Scotland) (Lab):

The core purpose of our justice system must be to protect Scottish communities. Any changes to the way in which we deal with offenders must be driven by that goal and no other. Despite the motion's title, we do not believe that the plans will better protect Scotland's communities.

The Cabinet Secretary for Justice is failing to act on overcrowding in prisons. There were reports last night that the replacement for Low Moss prison will be further delayed, and that is because the cabinet secretary alone decided to change the funding mechanism.

Kenny MacAskill: Is the member arguing that we should have proceeded with a private prison? That goes against the position that David Whitton and Wendy Alexander have taken. Is Labour once again campaigning for private prisons?

Richard Baker: I am pretty certain that the cabinet secretary is misquoting Mr Whitton. Also, we would certainly not put political dogma ahead of public safety. The cabinet secretary has his answer.

The cabinet secretary plans, in effect, to abolish six-month sentences at a time when there are cuts throughout the country to the budgets that support the current number of community sentences,

never mind budgets to expand them. I entirely agree with Cathy Jamieson's words, which he quoted. I do not resile from one word of that quotation. What he suggests is something very different. He proposes a totally unresourced step change, and that is why it is dangerous.

The motion calls the Scottish Government's plan a "coherent ... strategy". The reality is that it is anything but coherent.

Robert Brown: Will Richard Baker clarify whether his objection is to the funding, in which case his objection is entirely appropriate, or to the principle and the direction of travel of the Government's proposals?

Richard Baker: I object in principle to the removal from sheriffs of all discretion on the matter. We all favour the encouragement of more community sentences, but we cannot do that by the proposed mechanism alone, and we certainly cannot do it if the reform is not properly resourced.

The Minister for Community Safety (Fergus Ewing): Will the member take an intervention?

Richard Baker: I will take one more intervention and then I must make some progress.

Fergus Ewing: The member said that he is against removing all discretion from sheriffs, but that is not what is proposed. We are not removing discretion but creating a presumption. Does he accept that his analysis of the Government's position is fundamentally flawed?

Richard Baker: I do not agree with that. It is clear that the Government plans to remove that discretion. The Sheriffs Association has also raised fears about that.

Of course, the fact that we have a comparatively high prison population is not something of which we should be proud. We should always seek to drive down reoffending and explore new sentencing options to help achieve that. The report of the Scottish Prisons Commission, which was chaired by Henry McLeish, had those clear goals in mind and there is much in that report that we can welcome.

The Labour Party does not support the proposal that will effectively lead to the abolition of six-month sentences. It is not only that we oppose the measure in itself, which will lead to thousands of offenders—many of whom are responsible for serious offences, including assault and knife crime—no longer going into custody. It is also that a lack of investment in the services that are needed to back up community sentences means that the existing level of demand for those services is not being met, let alone the demand that will be created by some 4,000 additional offenders—£1 million will not meet that demand.

The Scottish Prisons Commission's report states:

"the Government and the people of Scotland should be left in no doubt that we first need up-front investment in better services in and for Scotland's communities."

That is not happening; specifically, it is not happening in services that support community sentences.

Changes to sentencing policy must be driven by what will best protect the public. The previous Labour Executive introduced many more community disposals because we believe that tough community sentences can be effective. However, the cabinet secretary's proposals on six-month sentences are being driven by his mismanagement of the prison estate and his fixation on having an arbitrary number of prisoners to match his budget, rather than having prison numbers that reflect the needs of justice and communities. He has claimed that he is bringing forward new prisons, but, in fact, he significantly delayed the opening of the new Low Moss, and Addiewell was commissioned by the previous Executive. He claimed today that the prison estate that he inherited was crumbling, but Her Majesty's chief inspector of prisons stated in his 2006-07 annual report that

"Scottish prisons have been transformed in the last four years",

and described the improvement as "remarkable."

We can only hope that the further plans for development of the prison estate will be delivered on a reasonable timescale, but even with those developments in place, there are no plans for extra capacity. Although we do not want to go on building more and more new prisons, I question an approach that allows for no new capacity.

Kenny MacAskill: If the member is of the view that the prison estate that we inherited was in such pristine condition, why have we now not only had to commit to Grampian prison—to replace Peterhead prison—and to Bishopbriggs prison, but started work on planning permission and investigations regarding both Greenock and Highland? We are now committed to four prisons because the estate that we inherited was not fit for purpose.

Richard Baker: The cabinet secretary is obviously in stark disagreement with the chief inspector of prisons, given the comments in the chief inspector's report. Many of the improvements to which the cabinet secretary refers were already in the pipeline when we left office.

We are not saying that we should not aspire to have more offenders carrying out community sentences that offer real and visible payback to the communities who have suffered because of

their crimes. However, Henry McLeish has said that such sentences cannot be a cheap option, and expanding their use so significantly without providing the right resources will damage public confidence in them.

The real gap in the cabinet secretary's aspirations for change, and something that makes them a threat to community safety, is that, far from increasing investment or putting in record investment to enable such a massive increase in community sentences to take place, the community safety budget and the criminal justice social work budget are flatlining.

At a local level matters are even worse. Sacro, an organisation that does so much to tackle reoffending, stated in its newsletter of August last year:

"The current round of funding cuts shows no signs of abating and it is no consolation that Sacro is not alone in having to withdraw valuable services. We are doing all in our power to minimise the effects of these cuts ... and the resultant impact on the communities that we serve."

I understand that in Fife alone Sacro lost about £1 million of services. In Aberdeen, Albyn house, which supports offenders with alcohol misuse problems, remains under threat of closure, and in Dumfries and Galloway Scottish Government funding for restorative justice programmes has been withdrawn.

Kenny MacAskill: Will the member give way?

Richard Baker: I may later on, if I have time.

In West Dunbartonshire, there have been huge cuts in the community safety budgets. Throughout Scotland, the number of drug treatment and testing orders issued has dropped by 14 per cent. In that context, how on earth will 4,000 more community sentences be sustained every year?

The cabinet secretary has presided over a situation in which there has been sharp increase of 14 per cent in breaches of community service orders. A lack of public confidence in such orders is not surprising when we hear stories of community sentences resulting not in payback but in offenders watching videos.

The McLeish report rightly says that community sentences should be served speedily after sentencing. When I asked the cabinet secretary how long offenders currently wait for placements for community sentences, he told me that he does not know. That is a far cry from instant justice.

The Liberal amendment reflects our concerns about investment. However, given Robert Brown's concerns about knife crime, which we share, we are surprised that he supports moves that would in effect end custodial sentences for about 81 per cent of those involved in knife offences. The

Conservative amendment is sensible and we will support it should ours fall.

On other aspects of the Scottish Government's strategy, ministers are rightly progressing other recommendations of the Scottish Prisons Commission, including that on the rolling-up of cases, but it is regrettable that other proposals will not be considered further, such as those on electronic monitoring of curfew for those on bail and the establishment of a national community justice council. We want much clearer progress to be made on ending automatic early release and we look forward to having more details on some of the wider measures that ministers have outlined. However, overall, we cannot agree that the measures represent a coherent strategy. That can be no surprise when we have a cabinet secretary who wants to release thousands from custody, whereas the Scottish National Party candidate in the recent by-election in Glenrothes, Peter Grant, boasted in a leaflet:

"there are more prisoners in our jails than ever before. That's good news".

Perhaps he should have spoken to Mr MacAskill first.

It is irresponsible to have no fallback position on prison capacity other than the proposal to end six-month sentences, particularly given that sheriffs often apply such sentences as part of the disposal of cases in which people are accused of significant offences. We welcome real efforts to improve community sentences and we are proud of our record in government in promoting them. However, the fact is that the proposal for a massive, unfunded expansion in such measures, driven by the abolition of six-month sentences, is unwise, unrealistic and irresponsible and will not help to protect our communities. That is why we challenge the Government. We will continue to do so, because we will always put public safety first.

I move amendment S3M-3174.1, to leave out from "supports" to end and insert:

"expresses concern that the Scottish Government's proposals for the abolition of six-month sentences are unworkable and will not improve community safety; agrees that it is right to seek to expand the provision of tough effective community sentences and payback but that to be effective such measures must be properly resourced and that this is not the case under current national and local funding settlements, and believes that any changes to the sentencing system must put first the delivery of justice and protecting the public."

15:16

Bill Aitken (Glasgow) (Con): I was decidedly disappointed by the cabinet secretary's speech. As usual, he gave good mileage, but there was nothing new. I thought that we were going to get some positive ideas about the route forward and

some practical solutions but, no, we simply had a rehash of what has gone before.

On short-term jail sentences, the cabinet secretary always comes out with the fact that some people spend only a few days in jail. His statistics may well be correct, but is not the basis of the problem Cathy Jamieson's super-duper early-release scheme, which he built on? As a result of that scheme, it is not the sentence that is wrong, but the time that is spent in jail. The cabinet secretary must face up to that.

On judicial independence, I note the cabinet secretary's point that he will not legislate to force sheriffs on sentencing, but he will certainly seek to influence them along a certain route, which I am sure they will not greatly appreciate.

Kenny MacAskill: We could conclude from that point that Bill Aitken might suggest that the current sentencing guidelines and the work of the Sentencing Commission for Scotland are an interference with judicial discretion. Does he not accept that such measures are on-going and that all that we propose is to legislate for what currently exists?

Bill Aitken: I do not accept that assertion for a moment. At the end of the day, the appeal court determines the appropriate sentencing. That has been the situation for hundreds of years, and I do not think that we require Mr MacAskill's direct intervention in that respect.

The cabinet secretary dealt with the sentencing options that he intends to make available under the proposed legislation that will no doubt be introduced. However, I was somewhat puzzled when I tried to work out which of those options is not available under existing law. Probation orders are made day in, day out and are subject to conditions. Sentences are deferred for people to be of good behaviour, subject to certain conditions. There are drug treatment and testing orders that require the accused to take drug treatment and to undergo testing. There is very little new at all.

Then, of course, we had the inevitable canard of a comparison of the recidivism rate among those who serve short-term custodial sentences with the rate among those who do community service. I pay the cabinet secretary the tribute of having sufficient intelligence to know that the reason for the outcome of that comparison is that those who are sent to jail are the more hardened offenders and those who are ordered to do community service are somewhat further up the offending food chain. However, the reoffending rate among those people is unacceptably high, to the extent that it causes an even greater problem, because they commit further crimes while at liberty, while

those who are in custody do not have the opportunity to do so.

I have never received a satisfactory answer from the cabinet secretary as to who he suggests should not get sent to prison. As someone who has practised in the courts, he must know that nobody gets sent to jail if another option is available; even people like me would turn somersaults to try to prevent people from being sent to prison. Who is he suggesting should not get a sentence of six months or less? At the risk of repeating myself, I point out that that is a typical sentence for the wife-beater, the three-times-disqualified drunk driver, the violent offender who causes mayhem in an accident and emergency unit and the petty thief with 40 convictions. Which of that batch of offenders is he suggesting should not be sent to prison?

Robert Brown: I wonder whether Bill Aitken is approaching the matter from the right direction. The issue is why offenders have had to come back into the system when previous sentences have failed. What has gone wrong with sentencing policy in the past? What can we do to improve the situation in relation to reoffending? That is the real question, is it not?

Bill Aitken: In many instances, those offenders come back into the system because Mr MacAskill has let them out after they served a quarter of their sentence. That is a principal consideration. The deterrent effect of prison sentences has been significantly reduced over a number of years. I recognise that the previous Conservative Government has a degree of culpability in that regard, too. The deterrent effect has certainly been reduced as a result of early release.

The Conservatives have never asserted that community sentences are not an appropriate disposal in many instances—indeed, we introduced them when we were in government. However, at present, there is no public confidence in those disposals. Perhaps more important, there is no judicial confidence in them, either; if there were, the courts would have handed out many more such sentences.

Community service is not respected by the offender; it is honoured in the breach rather than in the acceptance. Many offenders are simply not prepared to get out of their bed in the morning to go and do it. Sometimes, they have been failed by a system that has no community work for them to do. Mr MacAskill has not explained today exactly which measures he will take—I know that he has said that he will take measures, but at this stage in the game he has to be much more specific than he has been in the past.

The breach rate for community sentences is absolutely disgraceful, given that such sentences

are imposed as a direct alternative to custody. I am sorry to return to this theme, but the only way in which community sentencing will work is if it is operated in the same way that the New York scheme is operated. In New York, offenders have to do the work—if they do not, they go to jail for a fortnight and do the work when they come out. The word would soon get around if that happened.

Mr MacAskill talked about making community service visible, but, again, he gave no explanation about how that would be achieved. We are now so far down the road of this debate that specifics should be coming out much more clearly than they have been.

Fergus Ewing: Is it not a bit sweeping to say that the public have no confidence in community disposals, given that 1.3 million hours of community service are performed and thousands of people are engaged in supervising that work? Is it not a real slur on Scottish citizens who are trying their best to carry out that difficult work for Mr Aitken to say unequivocally that the public have no confidence whatever in those disposals?

Bill Aitken: At the moment, those individuals are certainly not doing their best to make community service work; I understand that they are on strike in Glasgow today—I have just had phone calls about that. Leaving that aside, the fact is that the public do not have confidence in community sentences. I can provide no more eloquent testimony than to tell the minister that this morning, after Mr McMillan and I had debated the matter on the radio, the call-in part of the programme was full of people calling in to make the same point.

There is no merit in Robert Brown's amendment. There is considerable merit in the Labour Party amendment, for which we would have voted but for problems with pre-emption. It is really for Mr MacAskill to come forward at the next opportunity—which, on the basis of this session's programme, will not be far away—with plans that are much more specific. Until then, we are certainly not going to support him.

I move amendment S3M-3174.2, to leave out from "supports" to end and insert:

"recognises that in some cases custody is the only appropriate disposal and prison should offer a greater opportunity for rehabilitation; believes that it is vital where community penalties are imposed that there is a much tighter and rigorous control of these orders, including making community penalties more robust and visible to the community and, in particular, to the victims of crime, and notes that only when these measures are in place will the public start to have more confidence in the criminal justice system."

15:25

Robert Brown (Glasgow) (LD): I am hurt by Bill Aitken's curt rejection of the Liberal Democrat amendment.

This is an important debate. The Liberal Democrats support the cabinet secretary's proposed direction of travel. We know that short-term sentences fail abysmally to protect the public. They also fail in their main purpose, which is to deter or divert offenders from reoffending. When three quarters of offenders who are given short-term sentences go on to commit more crimes within two years of release, it is obvious that the system is not working properly or in the public interest. A double whammy is involved: not only do the public suffer the crime, but they pay up to £40,000 of vital public resource to lock up each offender for a year. Members of the Labour and Conservative parties who take a hostile view of our amendment should bear that in mind.

Bill Aitken: Mr Brown rightly refers to members of the public, but does he agree that the public suffer greatly from the activities of people who reoffend while they are undertaking community sentences?

Robert Brown: The reoffending rate for those who receive community sentences is less than it is for those who receive prison sentences. That said, I accept Mr Aitken's earlier point about being careful when making comparisons. The reoffending rate for people who come out of prison is very high. The rate for those who are given community service is higher than I would like it to be—indeed, I am sure that it is higher than the cabinet secretary would like it to be. The reasons for that should be examined. For example, is the issue speed, resources or the types of sentences? We need to look into that.

I concede the basic point that protecting the public is the first duty of Government. There is no argument in the chamber but that serious and dangerous criminals should be locked up for the safety of the public. However, even those criminals—or many of them—have to come out of prison some time. The reality is that the pressure on the system from the churn of short-term prisoners damages our ability to make long-term prisoners safe to return to society.

The cabinet secretary and the Scottish Prison Service told the Justice Committee recently that most of our prisons operate for long periods of time above the assessed safe operating levels, the result of which is that rehabilitation and health services may be restricted to maintaining methadone prescriptions and similar provisions.

Our support for the cabinet secretary comes with a number of substantial caveats. First, we know that council spending on the main community

sentences went up by 80 per cent between 2000-01 and 2005-06, partly because of the use of the highly successful but more expensive drug treatment and testing orders that were piloted in 2000. In 2006-07, a total of 19,102 community service orders were made.

In its briefing for the debate, the Association of Directors of Social Work says that one council has estimated that there will be a 30 per cent increase in its workload if all short-term sentences are dealt with in the community. The cabinet secretary should give the chamber more detail on his Government's assessment of these matters. How many additional community service orders will there be? What will be the balance between cheaper supervisory orders and more sustained disposals such as DTTOs? What is the estimated cost? What is the timescale over which orders will be introduced? Like the Scottish Prisons Commission, does the Government have a target to reduce the prison population to 5,000? The Government paper and the cabinet secretary's speech were remarkable for their lack of detail on those key matters.

The cabinet secretary cannot do all of this at no cost. Introducing the community payback regime that the Scottish Government proposes is the right thing to do, but before sheriffs are asked to stop giving out short-term sentences on a routine basis, the public are entitled to know that the Government has put in place the projects and facilities that will enable speedy, effective, properly resourced and supervised community sentences and alternative disposals to be made. I give the SNP Government credit for its £1 million investment to speed up services, but it has given us no real indication that it is targeting the necessary resources at the new system. That could be a recipe for considerable difficulty.

Kenny MacAskill: I fully appreciate the member's concerns. We accept that resources are fundamental, which is why we are seeing a 185 per cent increase in the spend on community justice authorities over a 10-year period. We are seeking to build on that.

Despite the suggestion from the Scottish Prisons Commission, we have not set a target for the prison population—

The Deputy Presiding Officer: Your intervention should be short, Mr MacAskill.

Kenny MacAskill: We have not set a target; we are leaving the matter to the judiciary. However, I assure the member that we have increased spending and that the necessary resources will be provided.

Robert Brown: I am grateful to the cabinet secretary for his intervention, but he still has a distance to go on these matters.

My second caveat is that there should be clarity about what the Government is doing. My concern is fuelled by the change of tone—and, perhaps, of policy—between the November paper on the review of community penalties and the current paper. In November, the Government stated that its principal aim was to minimise offending by tackling the underlying problems that contribute to offending, and talked about the need for community service orders to include opportunities for offenders to change how they think and behave. However, I think that the Government's public relations people have got at the current paper, because in it the place of the rehabilitation element seems to have been reduced. Instead of there being a single community service order with provision for rehabilitation, the order is now called the tougher-sounding community payback sentence. Can the cabinet secretary tell us in clear terms the extent of the change of policy that that involves? Public understanding will be aided if the order has a name that indicates clearly what it does.

Community service work and the involvement of the community in helping to decide the projects on which offenders work are important. However, above all, it is important to use methods that get the offender back on the right tracks and that protect the public—the Liberal Democrat amendment is strong on that point.

Given all the caveats that Bill Aitken voiced in response to my earlier intervention, it is vital that we drive down reoffending rates so that the public see value in the huge sums of money that are spent on the criminal justice system. Eighty per cent of people do not have confidence in the prison system, never mind the community service system. Two thirds of prisoners test positive for drugs on admission, 40 per cent have alcohol problems and 70 per cent have mental health problems. Many lead chaotic lives, and many left school with poor reading and counting abilities and no skills that are of use to employers. Before we can expect offenders to get on with their lives, to get jobs and to become useful members of society, those issues must be tackled both in prison and in association with community orders, preferably before people commit serious crimes.

I have some concerns about six months being the cut-off point for the presumption against prison. We prefer to concentrate on sentences under three months—that point might help the cabinet secretary. Broadly, the offences that attract sentences of between three and six months are more serious—they include knife crimes, robberies and more serious assaults and housebreakings. Such offences bear a greater resemblance to those that attract longer-term sentences than to those that attract sentences of less than three months.

The Government's proposals could be the basis of a significant and effective refocusing of the criminal justice system, but ministers must get the details right, have the projects and people in place first, repulse their desire to let presentation lead the substance of the policy, stick with the principle of supporting what works and tackle full on the underlying causes of crime. If they do that, they will have our whole-hearted support.

I move amendment S3M-3174.3, to leave out from "supports" to end and insert:

"welcomes the publication on 17 December 2008 of *Protecting Scotland's Communities: Fair, Fast and Flexible Justice*, which sets out the Scottish Government's strategy to deliver a coherent offender management strategy built on a robust regime of community penalties and payback and proportionate management of offenders sentenced to prison; recognises that community sentences that are completed speedily and enforced with rigour offer greater benefits to communities and individuals than short prison sentences and that their planned expansion must be adequately resourced; calls on the Scottish Government to incorporate in its offender management strategy effective action to tackle the underlying causes of crime and factors and circumstances known to have a link with offending behaviour; reaffirms the importance of judicial independence free from executive direction, and looks forward to constructive engagement with the Scottish Government on the detailed implementation of the programme."

15:33

Stuart McMillan (West of Scotland) (SNP): The speeches that we have heard this afternoon from Labour and Tory members have been quite high on rhetoric and short on substance with regard to a serious issue that the SNP Government is determined to tackle. I did not expect Labour or Tory members to welcome the cabinet secretary's proposals whole-heartedly, but I was sure that they could and would accept some of them.

I welcome "Protecting Scotland's Communities", which has some really positive aspects. The first is the proposal for a community payback sentence, which will shorten the time within which an offender must undertake payback from 12 months to six months. That is evidence of a speedier response. The second is the plan to legislate to make it clear that sentences of less than six months should not be imposed unless no other option is suitable. That should enable work to be undertaken with offenders to tackle their issues and reoffending capabilities. The third is to end the existing arbitrary early release system that the Tories introduced, so that there is an effective end-to-end sentence management system. The fourth is the plan to abolish the sending of under-16s to prison and instead to provide them with more appropriate secure accommodation, which should be welcomed throughout the chamber. I could go on to list the many other positive aspects

of the document that will ensure that Scotland becomes a safer and more just country, but I will focus on the community payback sentence and on sentences of six months or less.

Prison should be used to get dangerous people off the streets, to make our streets safer and to ensure that work can be carried out with offenders to turn their lives around. It should not be used as a free bed-and-board hotel to satisfy the Tories or the Labour Party, who appear to be having a competition to see which of them can be the more right wing. Bill Aitken has suggested that old hospitals or Royal Air Force bases could be used as prisons, while Richard Baker wants those who are on community payback projects to wear high-visibility jackets. In fact, Labour should just go the whole hog and seek the reintroduction of prison suits with arrows or of stocks in town centres. If Labour members want to humiliate rather than rehabilitate people, they should keep going as they are. Thankfully, if media reports are correct, Mr Baker does not have his own party's unanimous support for his proposals.

I have to say that I fully agree with comments that Cathy Jamieson made in the past. In 2007, for example, she said:

"Community sentences are proving to be an increasingly credible way of dealing with offending behaviour",

while in 2004 she said:

"I am clear that locking up offenders for short periods of time, and releasing them back into the community without action to address their behaviour, is not the answer."

Moreover, last September, when she was the Labour justice spokesperson, Pauline McNeill said:

"We support making payback to the community more central to the offender's punishment, addressing the underlying causes of offending behaviour, and expanding the range of community sentences."—[*Official Report*, 11 September 2008; c 10770.]

Such comments clearly show that there has been an immense volte-face in the new Labour Party of Iain Gray and Richard Baker.

Richard Baker: Stuart McMillan should really have considered rewriting his speech after he heard what I said earlier. I made it quite clear that we view the proposals as very good ways of developing community sentences, but we oppose both the way in which they have been driven by the abolition of six-month sentences and the total lack of resourcing to achieve them.

Stuart McMillan: I simply point out that SNP members are not criticising the cabinet secretary in the media about their party's proposals.

As for Bill Aitken's suggestion that former hospitals and RAF bases be used as prisons, I am afraid that, when other Tory MSPs say that it is not

a good idea and simply not possible, he should consider it a non-starter. Pursuing it would be a waste of time. Given that and the fact that the Tories built no new prisons and introduced the automatic early release system, it is clear that their soundbites have no substance. Considering the Labour and Tory positions on this matter, I have to say that Mr Baker seems to be a wee bit more right wing than Mr Aitken. That will come as something of a surprise—not least, I am sure, to Mr Aitken.

Last summer, I visited a community service programme in the West of Scotland region. One of the guys on the squad told me that he had a funny shift pattern which meant that he might be off work for five days one week and only one or two days the next. However, under the programme, he was allowed to do only one day of community service a week. Under the Government's proposals, that guy would be able to do more community service on his five days off to get the sentence out of the way more quickly and to show that he is doing the work that he is supposed to be doing. The proposals will ensure that future offenders can carry out their community payback sentences in a shorter time, that the payback is relevant to the community and that the work is visible. Surely that is better than simply putting people in prison.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): What will be done about offenders—not that many, I admit—who are in full-time employment? Will they be restricted as well?

Stuart McMillan: The guy in my story was in full-time employment; the problems arose because of his shift pattern. I point out to Dr Simpson that current working arrangements are totally different from what they were in the past.

The SNP Government has proposed a means of tackling reoffending behaviour in order to make our communities safer. Changes to the offender management plan should be judged on their positive impact on our communities; in other words, we should not just lock everyone up and do nothing to tackle the individual's reoffending capability.

Scotland is not an overly lawless country, but if some people are to be believed the police have lost control. I do not believe that for a moment, although, like the SNP Government, I accept that certain issues in Scotland's communities need to be addressed. The Government's proposals are sensible. The ADSW said in a briefing that it sent to all MSPs that it was

"Supportive of the Scottish Government's approach to managing offenders".

It raised legitimate issues for consideration, but I would rather trust the SNP Government to

manage offenders than the Tories and new Labour with their right-wing attitudes.

15:40

Bill Butler (Glasgow Anniesland) (Lab): As a member of a democratic socialist party, I support the amendment in the name of my colleague Richard Baker.

The subject of the debate is the creation of a Scotland that is safer and stronger because the legislature has developed "a coherent penal policy." That is what the cabinet secretary said in the chamber on 6 June 2007, and he was right. Mr MacAskill also said:

"Prisons should be for serious and dangerous offenders"—

which is correct—and

"we need to shift the balance, with the less serious offenders who currently clutter our prisons being sentenced to community punishments."—[*Official Report*, 6 June 2007; c 408.]

He was, again, correct.

I said in that debate and again in a debate on 20 September 2007 that there was little, if any, disagreement among parties about the need for a rational and resilient penal policy, and I still believe that. However, such a strategy must be capable of delivering several objectives: an improvement in public safety; the delivery of condign punishment when necessary; the protection of victims' and communities' interests; and a contribution to reducing reoffending and promoting rehabilitation. Those desirable outcomes are common ground throughout the Parliament, but determining how we achieve all or any of them is where the challenge lies and where serious debate is necessarily focused.

We all know that the previous Labour-led Executive worked hard to lay the foundations for a stronger and more coherent justice system and for a safer Scotland. The SNP Government knows and—to be fair—has acknowledged several times since taking office that tougher laws on prosecution and weapons, much-needed reforms of the courts, and improved support for victims and witnesses were all introduced by the ministerial team of Cathy Jamieson and Hugh Henry. For the sake of accuracy and completeness, I say that Labour members acknowledge that those reforms had the support of most, if not all, members.

Of course, complex and serious questions remain, to which no easy answers or soundbite solutions exist. I accept that the ministerial team is wrestling with deep-seated problems. I acknowledge freely that the Government's strategy paper "Protecting Scotland's Communities: Fair, Fast and Flexible Justice" is a

serious attempt to detail the multifarious challenges and will fundamentally inform the Government's forthcoming criminal justice and licensing (Scotland) bill. However, I cannot and Labour will not give every aspect of the Government's suggested offender management strategy a blanket welcome. That would be an abdication of our responsibility as a serious Opposition party to examine rigorously the Government's suggested solutions.

Robert Brown *rose*—

Bill Butler: I will not give way at the moment.

Too many unconvincing assertions are made, especially about resources. For instance, the Government's paper trumpets an extra £1 million in the financial year 2009-10 to assist local authorities in delivering community sentences, yet we know that Sacro and other organisations that administer community sentences are experiencing funding cuts that hamper their effectiveness. In Fife alone, Sacro is experiencing the negative consequences of a £1 million funding cut. That is extremely worrying, and reveals a credibility gap between the Government's claims and the reality on the ground. Unless community sentences and penalties are properly resourced, they will not convince the people in our constituencies and they will give little reassurance and less comfort to the citizens of Scotland. We do not want that.

We all know that one of the most difficult questions in this policy area is how we not only strike a rational balance between custodial and community sentences but develop a consensus on the symmetry between punishment and rehabilitation that is acceptable to people in our communities and recognised as being workable. At this moment, I remain unconvinced by the SNP's stated policy of ending sentences of less than six months other than in exceptional circumstances. Although the policy, if implemented, would not forbid sheriffs from imposing such sentences—I agree with Mr Ewing on that—it would restrict their scope to act and, as Mr Ewing said in an intervention, create a presumption. That would be unnecessarily prescriptive and bind the judiciary's hands for no good reason.

We should be equally concerned that such a legislative change would send out entirely the wrong message to the public. Pace Stuart McMillan, I say that sentences of less than six months are not imposed on fine defaulters alone but cover those who push class A drugs in our most vulnerable neighbourhoods, some of which I and other members represent. Those sentences cover housebreakers, who leave behind a trail of damage and heartache, and common fraudsters, who prey on the old and weak in our communities. They also cover thugs who employ physical

violence that can leave innocent passers-by hospitalised and, in some case, permanently disfigured.

Because the policy lacks specificity, ending six-month sentences would be a serious misjudgment at this stage. Society needs to retain the ability to prevent people who commit serious offences such as those that I mentioned from roaming our streets. Labour believes that the public should be protected from such individuals—I hope that we all believe that—but ending six-month sentences, however well intentioned the measure, would diminish the public's confidence in the rule of law. We do not welcome that aspect of the SNP's plan—

The Deputy Presiding Officer: I am afraid that the member's time is up.

15:47

Nigel Don (North East Scotland) (SNP): I will return to the issue that Robert Brown introduced and remind us who we are talking about being in prison. The McLeish report tells us that people in prison are mostly men, are 13 times more likely to have been in care as children and are more likely—I will not repeat the numbers—to have been truants, to be unemployed or to come from families with criminal backgrounds. They have poor writing, numeracy and reading skills. They are more likely to be on drugs and are seriously more likely to have mental disorders.

If that is an accurate description of the people who are in prison—and I think that it is—I respectfully suggest that it is a pretty accurate description of the fraction of people who are on the margins of prison. They are the ones we are talking about—people who might finish up in jail, who might be given a community disposal or who might not be in front of the courts at all if they accept a fiscal fine. They are at the margins of our criminal world and are all seriously deprived. We must be absolutely clear that some of them are evil, for want of a better word, and that we will have to treat them accordingly, as they will not take much notice of interventions from our society, but most of them reach their position due to their backgrounds, about which they had little choice.

Our judicial process is about trying to punish criminal behaviour, and society is quite good at defining what is criminal. However, as I think we all accept, the judicial process should also be about trying to rehabilitate offenders so that they do not reoffend. Those of us who are parents, and most of us who have observed parents, know that that is what we do with our children. In their early years, they do things that we think are bad and we tell them not to. We use every mechanism that comes to us to change what they do so that they

understand that it is not the way to make friends and influence people.

It seems to me that the people about whom we are talking, whom we do not want to go to prison, are at the margins and need interventions that, if I can put it crudely, their parents failed to provide—I realise that some youngsters' parents try hard, so I am not blaming parents across the board. If those are indeed the people whom we are talking about, sheriffs need disposals that, first, punish, because we must send that signal; secondly, provide meaningful payback to society as part of the punishment, which contributes to changing people's behaviour; and thirdly, provide support that returns to the young criminal's life missing elements that have contributed to the criminal behaviour that we want to change.

We should not be arguing about the length of sentences; we should be ensuring that sheriffs have available to them disposals that are appropriate to the youngster who is not evil but has simply gone astray.

Robert Brown: Will the member give way?

Nigel Don: I ask the member to forgive me. I do not have time to take an intervention.

There are resources out there. I am a citizen of Aberdeen and I am aware that Aberdeen Foyer, which provides social enterprises in the city, has just been awarded £1 million over 10 years to provide programmes such as lifeshaper, which helps youngsters from chaotic backgrounds to develop life skills that will keep them out of trouble.

I could say much more, but time is against me. We should support the cabinet secretary and the minister, who are trying to divert people from a life of crime at as early a stage as possible. That approach will not change what sheriffs do with hardened petty criminals who appear in court for the 20th time—we are not talking about such people. The people whom we can hope to deal with are the youngsters—they are always youngsters—who are at the margins of becoming criminals and who will probably become criminals if they are sent to prison. We need to ensure that all the extra effort is put in at that stage, to try to divert such youngsters from crime and to educate and rehabilitate them. If that happens, over time we will reduce the prison population.

That is why I am not quite as worried as other folk are about resources. There is not the slightest doubt that the disposals that we are talking about need to be resourced, and I know fine well that the cabinet secretary understands that. Although we need to ensure that everything is covered, that is not the big issue; the issue is that, over time, we will be able to divert youngsters towards those disposals. The approach to hardened petty criminals is likely to remain the same as it is now,

because there is not much more that sheriffs can do with them.

I have a moment to take an intervention from Robert Brown, if he wants to intervene.

Robert Brown: I thank the member. Does he accept that if we are to increase the number of community sentences that are available, we must direct resources at them, particularly if there is to be a statutory direction on such disposals, as the cabinet secretary proposes?

Nigel Don: I entirely accept that adequate resources are needed. I remind folk that it costs more than £30,000 per year to house a prisoner and that the community service disposals that we are talking about are very much cheaper—by a factor of 10, at least. We do not need huge sums of money; we need money and the right people in the right places. The Government has got its mind around that. We simply need to ensure that resources are put in the right places.

15:53

Dr Richard Simpson (Mid Scotland and Fife (Lab): I will take a slightly different approach, by considering the historical perspective in more detail.

The growth in our prison population began after the second world war. Since the war, prisoner numbers have grown from only 2,000 to the recent high of 7,400, which is one of the highest levels in the European Union. The trend cannot be reversed simply through statements, political will or diktat, and it is meaningless to set an arbitrary target of 5,000. If prisoner numbers are to be reduced, a careful analysis needs to be undertaken, so that we can understand, first, why numbers have risen, and secondly, why alternatives to custody have not achieved the objective that we all hoped would be achieved. I will consider why the efforts of the Administration in the first session of the Parliament, in which I was involved, which were focused on women offenders, were only partly successful.

I will not have time to talk about some of the important issues that Nigel Don and others have touched on, but there is no doubt that the situation in our prisons and criminal justice system has materially altered during the past 25 years. Drugs are now a significant problem that comes on top of the continuing and growing problem of alcohol. Literacy and numeracy are also continuing problems, and mental health problems are increasing. Problems relating to personality disorders have always been around, and I urge the cabinet secretary to consider them closely, because there is a renewed interest in their treatment.

I will start by considering the numbers. The core of today's debate is about short-term offenders, and all speakers have mentioned them. However, the biggest increase in prisoner numbers has not been among short-term offenders; the biggest increase has been among prisoners on remand. Over the past four or five years, the daily prison population has increased by 600—or by 66 per cent. Over the past 25 or 30 years, there has been an increase in the length of sentences; and there has been a tendency to up the tariff. That is reflected in the increase in the number of people who are being recalled from licence—people who were released on parole from long-term sentences. The number of such people in the daily population has grown from 76 to 590, which is a staggering increase. The increase in the number serving a sentence of between six months and four years has been only from 1,413 to 1,736—although that is still an increase of 25 per cent.

Since 2002, there have been some positive trends. For example, among those serving six months or less, there has actually been a reduction—from 540 to 490.

As others have said, an understanding of the difficulties faced by the Scottish Prison Service is not complete unless we fully appreciate the difference between the daily resident population—the capacity that we have been talking about—and the admissions. Even if it were possible or desirable to eliminate sentences of less than six months—and I and the Labour Party would question whether that is desirable for more serious offences—it should be self-evident that it would not solve the capacity problems.

The churn of admissions and liberations disrupts the SPS's ability to tackle the more serious and recidivist offenders, and the increase of 600 in the number of prisoners on remand is part of an increase from 16,000 to 23,000 receptions. In the same period, the receptions of sentenced prisoners have actually decreased from 22,300 to 18,300. The number of fine defaulters among that group has almost halved in the past six years—from 7,200 to 3,400. However, the reduction of 4,000 in the number of receptions has reduced the prison population by only 100.

We can all agree that serious and violent offenders must serve lengthy custodial sentences; we can agree that the rate of reoffending is too high; and we can agree that short-term sentences—representing around 80 per cent of admissions—cause the SPS considerable problems.

It was Henry McLeish who said that we should do something about women offenders. He has been quoted as saying that we should reduce the number of women offenders by half—although there is dispute about that. Iain Gray set up a

working group, and when I took up the work I said that we would not attempt to reduce the number in the daily population but would attempt to reduce the number of admissions substantially. At that time, in 2002, there were 800 women prisoners on remand, 600 serving short-term sentences, and 600 fine defaulters.

By various means, we attempted to reduce those numbers. We wanted to reduce the number of fine defaulters by two thirds, and we succeeded in reducing it by half by using supervised attendance orders. We also proposed a community reparation order, but the pilots failed. They were not explained clearly to the judiciary, who did not understand them. The current Administration has apparently abandoned the pilots. They would have been visible to the community and would have helped to reduce the number of fine defaulters.

Short-term custody is only a punishment. I worked in prisons for 23 years, and prisoners who are in for less than three months get nothing. If they are lucky they might get an assessment, but they will certainly not get any treatment. Who is punished by that? The offender is certainly punished through losing their liberty. However, we also punish the SPS because the churn makes it unable to address the more serious reoffending behaviour of the prisoners to whom Bill Aitken, Richard Baker and others referred. We also punish the families of offenders, especially if the offender was in work; the children of offenders, because they are taken into care; and society, because £20,000 for six months of warehousing is a very expensive way of tackling the issue.

We therefore need many low and medium-tariff sentences to sort things out. We introduced DTTOs, drugs courts, restriction of liberty orders and the time-out centre, which has not been mentioned in the debate and which would take over 500 women out of the system. Why do we not have time-out centres for men? Why do we not extend that scheme? We have drugs courts, but we have not extended them either. We should extend that approach to alcohol treatment and testing orders. We should have alcohol courts and more time-out centres.

Remand remains the most important area to reduce. We must improve the bail arrangements, arrest referral, bail supervision, bail information and transport, bail hostels and curfews, because unless we reduce remand we will still have significant problems of capacity.

16:01

Angela Constance (Livingston) (SNP): I would never expect political opponents to support sycophantically any of the Government's

endeavours. Indeed, I am no sycophant myself. However, notwithstanding the more recent speeches from Bill Butler, Robert Brown and Richard Simpson, large chunks of which I may disagree with, but which contributed consideration and detail to the debate, I lament the lack of mature, calm and reasoned debate.

There has been a lot of political posturing in the press. Of course, being politicians, we tend to fight fire with fire, but I will resist as much as I can the temptation to respond to the political posturing that we heard earlier in the debate and that we have had in the media in the previous weeks and months. There have, of course, been sensationalist, scaremongering media reports, so I will emphasise some of the misconceptions that we have read in some of the red tops. It is important to stress that the Government is not emptying prisons. We are changing what happens at the point of sentencing; we are not opening the doors of prisons and having floods of offenders in our communities. As Bill Butler acknowledged, the presumption is against sentences of less than six months, but they are not being abolished or prohibited. There are good reasons for that presumption: such sentences do not work. That is not to say that, when there are issues of public safety, a very short sentence is not appropriate, but we must change how we do business and how we think.

Dr Simpson: I do not think that the parties are in disagreement on that. Can I give the member an example? When I was working in her constituency, I was assaulted by a drug dealer, who then got four months. Is such a person not to go to prison for punishment? We are not going to alter his behaviour. He needs to go to prison for punishment, in my view. I say that as the victim in that case.

Angela Constance: I thank Richard Simpson for raising that point because I, too, have been assaulted in the line of duty. It was done with a knitting needle, actually, and I had some bruising and so on. However, my personal view is that how our judiciary views crimes of violence and crimes against people needs challenging. I often came across offenders who were serving lengthy sentences for crimes against property. I am not condoning such crimes, but I would sometimes come across sex offenders and violent offenders who were serving significantly lower sentences. I think that we, as legislators, should challenge the judiciary's mindset in that regard.

I know that judicial independence and all the rest of it must be protected within our legal system, but I am still concerned that we sometimes place more value on property than on people. To give an example from my constituency, a paramedic who works for the Scottish Ambulance Service in

Livingston had her nose broken by—as we could all have guessed—an alcohol-fuelled offender. He was dealt with very leniently, despite all the emergency worker legislation. The issue, I suggest, is how we view crimes against people. We have a responsibility to raise such issues and to push that agenda forward.

As a former criminal justice social worker, I would be the first to admit that robust community sentencing cannot be done on the cheap. Henry McLeish is 100 per cent correct to make that point repeatedly—including on the radio this morning—but we also need to consider some of the positive aspects. We have a fair local government settlement, despite a tight spending round. Some £95 million is being invested in criminal justice social work services, which represents a 185 per cent increase over a decade. As the cabinet secretary said, additional resources of £2 million over this year and next are being targeted at additional recruitment in recognition of the fact that workloads will increase.

Of particular interest to me is the Government's support for Edinburgh's criminal justice social work development centre, which brings practitioners together to learn from research and to share effective practice. Some 1,000 practitioners from throughout Scotland will have had the opportunity to participate in such events. In addition, 300 people will have been trained as trainers so that they can pass on their skills on how to work with young people who display sexually harmful behaviour.

Of particular importance is the recommendation that case information should travel with the offender. The amount of time that I used to spend chasing up information on a particular client could be hours, weeks or sometimes months. There are many positives, but there is much to be done.

I can see by the clock that I am running out of time. I had hoped to concentrate more on what should happen to children and 16 and 17-year-old offenders. McLeish recommended that they should go to secure units rather than to prison. The Government's response states that, where such offenders are imprisoned, we should ensure that they are kept separate from adults. There is a real debate to be had on that issue, but I warmly welcome the fact that the days of 14 and 15-year-olds being imprisoned under unruly certificates will soon be gone.

Finally, I want to flag up the fact that we need to debate the age of criminal responsibility. Bill Aitken said that he had hoped that we would have more debate from the cabinet secretary. The political posturing to date has prevented much of that detailed debate, which we need to have.

16:08

James Kelly (Glasgow Rutherglen) (Lab): I speak in support of the Labour amendment. That this debate is important has been shown by some of the speeches that we have heard.

As MSPs, many of us have experienced people coming to our surgery to express frustrations about criminal activity and the inability of the police and court service to track down and punish such activity. We must keep those frustrations to the fore in recognising the issues that we are considering.

Like Bill Butler, who spoke about public safety, and Bill Aitken, who spoke about public confidence, I think that it is important that we reassure the public by the legislation that the Parliament makes. We need to reassure communities and punish criminals.

We also need to look at how we tackle prison overcrowding. Recent trends show that there has been a decline in crime, but there has also been a rise in the amount of serious crime in certain areas, along with a rise in detection rates, which has contributed to the rise in prison numbers.

Some aspects of the McLeish commission's work are to be welcomed and are being included in the offender management plan. It makes sense that we have an efficient prosecution service that operates effectively so that those who are charged with crimes are brought to court quickly and justice is administered effectively. That would restore the public confidence that members have been talking about.

I echo other members' comments about younger prisoners. Mingling with older prisoners can have an adverse effect on younger people who are entering prison for the first time, so it is important to keep them separate from older prisoners and to have separate youth facilities. It would also be helpful to have a separate youth hearings system.

Angela Constance made some important points about consistent sentencing and she gave some good examples of the variations that exist. Sentencing guidelines need to be consistent and some aspects of the McLeish commission's work on sentencing are being implemented.

If we are to stop people reoffending, we need to reintegrate them into society, so it is crucial that social work and health services are able to provide backup and support as people return to the community. Again, some work on that is being taken forward.

There are, however, some flaws in the SNP's thinking. Richard Simpson noted the logic around the numbers, which I do not think stacks up. It seems that the commission, and the Government in its work that followed the commission, are

saying that prisoner numbers are at 7,500 and they want to get them down to 5,000. There does not seem to be a lot of evidence on how and when we will get to that figure of 5,000. More work needs to be done on that.

We also need to look at why serious crime is on the rise in certain areas, and why people are reoffending, re-entering prison and boosting the prison population. I share some of the concerns that have been expressed about the ruling out of six-month sentences. For example, that could allow 81 per cent of knife criminals to re-enter the community, and that is dangerous. Mr MacAskill and Mr Ewing are in danger of becoming the "Softly Softly" task force with regard to that.

There are also some important issues about costs. Robert Brown mentioned the brief from the ADSW and the fact that one council indicated that there would be a 30 per cent increase in its workload if it had to take on those who are currently serving sentences of less than six months. If that situation were to be replicated throughout the 32 councils in Scotland, it would put a lot of strain on budgets, which, as other members have pointed out, are already under severe pressure in areas such as Fife. Indeed, in the past 18 months, we have seen that the number of staff who deal with such cases has been cut by 500. We need to take a joined-up approach to dealing with those issues. We need to look at how to reduce prison numbers and consider the costs of resourcing that properly.

I welcome some of the proposals in the offender management plan, but I am concerned about the ruling out of sentences of six months or less. We need to pay greater heed to victims and I welcome David Stewart's work on a member's bill to create a victims commissioner. We need to send out a strong signal; a soft approach is not the way forward. We need to continue to make it clear that crime does not pay.

16:15

Ian McKee (Lothians) (SNP): In my working life I have met many criminals—although I hasten to add that, as far as I am aware, the number has decreased since I entered Parliament. I remember Bill—not his real name and not Bill Aitken, either—who regularly used to consult me about the dangers of swallowing petrol, which is an occupational hazard of those who siphon fuel from cars. I warned him that the hazard would be increased should he choose my car for his activities; however, Bill reassured me that the gang that he was in allowed beginners to work only on Fords, which was not my choice of car at the time.

Bill moved on to setting cars alight—an occupation that calls for a certain amount of skill to avoid self-immolation. Apparently, some people would benefit from an insurance claim if their car unfortunately burst into flames. They paid Bill a deposit, gave him the registration number of their car and parked it in the street while they visited the cinema. On leaving the cinema, they would find that their car had been totally burned, allowing them to make the claim. That was the theory but, as we have heard, a lot of the people on the fringes of crime are not desperately well educated. In practice, Bill often got the wrong car, he did not get paid and the owner did not get the insurance money. Such was the bad blood engendered that Bill gave up that line of work, retreating to the safer occupation of shoplifting.

I tell that story because Bill, and many like him, had learned those and other practices from more established criminals who they met in prison while they were serving short sentences. For one reason or another—early life circumstances, genetic make-up or whatever—they had turned to crime, had been caught and had been sentenced to prison. Their contact with family, friends and normal life had been interrupted and, instead, they had been introduced to a network of hardened criminals. They had attended a virtual university of crime and society as a whole had paid the tuition fees.

Eighty-three per cent of all sentences that were passed in 2005-06, the latest year for which I could get figures, were for a period of six months or less. Although that term of imprisonment is far too short for any form of remedial work to be undertaken, it is more than adequate for setting someone on the path to a life of crime. That is why I warmly welcome the policy aim of reducing short-term sentencing in favour of meaningful community service. Not only will that shield wrongdoers from the bad company that would lead them further into mischief; it will reduce the prison population, allowing prison staff to offer more help to those who are serving longer sentences.

Such a change is necessary. Today's Scotland has an average daily prison population of 141 per 100,000 citizens—the fourth highest in Europe. Much worse, each year Scotland imprisons 754 per 100,000 citizens—three times the rate for England and Wales and more even than Russia, which has the world's second-highest per capita prison population. The reason? Our reliance on short sentences instead of non-custodial punishments.

Like latter-day Alf Garnetts, Richard Baker and Bill Aitken vie to be the most reactionary in asking for more and more of our citizens to be locked up.

Dr Simpson: Will the member give way on that point?

Ian McKee: I will, although I have not mentioned Richard Simpson's name.

Dr Simpson: In the past five years, the number of people entering custody has fallen below the number of those who receive non-custodial sentences. That reversal was achieved by the previous Administration and—to give credit—has been continued by the present Administration. The member should not ascribe policies to the Opposition in the way that he just has.

Ian McKee: I add Richard Simpson's name to those of Richard Baker and Bill Aitken as those who are striving to be latter-day Alf Garnetts. I stick to my position that the policy has failed, yet is still being recommended. I have heard it said only today that we should keep more people in prison on short-term sentences.

For the remainder of my speech, I will concentrate on the important relationship between drug use and offending, although I accept what Richard Simpson said earlier about the need also to take into account mental illness, personality disorder, alcohol abuse and various other things.

We know that 44.5 per cent of all offenders are reconvicted within the following two years. That is bad enough, but when we consider only those who are given a DTTO, the figure rises to a staggering 88 per cent. Further, the top four crimes that are committed by all reoffenders—theft, housebreaking, shoplifting and prostitution—are all popular ways of raising money for the purchase of illicit drugs, which suggests that drug use has a disproportionately high influence on the overall crime rate.

In that context, I warmly welcome the recommendation in "Scotland's Choice" that all public services should be involved in the rehabilitation of offenders. However, as far as drugs are concerned, much more needs to be done to achieve the co-ordination that is necessary for the effective management of drug users. The moment that a person on a drug programme is admitted to prison, there should be good communication between the prison's medical service and the doctor or institution that is supervising that programme, so that the treatment can be continued without interruption. However, that communication does not always occur. Similarly, when an offender on drugs is released, full details of their treatment in prison should be immediately passed on to their general practitioner or whoever will be responsible for further treatment. Again, often, that does not take place.

Welcome though the Government's response to "Scotland's Choice" is, I suggest that a coherent offender management strategy must give a higher priority to the treatment needs and support of drug

users if its objective of reducing crime is to be achieved.

However, that is a small quibble. I congratulate the Government on a coherent and well-argued strategy, which is in stark contrast to the negative, punitive and regressive arguments of two of the Opposition parties.

16:21

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I welcome the opportunity to speak in this debate, after a considerable period of self-imposed exile from justice debates. I decided to impose a gagging order on myself, as it were, partly because I thought that it was important that the new Administration should have the opportunity to take forward its agenda and also because I wanted to allow my party's new justice spokespersons to settle in and develop their identity in those roles. A further reason was that I wanted to wait and see what would be announced with regard to the strategy that we are discussing.

I did not come with a prepared speech, because I genuinely wanted to listen to the debate. However, we have heard some members of the SNP almost rewriting history and speaking as if the previous Administration had made no investment in the prison system, had not modernised any aspect of our justice system and had not put some of the issues that we are discussing at the top of the agenda. The fact is that we did all those things, and, with regard to tackling reoffending, Scotland was leading not only Europe but a number of other countries. It might have been reasonable if some members had acknowledged the work that the previous Administration did, given that, if they had read the Government's strategy document carefully, they would have seen that it does so.

Some SNP speakers have criticised Labour's approach to the matter. That is amusing, given that all the initiatives that will be introduced in the offender management programme—apart from the proposal to do away with sentences of six months or less—come directly from work that the previous Administration did. Everyone expects there to be a bit of political knockabout in the chamber, but we should try to have a serious and honest debate and not try to rewrite history.

The subtitle of the Government's strategy document is "Fair, Fast and Flexible Justice". I have no issue with justice being fair and fast. However, I worry that the flexible justice to which reference is made might lead to injustice—it must not be allowed to do so. We must ensure that appropriate sentences are passed and that appropriate resources are put in place to deal with the offender's behaviour. Sentences must be

given to ensure public safety and not simply for the convenience of the various agencies that are involved in offender management; I say that with all due respect to the people in those agencies, who work hard every day on our behalf.

Let me lay to rest any suggestion that there is a difference of opinion between me and my Labour colleagues about short sentences. I do not take back anything that I have said on short sentences. I do not want anyone to go into the prison system for a short sentence and come out the other end with no work having been done, with no change having been effected, with no punishment element, and with no rehabilitation element. That is the context in which my remarks have been made, and I know that my Labour colleagues absolutely agree with me on that.

I disagree with some of the present Administration's proposals. It says that short sentences do not work, but they work for hard-pressed communities and victims who have suffered the consequences of offenders' actions. We heard salutary lessons from a couple of members who have been the victims of violent offences, who recognise that we cannot simply rule out all short sentences. Imposing short sentences is sometimes the right thing to do because it is in the interests of hard-pressed families who are trying to cope. Both when I was a social worker and in my role in the justice system, families often said to me, "Thank God somebody did something to take him off the streets for his own protection, before he did something even worse."

Robert Brown: I accept Cathy Jamieson's point, but does she accept that the advantage to the community is limited to the time when the offender is in prison? Unless we get a better result when they come out, we will just get them back again with the same difficulties that they had before. The strategy ought to be about seeking a better result.

Cathy Jamieson: I understand Robert Brown's point. I am saying that it is important that the judiciary has the discretion and the ability to use short sentences when they are required in the interests of the wider community or the family. That is an important point.

A point was made about young people in the prison system. Like most of us, I want an end to the system whereby under-16s end up in our prison system. I took a close interest in that when I was Minister for Justice. I am pleased that the document "Protecting Scotland's Communities: Fair, Fast and Flexible Justice" reflects the positive work that the previous Administration did on the secure estate and recognises that we now have a world-class service that we did not have before. However, many young people who ended up in

prison previously were there because there were no secure accommodation places for them—I hope that that has been remedied—or because nowhere in the secure estate could take them because of their particular circumstances. There needed to be a safety valve in relation to that. I ask ministers to continue to reflect on how that situation will be managed.

I am slightly concerned about the proposal that there will be no further roll-out of electronic monitoring on bail. The message that such monitoring will be used only when bail is breached implies a softening of approach. It implies to the criminal that it is okay to breach trust and that there is now a tariff system—that they will get away with it the first time round, and that they will get a tag thereafter. That is not a good message to send out.

There is much in the report that I welcome, and I assure ministers that I will support the principles and the way forward where that is the right thing to do. However, I ask the cabinet secretary and his team to think again about short-term sentences. The problem will not be solved simply by administrative means. The way in which to reduce the prison population effectively for the sake of our communities is to ensure that people do not offend and do not reoffend.

16:29

Mike Pringle (Edinburgh South) (LD): If anything has been established in the debate, it is that the approach that characterised Scotland's justice system for a generation is no longer fit for purpose. We heard from members about continued problems with prison overcrowding, reoffending and lack of public trust in the justice system. As my colleague Robert Brown and several other members said, the figures speak for themselves. I do not mind repeating that more than 75 per cent of those who enter prison reoffend within two years, whereas only 42 per cent of those who carry out community sentences reoffend in the same period.

Various solutions to those problems have been suggested. The Conservatives may advocate building further prisons; indeed, Annabel Goldie has maintained repeatedly in the chamber that prisons work. However, the truth of the matter is that although prison can be a useful tool for the rehabilitation of offenders who are correctly placed there, it is not working in Scotland as a result of problems with overcrowding and the funding gaps that that creates. As far back as 2004, Dr McLellan remarked:

"The impact of the best strategies in the best prisons carried out by the best staff is hopelessly weakened by overcrowding."

Since he made those remarks, the problems have only got worse. At the 2007-08 annual average cost of £32,358 per prisoner, overcrowded prisons remain an expensive and ineffective solution.

Meanwhile, as Richard Baker confirmed—I am sorry that he has left the chamber—the Labour Party remains opposed to replacing short-term custodial sentences with effective community deterrents. The excellent previous Minister for Justice, Cathy Jamieson, has been quoted by a number of members, including Stuart McMillan and others. I do not hesitate to say that I fully supported her when she remarked in 2004 that

"Prison is not the best option for less serious offenders who stand a better chance of getting their lives back on track through community sentencing."

Nigel Don said that he did not think that funding was the top priority. I fundamentally disagree with that; I think that funding is a key issue. Without adequate funding, the SNP's proposals will not work.

So, what has changed? Problems with overcrowding and reoffending continue to mount and the facts paint a bleak picture. Scotland's prison population has risen by more than 5 per cent in the past two years and it is expected to reach record levels this year.

Locking people up for one to three months only for them to reoffend on their release will not foster public confidence in the justice system.

I suggest to Bill Aitken and Bill Butler that there are two good examples of groups of offenders to which community sentences could apply. Bill Butler mentioned several other groups, but he did not mention shoplifters and those who commit breaches of the peace.

Perhaps Bill—Ian McKee's friend who turned to shoplifting—is one of the 1,326 shoplifters who were convicted in 2007-08, of whom 623 were sentenced to less than three months. The figures reveal that there were 1,232 convictions for breach of the peace; 887 of those offenders were sentenced to less than three months. A grand total of 1,510 people were sentenced to less than three months, at the annual average cost of £32,358 per prisoner. Not sending those people to prison would represent a significant saving to the taxpayer and reduce prison overcrowding.

Bill Aitken: Does the member agree that breach of the peace can sometimes be a most serious offence, which causes serious alarm and fright to vulnerable members of society? Does he further agree that the shoplifters to whom he refers usually have about 40 or 50 convictions?

Mike Pringle: As someone who has sat on the bench, I do not agree with either of those assertions. A policeman said to me that breaches

of the peace can be graded from 1 to 10. Those who commit breaches of the peace from grade 1 to grade 3 are the people who are often sent to prison for three months. As we have heard from many other members during the debate, they end up back in prison—I do not think that they should go back to prison. The cabinet secretary outlined the cost of people serving such sentences; I agree with him that that money could be better spent on schools, hospitals and the elderly.

For any system of community sentencing to be effective, it needs to be both flexible and robust; it must also have the ability to provide tailor-made sentencing solutions quickly. Again, I agree with the cabinet secretary that community sentences must be quick, immediate and must happen over a short period of time.

I have personal experience of someone who had to do 300 hours community service—it took more than 15 months, which is too long.

Bill Butler: What is the Liberal party's position on dealing with inveterate shoplifters? What is the Liberal policy?

Mike Pringle: That is entirely up to the people who are sentencing. My point is that a substantial number of people go to prison for shoplifting. Many people who receive short sentences of between one and three months have not committed huge numbers of crimes. Mr McKee expressed the point that it does those people no good to go back to prison time after time.

Although I agree with the principle of the minister's commitment to community sentencing, I am concerned that his proposed method of delivery—the establishment of a sentencing council—is likely to create a burdensome and unnecessary extra layer of bureaucracy. We require a new solution: the replacement of the Scottish Prison Service with a custody and rehabilitation service that has links to the community to improve reintegration. We also need far more focus on preventive measures as well as on drug and alcohol rehabilitation through treatment and testing orders. It is far better to intervene early to prevent offending than it is to deal with the consequences. To achieve that, we must address the underlying causes of offending and build on schemes that provide vulnerable individuals with education and skills for work, not crime. Every time that somebody in Scotland who might have turned to crime chooses not to reoffend, they might avoid a lifetime of reoffending, thereby saving themselves, and in turn saving the taxpayer thousands of pounds.

16:36

John Lamont (Roxburgh and Berwickshire) (Con): The debate has again highlighted the

SNP's drive with, it seems, the help of the Liberal Democrats to create a soft-touch Scotland in which people will have to be very lucky indeed to end up in jail. Yet again, the underlying thrust of Government policy is that we should use our prisons even less than we do at present. It is a great pity that the SNP Government has become completely preoccupied with cutting Scotland's rising prison population by setting prisoners free, rather than with tackling the underlying problem of high crime rates. I have said before and I will say again that we do not cut crime by cutting the prison population; instead, we cut the prison population by cutting crime.

Robert Brown: Will the member take an intervention on that point?

John Lamont: I want to make progress.

I will focus on a couple of aspects that have been discussed in the debate. The first is the Government's desire to scrap sentences of six months or less and the proposed interference with judicial independence. That is likely to have a limited impact on the total prison population. The average daily prison population in 2007-08 was 7,375, of which 570—just 8 per cent—were serving sentences of six months or less. It is therefore questionable what impact the ending of short sentences will have on the prison population. Further, it would be wrong to assume that, under the Government's proposals, all those prisoners would automatically escape prison altogether, as some might end up serving longer jail terms if the sentencing judge believed that prison was the right disposal for that offender.

I believe that the Government has thought of that, which is why it intends to interfere with sentencing policy by creating a body called the Scottish sentencing council, which we are told would

“develop and oversee a national system of sentencing guidelines”.

That is nothing more than an attempt by the Government to force the courts to comply with its ridiculous prison population target. The Government's role should be not to decide sentencing policy, but to support the courts in their sentencing policy and to ensure that adequate provision exists to allow disposals to be carried out. It is a judge's job to take into account all the circumstances of a case and to pass a suitable sentence. The Government's job is to provide sufficient resources to allow the sentence to be enforced. The independence of the judiciary must be maintained, with judges and sheriffs left in charge of sentences.

That leads me to my second point, which is about how little attention is given to the victims of crime. Nothing dismays victims more or brings the

entire criminal justice system into greater disrepute than the fact that criminals almost never serve the sentence that is handed down by the court. The Government's proposals will do nothing to help deal with that perception. In the list of the Scottish Government's proposals at the back of its policy document, "Protecting Scotland's Communities", victims are mentioned only once. What does that say about the focus of the Scottish Government's policy? The Government is clearly more interested in emptying our jails than it is in protecting the public. When it comes to tackling crime, there is no doubt that the public want criminals who have been sentenced to a custodial sentence to be sent to prison.

Fergus Ewing: The logic of the Tory position is that there will need to be new prisons. Mr Aitken announced previously that he was looking for suitable hospitals—in use or, perhaps, not in use. Will Mr Lamont give us an update on his hospital hunt? How is it going? Has he found any and, if so, where are they? Has he worked out how much it might cost to convert these as-yet-unidentified hospitals into secure prisons?

John Lamont: We were not looking simply at hospitals; we were looking at a number of premises that were not being used. It is for the Government to provide the space to allow the sentences that the judiciary hands down to be accommodated.

It would be very nice to live in a society where there were no prisons, just as it would be nice if there were no hospitals because there was no illness. However, until someone comes forward with a plan to make crime history, prisons are here to stay. The challenge for the Government is to create the prison space that the courts require and to create prisons that genuinely rehabilitate—prisons with a purpose.

It is obvious that overcrowded prisons that are awash with drugs and a system that gives short-term prisoners limited or no supervision or support on release are almost certain to fail. However, it is simply daft to argue, as Angela Constance did, that because short-term prison sentences are not working at present, we should stop using them altogether.

The case for community sentences must not be driven simply by a desire to deal with prison overcrowding. A preference for community sentences cannot be an act of faith. In their current form, such sentences are usually unsuitable alternatives to imprisonment, not least because they are insufficiently robust. Community-based penalties should have a sufficiently punitive element to command public confidence. That could involve making them much more visible—the Government has talked about that repeatedly but is yet to deliver. Those sentences should also

have a strong supervised rehabilitative element. In the absence of robust community punishments, prison is, and will remain, the only option for most of the offenders who are currently sent there.

16:41

Paul Martin (Glasgow Springburn) (Lab): I note that in his document entitled, "Protecting Scotland's Communities", the Cabinet Secretary for Justice wants to ensure that our communities

"feel as safe and crime free as possible."

The Labour Party is arguing that scrapping six-month sentences just does not equate to protecting our communities. Bill Butler has said a number of times that we need to recognise that there are some serious individuals who need to be imprisoned for the safety of our communities, which should not be jeopardised by the Scottish Government's drive to empty our jails because it has failed and because it is so inept and lethargic when it comes to procuring our new prisons.

I call on the cabinet secretary to confirm when the new Low Moss prison will be complete. I am not interested in the construction start date or in the procurement process at this time—that will be a debate for later. We want to know when the prison will be complete. I would be more than happy to accept an intervention from the cabinet secretary on that point, but he is not willing to make one.

A number of members expressed genuine concerns about how the Government will ensure that the many measures that are set out in the document will be delivered. We want to know how they will be delivered in financial terms. The document will mean nothing unless the Government sets out clearly how it will ensure that the resources for a "fair, fast and flexible" justice system are delivered. It is not good enough simply to produce a glossy document that says nothing about how the Government will deliver on it. Robert Brown, Bill Butler and Bill Aitken all made that point a number of times. It is about attention to detail and about ensuring that we know how the measures will be taken forward.

Delivering a "fair, fast and flexible" justice system will be resource intensive—I think every member who spoke made that point a number of times. It will require new programmes for payback schemes and additional resourcing for drug treatment and testing orders, to which Richard Simpson referred. The money is simply not there. If the minister is confident that the money is there, he should show us. I am happy for the minister to give us a chance at some point—perhaps in another document—to follow the money so that we can ensure that it is brought forward.

The Government must stop hiding behind the so-called historic concordat, which is now prehistoric, and show leadership by making it clear how it wishes to advance its vision.

A number of members asked why Labour members are so strongly opposed to the scrapping of six-month sentences, and accusations have been made that Richard Baker and Bill Aitken are competing for right-wing credentials. We are opposed to the scrapping of six-month sentences because we are in touch with the realities of our local communities. We are on the side of the people in those communities and we understand their genuine concerns about community safety. Bill Butler was extremely effective in amplifying those concerns on behalf of his constituents. We will take every opportunity to express the genuine concerns of our constituents.

Many offenders have been given two, three, four or five opportunities to mend their ways. For us, the safety of our communities is the paramount consideration. It is simply not good enough to make statements in a glossy document: the Government must mean what it says. Of course we want to provide opportunities for people to be rehabilitated inside and outside our prisons, but we must at the same time consider our communities.

The Government's document mentions the kind of alternatives to custody that offenders would be involved in. The section entitled "Paying back to communities" gives the example of the wibbly-wobbly wall that was built by offenders in Orkney. Is that an example of the tough alternatives to custody that Henry McLeish mentioned in the Scottish Prison Commission's report? Wibbly-wobbly walls have been built by offenders for many years—in recent years, Bill Aitken might even have given a number of people community service sentences that have involved such activities. Community service has been carried out for decades. The wibbly-wobbly wall that has been built in Orkney is not an example of "innovation", so why does the minister refer to it as such? Community service orders have been available for decades; they are not an innovation.

Although the idea of payback sounds good, we must track offenders more effectively after payback, once they have served their sentences. Labour has said on several occasions that no effective evaluation has been carried out to ensure that community disposals work.

The Government's policy is based on the assumption that the judiciary's increased use of custody over the years reflects dissatisfaction with the rigour of community-based alternatives and that if community sentences were more rigorous, more severe sentencers would make more use of them, thereby reducing their use of custodial

sentences. That is a simplistic belief. As Bill Aitken acknowledged, many factors come into play, including the offender's circumstances, their condition, the nature of the offence and the nature of the offender's past convictions. The Government's commentary that sheriffs are using community sentences to deal with daft laddies who need a bit of tender loving care simply does not add up. The Government must address such issues.

As Labour members, we are proud of our record on justice. When it mattered to local communities, we were on their side. That will always be the case. I am delighted that my colleague Dave Stewart will lodge a proposal for a member's bill to set up a new victims commissioner, which I hope will receive the support of members of other parties. I call on members to support the amendment in the name of Richard Baker.

16:49

The Minister for Community Safety (Fergus Ewing): The debate has been about offender management. It germinated in the work of the McLeish commission, which set out a clear vision and a stark choice in relation to how we as parliamentarians who belong to different parties should approach the future. It was about the Scotland that we would like to exist. Some of us should perhaps lift our eyes to the horizon a bit more, because the Scotland that we occupy at the moment is a Scotland of conundrums.

Despite the fact that recorded crime is at its lowest level for 25 years, which is a remarkable statistic, the prison population has been at record levels of well over 8,000—I say to Richard Simpson—compared with the approximately 7,600 at which it currently rests. We have one of the highest imprisonment rates in western Europe and it is roughly twice that of Ireland or Italy. I assume that no member would argue that Scottish people are more evil—to use Nigel Don's characterisation—or more prone to carrying out crimes than Irish people or Italians. Crime is also at its lowest level for 25 years, so we plainly face a conundrum.

In "Protecting Scotland's Communities", his response to the McLeish commission, the cabinet secretary last month set out an extremely clear vision of the future. As someone who is generally relentlessly positive in mien, I believe that a kind of consensus is lurking covertly in some of today's speakers, whom Angela Constance described as engaging in idle "political posturing". Members including Cathy Jamieson acknowledged that we may have shared objectives, even although the rhetoric at times reached a high point on the centigrade scale.

I found the debate interesting and will comment on some the themes that were discussed. It is important to highlight what the Government is actually saying about sentencing because our position has not—deliberately or otherwise—been accurately represented in the debate. What we propose is summarised on page 26 of the document, which states:

“We will legislate in the forthcoming Criminal Justice & Licensing (Scotland) Bill to ... reduce the very short term prison population by legislating to make it clear that judges should not impose a custodial sentence of 6 months or less, unless the particular circumstances of the case lead them to believe that no other option would be appropriate.”

We go on to say that we will require sheriffs

“passing a sentence of 6 months or less to explain in court the circumstances which made them conclude that only a custodial sentence could be imposed”.

I do not know about you, Presiding Officer, but one thing that irritates me in my life as a parliamentarian is replies from an authority—whether it be the Scottish Government, the United Kingdom Government, a quango or local government—in which it states its decision but refuses to give the reasons for it. That happens a great deal. Assertion without evidence was the prerogative of Joe McCarthy, as I recall, but it is not the Scottish Government’s *modus operandi*. We do not believe that sheriffs should have no requirement to explain their decisions. Mr Baker mischaracterised our position as removing sheriffs’ discretion. We are not doing that—I have just read out what we are proposing, which will create a presumption, but will by no means remove sheriffs’ discretion.

Richard Baker: Will the minister give way?

Fergus Ewing: Not at the moment. The document states that if a sheriff passes a custodial sentence of six months or less he or she must

“explain in court the circumstances which made them conclude that only a custodial sentence”

is appropriate. That is an extremely sensible suggestion that I am happy to defend. I am confident that, once the heat has lessened and the light has obtruded back into the room, we may be able to persuade colleagues that the proposal is sensible. I can imagine Bill Aitken explaining why he intends to send people to prison—perhaps he does so at the moment—but it is eminently sensible that our judges should have to explain why a community disposal is not being applied. We have not ruled out sentences of six months or less; we are not removing discretion at all. I have set out our proposal in black and white.

Richard Baker: If the minister is not seeking to remove judicial discretion on this matter, why is the measure being introduced at all?

Fergus Ewing: It is because there are too many people in our prisons. Despite the fact that crime is at its lowest level, Scotland has more people in prison serving short sentences than the other countries that I have mentioned. Indeed, the cabinet secretary quoted the Scottish Prisons Commission’s finding that, in 2006-07, 7,000 prisoners had in total served 47,500 previous sentences. Part of the purpose of a prison sentence is to prevent reoffending; if that figure is not proof that prison is not working, I do not know what is.

The document—which, putting it as kindly as I can, Mr Baker should reread—has two watchwords. The Liberal Democrats have grasped that and we are pleased to have their support although, typically, their support is not entirely unqualified. The first watchword is “safety”. We need to protect the community against people who should, must and will continue to be in jail. I repeat: those who commit serious crimes will remain in jail. That is the Government’s view—let no one talk about us emptying prisons or putting prisoners on the streets. Such rhetoric should be recognised for the complete and utter rubbish that it is. I see the Tories smiling in recognition; perhaps that is a sign of their guilty consciences.

The other watchword is “prevention”. We need to prevent reoffending. After all, what is the use of a penal policy if people keep going back to jail? What better proof do we need that we have all failed in this matter in the past? If the Tories think that they are going to solve the problems by scouring the country for hospitals to convert into prisons, I wish them good luck in their efforts. So far they have found one in Broughty Ferry, one in Pitlochry and one in Cumnock, but I do not know whether they have told those communities about their plans. They should let us know. Perhaps Bill Aitken can give us an update on the hospital hunt.

Bill Aitken: On finding prison space, does the minister accept that I am simply trying to do something that he and his colleagues have been negligent about and have disregarded? There must be some form of accommodation for people who need to be put into custody. It is the minister’s job to find it, but his only answer is to let these people out after they have served a quarter of their sentence.

Fergus Ewing: The comparison that Ian McKee drew between Bill Aitken and Alf Garnett was not entirely apposite—even if these debates can, in their longevity, feel like an episode of “Till Death Us Do Part”. Do the Tories seriously think that the public is going to be persuaded by this plan—which has been announced by Annabel Goldie and reported in the annals of that august journal *The Courier* under the headline “Tories’ prisoners plan criticised”? A better comparison would be

with Michael Crawford in "Some Mothers Do 'Ave 'Em". As she scours the country for hospitals to turn into prisons, Miss Goldie has no doubt been marking out the cells in each ward and wondering whether the matron can be retrained as a prison officer. If the Tories seriously believe in this plan—and, chaps, it is the only policy you have come up with since this Government was formed—I suggest that they go back to the drawing board.

Returning to my theme, I thank Angela Constance, Richard Simpson and many other members who, had this debate been a round of golf, scored an albatross or an eagle with their speeches—unlike the several double bogeys that were scored by certain members on the other front benches. Of course, good grace prevents me from naming those members.

Joking aside, I make it clear that we support this policy 100 per cent and I believe that, as our proposals come forward, all members of above-average intelligence will see the good sense in them. We will drive forward to make Scotland a safer place and to deal more effectively with those who break the law.

Points of Order

17:00

Christine Grahame (South of Scotland) (SNP): On a point of order, Presiding Officer. I raise a point of order under rule 7.3.2 of standing orders. In this morning's debate on humanitarian aid to Gaza, Jackson Carlaw—summing up for the Conservatives—referred to a quotation that I cited from an article in yesterday's *Independent* newspaper, by the award-winning and respected middle east correspondent Robert Fisk, on previous Palestinian deaths in conflicts with the Israeli army. Jackson Carlaw referred to Mr Fisk—I noted the exact words—as

"a highly partisan anti-Jewish correspondent",

which is as close as it comes to calling him anti-Semitic and is highly defamatory.

I have, of course, informed Mr Fisk of the comments and have no doubt that he will deal with them in his own way. However, I seek guidance on whether Mr Carlaw and Mr Brocklebank, who endorsed the remarks, have the protection of parliamentary privilege.

The Presiding Officer (Alex Fergusson): I thank the member for notice of her point of order, which is always helpful. I have genuinely thought about the matter carefully. My view is that Jackson Carlaw was simply expressing his point of view in the debate, so no discourtesy occurred.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): On a point of order, Presiding Officer. At First Minister's questions, my colleague Tavish Scott raised the issue that staff at the Scottish Inter Faith Council had received redundancy notices because their funding from the Scottish Government had not been forthcoming. The First Minister said that his ministers had resolved the funding crisis at the Scottish Inter Faith Council. At 12.30, Pramila Kaur—the council's chief executive—confirmed that she had received no communication from the Scottish ministers about that.

Mr Scott asked Mr Salmond when the funding issue had been resolved and whether information on the timing of the decision would be lodged with the Scottish Parliament information centre. Presiding Officer, as the chair of the Scottish Parliamentary Corporate Body, will you use your good offices to facilitate the publication in SPICe of the important information about when the decision was made?

The Presiding Officer: That is not a matter for me as Presiding Officer to pursue.

Members: Oh!

The Presiding Officer: Order.

If the matter is to be pursued, that should be done between you and the First Minister. The matter is not for me.

Margo MacDonald (Lothians) (Ind): Further to the point of order that Christine Grahame raised, Presiding Officer. I say with the greatest respect that you ruled that there was discourtesy and that such behaviour comes under the heading of—*[Interruption.]* I am referring to one of the points of order. Members are expected to be courteous to each other.

The Presiding Officer: You might have misheard me, Ms MacDonald. I did not say that anyone had been discourteous in today's debate.

George Foulkes (Lothians) (Lab): On a point of order, Presiding Officer. I find it difficult to agree with Mike Rumbles, given his recent remarks, but he is absolutely right.

The Presiding Officer: What is your point of order?

George Foulkes: What is your responsibility, Presiding Officer, if it is not to ensure that ministers tell the truth to the Parliament?

The Presiding Officer: This is not an issue of telling the truth to the Parliament, Lord Foulkes.

Members: It is.

The Presiding Officer: I do not think so, and I would prefer not to be questioned from the floor of the chamber. If members wish to speak to me, they can do so in other ways.

I refer the member to the good practice on announcements by the Scottish Executive, which sets out several methods by which the Government can make an announcement to Parliament, one of which is by answering a parliamentary question. I believe that that happened in the instance that we are discussing. If members wish to pursue the matter, they should do so with the First Minister. We have said enough on the issue.

Decision Time

17:04

The Presiding Officer (Alex Fergusson): There are nine questions to be put as a result of today's business. Members should be aware—please pay attention—that if amendment S3M-3174.1, in the name of Richard Baker, on protecting Scotland's communities—the Scottish Government's offender management plan, is agreed to, the other two amendments to motion S3M-3174 will fall. Members should also note that if amendment S3M-3174.2, in the name of Bill Aitken, is agreed to, amendment S3M-3174.3, in the name of Robert Brown, will fall.

The first question is, that amendment S3M-3173.1, in the name of John Park, which seeks to amend motion S3M-3173, in the name of Jim Mather, on homecoming and its potential to support sustainable economic growth, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Foulkes, George (Lothians) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)

Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)

Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 55, Against 62, Abstentions 3.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S3M-3173.2, in the name of Gavin Brown, which seeks to amend motion S3M-3173, in the name of Jim Mather, on homecoming and its potential to support sustainable economic growth, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-3173.4, in the name of Iain Smith, which seeks to amend motion S3M-3173, in the name of Jim Mather, on homecoming and its potential to support sustainable economic growth, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S3M-3173, in the name of Jim Mather, on homecoming and its potential to support sustainable economic growth, as amended, be agreed to.

Motion, as amended, agreed to.

Resolved,

That the Parliament supports Scotland's first ever homecoming celebration; recognises that the spectacular calendar of events and activities taking place this year from the weekend around Burns Night to St Andrew's Day will make for a unique year for all those joining the celebrations, including the people living in Scotland, the diaspora Scots and those with an affinity for Scotland who visit in 2009; further recognises the potential for Homecoming Scotland 2009 to boost international and domestic tourism in support of the Scottish economy at this time; recognises that ensuring a lasting economic legacy will depend on capturing information on those who visit during the Year of Homecoming with a view to creating a substantial marketing database for engaging with the diaspora Scots going forward; further recognises that individual tourism providers will be the engines of economic growth generated as a result of the Homecoming; urges the Scottish Government to ensure that the industry be fully engaged throughout; and calls on the Scottish Government to bring forward details of its plans to promote Homecoming in Scotland, the United Kingdom and abroad in order to achieve maximum economic benefit from the celebrations.

The Presiding Officer: The next question is, that motion S3M-3179, in the name of Nicola Sturgeon, on the humanitarian disaster in Gaza be agreed to.

Motion agreed to.

That the Parliament expresses its concern over the loss of all lives in the conflict in Gaza; joins the international community in calling for a ceasefire; acknowledges the unfolding humanitarian disaster in Gaza; recognises and welcomes the role being played by those in Scotland involved in the humanitarian response, and supports the work of all charities and NGOs in Scotland that are responding to this situation.

The Presiding Officer: The next question is, that amendment S3M-3174.1, in the name of Richard Baker, which seeks to amend motion S3M-3174, in the name of Kenny MacAskill, on protecting Scotland's communities—the Scottish Government offender management plan, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Foulkes, George (Lothians) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 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)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 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)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hume, Jim (South of Scotland) (LD)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 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)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 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)

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 41, Against 79, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S3M-3174.2, in the name of Bill Aitken, which seeks to amend motion S3M-3174, in the name of Kenny MacAskill, on protecting Scotland's communities—the Scottish Government offender management plan, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (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)
 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)
 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)
 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)
 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)
 Brown, Robert (Glasgow) (LD)
 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)
 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)
 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)
 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)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 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)
 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)
 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 56, Against 63, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S3M-3174.3, in the name of Robert Brown, which seeks to amend motion S3M-3174, in the name of Kenny MacAskill, on protecting Scotland's communities—the Scottish Government offender management plan, 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)
 Brown, Robert (Glasgow) (LD)
 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)
 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)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 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)
 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)
 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)
 Baillie, Jackie (Dumbarton) (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)
 Glen, Marilyn (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)
 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)
 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)
 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)

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)

ABSTENTIONS

MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 62, Against 56, Abstentions 1.

Amendment agreed to.

The Presiding Officer: The final question is, that motion S3M-3174, in the name of Kenny MacAskill, on protecting Scottish communities—the Scottish Government offender management plan, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 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, 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)
 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)
 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)
 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)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 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)
 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)
 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)
 Baillie, Jackie (Dumbarton) (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)
 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)
 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)
 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)
 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 62, Against 57, Abstentions 0.

Motion, as amended, agreed to.

Resolved,

That the Parliament welcomes the publication on 17 December 2008 of *Protecting Scotland's Communities: Fair, Fast and Flexible Justice*, which sets out the Scottish Government's strategy to deliver a coherent offender management strategy built on a robust regime of community penalties and payback and proportionate management of offenders sentenced to prison; recognises that community sentences that are completed speedily and enforced with rigour offer greater benefits to communities and individuals than short prison sentences and that their planned expansion must be adequately resourced; calls on the Scottish Government to incorporate in its offender management strategy effective action to tackle the underlying causes of crime and factors and circumstances known to have a link with offending behaviour; reaffirms the importance of judicial independence free from executive direction, and looks forward to constructive engagement with the Scottish Government on the detailed implementation of the programme.

Aberdeen Forensic Science Laboratory

The Deputy Presiding Officer (Alasdair Morgan): The final item of business today is a members' business debate on motion S3M-2957, in the name of Lewis Macdonald, on Aberdeen forensic science laboratory. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the proposals made by the Scottish Police Services Authority for the closure of the forensic science laboratory in Aberdeen; welcomes the direction issued by the Cabinet Secretary for Justice to the authority in May 2008 that it should engage in fresh consultation with interested parties; considers, with regret, that the authority's consultation document published in November 2008 amounts to no more than a further case for closure; believes that the authority has thereby appeared to suggest that the conclusion of its consultation has already been determined in favour of closure, and further believes that the continued provision of forensic services to Grampian Police and Northern Constabulary by the forensic laboratory in Aberdeen is one of a number of options worthy of proper consideration in a meaningful consultation process.

17:12

Lewis Macdonald (Aberdeen Central) (Lab): On 18 December 2007, staff were called together to be told that the Scottish Police Services Authority had launched a review of forensic services with a view to advising ministers to close the forensic laboratory and fingerprint unit in Aberdeen. The people who attended the meeting report that the authority's director of forensic services, Tom Nelson, was apologetic, not about the proposal to put an excellent service out of business but about being obliged by leaks and rumours to tell staff of the plans

"before a decision had been made".

The cavalier approach to consultation has continued since then. In every action, senior managers of the SPSA have reinforced the impression that they have already decided that they want to close the Aberdeen facilities. A business case, which was prepared last February and made public only as a result of a freedom of information request, made clear the authority's intention to close Aberdeen and use savings arising from the closure to build a new forensic laboratory in Dundee.

The Cabinet Secretary for Justice approved a new build in Dundee in May last year but told the authority that there should be a "full, frank and transparent" consultation on plans to close the Aberdeen laboratory. Even after his comments, senior management acted as though there were only one option for the future of forensic services

in Scotland: a two-centre model, starting with the closure of the Aberdeen laboratory.

More than a year after the first announcement, the staff union—Unison—has yet to be consulted. Promises by Mr Nelson and his chief executive to publish a formal consultation paper have not been kept. The document that the authority produced in November offers not options but more arguments for closure. It is entitled, “Delivering forensic services to north and north-east Scotland: Addressing the key questions”, but it raises more questions than it answers. Ministers have received a copy of Unison’s response to the document, which reflects the expertise and judgment of forensic and fingerprint staff in Aberdeen. I hope that ministers have had the opportunity to read the response, which addresses the key questions of why SPSA management is so determined on closure and what effect closure would have.

The staff’s case is simple: forensic science is vital in the fight against crime and the service that is provided from Aberdeen to Grampian Police and Northern Constabulary is second to none. The excellent performance of the Aberdeen service is a model for the close partnership working that the SPSA says it wants to encourage.

Staff and their union have campaigned vigorously against the closure proposal. An electronic petition launched by Unison attracted more than 2,000 signatures in a matter of weeks, and the petition was formally lodged with the Scottish Parliament this week. Many of the people who are affected by the closure proposal have taken the opportunity to come here today to speak to MSPs and to hear what ministers have to say.

On Tuesday morning, colleagues from across the north-east and I met the Minister for Community Safety and the Cabinet Secretary for Justice to express our concerns about the flawed consultation process. Kenny MacAskill was clear: he said that no decision had been taken, either by ministers or by the SPSA, and that the new convener of the SPSA board would be asked to review the consultation to date to ensure that all relevant information had been fully taken into account.

Colleagues left that meeting under the impression that, for the first time, there was some prospect of a fair and balanced review of the process by a new and impartial convener. How shocking it was, then, to hear the SPSA’s director of forensic services on Radio Scotland this morning.

“I want every pound spent to have a significant return for the communities of Scotland,”

said Mr Nelson, reasonably enough,

“and therefore I want to make sure that where we invest that money we will get that return.”

Mr Nelson continued:

“I believe that will be through a merger of the Aberdeen and Dundee laboratories into a new purpose-built facility in Dundee, to allow us to provide that excellent service to the whole of the north and north-east of Scotland.”

There was not much sign in those comments of a review of the consultation. Has Mr Nelson told ministers yet that he believes that the only way forward is to close the Aberdeen laboratory?

George Foulkes (Lothians) (Lab): I assure my colleague that he and the staff in Aberdeen have the full support of the staff of the forensic service in Edinburgh. Although there are no plans as yet to close the Edinburgh service—the cabinet secretary has said to me in a letter that there are no “current” plans—we believe that Edinburgh could be next on the hit list. The staff, the unions and the local MSPs will fight vigorously to ensure that that does not happen.

Lewis Macdonald: I thank George Foulkes for those remarks.

Have ministers told Mr Nelson that the consultation so far is supposed to be under review? It appears that he has not heard that.

I have invited Vic Emery, the new convener of the SPSA board, to meet MSPs at Holyrood next Tuesday afternoon. We will put all our questions to him, but I hope that Fergus Ewing can tell us tonight whether the views of Mr Nelson are those of the SPSA and whether he believes that there can be a fair and balanced consultation when the responsible officer of the authority is so emphatic in his belief that closing the lab in Aberdeen is the right thing to do.

The final decision will not be for Mr Nelson or even Mr Emery to make; it will be for ministers. Of course, it is open to ministers to call a halt to this whole sorry consultation process today. If they will not do that, I hope that they will at least recognise the strength of the case for the continued development of forensic services for the north of Scotland, delivered from Aberdeen—whatever advice they receive from the SPSA. I hope that ministers will reject all closure plans for any of the laboratories that serve Scotland.

The Deputy Presiding Officer: We now move to the open debate and speeches of four minutes. I remind members that it is their responsibility to keep an eye on the time.

17:18

Brian Adam (Aberdeen North) (SNP): I should declare an interest, although it is not a pecuniary one. Before becoming a member of this Parliament, I helped to provide some of the forensic services in question. The SPSA document that Lewis Macdonald mentioned indicates that the

antecedents of the organisation were a series of laboratories set up on an ad hoc basis. Even today, not all of the forensic science services in Scotland are delivered by the SPSA. There is nothing particularly wrong with that.

The SPSA is a creature of this Parliament and successive Governments. It was set up by the previous Administration with the support of what has become the current Administration, and there is no objection in principle to its existence. However, it has had a tough baptism: the people who have led it have not had the best hand of cards to play, but I suspect that objective observers might feel that they have not played their cards well at all.

We are having this debate because last May, following an abortive consultation, the cabinet secretary determined that further work needed to be done on the SPSA's proposals for the delivery of forensic sciences services—fingerprinting as well as laboratory services—for the north and north-east. Like other members, I took an active interest in the issue and got involved in considering how we might address it. However, I was disappointed that no consultation document per se was produced, in spite of what I thought were fairly firm assurances by the SPSA's senior staff that that would happen.

I am disappointed that what was produced was a document that should just have been called, for example, "10 reasons to close Aberdeen" or "Why we should justify our original proposals". It does not take a balanced look at the issue at all. Indeed, if members look at the document, they might think that the current services in Aberdeen are being provided in totally inadequate facilities and that the services are less than adequate. The direct opposite is true: the SPSA has had the capital investment to provide proper facilities and further capital investment has been promised by both Grampian joint police board and Northern Constabulary police board. That further investment of £600,000 or so has been put on hold as a consequence of the current exercise.

Had some of the other authorities in Scotland had the foresight and the commitment to forensic services that existed in the north-east, we would perhaps not be in the state that we are in. As far as I am aware, no one suggests for a minute that laboratory services and forensic science services in general should not be provided out of Dundee, and I welcome that investment, but I do not think that it should be made at the expense of the level and quality of service in the north-east, with all the uncertainties that that has caused. Indeed, in terms of the intangibles that much of this debate should be about—it is not just about numbers—Mr Ewing suggested in the previous debate—

The Deputy Presiding Officer: I am afraid that the member's time is up—I am sorry.

17:22

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I first wrote to Kenny MacAskill, the Cabinet Secretary for Justice, about this issue 11 months ago, in February 2008. I have had meetings with the chief executive of the SPSA, the director of forensic services and the staff, union representatives and management at the forensic lab and fingerprint unit. I have met Grampian's chief constable and, along with MSP colleagues from the north-east, I met the cabinet secretary on Tuesday.

What I want to say at the outset—I hope that the minister is listening, because this is the crux of the matter—is that if I believed for one moment that what the SPSA proposes would benefit the efficient detection and prevention of serious crime in the north-east I would be the first person to support it. I said so to the staff, the management, the chief executive and the director of forensic services at the SPSA. However, it soon became obvious to me that the SPSA proposed to move to Dundee simply to make best use, from its perspective, of the money that the Scottish Government made available to it. Its proposal was not about increasing the service to the police in Grampian; it was simply a cost-cutting exercise to fund the SPSA's new build in Dundee.

The views of Grampian's chief constable and its joint police board, as service users, are extremely important in this case. As the MSP for West Aberdeenshire and Kincardine, my duty is to represent the best interests of my constituents. I have to take notice, as do ministers, when the chief constable makes it clear that the proposal to move the service to Dundee will have a detrimental impact on the effective detection of murders and other serious crimes in the north-east.

I was pleased to hear last May that the Cabinet Secretary for Justice had said that the SPSA should engage in a fresh consultation with interested parties. In my meetings with the chief executive of the SPSA, I was assured that that consultation would include different options for the future of the service. I was outraged by the consultation document that was produced in November, because it outlined just one option and gave 10 spurious economic reasons for closing Aberdeen down. In a letter that Lewis Macdonald and I received from Kenny MacAskill, we were told that that document was not actually a "consultation document" and at our meeting with him this week I was pleased to hear him say that he has "parked" that flawed document—although I am not quite clear what he meant by that—and asked the new

chair of the SPSA to re-examine the whole issue, but I was disappointed to hear him say that he would not ask for the production of a new consultation document that would examine several options for the future delivery of the service, one of which must be the continued use of the base in Aberdeen.

It is clear to everyone that the SPSA has only one objective: to close down the Aberdeen laboratory and move its services to Dundee. Lewis Macdonald made that point absolutely clear in his radio interview this morning. Everyone involved in the Aberdeen service—staff, management and, most important, the service users—say quite clearly that the closure would have a detrimental effect on the excellent service that is currently provided.

I remind the minister that he cannot ignore the unanimous view that has been expressed by MSPs of all parties from the north-east. The Government has a real responsibility in the matter. The cabinet secretary will make the final decision; he must make the right decision. As far as I am concerned, if the chief constable is telling him that the proposal is bad for Grampian Police, it follows that the proposal is bad for my constituents, who rely on the effective performance of the police service. I urge the minister to listen to the common sense that has been said to him tonight.

17:26

Nanette Milne (North East Scotland) (Con): I commend Lewis Macdonald for securing this important debate and for including members of all parties in the discussions that have preceded it.

At stake is the future provision of a state-of-the-art quality forensic science service for north and north-east Scotland. The service allows its highly skilled personnel to assist the police in crime detection primarily by using their expertise, backed up by modern equipment and technology, to identify the perpetrators of the crimes that the police seek to solve.

As Mike Rumbles said, if we thought that closing the Aberdeen forensic laboratory and fingerprint unit and centralising forensic services for the north of Scotland in Dundee were part of a well-thought-out and unbiased proposal that would give that part of Scotland the world-class service the SPSA aspires to provide, I am sure that this evening's debate would not be happening.

The more I have read and heard in recent months, the more concerned I have become that the proposal to close the Aberdeen lab is not based on the result of meaningful consultation with all key stakeholders. The SPSA has not weighed up the positives and negatives of the case and considered alternative solutions. The closure is,

rather, an ill-thought-out proposal, driven solely by economics, to support the business case that has been put up by Dundee.

In May last year, I was pleased when the Cabinet Secretary for Justice directed the SPSA to engage in fresh consultation with interested parties. Like others, I was assured that the consultation would be full, frank and transparent. I was therefore as dismayed as everyone else to see the new document, which professes to address the key questions surrounding the delivery of forensic services to north and north-east Scotland, albeit that it is not meant to be a consultation paper but a means of focusing the discussion. Far from addressing the issues in an open and unbiased manner, the document merely expands on the reasons for closing the Aberdeen laboratory and fails to consider any other options. It gives the impression—not the correct impression, I hope—that the SPSA has a closed mind and will not look at other possibilities.

There appears to have been no meaningful consultation. We know that the unions have not yet been formally consulted, although that is about to happen. We do not know whether the procurator fiscal or forensic pathologists in Aberdeen and Raigmore have been asked for their opinions. We do not have an up-to-date view from the Association of Chief Police Officers in Scotland, although we know that Grampian Police is very much against the proposal to close the Aberdeen lab and Northern Constabulary has serious concerns about it.

We also know that the KPMG report of 2003 and the Noble report of 2004, which have been much quoted by the SPSA, recommended new builds at Dundee and Glasgow but did not recommend any closures. The KPMG report stated that the human resources costs alone involved in relocation, even before considering the damage to service provision through loss of experienced staff, would be prohibitive. While I fully accept that new facilities in Dundee and Glasgow are needed—that is not in dispute—I fail to see that a proper assessment has been made of the impact of closing Aberdeen. The Aberdeen lab currently provides an excellent service to the whole of the north of Scotland and has received significant investment in its facilities. Indeed, finance and plans are available for co-locating all crime and major investigative and specialist support services on a single site in Aberdeen.

I agree with my colleagues that the consultation process so far does not inspire confidence that it will lead to unbiased recommendations to the Government from the SPSA, and I welcome the fact that a new board convener of that organisation is to be asked to review the consultation to date and carry out any further

consultation with stakeholders that he considers necessary. I hope that the minister will put it on record this evening that no decision has yet been taken on the future of the Aberdeen lab and that nothing has been ruled out or in.

There are many factors to be considered, and of course they include costs, but the ultimate goal must be the best possible forensic science provision to give the best possible support to our police in their pursuit of criminals.

17:30

Richard Baker (North East Scotland) (Lab): I congratulate Lewis Macdonald on securing the debate and on his work, as the constituency MSP, for the laboratory in the campaign to secure its future and repel the threat of closure. It has been a cross-party campaign, as is evident from the speeches that have been made in the debate.

What has made clear to me the compelling argument for keeping the lab open is not just the concerns of Grampian Police and the Northern Constabulary and the quite unequivocal statement of Colin McKerracher, the chief constable of Grampian Police, on the detrimental impact that closure would have on solving crime across the north of Scotland, but the passion, commitment and ability of the staff in Aberdeen. Along with their trade union, Unison, they have made a compelling case against closure in the context of a totally inadequate consultation process. I point to the excellent vision for the future for the service in the north that the staff produced in the excellent document called "Building on Success"—it is a successful laboratory, as members have said—and the excellent documents produced by the fingerprint unit and the forensic laboratory staff that provide a real map for improving the service in Aberdeen that will benefit the service throughout Scotland.

The contrast between those excellent documents and the one from the SPSA is that the latter is not a consultation document at all and it does not add much to the debate apart from a sense that we will not be able to change the SPSA's mind. On that basis, it is regrettable that the cabinet secretary has not done more to ensure that the consultation process is adequate and working.

What has taken place as a consultation has been totally inadequate. Of course, it has taken place against a backdrop of organisational turmoil in the SPSA, which gives me no more confidence in the proposed plans. I believe that the Northern Constabulary was not even consulted. Although I hope that the cabinet secretary and the minister will ensure that the lab does not close, if it is closed on the basis of a totally flawed consultation

process, that will be even more detrimental, destructive and wrong.

As Lewis Macdonald said, Tom Nelson of the SPSA said:

"I want every pound spent to have a significant return for the communities of Scotland".

I argue—I think that we are all arguing—that if that is to be true for the north of Scotland, the Aberdeen lab must be kept open because it is delivering an excellent service now and helping to tackle and solve crime now.

Mike Rumbles is right: this comes across as a cost-cutting exercise. I believe that the cabinet secretary has said that there is no budgetary pressure to close the Aberdeen lab, so surely there is no argument for its closure at all, because its closure would diminish the ability of our local police to solve crime—and I cannot believe that services throughout Scotland would benefit from its closure. I hope that the minister and the cabinet secretary will recognise that, will ensure that an excellent facility remains open and, in doing so, will ensure that a decision that would hamper the tackling of crime in our community does not go ahead. I hope that the lab in Aberdeen can build on its success and on the passion, commitment and abilities of its staff.

17:34

Nicol Stephen (Aberdeen South) (LD): I, too, thank Lewis Macdonald for securing the debate, and emphasise that there is cross-party Labour, Liberal Democrat, Scottish National Party and Conservative support for the services.

At the meeting that we had with Kenny MacAskill and Fergus Ewing on Tuesday, neither sought to defend the consultation document.

We believe that the consultation is deeply flawed. As Mike Rumbles and others have said, possible future models for the service were not offered in the consultation document although they had been promised, and the case for the closure of the laboratory in Aberdeen has been torn apart by the two response documents from the staff and the trade union. No proper case has been made, and the only reason is cost—the financial argument. There is a lot of anger at the deficient, defective proposal to close the facilities—anger from the staff, from police, from members of the police board and, tonight, from MSPs.

On Tuesday, we were pushed towards the new convener of the SPSA, Vic Emery, whom I know and who is a very capable business leader. However, the SPSA already has an entrenched position on the issue, which we have heard about this evening. The truth is that, if we expect the SPSA to change its mind, even under a new chair,

we should not hold our breath. The simple fact remains that the buck stops with the ministers and the ministers should reject the closure plans. It should be a simple decision. I urge the ministers to read thoroughly the case for retaining the Aberdeen forensic and fingerprint services, which is contained in the two documents that I mentioned.

The decision is simple, because closing the Aberdeen laboratory and moving to Dundee will lead to a deterioration in the service that is provided. Closure will damage the fight against crime in the north-east and in the north of Scotland. That is not just my view and the view of MSPs; it is the view of the chief constable of Grampian, of the Northern Constabulary, of the police board in Grampian and of experts throughout Grampian and, I believe, further afield.

The forensic service is vital to the future of the battle against crime in the north-east, and demand for the service is increasing significantly, year on year. Closing the laboratories in Aberdeen and Edinburgh and centralising services in Dundee and Gartcosh is not acceptable to me, or to the members who are in the chamber tonight; yet that is clearly the SPSA's aim. I say to the minister that that objective should be rejected, and it can be rejected only by the Government.

17:37

Nigel Don (North East Scotland) (SNP): I, too, congratulate Lewis Macdonald on securing this extremely important debate, in which I am happy to take part. Nevertheless, I would have been much happier if we had not been having the debate for the good reason that the SPSA had carried out a good consultation and had justified what it was saying. Some of my colleagues have referred to a consultation that, to be honest, I have not seen. I have seen documents saying what the SPSA wants to do. I understand that those who manage businesses are entitled to a view on what they want to do; however, I have not yet seen a consultation.

In the document that the SPSA produced, there seems to be a hope. I cannot give the page number, as the document does not have page numbers. It states:

"In addition to retaining the full team of crime scene examiners in Aberdeen and Inverness, we will also ensure a scientific input in Aberdeen. Under our current proposals we will embed a forensic scientist in the Grampian 'forensic gateway' to support the force"—

and so on. I question whether one scientist is enough to do that. Nevertheless, the germ of a way forward is in the statement that the SPSA will retain

"a full team of crime scene examiners".

I do not know quite what constitutes a full team of crime scene examiners—no doubt, those who are in the public gallery tonight could tell me—but it seems that the SPSA recognises that it needs to retain something in Aberdeen. We have all agreed that that is right, and it is certainly the case that what is retained should be retained in Aberdeen because some 60 per cent of the Grampian region's crime occurs in Aberdeen, despite the fact that it has only 40 per cent of the population.

Mike Rumbles: It is not a question of how many staff should be retained in Aberdeen. The question is simply whether the service in Aberdeen and Grampian will be degraded. The chief constable believes that it will be.

Nigel Don: I do not wish to disagree with the chief constable, whose view I endorse. I accept that that is what Colin McKerracher is saying. I am not in a position to disagree with him.

It seems to me that, if the SPSA recognises that it must leave a resource of whatever size in Aberdeen, it should also ask what facilities it would be economically possible to put beside it. It should look at the argument that way around. If it does, I think that it will end up with extremely different numbers from the ones that it has come up with, because it is not going to close the resource at all, which means that it is not going to get the savings that it says that it will. I suspect that the back-of-a-fag-packet calculations that have been used internally are totally spurious. I think that we are already beginning to see that.

The cost structures for the proposals have not been made available for scrutiny. They could have been made available to MSPs on a confidential basis—we see plenty of confidential information—but, as far as I am aware, no one has seen anything.

Equally, the analysis of the extremely expensive analytical machinery could have been provided. I have seen no costings or any other justification for having bits of machinery in one place or another. I suspect that that information would not even be private, as I am pretty sure that those who are skilled in the art know perfectly well what those numbers are and could provide them.

Overall, it seems to me that the SPSA has failed to take the issue seriously. It has simply decided what it wants to do. I must add that nothing that is being said this evening—I hope—is to derogate from the fact the Dundee facility needs to be revitalised. No one has anything against Dundee, least of all me, as the city is part of the region that I represent.

We have seen no serious analysis of the situation and, until we have seen that, we will not believe that the SPSA is trying to make the right decision.

17:41

Mary Scanlon (Highlands and Islands) (Con): I am pleased to speak in this debate as a Highlands and Islands MSP, because moving the forensics lab from Aberdeen to Dundee will have a serious impact on the work of not only Grampian Police, but Northern Constabulary.

Some of the best-trained police civilian staff scientists have been employed in Aberdeen since 1969, which makes the lab, which does excellent-quality work, the second-oldest police lab in Scotland.

Northern Constabulary has serious concerns about the quality of service that might be delivered following the proposed move to Dundee. In a recent meeting with Northern Constabulary, SNP, Labour and Conservative MSPs heard fulsome praise for the hard-working and dedicated staff of the Aberdeen lab. The representatives of Northern Constabulary confirmed that an excellent service had been provided by the lab over the years and said that they were truly concerned about the uncertainty around the lab's future.

Nicol Stephen talks about the anger of staff. Before today, I had not met any of the staff. The concerns that I am raising come from the police officers and others in Northern Constabulary.

This is not only a debate about uncertainty about the proposed changes to this excellent service and concerns about delays in processing evidence due to those changes; it is a debate about a sham consultation that did not involve even Northern Constabulary or the unions.

The Aberdeen laboratory processes evidence from an area of 14,500 square miles, which is nearly 50 per cent of the land mass of Scotland. The lab serves more than 813,000 people from Unst in Shetland to Glencoe in the south.

It is true that investment has not been forthcoming in recent years for the Dundee lab and that its current site must be vacated by 2011—for its owners, Tayside Police. However, that investment should not be made at the expense of the custom-built, state-of-the-art, fit-for-purpose and highly valued forensics and fingerprint facility in Aberdeen.

In the Highlands, where major crimes are, thankfully, rare, volume crimes such as minor assaults and theft are of the greatest concern. During one week in November last year, there were three murder inquiries in Aberdeen, yet there was no backlog in the volume-crime services while those murders were being investigated. In other words, the murder investigations did not impact on the service that was provided to Northern Constabulary. That continuity of service simply could not happen if the lab in Dundee took cases

from up to four different forces. Volume crime might be pushed to the back of the queue as more pressing, high-profile crimes came in.

On recent visits to Orkney and Shetland, I found that officers there have serious concerns about getting evidence to the lab in Dundee. At present, they can get a direct ferry or plane to Aberdeen, drop off the evidence and return to their station, often with the results, to continue their duties. If we add a trip to Dundee, they could be forced to stay on the mainland overnight, which will increase the costs and the time that is taken and might reduce visible policing on the islands.

As Brian Adam said, £600,000 has been set aside for the Aberdeen lab. I ask the minister whether he appreciates that Grampian joint police board felt it necessary to threaten the SPSA with freedom of information requests.

The Deputy Presiding Officer: Sorry. The member's time is up.

17:46

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): The Minister for Community Safety, who will sum up the debate, also summed up the previous debate. If I heard him correctly, he said that what has really annoyed him since he became a parliamentarian is the taking of decisions by Government or public bodies with no explanation of the justification or no proper consultation. That concern is as valid in relation to the previous debate as it is in relation to the current one.

I commend Lewis Macdonald for bringing the matter to the Parliament's attention this evening. As a lowland MSP, like George Foulkes, I raise my concerns in support of my Aberdeen colleagues, but also because I am concerned about the Edinburgh service, which affects my constituents. Indeed, I also represent staff within that service.

As Lewis Macdonald said, when the SPSA staff were informed of the plans in December 2007, they were told that there would be an interim three-lab model. In effect, that would have meant the closure of the Edinburgh service. Subsequently, there have been apologies to staff and there has been clarification, but clarification that does not clarify anything is not sufficient for staff who still have a sword hanging over them.

I share many of the concerns that rural members have raised in the debate. One concern is about the effect of a reduction in on-call services on rural areas. One consequence of the closure of the Edinburgh service and its combination with the Gartcosh campus in Glasgow is that on-call services for the Borders and the south of Scotland would be affected considerably. I refer to Mary

Scanlon's comments on drugs offences. I understand that the law allows a maximum of six hours between the time of arrest and the time when someone is charged for drugs offences. A constituent who has written to me states that it would be impossible to meet that requirement if the drugs were seized in Galashiels and the nearest forensic lab was in Glasgow.

This afternoon, I had cause to raise concerns about the operation of the SPSA because of the outrageously poor service that was provided to some constituents in another case. It seems that there has been a similar lack of consultation and lack of consideration of quality of service in Aberdeen as there has been in Edinburgh. I ask the minister to comment when he sums up on the fact that there have been, are there still are, concerns about the Edinburgh service. It is not sufficient for the SPSA to resolve a concern about one office. The Government has a responsibility to ensure that all parts of Scotland have the highest quality, world-class forensic services.

I hope that the minister, in providing assurances to Aberdeen colleagues, will also state categorically, for the benefit of my constituents, that the Edinburgh service will not close.

17:49

The Minister for Community Safety (Fergus Ewing): I begin by congratulating Lewis Macdonald on bringing the matter to the Parliament for debate. It is a good thing that he has done so, because it is right that we debate hotly disputed, controversial issues that affect people's lives.

I also commend members from all parties for speaking. There are clearly strong feelings on the issue. Rightly, all members—particularly members from the north-east—have expressed, on behalf of their constituents, their vehement views in defending their constituents' interests.

The matter goes beyond the interests of the north-east. Mary Scanlon alluded to a meeting, at which I was present, that took place with senior officers of Northern Constabulary. The Highlands and Islands are also directly affected. Mr Purvis and Lord Foulkes mentioned the national aspects.

Later, I will turn to some of the comments that members have made, but first let me set out, by way of general background, the facts in relation to the SPSA. It is important to set them out clearly for the record, because they have brought us to where we are today.

The Scottish Police Services Authority was established on 1 April 2007, following cross-party support in this Parliament. The purpose of the SPSA is to deliver more effective police support

services, including forensic science services, in an efficient way. The first sentence of Nanette Milne's speech and her carefully couched language accurately summed up that objective.

The SPSA inherited forensic science laboratories in Aberdeen, Dundee, Edinburgh and Glasgow, which have been developed and adjusted over a long period and are, to varying degrees, no longer fit for purpose.

Mike Rumbles: Surely the whole point of setting up the SPSA was to level up the service across Scotland rather than to level it down, but that is what the proposal is about.

Fergus Ewing: I do not think that anyone is suggesting that the SPSA plans to diminish the level of service, so I agree with that as a general proposition.

It is clear to everyone that urgent investment is required. We are committed to ensuring that the SPSA provides the best possible service to all eight Scottish police forces, which is why the taxpayer, through the Scottish Government, is funding new forensic facilities as part of the Gartcosh crime campus and why we approved the SPSA's proposal to build a new facility in Dundee. As Richard Baker or Lewis Macdonald said, documents have been submitted by the fingerprint unit and the forensic laboratory. I have had the opportunity to read them, albeit relatively briefly. All welcome the fact that Dundee is to be upgraded—not least the police, who will reclaim part of their offices, which they need. So far as I have been able to judge, that is not in dispute. Investment is required, which the taxpayer is providing, and I believe that all parties support it. The new units will provide the SPSA with the tools that it needs to keep up with the demand for expert scientific analysis of forensic evidence. That is a good thing as it will, to use Mike Rumbles's phrase, level up services.

It would be foolish of any Government, when creating two excellent new facilities, to fail to consider the national picture, therefore such consideration is being attempted. All members have expressed the view, and I concur, that it is important to concentrate on the outcomes for the police service in Scotland and for the public in identifying and securing the conviction of criminals. The SPSA has a statutory remit that was set out, I believe, by us all in the previous session of Parliament.

Let me emphasise that no decision has been made to close the Aberdeen laboratory. It is essential to clarify that. Members who attended the meeting with the Cabinet Secretary for Justice on Tuesday are aware that he made that clear statement. Equally, the SPSA clearly states in "Delivering forensic services to north and north

east Scotland” that it has no plans to move its scene of crime staff, who are embedded within forces and are under the direction of investigating officers. I think that that is also accepted and understood.

Lewis Macdonald: Does the minister nonetheless accept that the concern is that, in spite of the cabinet secretary’s words the other day, the SPSA still appears to be advocating publicly the closure of the laboratory in Aberdeen? It is for that reason that members remain highly concerned about the direction in which the process is going.

Fergus Ewing: I fully understand the view that Lewis Macdonald expresses. He is perhaps speaking on behalf of all the members who have made similar points. The SPSA understands that the process of engagement and consultation has been regarded as flawed and defective. When any one body or person is being attacked by a group of people, it is reasonable for someone to say a word in defence, otherwise the process becomes somewhat invidious. I have a list of 20 or 30 engagements and consultations. For example, I know that meetings have taken place with MSPs, chief constables and police boards. I could read them all out. There has been an attempt at consultation. I think that Brian Adam—

Brian Adam: Will the minister give way?

Fergus Ewing: I was just about to come to the member, but I am happy to give way.

The Deputy Presiding Officer: The minister should conclude very soon. Quickly, please, Mr Adam.

Brian Adam: No minutes were taken of the meetings to which the minister refers, and those who attended the meetings do not know what the outcome is. Will the minister please ask the SPSA to produce minutes of those meetings?

The Deputy Presiding Officer: Very briefly, please, minister.

Fergus Ewing: I am willing to go on for longer, if there is time, Presiding Officer. I do not know whether that is possible within parliamentary procedures. There are many interested people in the public gallery who would perhaps like to hear a little more.

The Deputy Presiding Officer: I am prepared to accept a motion without notice from Mr Macdonald to extend the debate to let the minister finish.

Motion moved,

That, under Rule 8.14.3, the debate be extended until 6.01 pm.—[*Lewis Macdonald.*]

Motion agreed to.

The Deputy Presiding Officer: The floor is yours, Mr Ewing.

Fergus Ewing: I am grateful. I was almost going to move a motion myself, which would not have been very parliamentary.

The paper is not a consultation paper; it is a question and answer paper. To characterise it as a consultation paper is perfectly understandable, but it is not a consultation paper. It clearly states that comments are being sought, and I am delighted that we have comments. Some members, such as Mr Don, mentioned specific aspects of the document, which is good. There is no time to go into all the submissions, but they plainly address every one of the 10 questions in great detail. Mr Purvis will be pleased to hear that we in the Scottish Government thoroughly endorse and support that process of rational analysis—it is the way in which decisions should be taken.

Once the consultation is completed, the SPSA, as the duly established agency—it was established by us all—will have to consider how to proceed. The cabinet secretary asked for stock to be taken and for a review to be carried out of the further work that is required to address the perceptions and fears that were raised at the meeting on Tuesday, today and elsewhere.

To address points that Mr Macdonald and other members made, I say that I understand that there will be meetings with Unison and many others in the remaining part of this month. I fully welcome and endorse that, as it is essential that the workforce representatives are fully and properly consulted. Once the SPSA board has finished its consultation, which is not closed and is on-going, it will be its legal responsibility to present proposals to the cabinet secretary. Various members have asked whether the proposals will include one option or more than one option. Plainly, the SPSA will read carefully the speeches that have been made in the debate.

George Foulkes: Will the minister take an intervention?

Fergus Ewing: I do not have much time, Lord Foulkes, so I am afraid that I will not.

George Foulkes: I wonder whether—

Fergus Ewing: I am not taking an intervention, so sit down.

The documents need to be considered seriously. I understand that the SPSA may not yet have received them all. Plainly, it must study them extremely seriously, and I am fully confident that that is exactly what it will do.

George Foulkes: On a point of order, Presiding Officer. I would like to record a formal complaint and objection. Parliament agreed to give the

minister as much time as possible. I have a perfectly reasonable question to ask. It is outrageous that the minister is not prepared to take an intervention.

The Deputy Presiding Officer: It is up to the speaker to decide whether to take an intervention. Clearly, in this instance, Mr Ewing has decided not to do so.

Fergus Ewing: Thank you, Presiding Officer.

I will return to the relevant parts of the debate. The matter is extremely serious.

Jeremy Purvis: Will the minister take an intervention?

Fergus Ewing: I really must move to a conclusion, as time has already been extended.

The cabinet secretary will receive recommendations from the SPSA board in due course. That is the process, which I think follows of necessity from the fact that we set up an agency. The Parliament set the process; that is how the process operates. However, the SPSA proposes and the Scottish Government disposes. That, too, is the process. I accept fully that, as Nicol Stephen said—he speaks from personal knowledge—the buck stops with us. That is the nature of the job. When the cabinet secretary takes his decision, I am sure that he will accept the responsibility that falls with it.

I am extremely grateful to all members who made relevant contributions to the debate, and I thank them. I also thank those who have visited us from Aberdeen—they have come a long way to listen to this debate. I assure them that this matter is being treated with the utmost seriousness by the Scottish Government, as indicated by the cabinet secretary's requirement that stock be taken of the way in which the consultation process has been handled to date. We will ensure that their views are taken into account fully before any final decision is taken.

Meeting closed at 18:01.

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