

MEETING OF THE PARLIAMENT

Thursday 28 May 2009

Session 3

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Scottish Parliament

Thursday 28 May 2009

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

Missing Children Alert System

The Presiding Officer (Alex Fergusson): Good morning. The first item of business is a Liberal Democrat debate on motion S3M-4245, in the name of Robert Brown, on a missing children alert system. We are reasonably relaxed about timings—seven minutes is just a broad guideline, Mr Brown.

09:15

Robert Brown (Glasgow) (LD): Thank you, Presiding Officer. Announcements about timing just before the commencement of one's speech are useful.

Last night I spoke at a hustings meeting on behalf of our candidates for the European Parliament elections. Various candidates from the UK Independence Party and fragments of the socialist parties—a platform of no fewer than ten candidates—spoke about their dislike of the European Union and all its works. Those sentiments are ill founded for a variety of reasons, and the motion, which the Liberal Democrats lodged in the lead-up to the 4 June poll, identifies an example of the value of European co-operation to which I hope that all members can sign up. Lodging the motion was our practical way of marking international missing children's week.

It is thought that about 9,000 children go missing each year in Scotland. Some incidents involve teenagers who have problems at home, some are the result of short-term family tussles that are resolved, and some are the result of misunderstandings. However, a significant number involve real peril for and major harm to the child, and an increasing number have a cross-border or pan-European dimension. We should not forget the significant issue of child trafficking, which is of considerable and increasing concern to many people throughout Europe.

It is well understood that the first 48 hours after a child has been abducted are critical and that an immediate response to the child's disappearance is vital. In October 2007 the European Commission identified the need to develop cross-border mechanisms to combat child abduction. That led to a working paper, which called for agreement on common minimum standards and proposed arrangements involving a pre-alert, a formal request by the state Government with a

standardised message to other member states, and a national or local alert in other countries. To be effective, the approach would require an agreed protocol for use, a crisis handbook that contains contact details, and a common channel of communication, and better co-ordination, between child alert mechanisms in the member states, given that it is inevitable that mechanisms are at different stages of development and operate in different ways according to national requirements. A declaration on the approach was adopted by the European Parliament in April this year.

A Commission decision in 2007 required member states to make available throughout Europe, 24 hours a day and seven days a week, the free telephone number 116 000, as a missing child hotline. The hotline is operational in a number of European states and has strong support from the Commission vice-president, although it is not yet operational in the United Kingdom.

The gold standard is the Amber alert system, which has operated in the United States of America for the past seven years. Enforcement agencies, broadcasters and the transport and wireless industry work in partnership to activate an urgent bulletin or announcement in serious child abduction cases. If we adopted the Amber alert system, in a matter of minutes after a child has been reported missing to the police, all police forces would be alerted and television and radio programmes would be interrupted and pictures of the missing child would flash up on screens. Text messages would be sent to all subscribers, and Interpol, Europol and foreign police forces would be put on alert. The entire European Community could work together to find the child. Quite often, such activity is enough to compel the abductor to hand over the child. That has been the satisfactory conclusion in a number of cases.

Liberal Democrats know that the issue is vital and of huge importance to affected families. I hope that members of other parties agree. We are aware that progress has not been as rapid as many people wanted it to be. The mechanism of the EU, working in partnership with the UK and Scottish Governments, should be harnessed to produce an effective system in which this country participates fully. We know that on some subjects the Scottish Government can put aside its coyness about partnership working with Westminster. This must be one such subject. The operation of the full Amber alert system and the 116 000 helpline, and swift communication and co-operation throughout Europe when necessary, will be made easier by a firm commitment at Commission and European Parliament level. The prize, which is beyond price, is the safe recovery of many more abducted children and the relief of many more families.

We know from the well-publicised ordeal of the family of Madeleine McCann of the horrible situations that arise when a child is not recovered, when investigation procedures are perhaps flawed and when action is not as swift or effective as we all hope that it would be. We all want to reduce the chances of such situations arising. We want a European Amber alert system and universal take-up of the free missing child alert hotline, including in Scotland and the UK. We need to ensure that Scotland and Britain are at the forefront of that approach and that it is operational in every country in the EU and in associate countries.

Scotland and Britain have quite well-developed internal mechanisms to deal with child abduction, but problems can arise when there are cross-border issues, given the increasingly globalised economy and world in which we live. The abduction of Madeleine McCann while she was on holiday in Portugal could and might have involved—it is unfortunate that we still do not know whether it actually involved—individuals from other countries. An increasing number of matrimonial break-ups have a cross-border dimension. Nine out of 10 such cases do not lead to huge problems, but it can be difficult to get children back from other countries. We know from the experience of the European arrest warrant, which was backed by Liberal Democrats and other parties in the European Parliament, that the speed of arrest in criminal situations has been greatly accelerated by the ability to have common mechanisms and common action throughout the EU.

The issue is important, and it is not controversial. I hope that the motion, which we debate in international missing children's week, will attract the support of members of all parties. It highlights a valuable approach, which needs the attention of the Scottish and UK Governments in partnership and will lead to a significant and worthwhile difference in the mechanisms for dealing with child abductions.

I have done quite well to finish in seven minutes, Presiding Officer. I move,

That the Parliament supports the establishment of strong cross-Europe working to ensure that there are effective, linked "Amber alert" systems in place to bring European-wide attention to missing children; understands that early action is critical in locating missing and abducted children and that the experience of those countries that have alert systems in place, such as the United States of America, is extremely positive; welcomes the formal adoption of the written declaration on Emergency Cooperation In Recovering Missing Children as a resolution of the European Parliament in April 2009 but regrets that European countries currently fail to cooperate effectively when recovering missing children and that progress has been slow, and calls on the Scottish Government to work proactively and constructively with the UK Government to ensure that all missing children alert systems and cross-border cooperation policies, including the 116 000

European hotline, are operational as soon as possible to bind the country effectively into the European system.

The Presiding Officer: This is one of those occasions on which I am happy for members' speeches to overrun.

09:22

Paul Martin (Glasgow Springburn) (Lab): On behalf of Scottish Labour, I commend the Scottish Liberal Democrats for securing the debate. There is no doubt that the Amber alert system has great merit and would make a difference to the protection of children from people who pose a threat to community safety.

A great achievement of the Parliament is that we can show unity when we give priority to children's safety. We have done that on a number of occasions. I experienced such unity when the sub-committee of the Justice 2 Committee in the previous session of the Parliament considered the management of registered sex offenders. The need to ensure children's safety lay at the heart of the sub-committee's report.

Many parents have experienced that heart-stopping feeling when we momentarily lose sight of our child. The relief that we feel when we find them is indescribable. It must be unbearable for parents who are not so lucky—there are many well-publicised examples, such as Kate and Gerry McCann. We need to be convinced that every opportunity is taken to enable a missing child to be found by the relevant authorities. The missing children alert scheme would provide added protection.

Every year some 130,000 children go missing in Europe. We know that the sooner information on a missing child reaches the public, the greater the chance of tracing them. That is why the proposals for an EU-wide alert scheme are to be welcomed. We know that a similar system in the United States works well, as Robert Brown said. Since 2003, that scheme has recovered more than 400 children, of whom 80 per cent were recovered in the crucial first 72 hours. I am aware that the proposed scheme has the majority backing of MEPs, including Catherine Stihler and David Martin, and I hope that we are a step closer to ensuring that any child who goes missing in Europe is given the best chance of being recovered.

As I said, every year, more than 130,000 children go missing in Europe. Most are returned within a week but, on average, each year six children are never found. The pain behind those statistics cannot be described. That should ensure our determination to progress the issue and look at every possible avenue to ensure the safety of our children. There is no doubt that a scheme

similar to the Amber alert scheme in the United States would save lives. The European Parliament's initiative is a good example of how Europe-wide action can make a real difference.

The USA's Amber alert scheme operates in 13 states and has successfully saved the lives of many abducted children by breaking into media broadcasts to give details of suspected child abductions and by flashing up messages on highway signs that alert drivers to keep an eye out for children. Robert Brown spoke about the scheme's approach. The criteria that are used to trigger such alerts are as follows: the child should be under 16 and missing; a police officer of at least the rank of superintendent thinks that the child might suffer serious harm or death; the child must have been kidnapped or be suspected of having been kidnapped; and there must be sufficient descriptive details of the victim or the offender to justify the alert.

Having spent 10 years as an MSP, it seems ridiculous and unacceptable to me that such a scheme is not already in place. Many of us have the notion that such a scheme should involve a much more sophisticated approach—I learned that as a result of scrutinising the legislation on the management of registered sex offenders.

We live in a computer age. We use the internet, mobile communications, blogs and so on. Surely we can use such information technology to our advantage to ensure that our children are given every possible opportunity.

The Parliament is at its best when we work together to ensure the safety of our children. I urge the minister to listen to all the parties' points of view and implement a scheme that plugs the gap that exists nationwide before more children go missing. I appreciate the challenges that the minister will face with many of the bureaucracies that exist throughout Europe, but it is extremely important that we progress the issue through this debate and the many other debates that will take place.

I call on members to support the amendment in the name of Richard Baker.

I move amendment S3M-4245.1, to insert after "UK Government":

"and to encourage Scottish police forces to collaborate with their UK and European counterparts".

09:28

The Minister for Community Safety (Fergus Ewing): It goes without saying that the abduction of a child is an unimaginably traumatic experience—the worst nightmare—for a family. I welcome the motion, which supports the call that the European Parliament made in September

2008 for member states to develop national child rescue alert mechanisms and to establish co-operation for cross-border searches for and recoveries of abducted children. The response to a suspected abduction of a child must be immediate and co-ordinated, and it is important that the search for abducted children is not constrained by national borders.

Scotland's police forces are at an advanced point in developing a Scottish child rescue alert system. That system, which is being developed by an Association of Chief Police Officers in Scotland working group that includes Scottish Government representation, draws on the European Commission's 2008 best practice guidance as well as on the practical experiences of police forces elsewhere in the UK and the National Policing Improvement Agency. The Scottish child rescue alert system should be fully in place by 2010. I think that I can provide reassurance on the point that Paul Martin raised by informing him that, this week, the police successfully finished a cross-UK exercise in which the child was found.

It is worth taking a moment to distinguish between cases of child abduction, which are exceptionally high risk, and the more general problem of missing children. There might be one or two child abductions in the whole of the UK in a year, but estimates of the number of incidents in which children go missing or run away are as high as 100,000 a year throughout the UK. Children can go missing for several reasons, each of which should be a cause for concern for all of us.

We are working closely with our Cabinet Office colleagues in the UK Government to simplify the process for reporting missing children, and there will soon be a tendering exercise for a new Europe-wide 116 000 hotline to become operational throughout the UK. We are also doing further significant work to improve services for young people who place themselves at risk by running away, developing systems for locating children who are missing from education, and working to protect those affected by forced marriages.

Robert Brown: Will the minister clarify when the 116 number will be introduced? Will there be information and publicity about it? Obviously, people will need to know about it in the first instance.

Fergus Ewing: As I said, there will soon be a tendering exercise for the hotline to become operational throughout the UK. Robert Brown is correct to say that, for the line to work successfully, people must know that the number is the 116 number. I understand that the 116 number is used throughout Europe, which is why we will have it. I am sure that Robert Brown recognises that, before the child rescue alert system is fully

put in place, it is essential that all the operational challenges are properly addressed—most notably, the huge volume of calls that the use of such a system will produce. Thousands of calls are likely to be generated, and it is essential that the police are fully prepared to handle those calls and deal with the follow-up investigations. Robert Brown will appreciate that.

Child protection has been a key priority for the Czech presidency of the EU, and it will be a key priority for the incoming Swedish presidency. Indeed, fairly recently I attended a justice and home affairs council in Luxembourg as part of the UK delegation at which it was clear that the Czech presidency has given an excellent lead on such matters—on the significant issue of abducted children, but also on tackling the sexual abuse of children on the internet.

In conclusion, the Scottish Government is delighted to play its part in improving provision throughout Europe for at-risk children, particularly those who go missing or are abducted.

09:33

John Lamont (Roxburgh and Berwickshire)
(Con): I, too, congratulate Robert Brown and the Liberal Democrats on raising such an important issue.

As we have heard, the case of Madeleine McCann and the plight of her parents, Gerry and Kate McCann, have made the public much more aware of the important issue of missing children. However, it is important to remember that Gerry and Kate McCann are not the only parents who have been left inconsolable by the disappearance of a child.

I know that Gerry and Kate McCann have studied best practice in the United States, which is internationally acknowledged to be the world leader in recovering missing children. Since 2003, nearly 400 abducted children in America have been recovered, and Belgium and France have now adopted the American approach. Some 80 per cent of abducted children in the US are recovered within the crucial first 72 hours. Early intervention is the key.

We welcome the European Parliament's April resolution to adopt the written Declaration of the European Parliament on Emergency Cooperation in Recovering Missing Children. We should record that it was my colleague Struan Stevenson MEP who initially proposed the written declaration in the European Parliament, before it was jointly sponsored by Edward McMillan-Scott, who is a Conservative, Diana Wallis, who is a Liberal Democrat, and Labour's Glenys Kinnock. Having spoken to Edward McMillan-Scott this morning, I know that he is particularly appreciative of the

support that Glenys Kinnock provided in her capacity as chairman of the all-party rights of the child group.

However, more must be done, particularly in relation to the setting up of a missing child hotline, the Amber alert system and a European child resource and policy unit. The Amber alert system in the United States is named after a nine-year-old who was killed by her abductor. It operates like a severe weather warning, with an alert bulletin that is issued following the suspected abduction of a child. The alerts are distributed by the emergency alert system via commercial radio stations, satellite radio stations, television stations and cable TV, as well as e-mail, electronic traffic-condition signs, LED billboards and wireless device short messaging system text messages.

In France, a similar system has been adopted. In the handful of cases in which it has been used, it has been 100 per cent successful. Once the local police decide to issue an alert, a centre in the Ministry of Justice in Paris activates it within 30 minutes. Belgium has a similar system.

It is important to note that, in the US, there is growing concern among advocates for missing children that the public are becoming desensitised to Amber alerts as a result of the high number of false alarms. A false alarm is defined as the issuing by the police of an Amber alert without strict adherence to the US Department of Justice's activation guidelines. Any similar system that is adopted in Europe or, indeed, in Scotland will have to ensure that alerts are issued in the correct circumstances.

Children go missing for many reasons. The Children's Society estimates that 130,000 children run away, are ejected from home, are abducted or—worse—are injured or killed in the UK each year. Unfortunately, we have no agreed definition of a missing child. The police make no distinction between missing adults and missing children. Also, despite a guidance note that was issued in 2005, each police force operates a different system. Although not mentioned in the motion, that is another issue that must be addressed.

The European Commission is responsible for the establishment of an emergency number for missing children—the 116 000 number. However, only four countries, which do not include the UK, have adopted it thus far. The McCanns want to see a European children's centre, similar to the centre in Washington, bringing together Governments, the police and the voluntary sector in a united front to progress work on, for example, the elimination of layers of frustrating bureaucracy and duplication of work. Such a centre would provide a single focal point for data collection, drafting of policies and public communication on all aspects of policy.

The Children Act 1989, which was introduced by Margaret Thatcher and was probably the most far-reaching and progressive legislation in Europe, made the interests of the child paramount and gave children the right to be heard in the UK courts and to have independent legal representation. We should be pushing for the introduction of those concepts across Europe.

We will support the Liberal Democrat motion at decision time.

The Presiding Officer: We come to the open debate. I will not give time limits at this point.

09:38

Gil Paterson (West of Scotland) (SNP): We know that people of all ages go missing every day, but there is something about a child going missing that has a heart-chilling effect on loved ones and the wider public. Anyone who has ever had that experience, even if only for a short period of time—which is the experience in most cases—will never forget it. It is the living nightmare of all parents, with all the fears about and emotions around what might or might not be happening to their child. That is what makes the experience feel as if it is never ending; it is almost impossible to bear until the child is found.

For a mum or a dad, the horror of a child going missing for ever has to be the worst nightmare imaginable—it is impossible to come to terms with. Some children simply leave under a cloud. Of those who are abducted, some are never seen again and end up being abused on the black web by a paedophile ring. Others are sold as slaves into the sex trade that flourishes worldwide, including in the UK. As we all know, no country or people are safe from traffickers.

Anything that can be done to ensure that a lost child is found must be done. Anything that the Parliament can do to help connect cross-border agencies must be done—indeed, that can only be a good thing. When it comes to missing children, no border or barrier should be put in the way of finding them and returning them to their homes.

As other members said, the first few hours of a child going missing are vital to finding them. The noise that is created in alerting the wider public to the missing child is profound, as the American Amber alert system has shown. The US system is there for all to see—it is evident what it means to all those involved in finding a missing child. The evidence points to a good number of successful recoveries, so why reinvent the wheel?

Most European countries have now put in place a domestic warning system to protect and recover lost children. However, those systems are simply that: domestic systems that operate within the

country's borders. We know from the American experience that cross-border and cross-agency early-warning systems and publicity can destruct even well-organised crime. We must join up the intelligence and information and get it out there early, child by missing child. That must be done on a pan-European basis—indeed, on a worldwide basis, given that the world is growing ever smaller.

We should put in place an alert system that can trace a missing child effectively. I support in full Robert Brown's motion. If implemented, it will save a life of nightmares for families—mums, dads, grans, uncles and aunts—and communities.

09:42

Karen Whitefield (Airdrie and Shotts) (Lab): Like other members, I am grateful to Robert Brown for bringing the matter before the chamber today.

With the on-going campaign that Gerry and Kate McCann are fighting in the European Parliament to create an effective Europe-wide missing child alert system, the debate could not be more timely. It is impossible to debate the issue seriously other than in the European context. It is clear to me and to other members who have spoken in the debate that if ever there was a case for pan-European co-operation, this is it. The ease of cross-border movement within the EU demands that we take a co-ordinated Europe-wide strategic approach to such an alert system.

Just as in the US, no one state or agency can act alone to tackle child abduction effectively. All European countries must therefore act together to implement an alert system. I am sure that—with the possible exception of UKIP—there will be very little party-political divergence on the matter today or on the campaign for such a system in Europe. The McCanns have made it perfectly clear that a Europe-wide alert system would have improved the chances of finding their daughter Madeleine in the crucial first few hours following her abduction.

As other members have said, the first such missing child alert system was established in the United States, following the abduction and brutal murder of Amber Hagerman in Arlington, Texas. Arlington residents were so shocked at the tragic event that they contacted radio stations in the Dallas area to suggest that they broadcast special alerts if a child was ever to be abducted again.

The Amber alert programme has grown to the extent that it now covers the entire United States. As other members have said, the programme uses strict eligibility criteria to decide which cases should be broadcast. That ensures that members of the public do not become blasé about alerts, which is recognised as something that reduces the efficacy of the programme.

The benefit of such a planned and strategic approach is that it minimises delay in responding to child abduction and thereby maximises the time available directly after an abduction has taken place to locate and rescue the missing child.

The Amber alert programme in the US has been successful in rescuing children from abductors. The US Department of Justice reports anecdotal evidence that perpetrators are well aware of the power of the system and, in some cases, have released an abducted child on hearing the alert.

The advent of new information-sharing technologies offers great potential for information to be broadcast widely and quickly following an abduction. Social networking sites such as Facebook and Twitter, which are now accessible via mobile devices, offer the opportunity of fast dissemination of information to large numbers of the public, which can include photographic information about an abducted child and any information that is known about the abductor.

I was pleased to learn from Fergus Ewing's speech about the work that ACPOS is undertaking in Scotland on the issue, which is certainly welcome. I hope that the Scottish Government will continue to play its part in working alongside the UK Government and Governments in other European nations to create a system that maximises the opportunity to locate abducted children as quickly as possible.

I welcome Robert Brown's motion. He is right to highlight the success of the Amber alert system in the US and equally right to suggest that we should learn from that success and establish a similar system across Europe. Emerging information and communication technologies offer the opportunity of making child abduction a much more risky prospect for any would-be abductors, which can only be a good thing. I hope that the Parliament will support the motion in Robert Brown's name and the amendment in Richard Baker's name.

09:47

Anne McLaughlin (Glasgow) (SNP): It can be difficult to be one of the last members to speak in a consensual debate. The fear is that one ends up simply repeating what has already been said—or what has already been repeated. Indeed, my pen has been busy during the debate as I scored out much of my speech, so I doubt that I will make my four minutes.

We should, however, make no apology for devoting parliamentary time to such an important subject because it gives us an opportunity, as a united Parliament, to make clear our commitment to doing all that we can to find abducted children as quickly as possible. Perhaps the debate will have some influence on the Parliaments of other

nations in Europe that are not fully signed up to the idea of an Amber alert system. I support having such a system and the call for other European nations to get on board in that regard. In particular, I acknowledge the benefits of the 116 000 hotline number, which will soon, I am pleased to hear, be operational across the UK.

Gil Paterson: I have heard members talk about the 116 000 number. What is Anne McLaughlin's view of the 999 system? Should it be made redundant or should it be incorporated into the Amber alert system?

Anne McLaughlin: I might well make my four minutes now.

I would probably instinctively dial 999 if a child went missing, and I would expect the operators to put me through to the right people. However, we must remember that not every country in Europe uses 999. I think that the comparable number in Spain and Germany is 112, and it is 997 in Poland, so a person coming into this country will not instinctively dial 999. If we had a pan-European number that every country used, people would use it instinctively if their child went missing.

There are critics of the Amber alert system, as other members have said. However, the thought of what the McCann family and, going further back, the family of Ben Needham, who went missing many years ago, and others have gone through convinces me that even if, as some American critics suggest, only a third of missing children are reunited with their families because of the Amber alert system, it is well worth the effort.

The biggest criticism in the United States appears to be not of the system itself but of misuse or overuse of it. The US Department of Justice issues guidance that should be followed before going to the Amber alert system—Paul Martin listed the criteria. One criterion states that the child must be at risk of serious injury or death. Unfortunately, many law enforcement agencies have ignored that and there have, as a result, been many false alarms. Only 30 per cent of the alerts that were issued in 2004 met the criteria and many of the remaining 70 per cent turned out to be false alarms.

The problem that results from false alarms—John Lamont made this point in his speech, but I cannot score out everything in my speech—is that people become desensitised. Text messages, e-mails or interruptions to radio or television programmes should happen only in an absolute emergency. The public must know that, if “Coronation Street” is interrupted, it is not time to go and make a cup of tea but time to sit up and take notice. If such interruptions happen too often, people will simply switch off and switch the kettle on. None of that, however, is an argument against

having the Amber alert system; rather, it gives us an opportunity to learn from the US's mistakes. Perhaps in doing so, Scotland can work towards becoming one of the world leaders in best practice.

While calling for an Amber alert system, we ought not to underestimate the amount and quality of work that is going on and the good practices that are being used by our police forces. I spoke yesterday to a police officer who is experienced in missing children cases. Much of what he said has already been discussed in the debate, so I will not repeat it, but he also said that the most crucial aspect of a scheme such as the Amber alert scheme is consistency of approach among forces and other agencies, such as the media. The motion calls for such consistency across national borders. It may not be straightforward to set that up and it may not be easy to get agreement across the nations but—to paraphrase both Andrew Carnegie and the Arctic Monkeys—nothing worth having is gotten easily. For all those children who are still missing and—it is painful to say it, but it needs to be said—for all those children who are still to go missing, we must get the international agreement that the motion seeks, whether it is easy to do so or not.

The Presiding Officer: I call Cathie Craigie to speak, after which we will come to wind-up speeches.

09:51

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): As other members have been, I am pleased to speak in the debate and to offer my support for Robert Brown's motion and the amendment in Richard Baker's name. I feel the same as my colleague Anne McLaughlin, in that the back shift is always a hard shift to fill in such a consensual debate.

Discovering that their child is missing must truly be a nightmare scenario in the lives of any parent, as other members have said. Some of us in the chamber met relatives of Madeleine McCann two years ago when they came to the Scottish Parliament to highlight their needs and the difficulties that their family had experienced in getting cross-Europe co-operation in the search for their young niece. Although we all saw and felt their pain, in reality we in this chamber can only imagine how it must be for a family whose child goes missing for a prolonged time.

In these days of instant news and modern communications, I cannot understand why countries across Europe and, indeed, the world would not want to see a strong cross-border approach and a visible urgency in tracing missing children. Emergency co-operation in recovering

missing children is essential, and I am pleased that Labour MEPs have been working for a number of years on the issue of tracking missing children, and that they fully support the written declaration on emergency co-operation that was launched last month, which calls for an EU-wide alert system. All that is required for that to become the official position of the European Parliament is for 50 per cent of the 785 MEPs in the European Parliament to sign up to the written declaration. It looks like that will be achieved without any difficulty.

We know from other countries in the world, where alert systems like the American Amber alert system exist, that such systems have been proved to be successful in recovering missing and abducted children. However, the voluntary approach that has been taken so far by the European Parliament is not working across Europe. While incidents of children going missing in Britain and other European countries continue, we must work together on that. I think that we can do that, which will help in tracking down missing children.

There is no benefit in my repeating what other members have said, so I will not take up my full four minutes. I conclude by saying that children cannot look after themselves, so we—parents, grandparents, policy makers, politicians and Governments—must act to adopt the simple and effective approach that will help when a child goes missing, which is the Europe-wide alert system. I encourage the Scottish Government to work with the UK Government and other European Governments to achieve such a system sooner rather than later, in the UK and beyond.

09:55

Bill Aitken (Glasgow) (Con): As has been said, the debate has been consensual. That is the case for one simple reason—although we in the Parliament have our differences now and again, we are all caring people and we recognise that we have a clear duty to look after society's most vulnerable people.

We should not exaggerate the problem—there is not a paedophile around every corner—but we must acknowledge that the problem exists. We require also to recognise that we live in a shrinking world, with all the enjoyment and advantages of that, but also with the result that dangers exist that might not have existed 30 or 40 years ago.

It is important to stress that we can do only so much. As has been said, about 130,000 children go missing in the UK every year. It is easy to categorise them under several headings. Children or teenagers might walk out of the house in a strop. Some disappear for a few hours then return

and others might disappear for a few days or months, after which they usually return. Others might not return, but come to no harm. To deal with the problem of people becoming blasé, we must target the most vulnerable—young children such as Madeleine McCann. I recollect only two such instances. One is the tragic incident that involved Madeleine McCann and the other is that of a young boy who went missing on the island of Crete and who has not been recovered. There is no doubt that if the appropriate mechanisms were in place to highlight and publicise missing children in the first couple of hours of their going astray, the chances of recovering them would be much greater.

We should disregard cases—traumatic though they may be—in which a child is abducted by an estranged spouse, and concentrate instead on children who are abducted for obscure purposes that are never explained or, to be frank, for horrific sexual purposes. With sincere eloquence, Gil Paterson highlighted the horrors of every parent's fears about a child going missing, which we must recognise.

If we kept narrow the parameters for the cases to which the system applied, that would inevitably result in fewer cases being reported and would avoid the problem that Karen Whitefield, John Lamont and others were right to raise—that the public might become blasé and turn off because too many cases were publicised. If we concentrated on cases for which immediate notification would produce a result, the system would be of tremendous benefit.

I took some comfort from what the minister said. As Paul Martin said, it is surprising that we have not gone further down the road. International co-operation is important under several headings, and co-operation on missing children has perhaps been overlooked. However, action is now being taken and we are now going down that route. That can only benefit people who find themselves in the horrific circumstances of the McCanns.

09:59

Richard Baker (North East Scotland) (Lab):

We have had a good and informed debate on a serious and important issue. I join all the members who welcomed the decision of Robert Brown and the Liberal Democrats to bring the subject to Parliament. Society and Governments have no more important role than protecting our children and pursuing effectively those who are responsible for crimes against them, which rightly provoke revulsion whenever they take place.

It is important to have at our disposal every tool to achieve those aims. The proposed missing children alert system could make a difference in

locating children who have been abducted. That is why the written Declaration of the European Parliament on Emergency Cooperation in Recovering Missing Children is an important step forward. As Cathie Craigie said, it is supported enthusiastically by Labour members of the European Parliament and across the parties, as we have heard.

Several members have referred to the impressive and encouraging examples of such work in the United States and in other parts of Europe. To establish an Amber alert system throughout the continent, Governments and police agencies will be required to work more closely together. As Anne McLaughlin said, making progress on such work can be difficult and, at times, frustratingly slow. However, every effort must be made to persevere with the initiative, because of its potential. It is good that at least an initial scheme is working in England and Wales, but we should examine examples from abroad of full systems that are operational and consider how we can make similar progress in Scotland. The UK-wide exercise that the minister mentioned is encouraging and we want to build on such work.

How best to achieve such a scheme will be debated. That might be through a Europe-wide scheme or through national alert schemes that communicate effectively with one another. Missing Children Europe has argued that having schemes that work within national boundaries but communicate with one another would focus attention in the country in which a child went missing and in the countries that border it.

John Lamont was right to say that we must ensure that the system is effective, which will take careful thought. Karen Whitefield said that it is important to consider how to implement schemes so that people are not desensitised to them when they have been in place for a while. Bill Aitken also referred to that. Those points were well made and need to be properly considered as schemes are developed.

The crucial point is that a system should, however it is achieved, work across borders. Effective collaboration between police forces is needed. I read in some of the debate about the proposal that some people are sceptical about how well police forces from different countries will work together. The key point is that police forces will increasingly have to collaborate more effectively as more free movement takes place in an expanding European Union. That thinking drives our amendment, which I hope Parliament will support.

Such co-operation is crucial not only in recovering missing children but in tackling other important areas of crime, particularly in alerting police forces when people with serious criminal

backgrounds move into their jurisdictions—that issue has arisen here. Better joint working needs to happen, and implementing the missing children scheme should be part of that process. However, we know that that initiative alone will not be enough to make the progress that we want in order better to protect our children from crime.

We welcome the pilot in Tayside that will allow parents and guardians to ask the police whether new partners or other adults who have easy access to their children have convictions for child sex offences. That follows successful pilots south of the border and Paul Martin's campaigning work on Mark's law. The horrific offences against children that were detected through operation algebra and the successful prosecution of those who were responsible show the challenges that the police face in preventing and detecting such crimes.

It is a sad and sobering thought that more children will go missing in our country, but that is the bleak reality that we must face. We must do all that we can to deal with such appalling situations wherever they occur. The debate has shown that Europe-wide adoption of alert schemes would make a difference. The Scottish Government must work with the UK Government and Scottish police forces must work with their counterparts throughout the UK and Europe to progress that vital initiative. I am happy to endorse the motion in Robert Brown's name, which we will support at decision time.

10:04

The Minister for Children and Early Years (Adam Ingram): I thank Robert Brown for lodging the motion. I continue to be encouraged by the progress that is being made in developing systems in this country for rescuing abducted children and in supporting services for missing children more generally. As my colleague Fergus Ewing indicated, we are fully supportive of, and engaged in, UK and Europe-wide initiatives. I point out to my colleague Gil Paterson and to Parliament that the European Convention on Action against Trafficking in Human Beings became binding in the UK on 1 April this year. The Scottish Government, for its part, is running awareness events on child trafficking. In March, we issued guidance on safeguarding children who may have been trafficked and we are working with local child protection committees.

When we discuss discrete pieces of work such as the child rescue alert system or the 116 000 hotline for missing children, it is important that we offer the context on how those solutions fit with the range of work that the Government is undertaking in child protection. As members would expect, child protection is a top priority for the

Government. Over the past couple of years, we have worked to shift the emphasis of those services in order to place increased focus on the need to intervene earlier and more effectively. That approach runs through everything we are doing through the policy frameworks with which members are familiar: the early years framework, "Equally Well" and "Achieving Our Potential". Getting it right for every child provides us with the foundation for delivering all the work that is covered by the frameworks and by all children's services. The approach recognises the crucial role that universal services play in supporting and protecting children, and the need for clear links between them and specialist professionals.

Members will be aware that in February this year I tasked a national multi-agency working group with considering how best to revise the 1998 guidance document "Protecting Children—A Shared Responsibility". It is important that the guidance that we provide to professionals is an accurate reflection of evolving national policies. We all recognise the importance of driving forward improvements in practice as quickly and consistently as possible. The review is a major opportunity to revisit and optimise every aspect of Scottish child protection provision. I intend that a revised guidance document will be available for consultation in the spring of next year.

Robert Brown: My question concerns the definition of a child. In his speech, Bill Aitken suggested that we are concentrating on young children. I accept that false alarms are an issue, but will the minister confirm that we are dealing with children of all ages, in both the domestic and the international categories?

Adam Ingram: Indeed. Robert Brown will be aware that there is some dissent over the definition of a child and on the age at which children become adults. For the purposes of our involvement in the child alert system, we are taking the view that any young person under 18 can be defined as a child. Normally in Scots law, a child is defined as someone under 16, so we are fitting in with our European brethren on that front.

If we are to intervene earlier and more effectively to protect our children—in those instances in which children have gone missing or where there are other concerns about their welfare—it is important that we take seriously our responsibility for ensuring that our young people get the help that they need, when they need it. For members of the public, that may mean a call to the police, the local authority, the national child protection line or the soon-to-be-established 116 000 hotline for missing children. For professionals, it will mean sharing information, considering risks and taking appropriate and proportionate action to ensure that our young people are safe and

supported. It is the Parliament's role to ensure that practitioners and individual members of the public feel sufficiently supported and empowered to take on those responsibilities.

A wide range of work is under way in this critical area, and excellent progress is being made. However, we cannot be complacent, as much remains to be done. I am confident that the approach that we are taking is the right one and that we can continue to make changes that will have a real and positive impact on the lives of our children and young people.

10:10

Mike Pringle (Edinburgh South) (LD): We are happy to accept Richard Baker's amendment, which adds to the motion.

Monday 25 May was international missing children's day, the aim of which is to encourage and offer solidarity and hope to the thousands of parents around the world who have no news of their missing children. For many, it was a poignant reminder of the 9,000 children who are reported missing—just in Scotland—every year. As the Minister for Community Safety said, across the world hundreds of thousands of children go missing each year.

As others have said, if we are to be successful in recovering a missing child who is in danger of harm, the first 48 hours are vital. It is, therefore, crucial that the authorities have every tool that they need at their disposal during that time. That is why it is vital that the Scottish Government move to support a system like the Amber alert campaign in the US. Paul Martin may be more familiar with the internet, computers, Facebook and so on than I or even Bill Aitken, who referred to the issue—given our age—but I agree with him that advances in computers must make it much simpler to replicate the American system. I am, therefore, pleased that the Minister for Community Safety has confirmed that the new ACPOS system will be operational in Scotland by 2010.

Now that the UK is part of an open Europe, it is no longer possible to tackle all forms of criminality at local level. I echo the succinct remarks of Edward McMillan-Scott, MEP for Yorkshire and Humber and the European Parliament's Vice-President, who said that currently European countries fail to co-ordinate effectively when attempting to recover missing children. The system needs to be more robust and, crucially, faster.

In April 2008, Mr McMillan-Scott launched a cross-party sponsored Declaration of the European Parliament on Emergency Cooperation in Recovering Missing Children. After receiving the support of 418 MEPs, it was formally adopted as a

resolution last month. The pilot system that is now in development is based on the successful US Amber alert system, which has recovered a huge number of children. The same system forms the basis for the UK child rescue alert system, which is managed through the missing kids website.

I was interested in what John Lamont said about the Amber alert system in the US, where people may be becoming blasé or desensitised because of the number of events or incidents that are reported; we heard about them being flashed up on road signs and across computers. It is important that we address that issue. The Minister for Community Safety explained the four different criteria that must be used to make the system robust. If, as John Lamont indicated, there is evidence that people are becoming desensitised in the States, we must be careful to ensure that that does not happen here. I agree that the scheme must be well publicised to be successful. People need to know about the systems that are available; when they enter the country, they should know to call 116 000, rather than 999. If everyone knows that one phone number is in use throughout Europe, that can only be good.

The UK child rescue alert system aims to set up or enhance child alert mechanisms in all member states; to increase the compatibility and co-ordination of child alert schemes; and to foster co-operation between national law enforcement authorities and judiciaries, in order to help transmit alerts rapidly and to develop structures and procedures that are aimed at resolving cross-border cases of child abduction much more efficiently and effectively. Several measures are already in place, including, as I have said, the 116 000 freephone European missing child hotline, which has been mandatory for member states since 2007 and is now operating in 10 countries although not yet in the UK.

Earlier examples of European co-operation on cross-border law enforcement show that it has been successful. Perhaps the minister's officials could investigate the Daphne III programme, which has been funded by the European Commission and is being tapped into by a number of European countries to give them funds to develop their schemes for recovering children who have been abducted or reported missing. The introduction of the European arrest warrant has also reduced extradition times from European Union countries from 18 months to 43 days. It is my hope that a new Amber alert type of system can be similarly effective.

Europe is in agreement, and the principle of an Amber alert system has already received cross-party support in Parliament through the motion that Kenneth Gibson lodged last year. I urge the Scottish Government to work with the UK

Government to support the development of a similar system that will work across the UK and across Europe and to ensure that existing alert systems and cross-border schemes, such as the 116 000 European hotline, are successful. Many members have referred to the McCann case. It is vital that we ensure that such cases are not inflicted on parents in the future.

Supporting Scottish Business

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-4246, in the name of Jeremy Purvis, on supporting Scottish business. I call Jeremy Purvis to speak to and move the motion.

10:16

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I was heartened to see the reference in the Government's amendment to the benefit to the Scottish economy of the joint European resources for micro to medium enterprises—JEREMIE. Modesty prevented me from spelling out the initiative in detail in my motion, but the reference is to the same scheme—the European Union's JEREMIE scheme—and its applicability and benefit to Scotland's businesses.

Putting aside the nuance of pronunciation of the name as well as the temptation for us to vote for the Scottish National Party's amendment, our proposition is simply that the SNP has acted too slowly and used assertion in place of action. Nine months on from when we first raised the issue with the Government, it can offer only further consideration and study of the scheme in Scotland. That is disappointing not only for us but for the many hundreds, if not thousands, of small businesses in Scotland that could benefit from such a scheme.

Gavin Brown (Lothians) (Con): Given the fact that Mr Purvis has had nine months to think about the issue, how many millions of pounds do the Liberal Democrats propose to allocate to the scheme? What proportion of those funds would come from the European Investment Bank and what proportion would have to come from the Scottish Government?

Jeremy Purvis: I will come to that in a moment when I talk about the Welsh scheme as a possible base on which Scotland can build.

Last week, under a Labour motion, we debated the number of people who have lost their jobs over the past year. The benefits claimant rate in Scotland has increased by 50,000 over the past year—which is chilling enough—and more than 1,000 people in my constituency have lost their jobs. That is devastating for the local economy in a rural area of Scotland. During that time, the Government's economic recovery programme has had, as its highlight, accelerated investment to

"support over 5,000 jobs in the Scottish economy over the next year."

However, we have had no further detail on that figure.

When I got home last night, I re-read the Government's economic recovery plan, because I had received a glossy leaflet from the SNP for the forthcoming European elections. That leaflet boldly states:

"Our Economic Recovery Plan will protect 20,000 jobs".

There is no reference in the recovery plan to the figure of 20,000, so I ask the minister to explain exactly the derivation of that figure. It is clearly misleading in its reference to the SNP's economic recovery plan.

We have argued that a JEREMIE scheme and debt support should be included in the Government's economic recovery plan. We make that plea within the context of the European Investment Bank's new changes, in light of the European recession. For 2009-10, the total investment by the European Investment Bank has gone up to €72 billion, which includes an additional €15 billion for this year. At the December council meeting, the Commission permitted aid grants of up to €500,000 per business, in addition to lending, if businesses can demonstrate that their difficulties are the result of the recession.

Many small and medium-sized manufacturing businesses throughout Scotland would benefit from such aid. Indeed, the Minister for Enterprise, Energy and Tourism met me and representatives from the textiles sector just this week and we debated that point. In drawing up its budget, the Government knew that it had increased flexibility not only to supply grant in aid support but to move ahead with Scottish Enterprise on debt support lending for small businesses. However, the Government wrote to the Convention of Scottish Local Authorities indicating that, although it had that flexibility, it did not have any resource for that within its budget, which had just been passed. That was the Government's own budget that it had put together in the context of having more levers at its disposal.

The JEREMIE initiative, which uses structural fund mechanisms, is being used in Wales. Gavin Brown's point will perhaps be addressed by looking at Wales's EIB draw-down and use of structural funds. In the year ending October 2008, there were 316 deals under Finance Wales for debt support lending worth £33 million. There is concern that the interest rate in Wales is higher than it should be—I acknowledge that. Nevertheless, Wales has an established system that Scottish Enterprise and the Scottish Government have eschewed. It does not take five months—or, indeed, nine months—to study the applicability of such a system to Scotland, so what could be the potential blocks?

We heard from the First Minister yesterday, on Radio 4's "Today" programme, that the dead hand of the Treasury was preventing the Scottish Government from drawing down European Investment Bank funding. EIB funding on a United Kingdom-basis—which includes Scotland—of €600 million has been made available to HBOS and the Royal Bank of Scotland for lending to support small businesses. Indeed, Jim Mather and Peter Mandelson co-launched that funding. Much as I am tempted to picture the image of mind-mapping meeting Machiavelli at that launch, that was all well and good. However, in November, John Swinney said that more needed to be done on debt support lending, as it was the top priority for small businesses. Not only did he say that more needed to be done, he said that it needed to be done over the coming years. That is why we are frustrated that there has been no action on debt support lending.

The dead hand of the Treasury has also not prevented €400 million from being drawn down from the European Investment Fund since the SNP came to power. That money has been used for three public-private partnership projects: one in Dumfries and Galloway, one in the Forth valley and the M80 extension. The SNP seemingly threw off the dead hand of the Treasury to fund PPP schemes that were all signed off under the present Government. That is rather curious, especially as the Scottish Parliament information centre has indicated to the Liberal Democrats that there has been no application to use money from the European Investment Fund to support small business lending.

The money is available. If it is simply a matter of the financial rules governing the way in which the budget is constituted, as John Swinney told the European and External Relations Committee recently, surely the two Governments at Holyrood and Westminster can work together to ensure that small businesses receive the debt support lending that they need. That is what we require. The funding seems to be available for PPP projects under the SNP but not for small businesses.

We hope that, as a result of the pressure that the Scottish Trades Union Congress and small businesses have applied, and the pressure that we hope the Parliament will apply today, we will see changes in the Scottish Government's approach.

Tentative moves have been made. A proposal to use EIB funding has been included in Scottish Enterprise's operating plan for the coming year, and Scottish Enterprise has said that it will consider it. The difficulty is that Scottish Enterprise has been considering it since last summer. That difficulty has been compounded by the fact that the Scottish National Party changed Scottish

Enterprise's remit so that it focuses only on high-growth and large companies.

There is no equivalent of Finance Wales in the Scottish economy because of the environment that the Scottish Government has created. In addition to the difficulty that has been caused by the fact that the SNP has been extremely slow to draw down money from the EIB, we face a situation in which the infrastructure that the SNP has created in Scotland will cause difficulties in delivering initiatives on the ground.

If the Scottish economy is to recover from the recession, supporting our manufacturing sector must be the top priority. The driver for that, nine months on from when the issue was first raised with the Scottish Government, is still the provision of debt support lending for small businesses. We need action on that and we need clarity on the way forward from the Government. Yesterday's statement by the First Minister that the dead hand of the Treasury is preventing us from taking such action is not sufficient—we need action and we need it now.

I move,

That the Parliament notes the serious difficulties faced by the Scottish businesses struggling to access the funds that they need during the economic downturn, with the double squeeze of late payment and tighter lending a critical concern for small businesses in particular; notes that the Welsh Assembly Government is using European Investment Bank (EIB) funding to help small businesses bridge funding gaps, supporting the expansion of 800 businesses and creating up to 15,000 jobs across Wales; regrets that the Scottish Government has not introduced a similar initiative in Scotland; further regrets the Scottish Government's inaction and delay in utilising the EIB funding available to it; believes that SNP ministers should use every lever at their disposal to help Scotland's economy, and therefore calls on the Scottish Government to bring forward a statement before the summer recess containing new plans to use EIB funding to support small businesses so that they do not continue to be at a competitive disadvantage to their Welsh counterparts.

10:26

The Minister for Enterprise, Energy and Tourism (Jim Mather): Before I respond directly to the motion, it is important to put the debate in context and to look at the root cause of the current economic conditions and the liquidity crisis. The credit crunch stemmed from a huge and unstable sub-prime mortgage market in America, which was a function of the regulatory race to the bottom that took place in the UK and the USA, and the resultant moral hazard that saw business being written off in the interests of short-term profits.

In the UK, there was a failure of stewardship by the Treasury, the Financial Services Authority and the Bank of England, which must have known that institutions were borrowing short term and making long-term loans—in some cases without having

any confidence in or proof of the ability to repay—and that that could only end badly and untidily. That is what happened, and there has been a ripple effect on the international financial market, which has contributed to the general slow-down in the economy that has had a direct negative impact on every business and household in Scotland.

In that context, and in the light of the action that we have already taken, I take serious issue with the terms of Jeremy Purvis's motion. It ignores the fact that this Government has shown leadership and commitment from the beginning of the downturn. The Scottish Government has acted quickly and decisively in support of Scottish businesses and households. We accelerated our housing investment and brought forward our spending on structural fund programmes before the rest of the UK. In addition, a cash injection of some £95 million in European funding will be directed towards Scotland's economic recovery through programmes to develop the workforce, safeguard and create jobs, and regenerate communities. A total of 129 projects across Scotland will benefit from £70 million in new allocations from the European regional development fund and £24.7 million in allocations from the European social fund.

Jeremy Purvis: Will the minister explain how much of that money was not already in the indicative plans for the funding round up until 2013? How much additional resource has been drawn down from the European Union?

Jim Mather: The money that I have mentioned is additional resource—it is a fresh cash injection.

The 50 new ERDF projects, which will focus on business growth, urban regeneration and rural development, will support the creation of almost 8,000 jobs. The 79 new ESF projects are expected to help 75,000 people to gain or sustain employment opportunities through training and skills development. Overall, we have developed a comprehensive recovery programme that is focused on all the levers and resources that are available to this Government. We took immediate action.

In addition, we have worked across the Scottish public sector with the common purpose of marshalling all our resources to ensure that Scotland moves quickly to recovery and on to increasing sustainable growth, and emerges fitter, more focused, more cohesive and more competitive than before. Our latest update on the recovery programme, which is to be published in June, will demonstrate that that continues to be at the heart of all that we do, but it does not and cannot stop there.

Through meetings between the Cabinet and our social partners, we are working collectively on

what more we can do to support the recovery. Equally, through our series of sectoral engagement sessions, business breakfasts and meetings with different business groups across the country, we continue to listen to what companies are telling us about the reality of the downturn and what they need. As members of the Parliament are well aware, we are pushing the UK Government to take the right action to support recovery and not to choke off emerging growth through swingeing budget cuts that will result in a huge reduction for the Scottish budget. The UK Government's deflationary cuts could see approximately 9,000 people losing their jobs across key sectors of the Scottish economy.

Gavin Brown: The First Minister and other ministers bring up those cuts all the time. Should the additional £500 million that is necessary come from increased borrowing by the Treasury or from a tax increase?

Jim Mather: The Treasury has the same charge that we have—to optimise the economy. It must optimise the economy at UK level, just as we must do at the Scottish level. However, we will not optimise the Scottish economy if we adopt a deflationary approach in the middle of a recession.

Our active pursuit of the best interests of the people of Scotland continues. From our first day in office, we have been clear that our purpose must be to focus our resources and powers on increasing sustainable economic growth. That goal is supported by our economic strategy, which aims to bring the private, public and voluntary sectors in Scotland together in common cause. We have done that and are continuing to do it, and the people have responded and are continuing to respond. Instead of altering our strategy or our resolve, the current economic downturn has demonstrated the importance of the whole of the public sector acting to support economic growth.

Jeremy Purvis: Will the minister give way?

Jim Mather: I have already taken an intervention from the member. I need to get some important messages on the record.

People can clearly see that if there are good ideas and opportunities that we can adopt to help us to achieve our goal, we will listen, we will consider and—when it is the right thing to do—we will act. The Scottish people would not expect anything less of us.

Back in April, the First Minister announced that the Scottish Government would work towards the creation of a Scottish investment bank, which would pull together Scottish Enterprise and ERDF funding to support businesses with growth potential and thereby help Scotland to make a strong economic recovery. Work is under way to consider whether the resources that might be

available to the Scottish investment bank could be augmented through a loan from the European Investment Bank, with a view to creating a JEREMIE fund for Scotland. Scottish Government officials are already engaging with the Treasury on that issue and will have further such engagement, as those additional funds would enhance our scope to support business growth. Scottish Enterprise and Scottish Government officials are also working together to deliver that objective.

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

Jim Mather: I have only 30 seconds left.

We should be clear that Scottish Enterprise is already making such interventions. The Scottish investment bank will initially comprise £150 million of resource, which represents several years' worth of investment at the current spending rate. Although an EIB loan might be positive for Scotland, it is right that we take care and sufficient time to consider whether and how best to pursue that proposal.

The delivery of the SIB is one of a number of activities that we are undertaking. Others include speeding up the payments that we make to businesses, 91.6 per cent of which are now made within 10 days, and the delivery of the small business bonus scheme, which is providing much-needed relief to all Scotland's small businesses and reducing fixed costs for many new start-ups. We will continue with the process to which we are committed because we want Scotland to be fitter, more cohesive and better able to achieve the sustainable economic growth that we seek.

I move amendment S3M-4246.2, to leave out from "regrets" to end and insert:

"further notes that the Scottish Investment Bank, announced by the First Minister on 21 April 2009, will initially bring together approximately £150 million in public sector resource to support company growth in Scotland; also notes that, following this first step, the Scottish Government will look to enhance the scale and impact of such financial support to growing Scottish businesses including the potential to secure significant additional funds from the European Investment Bank through the establishment of a Joint European Resources for Micro to Medium Enterprises (JEREMIE) fund for Scotland, and considers that, among other measures that the Scottish Government has introduced, its small business bonus scheme has helped the tens of thousands of Scottish firms now exempt from paying local business rates."

10:33

John Park (Mid Scotland and Fife) (Lab): I welcome the opportunity to open on behalf of Labour. Although the title of the debate is "Supporting Scottish Business", I am keen to put on record our recognition of the important role that businesses play in supporting employment across

all our communities. Whether large or small, businesses play a hugely important role in our society by providing services, developing skills for the wider economy and driving economic growth and prosperity.

In the present climate, all businesses face huge challenges in accessing finance, which is affecting their ability to make the longer-term investment decisions that we know they need to make day in, day out if they are to provide the employment and prosperity that we all want them to provide. Throughout my constituency, companies of all shapes and sizes are growing frustrated with the difficulties that they are experiencing in obtaining credit. I know that bodies such as the Confederation of British Industry, the Federation of Small Businesses and the STUC are constantly providing the Scottish Government with ideas and suggestions on measures that might help. I have met most of the major banks over the past few months and they stress that money is available, but I am sure that everyone agrees that circumstances have changed significantly and that the experience of businesses in the front line is not always that money is available.

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

John Park: I am sorry, but I want to move on.

That is why Governments, whether here in Scotland or at UK level, must do everything that they can to get the system moving, and why I think there is merit in the motion and the amendments.

Although I said last week that I like Scottish solutions to Scottish problems, we should never be apprehensive about considering initiatives from other countries, especially those that face challenges similar to ours. I recognise that the Scottish Government has been considering the concept of a Scottish investment bank for some time and has apparently been considering a proposal similar to the Welsh model that is outlined in the Liberal Democrat motion. However, it would be useful if the minister, in summing up, outlined whether—I think that he said a little about this in his opening speech—any assessment has been made on adopting such a model. Why has a Scottish investment bank been chosen ahead of any other proposed models? Such detail is important, which is why our amendment would require the Scottish Government to provide further detail on the development of the proposed Scottish investment bank—a proposal which, let me put on record, I have supported for a number of years.

Even before the First Minister made his announcement at the STUC annual congress in April, the concept of a Scottish investment bank conjured up many different ideas and solutions.

The first question that might be posed is whether an SIB would indeed be a bank. The Scottish Government has perhaps already given the answer, in that a Government spokesperson acknowledged that the SIB would not be a bank in the accepted sense. As a vehicle of economic development, the proposed Scottish investment bank would not be subject to the control of the Financial Services Authority. No matter what they do next, ministers need to demonstrate how the new body would bring in additional investment—or, better, how it would use existing finances to create jobs—and state clearly what advantage the new body would offer over and above the current separate funds that it would pull together. Businesses will ask, what will this mean for me? What difference will it make? What will that difference look like for my business?

During Labour's debate last week, our call for the Government to examine the ProAct scheme in Wales was well received by the Parliament. Given the importance of Government responsiveness in the current climate, I hope that the minister has done some work since last week and is prepared to say in his summing-up speech something more about whether the Government is seriously considering such a scheme. Today's motion from the Lib Dems also recognises the importance of the Government acting quickly and calls on the Scottish Government to come back to the Parliament with more detail before the summer recess. It is important for all of us that our debates—whether from last week or this morning—are responded to by the Government as quickly as possible. Perhaps in summing up the minister could also outline what steps the Government has taken with the economic recovery programme.

This debate will provide a valuable and important opportunity for members to talk about their experiences within their constituencies. MSPs need to tell the Government what the current situation means for their businesses and remind the Scottish Government of the need to provide detail on the announcements that it has made. The debate provides not only an opportunity for members to discuss the issues but, more important, a platform for the Scottish Government to provide more detail on the announcements that it has made to the STUC outside the Parliament. I hope that the Government will take that opportunity this morning.

I move amendment S3M-4246.1, to insert at end:

“and to provide detailed information about the Scottish Investment Bank proposal announced by the First Minister at the STUC conference on 21 April 2009.”

10:38

Gavin Brown (Lothians) (Con): The Scottish Conservatives welcome the opportunity once again to discuss the economy and how best we can support businesses throughout Scotland.

As we heard from Mr Purvis earlier, there have been some terrible figures recently. Over the past year, the claimant count for unemployment has increased by 53,000. BDO Stoy Hayward predicts that 5,000 businesses could fail this year and 5,500 could fail next year. In the past week, various other bits of news have come out. Last Friday, it was revealed that the UK economy suffered a 1.9 per cent contraction compared with the previous quarter, which is the worst contraction since 1979. In addition, the Treasury survey of business forecasts gives gloomier predictions than the Chancellor of the Exchequer provided in his budget. Whereas Mr Darling predicted that we would borrow to the tune of £606 billion over the next four years, the independent forecasts predict that the figure will be £679 billion—a difference of some £70 billion. Just yesterday, news of potential problems for businesses emerged, because the oil price has started to creep up, with oil now at a six-month high of \$62 per barrel.

As I said last week in Labour's debate, we will consider seriously any positive proposal from any party that could help businesses in Scotland. This week, our position is no different. The Liberal Democrat motion on using European Investment Bank funding in the way it is used in Wales merits serious consideration. However, I suppose that the difference between us and the Liberal Democrats—this is also probably the difference between the Government amendment and the Liberal Democrat motion—is that we believe that the proposal needs to be given serious consideration rather than requiring the Government to report back before the recess on its plans to make such a proposal happen. There is a debate to be had on whether the proposal is the right thing for Scotland and whether it should happen before we require the Government to come back to us on how it will happen.

Jeremy Purvis: I understand why the member makes that point, but does he appreciate that we have put our proposal to the Government not just today but over the past nine months? That is why we now want more urgency in the response from the Government, which has already had too long.

Gavin Brown: We agree that the Government ought to be pushed on whether the ProAct proposal and the EIB suggestion are viable schemes that should happen. However, as I asked Mr Purvis in my intervention, we need to consider what size of scheme would be appropriate for Scotland. I do not think that he answered that. As I

understand it, the Welsh scheme is worth £150 million, but only £75 million of that comes from the EIB—about £60 million comes from the Welsh Assembly Government. If a large sum would be required from the Scottish budget, we would need to think carefully whether the money would be available and where it would come from. Would the scheme involve more than £150 million, given that Scotland is bigger than Wales?

Another important question is whether the proposed scheme—I asked the same question about the ProAct proposal last week—would actually make an impact. The Welsh JEREMIE fund was launched on 24 April, so it has been running for only three or four weeks. Do we know whether the scheme has made a difference thus far? Will helping 800 businesses and 15,000 jobs actually be realised, or is that merely aspirational?

Another legitimate question is how quickly the proposed scheme could be implemented. Whereas ProAct was implemented in about three months, the chairman of Finance Wales has said that the JEREMIE fund was planned for quite some time. Those legitimate questions need to be asked before deciding whether the proposal can or should go ahead.

We will support anything that we believe will genuinely help Scottish businesses. We pushed the Scottish Government to accelerate the small business bonus scheme, which is helping 146,000 businesses across Scotland. We argued strongly for a town centre regeneration fund to the tune of £60 million, which will also be positive in helping many towns in Scotland.

I have one point that I hope the minister will pick up. The Scottish Government has increased the speed with which it pays contractors by introducing a 10-day rule, which the minister said is complied with in, I think, 91 per cent of cases. However, as the minister knows, every contract with the Scottish Government involves a supply chain that involves subcontractors and, very often, sub-subcontractors. What can be done—I suspect that legislating on the matter would be difficult—about the Government's contracts with its main contractors? Can clauses be inserted into any fresh contracts to make it clear that the 10-day rule applies all the way down the supply chain? That simple measure could be implemented quite quickly, at the stroke of a minister's pen, and applied to all future contracts. That would ensure that viable businesses did not go to the wall purely because of cash-flow issues. Those are the kinds of measures that we want to see. I hope that the minister will respond to those points in his speech.

The Deputy Presiding Officer: Members may care to note that, provided that they do not get into tedious repetition, time is very much on their side.

10:44

Ian McKee (Lothians) (SNP): It is always a pleasure to consider motions from our Lib Dem colleagues on financial or economic matters. Uniformity is so dull in this drab world, yet the Lib Dems present us with a new set of proposals almost every month. It is unfortunate that the new proposals frequently contradict those that they submitted previously, but that is no matter. To give pleasure to others is a great gift that we should cherish, not criticise.

The 2p in the pound reduction in income tax, with its consequential loss of £800 million a year to Scottish public spending, has been safely kicked into the long grass and we have turned our attention to how we should use that newly restored public expenditure to help our small businesses.

Jeremy Purvis: Will the member take an intervention?

Ian McKee: I did not think that I had said anything very controversial.

Jeremy Purvis: It is a pre-emptive strike.

The member referred to revenue loss. He will be aware that, in the coming financial year, the council tax freeze equates to £420 million of revenue loss. Why is that not part of the public sector cuts that he says other parties are proposing?

Ian McKee: Can I presume that the Lib Dems would have trebled the council tax rise to make up for the £800 million loss that they are taking out of it? We had a worthy debate this morning on missing children; in the second debate, we are looking for the missing Lib Dem economic policy.

Far from being idle, the Scottish Government has led the other countries in these islands by taking such measures as are available to it to support our businesses. The small business bonus scheme has been an outstanding success.

Mike Rumbles: Does the member not accept that the debate is about our reaction to the economic crisis, and that the small business bonus scheme was built on the 50 per cent reduction that was introduced by the previous Scottish Executive, entirely before the economic crisis hit Scotland and Great Britain?

Ian McKee: That is not entirely true, Mr Rumbles. I give our Government great credit for forecasting the problems. It could see the mismanagement of the British economy. The world economic crisis is one thing, but Britain had an especially bad record in the lead-up to it by spending when we should have been saving. As a result, we do not have the money to tide us through the recession. I give the Scottish Government a great deal of credit.

Mike Rumbles: No one else does.

Ian McKee: No, Mr Rumbles. That is why the Lib Dems have 16 MSPs and the SNP has 47.

Many small businesses claim that the small business bonus scheme is a major support in keeping them afloat during the current recession. Businesses with a rateable value of £8,000 or less have had their business rates removed entirely, while other businesses, with rateable values up to £15,000, have had them significantly reduced. That has enabled businesses to offset other bills, while—according to a survey—9.5 per cent of businesses have used the saving to take in extra stock or to train staff.

John Park: I accept that the small business bonus scheme is helping to offset bills, but does the member share my concern about research for the Federation of Small Businesses that suggests that only 5 per cent of businesses say that it has led to job-related investment—in other words, that it has increased employment?

Ian McKee: I share that concern, but it is early days for the scheme. It is clear from various surveys that the future of Scotland depends largely on small businesses prospering, so I congratulate the Government on putting its efforts into ensuring that, during the financial crisis, small businesses—while perhaps not increasing the number of staff—are not going out of business. That is important. However, I thank John Park for raising the issue.

We have accelerated European Union funding to fund construction work in Scotland; launched business club Scotland to help businesses to capitalise on major sporting events in Scotland; doubled support for the Scottish manufacturing advisory service; and taken the first steps in creating a Scottish investment bank. The latter project has used European regional development fund money. However, as Gavin Brown said, there are technical reasons why a bid for European Investment Bank funding may cause problems, and it is wise to wait until those have been sorted out before going down that route.

Mike Rumbles: No action, then.

Ian McKee: Careful action rather than impetuously going into a situation that could cause us trouble later on.

We have also utilised European money to help businesses by obtaining £355 million of investment from the European structural funds since 2007.

I do not wish to be complacent, but the motion, which uses phrases such as

“regrets the Scottish Government’s inaction and delay”

while praising the actions of the National Assembly for Wales, does not reflect the reality of the situation. The proof of the pudding is in the eating. Scotland's economy continues to weather the recession better than that of the rest of the UK, with lower unemployment, a greater rate of economic growth and a larger percentage increase in retail sales.

The truth that the motion sadly avoids is that, although the Government is taking heroic steps to protect our economy, we will never be able to do that efficiently until we repatriate economic power from London to Scotland. We could do so much more to protect Scottish jobs and bring about the circumstances in which Scottish businesses can prosper if we could release control of our economy from the dead hand of a Westminster Government that has outlived its sell-by date and limps along in a state of permanent political paralysis.

I know that it is Lib Dem policy to continue to hang on to the coat tails of a United Kingdom that is on the verge of being downgraded by reputable credit rating organisations because it is so close to becoming a banana republic in the hands of Gordon Brown and Alistair Darling. That is the choice of the Lib Dems. However, I cannot understand how they can continue to refer to democracy in their party name, while strenuously trying to prevent the Scottish people from being given the choice, in a referendum, on whether to control their own economic future.

10:51

James Kelly (Glasgow Rutherglen) (Lab): I welcome the opportunity to take part in the debate on supporting business. The debate comes at a crucial time for the Scottish economy—150,000 people throughout Scotland are unemployed, and business has an important contribution to make in taking people out of the dole queue and getting them back to work in Scotland's communities.

There are 279,000 businesses in Scotland, employing 1.9 million people; 99 per cent of those businesses are small and medium-sized enterprises that each employ fewer than 250 people. They make an important contribution to the Scottish economy.

The debate follows on from last week's debate on supporting employment. Many of the themes that we spoke about then—supporting business and building a stronger economy—are relevant to this morning's debate.

Businesses are looking for measures that will improve their cash flow, and economic stimulus. The banks clearly have a crucial role to play in improving cash flow. The £3 billion package that was announced earlier in the year, with £250 million to SMEs, has an important role to play. In

order for that money to make a difference, we would like it to flow down from the banks into businesses.

Sandra White (Glasgow) (SNP): I agree with the member about small businesses and cash flow. Does he agree that the banks have to look to themselves when they are telling small businesses that if they want an overdraft, they will be charged 4 per cent?

James Kelly: There is a crucial role for the banks to play in ensuring that the money that has been committed to SMEs—£250 million—gets down to the SMEs. I congratulate the UK Government on what it has done to shore up the banking system and introduce measures that will free up working capital.

Last month, the minister proposed a Scottish investment bank. Even after this morning's speech, we still need more detail on that. I am unsure whether the £150 million that has been announced is really a bank or whether it is three pots of money brought together from different funds to be pumped into the Scottish economy. We need more detail on those plans.

The Lib Dem motion talks about draw-down from the European Investment Bank. The Scottish Government needs to tell us whether a Scottish investment bank would link into a scheme such as that. The banks have an important role to play in freeing up money to improve working capital and feeding into the important work on improving payment cycles, which will release much-needed cash for businesses.

We need to consider all these issues in the wider context of economic stimulus. If businesses are to make progress, they will need stimulus from Government.

Last week, the minister told us that he had spoken at 96 events throughout Scotland on how to improve the economy. One thing that people throughout Scotland will have been telling him is that the Scottish Futures Trust has been an abject failure in getting projects into the pipeline and in creating capital investment, in order to create jobs and support business. With the Scottish Futures Trust, the Scottish National Party has not only turned the tap off but thrown the plumbing system away.

We need more detail of the economic plan. If we could get the 7,800 apprentices that were committed to in the Scottish budget, and if we could see them helping businesses and boosting the economy, that would be a help. John Park mentioned the ProAct scheme in Wales, which is supported by the Trades Union Congress and the FSB. The scheme offers short-time working, to keep people in employment at this difficult time, and it is worthy of consideration.

There has been an element of “Groundhog Day” about today’s debate. A number of speakers have pleaded with the Government for more detail, just as we asked for more detail last week. It is clear that business needs stimulus and communities need jobs. The pace of progress has been slow. It is time for the minister to get a move on.

10:56

Rob Gibson (Highlands and Islands) (SNP): The motion from the Liberal Democrats seems to be at odds with reality. That is nothing new. The motion

“regrets the Scottish Government’s inaction and delay”

and it says that Scotland is at “a competitive disadvantage” to our Welsh counterparts. However, the statistics show the opposite. Scotland’s economy continues to weather the recession better than that of the rest of the UK. Economic growth, unemployment and retail sales are all more favourable north of the border. That is not crowing; it is an attempt to show that trying to balance angels on the heads of pins, as the Liberal motion tries to do, is not addressing our potential.

As of March this year, unemployment in Wales was 7.7 per cent. The UK average was 7.1 per cent, but the figure in Scotland was 5.9 per cent. The figures speak for themselves. Figures released this week show that the number of company insolvencies dropped between 2007-08 and 2008-09. Although the figures are incomplete, we are cautiously optimistic that the Scottish Government’s stimulus packages—even though we have control of only some of the levers of power—are beginning to have an effect.

James Kelly talked about economic stimulus, and I would like to point out how small and larger businesses are being helped by this Government’s programme. No one has mentioned homecoming. *[Laughter.]* Well, it is a pity that Tory members have not mentioned it. If they came to my part of the world, they would see that, with the stimulus of homecoming, the order books are full. Visitors are coming in large numbers. Many people are coming from other parts of the UK as well, because they see the benefits of coming to Scotland rather than going to the expensive euro zone.

We should consider the stimulus that has been created by the proactive work of this Government to engage with the European Union on the development of renewable energy. Many small and medium-sized businesses that are involved in research and development have been helped by co-operation with the UK’s system of renewables obligation certificates—a system that we very much welcomed—and by the Scottish Government’s insistence on aiming at high targets.

Engagement with the EU has allowed us to ensure that the EU regards Scotland as important in the development of renewables. The European recovery programme can deliver a large amount of money for the Aberdeen offshore wind farm and for the starting of work on the North Sea grid. All those things help Scottish businesses.

Jeremy Purvis: Will the member take an intervention?

Rob Gibson: No, thank you, but I will mention something that Mr Purvis might consider.

In copy from the Press Association this morning, the Liberal Democrats in the National Assembly for Wales say that they have delivered Finance Wales to support businesses. However, I think that it must have been the Assembly that delivered it, because the Liberals are not the Government. The fact is that the Government in Scotland is delivering on that kind of approach. We should therefore pay more attention to Mr Mather’s amendment, which describes the approach that we are adopting.

Jeremy Purvis: Will the member take an intervention now?

Rob Gibson: Very briefly.

Jeremy Purvis: The member will surely be aware that Finance Wales was established in 2001, when Liberal Democrats were in the Welsh Assembly Government. He will also be aware that JEREMIE was introduced subsequently.

Does the member agree that the Highlands and Islands Enterprise budget for 2009-10 is challenging? The budget is already heavily committed, with little capacity to fund major new investment opportunities. It will therefore be highly important to maximise income from EU funding and revenue receipts. That information comes from the HIE operating plan that has just been signed off by Jim Mather.

Rob Gibson: I have read HIE’s plans for the coming period, and I have great faith that the Government will ensure that they are carried through. HIE’s focus will help the renewables industry, for example.

Jeremy Purvis claims that the small business bonus was created before the recession, and that Finance Wales was as well. However, it is how things work during the recession that is important. We should note that around one in eight businesses in Scotland—13.6 per cent—said that savings from the small business bonus were helping the business to stay afloat during the recession. If that means that businesses now have the potential to develop, that is a big bonus for us.

There is another area that the Liberals have ignored, even though we had a debate on it a

couple of weeks ago. I am talking about fuel duty. How many businesses are affected in our part of the world by having to pay over the odds in fuel duty? When a Liberal motion appeared, the SNP supported the idea of achieving a derogation, as existed for the centre of France. Did the Liberals help the SNP to make the point in Westminster when we presented our regulatory approach? No, they did not.

People should stand up for Scotland and be consistent. The Liberal Democrats apparently believe in maximum devolution and in fiscal powers coming here, so they should support the idea of getting funds back into Scotland. The Treasury is taking £191 million more in fuel duty and VAT this year than it took before. That money could have been invested in many small businesses here.

Members should acknowledge that the Government is already utilising European money to help businesses. European structural funds have already provided £355 million in investment to nearly 500 companies since 2007. That investment will be vital in helping those companies to survive the recession and to climb out of it. That is why the SNP amendment is well worth supporting.

11:03

Mr Frank McAveety (Glasgow Shettleston) (Lab): I thank members for their contributions this morning. We have been talking about an issue of fundamental importance: how we can support the Scottish economy. We have had debates on that topic in the recent past. In particular today, we have been talking about support for Scottish business.

I hope that the minister will be able to respond to the issues that members have raised. The structure of the Scottish investment bank is evolving, and I urge the minister to ensure that progress on it is much quicker than it has been on the Scottish Futures Trust. Letters, acronyms and words are out there in the public debate but, as we wander about constituencies in different regions of Scotland, we see hardly any evidence of progress on the ground. I was brought up in an engineering tradition in the city of Glasgow, and there was an idea that steel in the ground made a statement. Today, we have to demonstrate that we are committed to investing in public infrastructure. The commitment has to come from the Westminster level and from the Scottish Government level.

In some of the contributions this morning, there has been a bit of intellectual sophistry on the question of who takes responsibility. I have heard some nationalists say that the Westminster Government has sole responsibility for the

economic crisis, and yet in Scotland we are immune because we have a remarkably robust economy. Now, I do not think that the ground rules were established in 2007—or even in 1997, if I wish to concede some intellectual ground. However, we have to be honest about the measures that we want to be put in place.

There are dividing lines in the chamber. There are those of us who, like me—and, I think, the Government—believe in fiscal stimulus and think that contributions should be made so that we do not repeat the mistakes that had an impact in the early 1980s on areas such as the one that I represent. At that time, no one tried to identify ways in which people could be kept in work or retrained to access other work and no thought was given to ensuring that there was a level of public investment that would encourage the economic activity that is necessary for consumer spend. All the evidence that we in the Parliament have taken in the past six months has been about the need to find ways to inject money into the economy to increase spend.

However, I part company with the Government when it comes to the assumption, driven by focus group assessments, about the figure of £500 million. That figure has been repeated like a mantra, and we might even hear it at First Minister's question time later today. However, those who talk about that figure avoid talking about the £900 million that the present Scottish Government has had made available to it through draw-down from the Treasury, which was not available to any previous Executive and has helped to deliver some of the social commitments that the Government understandably wants to reassure the public about.

A second area in which I part company with the Scottish Government involves the way in which the UK Government has intervened in our major financial institutions. There should be no debate about that. The Government did what it had to do. We have a difference of opinion about how we organise business and our institutional structures, however.

Jim Mather: With regard to those banks, for which economies does he think that they were too big to fail? Which economies would be most adversely affected?

Mr McAveety: That question would have more resonance if the Government had not changed the grounds around the iconic economies that it has identified in speeches over the past four or five years but which it no longer mentions. Back benchers still identify them, though, and a recent back-bench motion said that Scotland should aspire to be like Slovenia. I stand up for Scotland more than that. I think that we can be bigger and better than Slovenia.

Margaret Curran and I have parliamentary seats that cover the east end of Glasgow, and we recently held an economic summit in the Queenslie industrial estate to talk to small businesspeople and individuals who are involved in the public and voluntary sectors there. Some simple and basic themes emerged during our discussions. I agree that the Government is making progress with regard to some of them, but I would like to recommend some immediate action that the minister could take.

Now is not the time to be complacent about the emerging apprenticeships crisis in Scotland or to lack the drive that is needed to address the issue. We must sustain young men and women who are in apprenticeships at present. The mistake that was made in the 1980s was to ignore them.

As other members have mentioned, we must ensure that there is a good cash flow for small businesses. That is a consistent theme, which we must deal with.

We must address the question of how we use public procurement to try to change the economic and social fabric of the communities that I represent. That is a matter that is close to my heart. The Labour-Liberal Democrat Executive developed substantial infrastructure projects that have, thankfully, been continued by the Scottish Government, such as the M74 project and various projects around the Commonwealth games. We need to ensure that those projects deliver employment opportunities for local communities. Often, companies from Scotland and elsewhere bring their existing staff to work on such projects rather than create opportunities in the local communities that need them most, which could be easily done.

Members have raised some fundamental issues. We need reassurance on the Scottish investment bank. If it is an amalgamation of two or three funding streams, that is fine—I do not really care about that; what I am interested in is when it will be established, what it will do and whether it will make a difference with regard to the challenge that we face.

I will happily work with the Government on the issues of public procurement and upcoming local works programmes to ensure that people in the east end of Glasgow can benefit from them.

11:09

Alex Johnstone (North East Scotland) (Con): Many of us have grave concerns about the current economic state of the country, and I welcome the fact that, once again, the Liberal Democrats have brought an important issue before us.

We have debated this issue in many motions and in many terms in recent weeks and months. Today's debate began to identify some of the key proposals that might deal with some of the problems. However, it has also been used to perpetuate some myths, and I would like to talk about a few of them at the outset in an attempt to scotch them once and for all.

The first myth is that Scotland is somehow insulated from the worst rigours of the recession in a way that other parts of the United Kingdom are not. It is true that statistics can be used to show that Scotland has been slower to enter recession, but I strongly believe that it is the nature of the Scottish economy that made that the case—it was always going to be thus. Scotland's economy is disproportionately dependent on the public sector. Without wishing to enter into any arguments about whether that is a good thing or a bad thing, members will understand that an economy that is dependent on the public sector will be slower to enter recession than one that is more dependent on the private sector. However, the sad consequence of that is that, although we are slower and later to enter recession, there is a strong likelihood that we will also be slower and later to emerge from that recession. That is why the issues that we are discussing today are important. We need to think now about that recovery phase and put in place measures that will underpin the rise in our economy at that point.

John Park: Does the member accept that, although we have higher levels of employment in the public sector in Scotland, the public sector is an important economic driver? I refer the member to the Ministry of Defence aircraft carrier contracts that are coming to Scotland. The Scottish public sector might be lagging behind because of the Scottish Futures Trust, which has meant that infrastructure projects that should have been started have not been.

Alex Johnstone: I absolutely agree with the member. However, the simple fact is that, as we enter the recession, public expenditure that has already been allocated is more significant to the Scottish economy during this current year and, therefore, underpins the economy at a time when shrinkage is taking place. Sadly, the problem is that, once recovery begins, the green shoots—if I may be allowed to use that phrase—will appear too late in Scotland, and public expenditure will be depressed, which will mean that the Scottish economy will suffer from a lack of resource at a time when growth is beginning to develop in other places. However, I agree that well-placed public expenditure remains extremely important through that phase.

It is fair to welcome the fact that the Liberal Democrats have made a positive proposal.

However, I am concerned that the proposal to move forward with the funding proposal in a short timescale might be dangerous. I believe that urgent action is necessary, but reckless action can sometimes be counterproductive. I therefore find it difficult to accept that the proposal should be in place before the summer recess.

Jeremy Purvis: We have been stressing our proposal for nine months, and consideration of it is in the operating plan of Scottish Enterprise. We are asking for the Government to accelerate the process so that it can make a statement before the summer recess with a definitive position on whether it will be introducing it. I think that that is reasonable.

Alex Johnstone: It would be reasonable if we knew how much this was going to cost. At the moment, nothing that we hear from the Liberal Democrats tells us what it will cost.

We have before us a proposal for a Scottish investment bank which, as James Kelly and Frank McAveety pointed out, is simply an assembly of existing funds that have been drawn together to produce a figure of £150 million. I do not believe that that is evidence of new money that is being made available.

Jeremy Purvis says that the Liberal Democrats have been stressing their proposal for nine months. It would be churlish of me to say—but I will do so anyway—that, nine months ago, they were also proposing an £800 million tax cut in Scotland, which would have made the proposal slightly difficult to fund.

I welcome the fact that the proposal has been made in the Parliament, but I will support the Scottish Government's position, which allows us to devote more time to considering the issue.

I sometimes worry that the Liberal Democrats are a bit like the goldfish of popular mythology, because, every time that they come to the chamber, they swim around the pond once again and everything is new to them—every proposal is made without any context, because they remember nothing about what they proposed the time before or the time before that. However, I understand that experts believe that goldfish have extremely good memories, and remember a great deal about what goes on about them. Sadly, this debate has clearly shown that Jeremy Purvis does not have the same quality.

The Deputy Presiding Officer (Trish Godman): I call David Whitton.

11:15

David Whitton (Strathkelvin and Bearsden) (Lab): Thank you, Presiding Officer. I was so

wrapped up in listening to Mr Johnstone that I almost missed my turn.

I speak in support of the Labour amendment and confirm that we will also support the Liberal Democrat motion. As has been said, this is the second week running in which we have debated in Opposition time elements of Scotland's economic performance. Last week, during a Labour-inspired debate, we raised the issue of the wage subsidies that our colleagues in the Welsh Assembly have introduced. Commenting on those, Mr Mather said:

"We are keen to do whatever we can to empower Scottish businesses to take the fullest advantage of the opportunities that lie ahead."—[*Official Report*, 21 May 2009; c 17698.]

However, what has been exposed today by the Liberal Democrat motion and Mr Purvis's speech is hardly a ringing endorsement of those sentiments.

The First Minister made a grandstanding announcement about the creation of a Scottish investment bank at the conference of the Scottish Trades Union Congress—by coincidence, the very organisation that championed such a move in the first place—but what is the reality? Mr Mather has had at least a week to speak to his counterparts in Wales about wage subsidy policy, but has he done so? I think we should be told. No doubt he will tell us during his winding-up speech.

What are the chances that something will happen soon to access investment from the European Investment Bank? Various figures have been thrown around. Mr Mather's boss, Mr Swinney, the Cabinet Secretary for Finance and Sustainable Growth, told the European and External Relations Committee on 28 April that there was potential for some JEREMIE funds for Scotland—that is, funds from the joint European resources for micro to medium enterprises—and that he hoped to have some news before the end of June. However, he had no answers as to why Scotland is lagging behind Wales in looking for solutions to our economic difficulties.

Sustainable economic growth is supposed to be the SNP's number 1 priority, or its lode star, as I have heard Mr Mather describe it many times. What is the Scottish investment bank, which the First Minister was so keen to brag about? As we heard, the SNP's version is simply a rebranding of three funds—the Scottish co-investment fund, the Scottish venture fund and the Scottish seed fund. It is just like the Scottish Futures Trust—another organisation that flatters to deceive but has so far done nothing to stimulate the Scottish economy. The Scottish Government has admitted that the new organisation is not a bank in the accepted sense but a vehicle for economic development. I thought that we already had one of those called

Scottish Enterprise but, just when we needed it the most, it was neutered by the SNP. The Scottish Futures Trust—that other much-advertised vehicle for providing funds for public infrastructure investment—has not even left the garage. Indeed, it should be a candidate for the new scrappage scheme.

Never mind the election leaflets about a recovery plan that will create 20,000 jobs, the dramatic drop of about £1 billion in public investment means that the Salmond-Swinney slump has taken more than 20,000 jobs out of construction and allied industries in Scotland. I predict that there will be no wage subsidy intervention. Mr Mather says that we have to ask questions about the cost, yet only last week he said that the Government did not want a repeat of what happened in the 1980s, when skilled workers were allowed to leave the oil industry. Mr Mather, I fear, is not the minister for the economy but the minister for excuses.

We heard other excuses from SNP members this morning. Dr McKee said that Scotland's economy will not recover until it is free from the dead hand of the Treasury. I say to him, "Look to Ireland and Iceland and be careful what you wish for." Rob Gibson said that Scotland has a lower unemployment rate than Wales, but he did not mention the 1,000 young Scottish apprentices who are out of work but were promised by the SNP that they would be able to finish their apprenticeships.

Ian McKee: Does the member have an estimate of the number of citizens of the Republic of Ireland who wish to rejoin the United Kingdom as a consequence of the financial situation?

David Whitton: That is one of the more bizarre interventions that I have come across. I think I can just pass on it.

We all know about the job losses in Scotland's banking sector, which were caused by irresponsible management and the global credit crunch. Our two biggest banks are involved, as is a leading building society. At the weekend, Labour called for an ad hoc committee of the Parliament to be established to consider how the banking and financial services sector is dealing with the situation and preparing for the upturn. Scotland is still a force in finance and one of Europe's leading players in the field, but we need to know what strategy our major banks are employing and what HBOS assets Lloyds is considering selling off, if any, as a result of European regulations.

Gavin Brown: For how long has Mr Whitton held the view that the Scottish Parliament should conduct a banking inquiry?

David Whitton: My colleague Mr Park is reminding me from a sedentary position that he called for such an inquiry some three months ago.

Perhaps Mr Brown and his colleagues are just catching up with us, as usual.

I hope that the other parties will agree to our proposal because getting a clear idea of what is happening in the financial sector is a key ingredient in helping Scotland through our current economic difficulties. The SNP could start by putting some detail into its Scottish investment bank proposal, as my colleague Frank McAveety requested, and showing a little more urgency in its dealings with the European regional development fund programme.

11:21

Jim Mather: It has been interesting to hear opinions from members throughout the chamber. The majority of speakers have been supportive of cohesion and the support programmes that the Government and the Parliament have delivered, notwithstanding the negative speech that David Whitton just made.

We have programmes in place that meet the current challenges and help families, employees, businesses and other organisations. I am pleased to take this opportunity to reinforce the Scottish Government's commitment to do everything in its power to support Scottish businesses and enterprise in the current economic situation. We are undoubtedly in difficult times, and that is why it is more important than ever to recognise the crucial role that the SME sector plays in increasing sustainable economic growth throughout Scotland. Indeed, it is that recognition and our awareness of the need to reflate our economy that led us to accelerate £293 million of capital spending into 2009-10, on top of the £30 million into 2008-09. It is estimated that that accelerated spending will support 5,800 jobs in the Scottish economy in the next year.

In the meantime, we are ensuring that all Government activity, including planning, regeneration and public procurement, which Mr McAveety mentioned, helps to support economic development. As I mentioned earlier, we have expanded the small business bonus scheme, which has helped the owners of some 64,000 Scottish business properties and saved the average small business about £1,400 a year. We are also allowing businesses that do pay rates to spread the annual increase over three years.

Through Skills Development Scotland and the Scottish Funding Council, we are strengthening our partnership action for continuing employment initiative to help businesses and individuals who face redundancy.

John Park: Does the minister share my concern that more than 1,000 apprentices have been made redundant since February and only a third of them

have found opportunities to complete their training? We raised that last week because there seems to be little progress on it, despite the First Minister's personal guarantee that that would happen.

Jim Mather: The answer is in the First Minister's personal guarantee and the Government's commitment to address the issue.

We have also invested £2 million in our small business loans scheme to help SMEs to cut fuel bills with interest-free loans. In April, as I mentioned, the First Minister announced that the Scottish Government would work towards the creation of a Scottish investment bank. As I state in our amendment, we are keen

"to enhance the scale and impact of such financial support to growing Scottish businesses including the potential to secure significant additional funds from the European Investment Bank through the establishment of a Joint European Resources for Micro to Medium Enterprises (JEREMIE) fund for Scotland".

We are therefore already actively investigating the potential to tap into resources that are available from the European Investment Bank.

As well as collaborating with the UK Government on improving access to finance for Scottish businesses and working together to benefit businesses, we are using all the levers at our disposal to help put Scotland on a course to economic recovery and eventual success.

Jeremy Purvis: The SNP's election leaflet says that its recovery plan creates 20,000 more jobs. What is the source of the claim that the Government's recovery plan is creating 20,000 more jobs? It is not in the recovery plan that the Government has published.

Jim Mather: That might well be a localised leaflet aimed at Mr Purvis in recognition of his own willingness to take £800 million out of the budget at a time when the Westminster Government was going to take out £500 million and without having any compensating bookkeeping entries in place.

Jeremy Purvis: Will the minister give way?

Jim Mather: I think that we have heard enough from Mr Purvis. [*Interruption.*]

The Deputy Presiding Officer: One moment, minister. Mr Purvis, behave yourself.

Jim Mather: I was in no danger, Presiding Officer. There was no paper clip attached to the leaflet that Mr Purvis threw.

The Government has continued to develop and expand its programme for economic recovery, and we remain keen to hear the views of our social partners to ensure that we are best placed to take advantage of Scotland's strengths. The First Minister recently invited a group of six business

representative organisations and the STUC to give combined pre-Cabinet presentations to the Scottish Government on ways of working together to ensure that Scotland is well equipped to deal with the current recession and to emerge from it in a strong position. The Cabinet Secretary for Finance and Sustainable Growth has been and is still engaging directly with businesses around the country, especially SMEs, to listen to their experiences of the downturn and find out what support they need from the public sector.

David Whitton: Did any of the six business organisations that the minister referred to comment in their presentations on the fact that the Scottish Futures Trust is just not working?

Jim Mather: I have my notes here. The presentations focused on procurement, business liquidity and connectivity.

Mike Rumbles: We hear what you are saying, Jim. Keep talking.

Jim Mather: I will leave it to the Presiding Officer to comment on that.

The Deputy Presiding Officer: Please do not make comments from a sedentary position, Mr Rumbles.

Jim Mather: I certainly take on board Frank McAveety's suggestions about sustainability, jobs, cash flow, public procurement and positive localism and feel that his thinking is very much converging with our own. Like us, he is keen to ensure that we do not deflate during the recession.

Last week, we had a very important meeting with the Scottish small business consultative group at which we discussed how we might develop some of the approaches that we have been piloting in Argyll and Bute of encouraging communities and local industrial sectors to come together and create the kind of localism that Mr McAveety highlighted.

It is of course important to look at what is happening in other jurisdictions, but it is equally important not to indulge in over-hasty followerism. We must focus on the integrity and complete effectiveness of the Scottish economy. It is crucial to take incremental steps and to ensure that each of those steps is thoroughly and carefully considered.

Iain Smith (North East Fife) (LD): I am slightly concerned that the minister is coming to the end of his allotted time without taking the opportunity to correct the record. In his opening speech, he said that the ESF money that had been committed—he referred, I believe, to £95 million—was new money, but the SPICe briefing that the European and External Relations Committee received a couple of weeks ago clearly says:

"the Scottish Government also made explicit that the structural fund support had been front loaded in an effort to support economic development and create new jobs in an effort to tackle the current economic downturn. This means the spending had been brought forward from later years of the programme."

In other words, it is not new money, but accelerated money.

Jim Mather: I have no difficulty in agreeing with the member. I can clarify that the money has been brought forward.

We welcome the proposed banking inquiry, because we believe that it will expose a failure of stewardship by the Financial Services Authority, the Treasury and the Bank of England in not calling the banking sector to account and in creating the conditions that allowed the sector to indulge in these excesses.

I will leave it at that.

11:29

Iain Smith (North East Fife) (LD): This has been a useful and interesting debate on an important matter. It is sad that more members have not wanted to speak in it; it has meant that some of the closing speeches have been longer than some of us might have expected. Members should feel free to intervene.

I will try to cover some of the points that have been made. I am pleased that in his winding-up speech Mr Mather confirmed that the ESF money, welcome though it is, is accelerated funding and not new money. Many of the actions that the Government has claimed will stimulate the economy have been funded by money that it has been able to bring forward from outside sources. For example, thanks to the UK Government, the Scottish Government has been able to accelerate capital funding, which is welcome. Moreover, it has been able to accelerate ESF funding because the European Union has allowed it to. These economic stimuli have come about not as a result of action by this Government but as a result of action by other agencies that the Government has been able to participate in. We welcome its participation in those actions, but the fact is that we are not talking about new money.

The Government has failed to ensure that its budget—the £32 billion under its control—is being spent in a way that best develops the economy. For example, the Scottish Enterprise budget, which is used to support business in general and to invest in new businesses, is being cut in real terms over the next two years at a time of economic recession. Moreover, as Jeremy Purvis pointed out, HIE's budget is under severe strain and, indeed, is likely to fall as a result of a fall in income from its other activities. As a result, its

budget for supporting businesses also faces a real-terms cut. Those are examples not of the Government bringing forward money to stimulate the economy but of a Government cutting money that it should be using as a stimulus.

Jim Mather: Does the member welcome the transfer of funds to Skills Development Scotland and the business gateway and the fact that the councils are now completely involved in running our economy?

Iain Smith: This is not money that is being transferred to other bodies; it is like-for-like funding that is being cut. That money is in HIE's business programme, which is published today, and Scottish Enterprise's business programme, which was published a few weeks ago. In any case, if the minister wants to talk about skills, I should point out that our colleges and universities will also experience cuts in like-for-like money over the next couple of years.

David Whitton: Does Mr Smith agree that Skills Development Scotland, which the minister has just prayed in aid, is suffering its own cut of 161 staff?

Iain Smith: I am happy to do so.

In his opening speech, Mr Mather also said that he was focusing on all the levers available to the Government. However, that is not the case. For example, we have yet to see any progress on JEREMIE funding, to which I will return later.

John Park asked whether the Scottish investment bank was really a bank. The answer is that it appears not to be, in the same way that the Scottish Futures Trust appears not to be a trust. As Mr Park rightly made clear, we need to know the advantages that this move will have over existing arrangements. In fact, it might even have some disadvantages, given that the Scottish venture fund and the Scottish co-investment fund have their own management boards to ensure that the money is well directed and the projects that are supported are well focused. We need clarity soon on whether the proposed investment bank will completely take over those functions or whether it will simply be another quango on top of those two Scottish Enterprise project boards.

The problem is that the Government thinks that by announcing the Scottish investment bank it has actually done something. However, it has done nothing to indicate what the bank will be, whether it will be a bank at all and whether it will bring in any new money or simply amount to rebadging of existing funds and programmes. If it is an exercise in rebadging, will it make any difference to Scotland's economy? I hope that, at a future date, the minister will indicate, if not to the Parliament then to the Economy, Energy and Tourism Committee, what the funds will do.

Gavin Brown asked how much JEREMIE funding the Liberal Democrats would want. The answer is that we need the Government to tell us what it can actually do. JEREMIE funding can lever in additional support—indeed, up to 50 per cent of the total funding—from the European Investment Bank, but we need to know what the Government intends to do with the ERDF funds that are available to it to support the leveraging in of additional funding. That statement should certainly be made before the summer recess. After all, JEREMIE has not just suddenly appeared—it was being discussed as early as 2006, when the proposal for the current European funding programmes was produced.

The programme monitoring committee for the lowlands and uplands Scotland ERDF and ESF programmes discussed the issue at its October meeting and considered a paper on some of JEREMIE's advantages. The paper states that JEREMIE is a holding fund "of a revolving nature", which makes better use of the available money. It also refers to leverage of capital from the European Investment Bank. JEREMIE is described as "flexible" and "efficient" and as providing the ability

"to re-allocate the resources to one or other financial product in a flexible way".

The paper states that the Government's role was to consider, along with Scottish Enterprise, "Potential disadvantages". That was in October 2008. What progress have the Scottish Government and Scottish Enterprise made since then, and why can the Parliament not know about that? If JEREMIE funding has significant disadvantages, the Government should at least let us know about that so that we are clear. However, the programme seems to have significant advantages, which might be why the Welsh Assembly Government has proceeded to use it. In an announcement on the launch of a £150 million scheme in Wales, Rhodri Morgan, the First Minister of Wales, said that the move

"demonstrates how the Welsh Assembly Government is agile and innovative in devising new and practical ways to helping companies to surmount the current global economic and financial challenges, and grow for the future."

Agile and innovative—those are two features that are lacking in the Scottish Government's approach. There is no agility and no innovation.

In my remaining time, I will comment on some of the speeches, although Ian McKee's speech does not merit any comment. Rob Gibson started by using the phrase "at odds with reality" and he continued to be at odds with reality throughout his speech. He seems to think that Scotland is weathering the economic recession better than the rest of the UK. As Alex Johnstone made clear, that

might be the appearance, but the reality is that most commentators think that Scotland might end up in a deeper and longer recession than anywhere else in the UK. If the Government does not start to take action soon, that will certainly be the reality.

Rob Gibson: The member has not discussed any of the issues relating to our support for renewable energy, the year of homecoming or the many other developments that will take us out of recession. Surely those are supporting Scottish business.

Iain Smith: Mr Gibson should have been a little more patient. I know that he raised those issues, and I was coming to them. We welcome the support for renewable energy, but we are still waiting for an indication from the Government of how it will continue to fund development. For example, in marine energy, a replacement for the wave and tidal energy support—WATES—scheme is still awaited, and the sooner that that is introduced the better. I am afraid that the saltire prize is not a replacement for the WATES scheme. It is different and does not do the job that needs to be done.

Frank McAveety highlighted a couple of important issues. I talked briefly about the lack of funding for colleges in the coming years. That is important, particularly because of the issue with apprenticeships to which Frank McAveety referred. We do not want to be in the situation that we had in the 1980s, when we had a forgotten generation of people who did not have a chance to get a job or training when they left school or university. Some of them ended up on the scrapheap, in effect, for life. We do not want that to happen again, so the Government must wake up to the reality and ensure that funding is in place to support modern apprenticeships and college and university courses. The Government should try to help those who come out of colleges and universities to get into work.

Our concerns about the Scottish investment bank are about the lack of clarity on what it will do, how it will improve the current situation, and whether it will simply create another quango. Today, we expect the publication of the public services reform bill, which is meant to deal with quangos. I hope that it is not another example of the practice of not reducing the number of quangos in Scotland but merging them so that we have fewer titles but the same number of jobs or more, while less is done.

Let us have something that will benefit Scotland. Let us get the Scottish investment bank going if it will provide benefits, but we must also consider how to draw down as much money from Europe as possible. We need a statement from the Government before the summer about what it will

do on JEREMIE funding and on getting money from the European Investment Bank.

Question Time

SCOTTISH EXECUTIVE

General Questions

11:39

Employment (Equality)

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the Scottish Executive what steps its directorate for enterprise, energy and tourism is taking to promote equality in employment. (S3O-7112)

The Minister for Enterprise, Energy and Tourism (Jim Mather): The business, enterprise and energy directorate, which was formerly the enterprise, energy and tourism directorate, fulfils its statutory requirements on promoting equality in employment through the actions in the Scottish Government's gender, race and disability action plans for 2008 to 2011.

Johann Lamont: The minister will be aware of the recession's differential impact on various groups. What discussions have there been with the equality unit and other departments in the Scottish Government on job segregation and on how the Government has addressed that issue in proposals to tackle unemployment among women?

Jim Mather: We have a comprehensive review going on in the department. John Brown is focusing on those issues. We believe that we need a fairer society that mainstreams equality, particularly for women, and we are determined to achieve that. We will continue to work on that basis.

Judiciary (Support for Victims)

2. Margaret Curran (Glasgow Baillieston) (Lab): To ask the Scottish Executive what support is available from the Scottish judiciary for victims who give evidence in court. (S3O-7100)

The Cabinet Secretary for Justice (Kenny MacAskill): A range of measures can be used at the discretion of the judiciary to assist victims to give their evidence in court. Those include the granting of applications for special measures, under the Vulnerable Witnesses (Scotland) Act 2004, and the protection of victims of sexual offences from unnecessary questioning, under the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002. Judges can also clear the court, arrange for frequent breaks, ask the prosecution and defence to modify questions and remove an accused who misbehaves in court.

Margaret Curran: I assume that the cabinet secretary is aware of the deep frustration of many victims who, despite the reforms that he mentions, believe that, fundamentally, the court system does not work in their interests. In light of that, will the Scottish Government support my colleague David Stewart's proposal for the establishment of a victims commissioner?

Kenny MacAskill: We are keen to ensure that victims are prioritised and are always at the centre of what is done. Significant change has taken place, which started under my predecessor Cathy Jamieson and which was led in the main by the present Lord Advocate—both as Lord Advocate in the previous Administration and in her tenure as the Solicitor General for Scotland. We are prepared to consider Mr Stewart's proposal. I understand that he has arranged a meeting on the issue. A commissioner would not be cost free. Ultimately, the Parliament must decide whether resources are best put towards a commissioner or towards front-line services for individuals. We will happily discuss those matters. I am sure that Ms Curran and the Government are at one in recognising the importance of looking after victims' interests.

Civil Contingency Plans

3. Christine Grahame (South of Scotland) (SNP): To ask the Scottish Government whether civil contingency plans will be revised in light of the recent disclosure that radioactive coolant from a nuclear submarine leaked at HM Naval Base Clyde. (S3O-7160)

The Cabinet Secretary for Justice (Kenny MacAskill): That is a reserved matter. Nuclear and radiological safety regulations require any installation to have contingency plans in place to respond to any type of accident or emergency involving ionising radiation. It is a regulatory requirement that those plans are kept under continual review.

Christine Grahame: Does the cabinet secretary agree with the assessment of retired general Sir Hugh Beach, the former deputy commander-in-chief of United Kingdom land forces, who said of the UK's Trident missile system:

"It's no bloody use. Let's not waste money on it?"

He continued:

"Britain cannot claim to have derived any direct security benefit from the possession of nuclear weapons".

Without using unparliamentary language, will the cabinet secretary support my point that the billions of pounds that are earmarked for Trident's replacement could be better invested in improving the health service and schools and in job creation throughout Scotland?

The Presiding Officer (Alex Fergusson): That is an entirely reserved matter, but I will allow the cabinet secretary to comment.

Kenny MacAskill: I am more than happy to make it clear that the Scottish Government's position is that weapons of mass destruction are militarily ineffective in dealing with the troubles that we face in the world; economically unaffordable when we have the crisis of cuts in public services; and morally reprehensible in the world in which we live.

The Presiding Officer: Members have previously been cautioned against using unparliamentary language, even when it appears in a quotation. I caution members against doing so in future.

Student Support (Maintenance Loans)

4. Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive whether it is satisfied that maintenance loans available to Scottish full-time higher education students under the non-means-tested support system remain at £830 per year while in England students studying away from home can access at least £3,300 of non-means-tested maintenance loans. (S3O-7143)

The Minister for Schools and Skills (Keith Brown): Unlike in England, students in Scotland do not have to pay tuition fees. As a result, English students have to pay an additional £3,000 each year and leave with greater debt than Scottish students—and that is despite their generally studying for a year less. In fact, for the first time since devolution, the average Scottish student loan debt fell in 2007 and now stands at £5,354 compared with £9,580 in England.

Our consultation, "Supporting a Smarter Scotland: A consultation on supporting learners in higher education", closed on 30 April 2009. It sets out a number of options on how to improve student support with the additional £30 million that this Government has allocated in 2010-11. It has also provided an opportunity for all interested parties to set out what their priorities are. We are currently analysing the responses and will make further announcements on this area of policy in due course.

Mike Rumbles: I believe that the minister has misunderstood the question. Scottish students studying in England on courses that are not available in Scotland can access only £830 of maintenance loans. That is what my question was about. I would have appreciated an answer that was related to the question, so I will ask it again. Will the minister look to ensure that Scottish students who are perhaps on courses that are not available in Scotland can have at least some help

with maintenance loans, which are currently a maximum of £830 for many students?

Keith Brown: Through reducing the charges on loans and debts for students, the Government has managed down debt for the first time since devolution. In addition, we have provided an additional £44 million, which is twice as much as was provided under the previous Administration. Far from misunderstanding the question, I do not really understand where Mike Rumbles is coming from. He said in his manifesto:

"The next step for student funding is to take further action to reduce the burden of debt for young people and ensure that fear of debt is not a barrier to excellent education."

Either the Lib Dems are saying one thing in their manifesto and another thing elsewhere or, not for the first time, Mike Rumbles is a stranger to his party's policy. We are taking effective action on student debt, but we are also taking effective action by providing funds for students in hardship.

Claire Baker (Mid Scotland and Fife) (Lab): Does the minister accept that the choices that are offered in the consultation document have been completely rejected by student leaders? Will he agree to meet, along with the Cabinet Secretary for Education and Lifelong Learning, the main Opposition party spokespeople to discuss our specific and fully costed proposals, which have the in-principle agreement of student leaders?

Keith Brown: Claire Baker will know from the discussion that we had in the debate last week that the cabinet secretary has taken on board the points that have been raised and the responses that have been received so far. However, the consultation has closed only recently, so further consideration has to be given to the responses. The amendments and the motion that were passed following last week's debate were indicative of a large degree of common ground between the parties. I am sure that that point is not lost on the cabinet secretary, who is currently considering the request to meet Opposition parties to discuss these issues.

Murdo Fraser (Mid Scotland and Fife) (Con): Does the Government accept that it is much better for students to be able to borrow money under the student loans scheme, which charges a very low rate of interest and where the loans are not repayable until a graduate is earning £15,000 or more, than to have to borrow from commercial lenders or, worse still, on credit cards? Surely it is about time that the Government dropped its ideological blinkers, dropped the opposition to student loans and recognised that the student loans scheme helps alleviate student hardship.

Keith Brown: Murdo Fraser has essentially repeated the point that he made during last week's debate. On what he says about additional debts

being incurred by students, we acknowledge that there are problems and we have to move from a situation of concentrating on debt alone to recognising that Labour's recession means that there is an increase in hardship, which is why we have increased funds to universities to deal with that. It is important to bear down on debt. It is not the case that there is evidence of huge additional debt through private borrowing by students. If that were so, it would not be the case that the average debt has fallen and that, for the first time since devolution, bankruptcies in Scotland among students have gone down.

Sri Lanka (Humanitarian Assistance)

5. Anne McLaughlin (Glasgow) (SNP): To ask the Scottish Executive what plans it has to provide humanitarian assistance to the people of Sri Lanka. (S3O-7167)

The Minister for Culture, External Affairs and the Constitution (Michael Russell): While the Scottish Government is not presently providing humanitarian assistance to Sri Lanka, we are continuing to monitor the situation and, of course, we remain in close contact with the Department for International Development, the Foreign and Commonwealth Office and, in particular, the Disasters Emergency Committee Scotland, whose attitude towards this matter will of course assist in determining our own, if an appeal is launched.

Anne McLaughlin: Does the minister share my dismay at the outcome of the special meeting on Tuesday of the UN Human Rights Council, which ignored calls for an international, independent investigation into allegations of human rights abuses on both sides of the war? Will he offer humanitarian assistance by joining Amnesty International and my Tamil constituents, who are unable to sleep or eat because they are desperately worried about the fate of their missing loved ones, in calling for international aid workers and monitors to have immediate, unhindered access to internment camps?

Michael Russell: It is significant that all the European members on the council voted in favour of the inquiry. There is unanimity among the European nations—and countries further afield—that there should be such an inquiry. There is wider unanimity that there must be humanitarian action to protect and support those on both sides of the conflict who are suffering now that the conflict has come to an end. I put all the Government's weight behind the appeal that the member makes. I hope that that adds to the international voices that are making it absolutely clear that humanitarian assistance is at the centre of this matter.

Opencast Coal Mining (Climate Change)

6. Robin Harper (Lothians) (Green): To ask the Scottish Executive whether it considers that an increase in opencast coal mining is compatible with its stated climate change targets and objectives. (S3O-7179)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): Coal will continue to form an important part of the energy mix in Scotland for some years. However, it must go hand in hand with the development of clean coal technology. Such technologies, including carbon capture and storage, have the potential both to transform the way we generate power and reduce emissions significantly.

Planning policies are in place to ensure that opencast coal mining sites are approved only if they are environmentally acceptable or provide local benefits, such as jobs or land improvements, that clearly outweigh the impacts. It is right that the main responsibility for decisions on opencast mines lies with local authorities, which are best placed to consider all the issues, whether environmental or economic.

Robin Harper: The minister has already conceded that last month's sweeping new planning circular leaves almost all planning applications for opencast coal sites in the hands of councils, which have huge vested interests, while ministers wash their hands entirely of responsibility. Since the Administration came to power, at least 10 new sites have been approved, which involve around 8 million tonnes of coal. Those scars on Scotland's landscape are the dirty face of so-called clean coal. They are the price that Scotland's communities pay when the Government supports new coal plants, whether notionally carbon-capture ready or not.

The Presiding Officer: Ask a question please, Mr Harper.

Robin Harper: Given the Scottish Government's commitment to reduce carbon emissions by 80 per cent by 2050, in what year does the minister expect the last opencast site to be approved?

Stewart Stevenson: I will courteously disagree with the member about the responsibilities of councils. I believe, as does the Government, that those who represent communities and who are connected closely to their concerns are very well placed to make the appropriate planning decisions. The issue of coal remaining part of the energy mix in Scotland is an important one. However, moving forward with carbon capture and storage mitigates the effects of the combustion of coal. It is a technology in which we could have the opportunity to lead the world. It will form an important part of the interim phase of power

generation for years to come, before we go to wholly renewable green energy.

Aileen Campbell (South of Scotland) (SNP): The minister will be aware of the serious local concern in the Douglas area of South Lanarkshire at the prospect of a new opencast quarry at Mainhill. Will the minister confirm that the Scottish Government's decision not to call in that proposal means that the final decision on whether to proceed rests with South Lanarkshire Council and not with the Scottish ministers?

Stewart Stevenson: It is indeed the case that planning decisions are generally being left to councils, where that is appropriate. The issue that the member raises lies with South Lanarkshire Council, which I hope will give it the consideration that it merits and will come to an appropriate decision that reflects local needs and interests.

Gulls (Nuisance)

7. Peter Peacock (Highlands and Islands) (Lab): To ask the Scottish Executive what measures it is taking to protect the public from the nuisance presented by gulls in urban and other populated settlements. (S3O-7127)

The Minister for Environment (Roseanna Cunningham): Gulls can be controlled, using lethal force if necessary, in a way that is consistent with the statutory framework that is provided by the Wildlife and Countryside Act 1981. The Scottish Government has provided advice to local authorities on a range of techniques for displacing urban gulls and is currently supporting a pilot project in Dumfries to assess the effectiveness of using a falcon to deter gulls from nesting in the town centre and causing a nuisance to residents. If the pilot proves successful, other local authorities might want to consider adopting the approach as an additional control option.

Peter Peacock: I welcome the pilot. The minister will be aware that in many communities people are concerned that not enough action is being taken to tackle the growing nuisance of gulls. If the pilot is successful, will the Government consider imposing duties on local authorities to act more promptly when it is necessary to take control of the issue?

Roseanna Cunningham: The general position is that the responsibility for dealing with urban gulls already lies with local authorities, rather than directly with the Scottish Government. The success of the trial will be monitored and, depending on the results, we will consider the advice that is given to local authorities.

There is a range of options that local authorities can and should consider, including taking measures through the Antisocial Behaviour etc (Scotland) Act 2004 to prevent individuals from

feeding gulls, and ensuring that litter is kept off the streets, because litter encourages gulls. If the pilot is successful we will consider how best to roll out advice and information to local authorities, which can act accordingly. Other measures can be taken in the meantime.

Alex Johnstone (North East Scotland) (Con):

Will the minister acknowledge that there is significant inconsistency in how local authorities tackle the problem and in how they perceive that they are allowed to tackle it? Will she undertake to give the strongest possible advice to ensure that action is taken in as appropriate a manner as possible?

Rather than use antisocial behaviour orders, will she seek to educate people who feed gulls? Being mobbed by gulls is a terrifying experience, particularly for small children. There is a problem in many of our seaside towns.

Roseanna Cunningham: The Government is aware of the widespread problem that gulls can cause, particularly in coastal areas, where they are endemic. I mentioned a couple of options that are within the powers of local authorities, and the list could be expanded. I will take on board what the member said. It might be worth reminding all local authorities of the range of options that are available, including—[*Interruption.*]

The Presiding Officer: Order. I am sorry, minister. There is far too much background noise in the chamber.

Roseanna Cunningham: There is the capacity for the Government to issue a general licence for lethal control, which local authorities might want to consider as one of a range of options.

Compulsory Purchase Legislation

8. Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): To ask the Scottish Executive whether it plans to review compulsory purchase legislation. (S3O-7109)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): The Scottish Government has no plans to review compulsory purchase legislation.

Cathy Jamieson: I am disappointed to hear that. I hope that in his travels around Scotland the minister will come to Auchinleck and Dailly in my constituency, to see the derelict former commercial premises that blight those towns' main streets. The local councils tell me that compulsory purchase legislation does not enable them adequately to deal with the problem. Will the minister review his position on the matter?

Stewart Stevenson: I am aware of the difficulties in Auchinleck. The member and I have been in correspondence on the subject. We are

considering the compulsory purchase order process, as distinct from the legislation, and we are considering how best to respond to stakeholder concerns about CPOs. If the member has specific suggestions about how I might engage with her on the issue, I will be happy to discuss them.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Can the minister confirm that the use of compulsory purchase legislation for a private business venture, such as the Trump development in Aberdeenshire, would be entirely wrong?

Stewart Stevenson: The planning process in relation to the Trump development continues and I do not want to comment on where it will go.

First Minister's Question Time

11:59

Engagements

1. Iain Gray (East Lothian) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S3F-1729)

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

As members know, we had a substantial discussion in the budget process about the importance of apprenticeships and of delivering the most ambitious apprenticeship guarantee in the United Kingdom. After the apprenticeships summit, which we agreed on, and discussions with major employers with the capacity to take up apprentices, we have decided on a policy of offering a one-off payment of £2,000 to enable apprentices in Scotland who discontinue their employment to move into gainful training. I know that Labour members will welcome that.

Iain Gray: Last week, I asked the First Minister twice whether the gunman who strolled out of Castle Huntly prison 10 days ago should have been in an open prison in the first place, and the First Minister twice failed to answer my question. In light of the statement by his Cabinet Secretary for Justice yesterday, will the First Minister now answer that question? Should a dangerous convicted gunman with a history of violence and escapes have been in an open prison barely three years into a 10-year sentence?

The First Minister: I heard the Cabinet Secretary for Justice make the point yesterday that if the processes had been followed correctly and the information flow had been appropriate, the likelihood is that the decision that was made would not have been made. I do not know where Iain Gray was yesterday. I watched the Cabinet Secretary for Justice making his statement, and he answered that question and every other question comprehensively.

Iain Gray: I was in the Parliament listening to Mr MacAskill making his statement, which—like the First Minister's response last week and his response today—simply reeked of complacency. Yesterday, Mr MacAskill told us that he had contacted the Scottish Prison Service last Thursday to ask it to review the circumstances of Brian Martin's transfer to an open prison. I wonder whether he did that before or after I raised the matter at First Minister's question time. Whatever, Mr Martin had absconded three days earlier, on the Monday. What was Mr MacAskill doing for three days with a dangerous and violent criminal

on the run? Why did it take three days for him to get round to asking what had gone wrong?

The First Minister: I am getting groundhog day from Iain Gray. The prisoner concerned has been recaptured, as other prisoners from the open estate have been recaptured. *[Interruption.]*

The Presiding Officer (Alex Fergusson): Order.

The First Minister: One of the reasons why that can happen is the comprehensive increase in the number of police officers in Scotland. The other reason is that absconds from the open estate are running at only a fifth of the level that they were at under the Labour Party and an eighth of the level that they were at under the Conservative party. Mistakes happen—that is obvious. That was why Professor Alec Spencer was appointed to conduct an inquiry. However, it is clear that the system is functioning five times better than it was under the Labour-Liberal alliance.

Iain Gray: As usual, the First Minister is barking—up the wrong tree. The issue is not the number of absconds; it is what went wrong in a particular case. It is groundhog day because of an answer that was read out three times last week and once again this week. Yesterday, Mr MacAskill said:

"The SPS has apologised to me for what appears to have been a failure in its information-sharing processes."—*[Official Report, 27 May 2009; c 17836.]*

The SPS has apologised to Mr MacAskill. Why is he not apologising to the Scottish public, who naively expect their Cabinet Secretary for Justice to keep violent criminals in jail? What about the First Minister? He was going to resign if we did not stop being nasty to Mr MacAskill. He would huff and puff and blow the house down. We have heard it all before—instead of throwing his toys out of the pram, why does he not throw his Cabinet Secretary for Justice out of his Cabinet?

The First Minister: If we had an election in Scotland, it is the Labour Party that would be blown away. *[Interruption.]*

The Presiding Officer: Order.

The First Minister: I have listened carefully to Iain Gray's performance on the issue. This morning, on "Good Morning Scotland"—I have the transcript here—the question was put:

"It's an interesting thing responsibility though isn't it, because in 2006/07, there were 79 absconds from Scottish prisons—2008/09 there's just been 16. Where was responsibility then, Mr Gray?"

And the answer?

"Well that's a very welcome improvement".

Indeed it is a welcome improvement—under this Cabinet Secretary for Justice. It compares well

with the abysmal record of the Labour and Liberal parties. [*Applause.*]

The Presiding Officer: Order. Iain Gray has a final question.

Iain Gray: It is a very welcome improvement. I welcomed it last week—the first time that the First Minister said it, I welcomed it; the second time that he read it out, I welcomed it; I did that the third time that he read it out. I welcome it again today.

This is about the complacency of Mr MacAskill's response, the full measure of which we saw when he called the accidental release of a violent prisoner

"a glitch in the system".

What about the other glitches? Missing the knife crime summit: was that a glitch? Failure to control knife sales: was that a glitch? Hundreds of cases being delayed in our High Courts: is that another glitch? Ditching community courts: was that a glitch, too? Telling Scotland's criminals that prison is "a skoosh": was that a glitch in the system?

Look at the headlines: "MacAskill 'on the run'", "MacAskill under fire", "Sack him now." This is not a "glitch", "gaffe", "bungle" or "fiasco". When will the First Minister admit that his Cabinet Secretary for Justice is the glitch in the justice system and do something about it?

The First Minister: Like all the best action replays, we get it from Iain Gray in slow motion. I heard him try to remember the reality of what happened under Cathy Jamieson's stewardship as Minister for Justice—[*Interruption.*]

The Presiding Officer: Order.

The First Minister: He was asked this morning about the high rate of absconds under the Labour-Liberal alliance. This is what he said in answer:

"I don't actually remember that happening under Cathy Jamieson stewardship at the Justice Department."

Let me try to jog his memory. In February 2007, the *Evening Telegraph and Post* reported:

"A murderer serving a life sentence and a man convicted of attempted murder are among the inmates who have been on the run from open prisons in Tayside for more than a year ... They include a 51-year-old who was serving a life sentence, with a minimum of nine years, for murder. He escaped in May 2005."

Tragically, that man was not recaptured before he murdered again.

Iain Gray attempts to attack the Cabinet Secretary for Justice, whose record is five times better than that of the previous Minister for Justice. Why did he not try to allocate individual responsibility to the Labour Minister for Justice who presided over not only a record rate of increases, but a systematic tragedy? [*Applause.*]

The Presiding Officer: Order. Iain Gray: one final, brief question.

Iain Gray: I heard "Good Morning Scotland"—I was there, so I know what was said. I have checked how Cathy Jamieson dealt with those issues, particularly the issue of Reliance and prison absconding. I will tell the chamber how she responded: she came to the chamber and apologised. I am willing to listen to the First Minister apologise now.

Members: Apologise.

The Presiding Officer: Order.

The First Minister: We are talking not about the Reliance fiasco, but about absconds from the open estate—the ones that Iain Gray could not remember under Cathy Jamieson's tenure. It is important that Government accepts responsibility and we do—[*Interruption.*]

The Presiding Officer: Order. First Minister—

The First Minister: It is even more important that he should—[*Interruption.*]

The Presiding Officer: First Minister, I know that you could not hear me, but I must stop you.

When I ask for order in the chamber, I expect to get it. I allow as much latitude as possible for members to support or decry what is being said, but when I ask for order, I expect to get it.

The First Minister: Thank you for your guidance, Presiding Officer.

I am sure that every Labour member will want to hear how Labour's record in Government was five times worse than the record now. Governments have to accept responsibility, but the individual amnesia from Iain Gray on the reality of the rate of absconds under the Labour-Liberal Administration and the collective amnesia from the entire Labour group on the subject is no substitute for the effective action of the Cabinet Secretary for Justice—action that has brought about dramatic improvement in the open estate.

Prime Minister (Meetings)

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

To ask the First Minister when he will next meet the Prime Minister. (S3F-1730)

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

Annabel Goldie: Yesterday, Mr MacAskill did indeed have to come before the Parliament, his tail between his legs, and make embarrassing admissions about the absconding prisoner Brian Martin. However, let me just get this straight: that dangerous criminal, with a history of violent behaviour, who had absconded before, was given

a 10-year sentence, then sent to an open prison after three years. Presumably, he will get out after five years, and he has now been given four months for being on the run again. Just how much of the 10 years will that man serve and just how much of the four months will he spend inside?

The First Minister: I remind Annabel Goldie of two things. The open estate was introduced by a Conservative Government, and I think that there is general feeling across the chamber that, while substantial faults have been found and, of course, have been ironed out, the open estate system should continue in the Scottish Prison Service. By definition, the open estate contains serious prisoners; it does not, by and large, contain people who are on short-term sentences. The open estate is there to provide rehabilitation for people and test them in conditions of near release—that is what it was devised for.

Mr McLetchie made a sedentary reference to automatic early release. I remind him that that, too, was introduced by a Conservative Government and, of course, that it is about to be abolished through new legislation under the Cabinet Secretary for Justice.

Annabel Goldie: Enough of the First Minister's fantasy, particularly on early release—here are the facts. Time and again the Conservatives in the Parliament have brought forward a vote to abolish automatic early release, only to be blocked every time by—yes—the Labour Party, the Liberal Democrats and the Scottish National Party. Let us not have any more hypocritical nonsense from the First Minister.

We have had another dangerous criminal on the run and we have a Cabinet Secretary for Justice on the ropes, saying that prison is “a skoosh” and that that appalling incident was “a glitch”. I have one word for Mr MacAskill: disaster. However, whatever Mr MacAskill's failings, the buck stops at Bute house. The First Minister must grasp the nettle, find his political bottle and show some mettle. Is he prepared to be a leader? Will he announce a Cabinet reshuffle and will he put an end to the SNP's soft-touch Scotland?

The First Minister: I welcome Annabel Goldie's solid support for the record number of police officers patrolling our communities and keeping Scotland safe from harm. In her spirited defence of automatic early release in Scotland, Annabel Goldie forgot to confirm that it was, indeed, a Conservative Government that introduced it in the first place—I suppose that it is better that one sinner repenteth, and all that. However, I have no doubt that we will get solid support from the Conservative party for the proposals in current legislation to abolish automatic early release in Scotland.

I have already pointed out at some length to Iain Gray, with his individual amnesia, the serious situation that prevailed under the previous Administration regarding the rate of absconding, which was five times the level of last year. However, that was as nothing compared with the level under the Conservative party, when it was no less than eight times the level of last year. With regard to Annabel Goldie, her soundbites and her aim to find a speck of sawdust in the eye of the Cabinet Secretary for Justice, all I would say is: let us remember the planks of wood when the Conservatives were in government.

Cabinet (Meetings)

3. Tavish Scott (Shetland) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Scottish Cabinet. (S3F-1731)

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

Tavish Scott: Climate change threatens our way of life in this country and it threatens the lives of tens of millions of people around the world. Why has Stop Climate Chaos Scotland, which represents 1.5 million people in environment, development and faith groups and in trade unions, said this week that the SNP's Climate Change (Scotland) Bill is “desperately unambitious”?

The First Minister: I suppose that climate change activists will—rightly—pressurise this Government and every Government around the world to obtain the best possible climate change legislation. The view of the organisation that Tavish Scott mentioned is hardly unanimous among climate change activists. For example, Richard Dixon, who is WWF Scotland's director, said:

“This is still the best piece of climate change legislation proposed anywhere in the world.”

Given that endorsement from WWF Scotland, I am sure that we will have the enthusiastic support of Tavish Scott and his colleagues as the bill proceeds through the Parliament.

Tavish Scott: The slight difficulty with that line is that Richard Dixon of WWF Scotland said this week that the bill was “unambitious”. I am not sure from which bit of history Mr Salmond quotes.

Stop Climate Chaos Scotland says that the Government's immediate targets are no more ambitious than those of the United Kingdom. Mr Salmond said that he wanted to lead the world, but now he cannot even keep up with London. The SNP promised 3 per cent annual carbon reductions in its manifesto, but it voted against those reductions on Tuesday. Will the First Minister listen to the voices of those who criticise

the bill and to the people who wrote his manifesto by changing his bill to adopt the scientifically credible reduction that he promised before the election or, as usual, does the spin matter rather more than the action?

The First Minister: If we look again at what Richard Dixon said—

“This is still the best piece of climate change legislation proposed anywhere in the world”—

that rather indicates that whatever the individual criticisms, which people often legitimately make about all legislation and which are part of the consultation process, the view is that the bill is the most ambitious that is proposed anywhere in the world. [*Interruption.*] I offer another quotation. Professor Jan Bebbington, who is the Sustainable Development Commission’s vice-chair in Scotland, said on the bill’s publication:

“This is a landmark day for Scotland. The delivery of this Bill now gives Scotland the foundation on which we can build a low carbon future.”

I say with great respect to Tavish Scott and his enthusiastic support for alternative and renewable energies, which I know that we will have when they come forward from Shetland—I see him pausing to think about that proposal—that I suspect that Professor Jan Bebbington knows slightly more about the legislation and probably a little more about the issue than the Liberal Democrats’ leader does.

The Presiding Officer: I will take a constituency question from Frank McAveety.

Mr Frank McAveety (Glasgow Shettleston) (Lab): I thank the Presiding Officer for taking my urgent constituency question and I thank the Cabinet Secretary for Health and Wellbeing for contacting me yesterday evening about the swine flu outbreak that affects constituents of mine.

Will the First Minister reassure my constituents in the Govanhill area that all measures are being taken to ensure that children who attend the local primary school—Annette Street primary school—are not at risk from swine flu, following the recent revelation that a family with children at that school has been affected by an outbreak? Will all measures be taken to contact parents to ensure that their children are safe in the next few weeks?

The First Minister: Yes—I can give that reassurance. Public health officials have been at the school this morning. As the constituency member knows, the risk assessment indicated that because the children who are probable cases were not symptomatic when they were at school, the school did not need to be closed. Public health officials have been in place this morning to give parents the guidance that they need.

Throughout the outbreak, there has been huge co-operation and understanding. Public health officials are fully versed in the natural anxieties that parents feel. I hope that the constituency member is satisfied that everything that can be done to provide such reassurance is being done.

The Presiding Officer: I will take a further constituency question from Trish Godman.

Trish Godman (West Renfrewshire) (Lab): During our debate this morning on supporting Scottish businesses, I was informed that Hewlett-Packard is to relocate manufacturing work from Erskine in my constituency to the Czech Republic, with the resulting loss of 843 jobs. The company made a profit of £5.2 billion in 2008, which was due in part to the hard work of men and women in Erskine in my constituency. Will the First Minister assure me that everything will be done to help redeployment, where possible, and that, if training for other jobs is needed, the Government will ensure that it is available to all my constituents on request?

The First Minister: I can give Trish Godman the assurance that she seeks. Hewlett-Packard will make a detailed announcement to its employees later today, so I do not want to go into too much detail. However, the constituency member is right to understand that, after a review of its European operations, Hewlett-Packard has decided to close its manufacturing operations in Scotland and Germany and to relocate to a lower-cost, outsourced site in the Czech Republic. A substantial number of Hewlett-Packard’s operations—supply chain management, customer support and business group headquarters—will remain in Scotland.

The Cabinet Secretary for Finance and Sustainable Growth spoke to the UK vice-president of Hewlett-Packard this morning and will be on site in Erskine tomorrow. The constituency member can be assured that everything will be done, through the partnership action for continuing employment network, to help people to find alternative employment. Discussions will take place with Hewlett-Packard on the protection and enhancement of the headquarter functions that will remain in Erskine. I understand that the transfer is due to start next year. That will give us substantial time that will be valuably used both by the PACE network and for discussions with the company.

National Health Service Consultants (Distinction Awards)

4. Ian McKee (Lothians) (SNP): To ask the First Minister whether the Scottish Government plans to review the system of distinction awards for NHS consultants. (S3F-1733)

The First Minister (Alex Salmond): A group, led by the chief medical officer, has been set up to review the distinction awards and the discretionary points scheme for NHS consultants. The findings of the group, together with its recommendations, will be submitted to the Cabinet Secretary for Health and Wellbeing shortly.

Ian McKee: I look forward to learning about the group's findings. In the meantime, does the First Minister agree that a scheme that costs the Scottish national health service nearly £30 million a year, benefits only one group of health workers, rewards half of all consultants approaching retirement with an extra sum of up to £74,768 a year and discriminates against consultants in Cinderella specialties such as old age medicine and against women urgently needs radical reform?

The First Minister: The scheme costs £26 million. To put that in context, it should be said that it is 0.245 per cent of the total budget for health and community care. We must also consider the issue of competition for consultancies, not just around Scotland but from elsewhere in the UK. However, a review was needed, has been carried out and is now complete. Its recommendations will be submitted within the next two weeks to the Cabinet Secretary for Health and Wellbeing, who will inform Parliament of them.

Financial Inclusion

5. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what the Scottish Government is doing to support financial inclusion. (S3F-1736)

The First Minister (Alex Salmond): We are providing local government with record levels of funding of more than £23 billion between 2008 and 2010. Financial inclusion, in particular, can be tackled using the £435 million fairer Scotland fund. Specifically, we have provided Citizens Advice Scotland with an additional £1.1 million to increase the availability of face-to-face advice on debt, welfare rights, housing and employment issues, through the citizens advice bureaux network.

Johann Lamont: There is some dubiety about the size of the fairer Scotland fund. I am sure that the First Minister will wish to acknowledge the ground-breaking progress—caused by a happy combination of political will and substantial guaranteed resources—that took place under the Labour-led Executive in supporting and developing the credit union movement across Scotland. Given the critical role of credit unions now in tackling debt and protecting communities from loan sharks, why has the First Minister chosen this time to cut guaranteed funding to them from £2.7 million to £250,000? What action will he take to match his rhetoric on financial inclusion with real money, to

offer real support and protection in our local communities, through credit unions?

The First Minister: Johann Lamont would not want to give the wrong impression on the matter. The funding to credit unions is not limited to the £250,000 that she mentioned; it also comes from the £42 million that is available for the wider social economy. The Scottish Government has worked with the Green party to produce and introduce that fund. Patrick Harvie said of the process:

“I'm delighted to have been able to work with the Scottish Government to help develop the Third Sector Credit Union Fund. Credit unions have the good Scottish values of co-operation and social enterprise at their heart, and their work significantly strengthens the communities they operate in.”

I know that Johann Lamont would not want to give the impression that funding has been reduced when credit unions and other vital social enterprises have access to record funding under the SNP Government.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I draw the First Minister's attention to the continuing stalemate on the future of the Nigg yard, which includes one of the finest graving docks in Europe. In terms of financial inclusion, at its height the yard employed 5,000 people but, due to the intransigence of one landowner, all attempts to bring it back into full use are being stymied. What is the Government doing to bring back the Nigg yard into full use? How will the First Minister ensure that Nigg is able to bid for a large and proper share of the future fabrication work offered by onshore and offshore renewables projects?

The First Minister: I saw some quizzical looks from the Presiding Officer, but I congratulate Jamie Stone on the ingenuity with which he asked his question.

The Government is looking at deep-water facilities around Scotland. Jamie Stone will have noticed—as, I am sure, will Labour members—the good news in Methil, Arnish and Machrihanish. We believe that there is a substantial future in construction for deep-water facilities in Scotland, such as those at Nigg. We will do our utmost to remove any obstacles to bring that yard and that magnificent site back into operation.

Scotland's Colleges (Recession)

6. Hugh O'Donnell (Central Scotland) (LD): To ask the First Minister what recent discussions the Scottish Government has had with Scotland's Colleges about the recession. (S3F-1738)

The First Minister (Alex Salmond): The Cabinet Secretary for Education and Lifelong Learning last met Chris Travis, the chief executive of Scotland's Colleges and Linda McTavish, the convener of the principals convention, on

Wednesday 20 May. The meeting was to discuss the United Kingdom budget consequentials and the current demand for college places.

12:29

Meeting suspended until 14:15.

Hugh O'Donnell: I am sure that the First Minister is aware that it is expected that there will be an uplift of the order of 40,000 in the number of applications for college places during the coming year. That reflects the number of people who will be looking for new training and training opportunities. How does the First Minister feel about the Scottish Further and Higher Education Funding Council's recommendation to colleges that they give priority to school leavers in the current circumstances and that they restrict the number of short courses that they offer in order to fund the places that will be required?

The First Minister: A range of initiatives is coming through to help Scottish colleges to play their full role in fighting the recession in Scotland and to meet the unprecedented and rising demand for places. As the member knows, £7 million has been allocated over two years to help colleges to respond quickly and flexibly and to provide support for the partnership action for continuing employment initiative. For example, South Lanarkshire College has established an onsite presence at Freescale, in East Kilbride, engaging with more than 200 employees.

I cannot go further in making specific announcements today, but the member should be assured that the Government recognises the key role of our colleges in providing training, help and support not just to fight the recession, but to build the skills that are essential to ensure that this country can recover strongly and forcibly for the future.

Claire Baker (Mid Scotland and Fife) (Lab): In England, there has been an expansion of 54,000 in the number of college places. If the First Minister is not able today to commit to using the £12 million in consequentials from the Westminster budget to increase the number of college places in Scotland, when can we expect that decision to be made? Colleges will need to start planning for any future expansion.

The First Minister: Claire Baker can take it from the fact that meetings are taking place between the cabinet secretary and key representatives of the colleges that such matters are very much under discussion for decision. She mentions consequentials. The Labour Party likes to argue for increased funding—that is fair enough. I would like increased public spending in Scotland across a range of issues, including Scotland's colleges. That makes it all the more disappointing that we have not heard a cheep of dissent from Labour members at the £500 million cuts in funding that are planned by the Labour Party over the next year.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Health and Wellbeing

Medical Services (Decentralisation)

1. Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): To ask the Scottish Executive what plans there are to decentralise in-patient and out-patient medical services to hospitals in remote areas. (S3O-7147)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): We are committed to providing health care services as locally as is appropriate and possible. A network of six rural general hospitals throughout the Highlands and Islands will provide an emergency centre, which will include a place of safety for mental health emergencies and a range of out-patient, day-case, in-patient and rehabilitation services.

Jamie Stone: I welcome the cabinet secretary's positive answer, but I will press her on one point. Will she consider making it possible for consultant updates, regular appraisals and monitoring meetings to be delivered more locally, perhaps by taking full advantage of the potential of telemedicine? That will make an enormous difference to my constituents, many of whom have to travel long distances in inclement weather.

Nicola Sturgeon: I agree with the thrust of Jamie Stone's question. I repeat that I am committed to ensuring that as many services as possible are delivered as locally as possible. People throughout Scotland understand that they need to travel for some specialist services when it is better to do so, but where a service can be delivered locally—and that includes in rural areas—it should be.

As I have said before, I believe that telehealth can play a big part in expanding the range of services that can be delivered locally. The Scottish Centre for Telehealth is important in that regard; a review of the centre is under way, and I will consider its conclusions shortly. Obligate networks are also important in ensuring that the expertise and skills of specialists in urban centres can be utilised to enable more procedures to be delivered locally.

I am committed to that agenda, and I look forward to working with other members who

represent rural areas to find out how we can maximise the range of local services.

Rhoda Grant (Highlands and Islands) (Lab): I wrote to the minister about the closure of almost a third of the beds in Portree hospital, which was done without any public consultation and has led to patients having to be transferred to Broadford hospital due to the lack of beds in Portree. Will she ensure that health boards consult on any major changes in such small hospitals and ensure that more services are delivered locally within them?

Nicola Sturgeon: I thank Rhoda Grant for her question and acknowledge her correspondence to me. Other members have written to me on the same subject. They and Rhoda Grant will appreciate that it is ultimately a matter for local determination.

I am aware of the review of service provision that NHS Highland is undertaking in Skye and Lochalsh. The beds to which Rhoda Grant refers are not used at present and are therefore subject to that review. However, as I said in my reply to Rhoda Grant, I have made it clear to NHS Highland that I expect the views of patients, public representatives and all stakeholders to be fully taken into account by the board in redesigning and developing health care services in that area.

Mary Scanlon (Highlands and Islands) (Con): Although I appreciate that the cabinet secretary wishes to take into account the views of local people, I can honestly say that that consultation has got off to the worst possible start. The local community in Skye is losing trust and confidence, and the people believe that the result is a fait accompli. Will the health secretary discuss the issue with NHS Highland and do all that she can to ensure that the voice of local people is heard at each stage of the process?

Nicola Sturgeon: I would be disappointed to learn that people held that view of any consultation in any part of Scotland on any service redesign. Mary Scanlon and other members are closer to the issue from a local perspective than I am although, as health secretary, I am well aware of it. As I said to Rhoda Grant, I have made my expectations of the scale and the quality of public consultation known to NHS Highland and I expect it—as I would expect any health board—to deliver a meaningful consultation when it is considering making changes to service provision.

Medical Technology

2. Joe FitzPatrick (Dundee West) (SNP): To ask the Scottish Government what steps it has taken to ensure that the best use is made of new medical technology. (S3O-7157)

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

Sturgeon): We have discussed with industry representatives on the newly formed life sciences advisory board how best to support promising medical technologies. The board has agreed to hold workshops to publicise existing support mechanisms and assess where there might be gaps. The chief scientist office and the life sciences alliance will then consider whether to establish a group to address possible adoption and innovation mechanisms.

The Scottish health technologies group also provides support and assistance to NHS boards considering the introduction of new technologies. The group provides evidence on the clinical and cost effectiveness of existing and new technologies that are likely to have significant implications for patient care in Scotland.

Joe FitzPatrick: Life sciences are an important economic priority for the Scottish Government. South of the border, there is clarity about how medical devices are developed and the National Institute for Health and Clinical Excellence has given its approval. I hear what the cabinet secretary says about LiSAB; it would be good if we had the same clarity in Scotland about how new medical technologies are developed.

Nicola Sturgeon: I echo Joe FitzPatrick's comments about the importance of the life sciences sector to Scotland generally. It is an area of potential growth for the Scottish economy and the Government is committed to supporting it. It has particular importance in Joe FitzPatrick's constituency.

I have outlined the role of the new life sciences advisory board. I co-chair the board, which I hope sends a message about the importance that the Government attaches to the sector. In addition, the Scottish health technologies group plays an important role in assisting boards when they are considering the introduction of new technologies that are recommended by NICE. The group is supported by NHS Quality Improvement Scotland. Its specific remit focuses on three broad areas: horizon scanning, assessment review and implementation advice. It does not make recommendations as such to boards; it provides crucial information on clinical and cost effectiveness to boards to help them in their planning and decision making.

Volunteer Ambulance Services

3. John Scott (Ayr) (Con): To ask the Scottish Executive what discussions it has had with the national health service about volunteer ambulance services in the past 12 months. (S3O-7078)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The Scottish Government and I, in

particular, value highly the contribution of all volunteers who support the NHS. We are in regular dialogue with the Scottish Ambulance Service about the volunteer ambulance car drivers who support the patient transport service. I expect all NHS boards to work closely with the Scottish Ambulance Service to ensure that they meet the needs of patients with a medical need who require transport.

John Scott: I am sure that, like me, the cabinet secretary values enormously the contribution that is made to the NHS in Scotland by the voluntary ambulance car service drivers. However, does she share my concern that the new mileage rate for volunteer drivers that was introduced on 1 April will reduce the number of people taking part in that important activity? What assessment has the Government made of the impact that the change in mileage rates will have on the Scottish Ambulance Service? Will she review the rate if evidence emerges that it is putting people off volunteering their services as drivers?

Nicola Sturgeon: I appreciate and acknowledge John Scott's interest in the issue. I will explain briefly the new guidance now in force that changes the mileage rate that is payable to volunteers. The rate is now 40p per mile for the first 10,000 miles and 25p per mile thereafter. That is a revision of the previous rates that allowed for 30.5p per mile for cars under 1,500cc and 36.9p for cars with engines above that size. Overall, there has been an increase in the mileage rate for volunteer drivers. However, as John Scott has asked me to do, I will ensure that the Scottish Ambulance Service keeps the issue under review to ensure not only that we are recruiting sufficient volunteers to help with that vital task but that they are being compensated appropriately for the expenses that they incur.

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): Notwithstanding what the cabinet secretary said in her response to John Scott, several of my constituents have approached me with concerns that, in some instances, they would be paid more as volunteers to attend meetings in the health service than to transport patients. That is a clear concern and could be offputting. If people did not volunteer, I imagine that that would have a big impact on patient transport services. Will the cabinet secretary assure me that there will be no situation in which someone who transports patients is paid a lesser rate of mileage than someone who attends a meeting?

Nicola Sturgeon: I am happy to look into that specific point, as that is not a circumstance that any of us would wish. I hope that all members will accept my assurance that I value very highly the work that volunteers do, particularly those who

transport patients to hospital appointments. That is an essential role, particularly in rural areas.

I have already outlined the changes to the mileage rates. Although there is now a lower rate per mile after the first 10,000 miles, there is a higher rate up to that distance. Overall, I would contend that the system is more generous. I wish to ensure that we are in a position to recruit volunteers, and I certainly wish to ensure that we can adequately compensate them for the expenses that they incur.

As I have said, I am happy to consider the specific point that Cathy Jamieson raises.

Nigel Don (North East Scotland) (SNP): The cabinet secretary will be aware of efforts in Braemar to re-establish a volunteer ambulance service in the village. Will she update me on what progress is being made?

Nicola Sturgeon: I am delighted to do so. As Nigel Don and other members with an interest in the matter are aware, the Scottish Ambulance Service is committed to introducing a retained service for Braemar. Nigel Don, Alex Johnstone and other members have been strong supporters of that.

The Ambulance Service is now seeking applications from people who are willing to crew the retained scheme in Braemar. Four applications have been received to date. The Ambulance Service seeks to recruit and retain a minimum of eight people—and ideally more. If it does not prove possible to get eight, the service will have to consider whether part-time cover could be operated. I know that these are questions to me, but I take this opportunity to ask members who represent the area to encourage their constituents to volunteer for and take part in a service that could be of huge benefit to the people of Braemar.

CT Scanner (Orkney)

4. Liam McArthur (Orkney) (LD): To ask the Scottish Executive what representations it has received regarding the case for a computed tomography scanner to be located in Orkney. (S3O-7137)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The director and the secretary of the Scottish Islands Federation have both written to me recently supporting the case for a CT scanner in Orkney. The member wrote to me on the subject on 24 October last year, and I replied on 15 November. He also asked me about the issue during question time on 4 December.

Liam McArthur: Since I last raised the issue at health questions in December, my constituent Mike Craigie has suffered a stroke. Thankfully, Mr

Craigie has made an excellent recovery and is now using his skills as a successful local businessman to spearhead the campaign for a CT scanner to be located in Orkney. Will the cabinet secretary agree to meet Mr Craigie and local clinicians to discuss the case for an Orkney-based scanner? Does she accept the view of Peter Malcolmson, chair of the Shetland community action for trauma support group—or CATS group—that the example of Shetland proves how a locally based scanner

“saves lives and ... also saves money”?

Will she therefore reconsider allowing NHS Orkney to retain savings that are made in transport, admissions and air ambulance budgets so that a locally based scanner can be introduced and operated successfully in my constituency?

Nicola Sturgeon: I met local clinicians as part of the annual review last year, when the issue of a scanner was among the topics of discussion. I am sure that either the Minister for Public Health or I—I cannot immediately recall which one of us will be chairing the annual review this year—will be happy to meet the member's constituent when we are on the islands.

I well understand the strength of feeling on the issue of a scanner among both the public and clinicians in Orkney. It is ultimately for NHS Orkney to assess the demand for and the benefits of a scanner, and it is in the process of doing that. The member will be very much aware that the board held a public meeting on 12 May to hear local views about a scanner.

The Scottish Government would of course be happy to consider a business case if the cost exceeded the delegated limit for NHS Orkney, which is £5 million. It is unlikely that the cost of a scanner would exceed that amount, so it would be for NHS Orkney to decide how to fund it out of its revenue budget. Any savings that NHS Orkney makes as a result of having a scanner on the islands are open to be reinvested and may offset the cost of the scanner. I am sure that we will continue to have dialogue about the issue, and that it will be discussed again when we conduct the annual review later this year.

Rob Gibson (Highlands and Islands) (SNP): Given that there is a scanner in Wick, whose population is similar to Orkney's, that the possibility of treating strokes is much improved if the patient can have a scan and that injections within four hours of a stroke can be effective, does the cabinet secretary agree that there is an open-and-shut case why places with around 20,000 people, such as Orkney, should have a scanner?

Nicola Sturgeon: In some respects, my answer to that relates to the answer that I gave to Jamie Stone on an earlier question. I want to see

services being provided locally where possible; equipment such as telehealth equipment and scanners are crucial in ensuring that that can happen. Ultimately, though, it is for NHS boards to assess the demand for, and the benefits of, scanners or other items of equipment. I am sure that all members would agree that it would be wrong for me to try to micromanage around the country and say where every piece of medical equipment goes. However, in the interests of ensuring local delivery of health care where possible, NHS boards are encouraged to, and do, take decisions that as far as possible facilitate that.

Stobhill Hospital (Proposed Extension)

5. Paul Martin (Glasgow Springburn) (Lab):

To ask the Scottish Executive how it intends to procure the proposed extension to Stobhill hospital in north Glasgow. (S3O-7114)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): Greater Glasgow and Clyde NHS Board is progressing the extension of the new Stobhill hospital as a variation to the existing contract, in accordance with the conditions of the existing project agreement.

Paul Martin: Will the minister join me in welcoming the £100 million investment in Stobhill hospital that was procured by the previous Scottish Executive? Will she bring forward proposals for the proposed extension, which will provide up to 60 short-stay beds? Does she propose to procure that investment by public-private partnership or by direct funding from the Government?

Nicola Sturgeon: As I am sure the member is aware, our options are very limited in terms of how we procure the investment. The board is bound by the terms of the original project agreement with regard to proposed variations. As I said in my original answer, the extension will therefore be procured through a variation to the existing contract. That is something that the board is required to do.

On Paul Martin's question about the timing, I understand that negotiations on the extension are on-going and financial close is due at the end of June, with a start on site, it is hoped, later this year. I acknowledge that there have been many opinions going back several years about Glasgow's acute services strategy, as Paul Martin will be aware. Those decisions are in the past, and it is right to point out that the new Stobhill hospital will provide benefits to the people who use it and provide the vast majority of the procedures that were previously provided in the current Stobhill hospital. I am sure that the people who use the

new hospital will enjoy using a very modern, state-of-the-art facility.

Asylum (Alternatives to Detention)

6. Christina McKelvie (Central Scotland) (SNP): To ask the Scottish Government what progress there has been on the alternatives-to-detention pilot for asylum-seeking families. (S3O-7169)

The Minister for Housing and Communities (Alex Neil): I am glad to say that the family return project was launched on 12 May. The first families are expected to enter the project in mid-June. The project will encourage refused asylum seekers to return home voluntarily and is a step towards ending the detention of children in Dungavel.

Christina McKelvie: Does the minister agree that Fatou Felicite Gaye and her United Kingdom-born four-year-old son, Arouna, would have been excellent candidates for such a pilot? I have been unable to confirm whether Fatou and Arouna were deported to the Ivory Coast at 8.30 this morning. Will he join me in deploring that situation?

Alex Neil: I can confirm that the Gaye family have now left the UK and that they did so at 8.30 this morning. I share the same concerns as Christina McKelvie about how that family, particularly the four-year-old child, have been dealt with. I underline the Scottish Government's opposition to the detention of children at Dungavel.

Well Man Clinics (Sports Clubs)

7. Margo MacDonald (Lothians) (Ind): To ask the Scottish Executive, given the success of the well man clinics run by Rangers and Celtic football clubs, whether it plans to encourage and assist other sports clubs to replicate these. (S3O-7090)

The Minister for Public Health and Sport (Shona Robison): I am pleased that the well man clinic that Rangers and Celtic football clubs have run in partnership with the Royal College of Physicians and Surgeons of Glasgow is proving a success. I look forward to receiving their final report as funders of the project later this year. It is clear that significant potential exists to use football clubs to get healthy living messages across to hard-to-reach groups and we will explore that with the Scottish Football Association through the citizenship through football group.

Margo MacDonald: I suggest that the minister should explore the idea further with the Scottish Premier League, which is also considering ways of rolling out the programme, given the proven success of the Rangers clinic, which achieved a 10 per cent reduction in cholesterol levels and a 7.5 per drop in blood pressure in a short time.

Mind you, I cannot give figures for the depression that might be around Celtic Football Club.

Such a programme has proven to be effective. I suggest early work in other sports and at sports centres to reach the type of man who is not usually found in a well man clinic and who it has been proven would benefit from going to one.

Shona Robison: The citizenship through football partnership includes the SFA, the Scottish Premier League, the Scottish Football League, sportscotland, the Association of Chief Police Officers in Scotland and us. My officials will meet the group's project lead from the SFA next week to discuss progressing health improvement issues through the group. I am happy to feed Margo MacDonald's comments into that meeting. We might well be able to apply lessons to other sports from the work that has been done. As Margo MacDonald said, the results have been impressive. We certainly want to learn from that and take that elsewhere.

Jackson Carlaw (West of Scotland) (Con): Role models in football clubs can do much to improve young men's awareness of sexual health and to reduce chlamydia infection rates in particular. I understand that St Mirren players agreed to be tested for chlamydia in an effort to encourage other young men to take advantage of available opportunistic screening, whereas players from other football clubs were—shall we say—more reluctant.

Does the minister agree that such sporting role models—perhaps even in Rangers and Celtic football clubs—can play a part in improving young men's awareness about their sexual health? Will she confirm when the Government's new media strategy will be finalised?

Shona Robison: I agree with Jackson Carlaw and I pay tribute to the St Mirren players. I hope that what they did will encourage young men to behave likewise. Role models can be positive and negative. In football and in sport in general, it is always good to see positive role models. We will consider how to discuss—perhaps through the citizenship through football group—opportunities to examine sexual health matters.

The media campaign and the launch of the website on the sexual health strategy will take place this summer. I am happy to keep Jackson Carlaw and others updated on that.

Parkinson's Disease (Lothians)

8. Gavin Brown (Lothians) (Con): To ask the Scottish Executive what plans it has to improve care for people with Parkinson's disease in the Lothians region. (S3O-7088)

The Minister for Public Health and Sport (Shona Robison): NHS Quality Improvement Scotland is developing clinical standards for neurological conditions, including standards that are specific to Parkinson's disease. They will improve the care and support that are available to people with Parkinson's in all NHS board areas. The Scottish intercollegiate guidelines network is also developing a clinical guideline on the diagnosis and treatment of Parkinson's. We have funded the appointment of a rehabilitation co-ordinator in each NHS board area. The NHS Lothian co-ordinator will consider issues such as the longer-term rehabilitation needs of those with Parkinson's.

Gavin Brown: The minister will know of the important role that allied health professionals play in supporting people with Parkinson's and of the shortage of suitable allied health professionals in Edinburgh, where the gaps in national health service provision are being filled by a multidisciplinary clinic that is funded by the Edinburgh branch of the Parkinson's Disease Society. What action will the Government take to ensure that people with Parkinson's in Edinburgh and the Lothians have access to support from allied health professionals?

Shona Robison: The member will be aware that NHS Lothian and the Parkinson's Disease Society have recruited two new Parkinson's disease specialist nurses; I am sure that he welcomes that. We appreciate the support that allied health professionals such as physiotherapists and occupational therapists provide to people with Parkinson's disease, their families and their carers. We have made £1.2 million available to support the appointment of the rehabilitation co-ordinators whom I mentioned in my original answer; the NHS Lothian co-ordinator was appointed in April this year. Rehabilitation co-ordinators will be responsible for identifying gaps in rehabilitation service delivery and the redesign of services, where necessary, to ensure that gaps—including gaps involving AHPs—are addressed. I am happy to keep the member updated on the issue.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): In light of the Parkinson's Disease Society's statements and campaign on the need to ensure that hospital patients with Parkinson's receive their medication in a timely manner—especially as that medication can be very time sensitive—what steps has the minister taken, even prior to the appearance of the guidelines, to ensure that that happens?

Shona Robison: I am aware of the distressing problems experienced by some people with Parkinson's who are unable to follow their medication regime in hospital; the issue has been

raised in the chamber. Whenever possible, people should be able to self-administer their medicines while they are in hospital. Self-medication is a good example of the principle of self-management, which we are promoting and which lies at the heart of our work on long-term conditions. We are committed to ensuring that the NHS makes the shift in culture and attitude that is required to make that happen. I am happy to keep the member updated on progress on the issue.

Margo MacDonald (Lothians) (Ind): Obviously, I declare an interest in the subject. Will the minister take on board the idea of extending self-management to carer management? There are physical tasks that can be undertaken by carers and in which allied health professionals do not need to be involved. However, allied health professionals must instruct or teach carers how to perform those tasks. I commend that approach to the minister as one way of using resources.

Shona Robison: I am happy to look into the matter. Margo MacDonald may be aware that we are developing a carers strategy. We could consider the approach that she suggests as part of that work.

Affordable Homes for Rent (Midlothian)

9. Rhona Brankin (Midlothian) (Lab): To ask the Scottish Executive what steps it is taking to increase the availability of affordable homes for rent in Midlothian. (S3O-7096)

The Minister for Housing and Communities (Alex Neil): The Scottish Government has announced a record amount of funding in 2009-10 to help with the provision of affordable homes for rent in Midlothian. We have awarded £2.5 million to assist the council house new-build programme in Midlothian and a further £5.2 million of affordable housing investment programme funding for housing association new-build properties in the area.

Rhona Brankin: Although the current Scottish Executive has been keen to take credit for increased council house building, is it not the case that Labour-run Midlothian Council's house building programme commenced in 2006, before the current Executive came into office? Midlothian Council is the second smallest mainland local authority in Scotland, but it built 78 per cent of all the council houses that were completed in Scotland in the past financial year. I am sure that the minister will agree that it should be congratulated on that. If the Executive is really committed to building more affordable homes, why did he recently reject Midlothian Council's bid for £12 million to build more affordable homes and instead provide the council with only a fifth of that sum? Does he think that that is enough to deal

with the 3,000 people who are currently on the waiting list for affordable houses in Midlothian?

Alex Neil: The funding that was awarded to Midlothian Council in the first round of council house funding equates to 15 per cent of all the available funding that has been awarded to date and is the second highest award that has been made in Scotland. I point out how that compares with the record during the time—*[Interruption.]* That is not mine; perhaps it is a second fire alarm.

The Presiding Officer (Alex Fergusson): It is someone's. I would be grateful if members would check their communications equipment.

Alex Neil: Just as I was coming to the punch line.

The amount of subsidy that was provided to Midlothian Council when Ms Brankin was the Deputy Minister for Communities amounted to precisely nothing.

Bob Doris (Glasgow) (SNP): On affordable homes in Glasgow, the minister will know that I have been working closely with Maryhill Housing Association to ensure that, as a key stakeholder, it is central to plans for transformational regeneration area status there. Will the minister ensure that community-based housing associations are central to transformational regeneration areas and the development of affordable housing?

The Presiding Officer: I am sorry to interrupt, Mr Doris, but the question was on housing in Midlothian. I am afraid that supplementary questions must refer to that.

Bob Doris: Well, it was on affordable housing.

The Presiding Officer: No. The subject is houses in Midlothian, Mr Doris. I am afraid that we must move on.

Mary Mulligan (Linlithgow) (Lab): Can the minister tell the chamber why he has removed a further £1,000 per unit from housing association grants and how that will affect housing associations in Midlothian?

Alex Neil: I do not know exactly what that question has to do with Midlothian, Presiding Officer. I advise Mary Mulligan that there is a clear distinction between the average subsidy target and the level of the housing association grant. Perhaps if she understood the difference, she would realise that there is no planned reduction in HAG funding for housing associations.

Cancer (Treatment and Survivability Rates)

10. Willie Coffey (Kilmarnock and Loudoun) (SNP): To ask the Scottish Government what the

most improved areas of treatment and survivability rates are for cancer in Scotland. (S3O-7152)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): Treatment for cancer includes surgery, chemotherapy or radiotherapy and sometimes a combination of those. Improvements in all those treatments have resulted in increased survival rates being achieved for all cancer patients. Overall, for all cancers—excluding non-melanoma skin cancer—the male five-year relative survival rate increased by 17 per cent between 1980 to 1984 and 2000 to 2004. The female five-year survival rate increased by 13 per cent over the same period.

Willie Coffey: Will the cabinet secretary join me in congratulating all those involved in the breast way round motorcycle group who spent last weekend fundraising for Macmillan Cancer Relief? As she knows, the early detection of breast cancer and the faster treatment that is being delivered by the Government can increase survival rates. With that in mind, and in the 21st anniversary year of the Scottish breast screening programme, will she confirm that she places a high priority on increasing the uptake of screening, particularly among women in deprived communities?

Nicola Sturgeon: I will deal with the second part of Willie Coffey's question first. I place an extremely high priority on breast screening, as I do on all the cancer screening programmes. He is absolutely right to emphasise the importance of increasing the uptake of such screening, particularly in our deprived communities. In the 21st anniversary year of the breast screening programme, it is right that we all do our bit to encourage people to take advantage of it.

I join Willie Coffey in congratulating everybody who took part in the breast way round fundraising event last weekend. I am sure that it will this year, as it has done in the past, raise significant funds for Macmillan Cancer Relief, which plays a key role in supporting cancer patients.

I praise the efforts of the volunteers who take part in fundraising activities for all charities. Many of us in the chamber—including me, the Minister for Public Health and Sport, Cathy Jamieson, Mary Scanlon and others—will shortly take part in the moonwalk. I am sure that we will be holding one another up as well as, I hope, raising some money for charity.

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I associate myself with the cabinet secretary's thanks to those who were involved in the breast way round event. I declare an interest as an honorary member of one of the motorcycle clubs that was involved—although I should point out, for the avoidance of doubt, that I was not on a motorcycle.

The cabinet secretary referred to skin cancer. Given the fact that there has not been an improvement in the survival rate—in fact, the situation appears to be worsening—what action will the Scottish Government take to ensure early detection and treatment of the condition?

Nicola Sturgeon: Early detection is important for all cancers. Cathy Jamieson is right to point out—as I did in my initial answer—that the trend for non-melanoma skin cancer is not going in the direction that we would want. The Government has made it a priority to tackle that. I do not have time to go through the range of activities that we are undertaking, but Cathy Jamieson and other members will be aware of the important legislation that we initiated—which the Parliament passed—with the support and encouragement of Ken Macintosh to restrict the use of sunbeds, particularly by younger people. There is widespread support for that legislation. It is not the only thing that we can do, but it will make an important contribution. Beyond that, it will continue to be extremely important that we raise awareness of the dangers of exposure to the sun and the need to be sensible in that regard.

Osteoporosis Services (Community Health Partnerships)

11. Linda Fabiani (Central Scotland) (SNP): To ask the Scottish Executive what importance it places on having combined falls prevention and bone health strategies in community health partnerships in relation to osteoporosis services. (S3O-7156)

The Minister for Public Health and Sport (Shona Robison): The Scottish Government considers osteoporosis and its association with fractures to be an important health issue, and as most fractures occur following a fall, falls and fracture management and prevention strategies are imperative. That is why, in February 2007, the Government published guidance for health boards and community health partnerships on actions to prevent falls. The guidance highlights specific actions that boards and CHPs can take, including working with local partners to raise awareness, improving the recording of falls and appointing a network of local falls co-ordinators to share good practice and develop a combined local falls strategy.

Linda Fabiani: I thank the minister for her detailed answer. On the basis of that information, is it possible for her department to identify whether strategic and operational plans on falls and bone health are linking effectively to osteoporosis fragility and fracture services throughout Scotland?

Shona Robison: Yes, I expect that information to give us such a picture. It is certainly extremely

important that those services are linked up. I am happy to update members on progress on that important work as we move forward. Some excellent work is being done, which is producing highly significant results for people by reducing the number of falls and fractures. That must be good news.

Cancer (Waiting Time Targets)

12. Ian McKee (Lothians) (SNP): To ask the Scottish Government whether it will provide an update on progress being made towards meeting cancer waiting time targets. (S3O-7168)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I am pleased to advise that the latest statistics show that NHS Scotland has, for the first time, met the national 62-day target to treat 95 per cent of urgently referred cancer patients within two months.

"Better Cancer Care", the updated cancer strategy for Scotland, announced new access targets for cancer patients, which are due for delivery by December 2011. There is no doubt that the fact that we have managed to treat 95 per cent of patients within the existing 62-day target gives us a strong foundation to work from.

Ian McKee: How close does the cabinet secretary think that we could get to treating 100 per cent of patients within the target period, given that we were the party that abolished availability status codes?

Nicola Sturgeon: As Ian McKee rightly says, it is extremely important to have complete transparency around waiting-time statistics, whether for cancer or any other condition. This Government has ensured that that is the case through the new ways system of measuring waiting times.

Of course we want to treat 100 per cent of patients within the target period, but I must inject a slight caveat that applies to cancer patients in particular. There will always be patients who, for understandable reasons, either to do with their condition or their personal circumstances, cannot be treated within the 62-day target. That is why a tolerance was built into that target. Nevertheless, I support the thrust of Ian McKee's question, which is that we should treat as many people as possible within the target period. I am delighted that we are now meeting the 62-day target and I look forward to making progress on the new, extremely challenging and important targets that we have now set.

Ambulance Response Times (Rural Areas)

13. Alex Johnstone (North East Scotland) (Con): To ask the Scottish Executive what action it

is taking to monitor ambulance response times in rural areas and what action can be taken to ensure that these times are reduced. (S3O-7079)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The Scottish Ambulance Service and the Scottish Government monitor performance across all parts of Scotland, including rural areas.

Although overall response times for category A and category B calls are measured at an all-Scotland level, we expect the Ambulance Service to demonstrate that it is working to secure continuous improvement across all parts of the country, particularly in remote and rural areas.

Alex Johnstone: I thank the minister for her remarks and for her answer to an earlier question, in which she indicated her support for the activities on Deeside. However, given that anecdotal reports from Deeside, Kincardine and the Mearns indicate that some people still wait an extremely long time for an ambulance, what methods does she have in place to ensure that such cases are reported back and action is taken accordingly?

Nicola Sturgeon: When an ambulance has taken an unusually long time to turn up that is not explicable by obvious circumstances, I have no doubt that the Scottish Ambulance Service would review all the circumstances. It is important that we continue to drive down ambulance response times in all parts of the country. The member will be interested to know that, in April 2009, the average response time in the north-east for an emergency category A call was 6.3 minutes—although I accept that, as that was the average, there will have been times when the response took longer than that. Our intention is to continue to reduce response times. As I have said on previous occasions, I am happy to keep members fully updated on progress.

Commissioner for Public Appointments in Scotland

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is consideration of motion S3M-4250, in the name of Alex Johnstone, on behalf of the Scottish Parliamentary Corporate Body, on the reappointment of the Commissioner for Public Appointments in Scotland.

14:55

Alex Johnstone (North East Scotland) (Con): Parliament is invited to agree to the motion in my name, on behalf of the Scottish Parliamentary Corporate Body, to nominate Karen Carlton to Her Majesty the Queen for reappointment for a second term as Commissioner for Public Appointments in Scotland.

In lodging the motion, the corporate body has undertaken a reappointment process in accordance with the recommendations that were made by the Procedures Committee in session 2. One of those recommendations was that candidates for reappointment should be subject to an independent assessment of their performance over the term that they have just served. Accordingly, an assessment of Ms Carlton's performance was undertaken by Sir Neil McIntosh in April 2009, based on four main criteria: fulfilment of the functions of the post as set down in legislation; competent management of workload; management of staffing and budgets; and provision of a forward plan to meet anticipated challenges. Any decisions that were taken by Ms Carlton on breaches of the code were not considered as part of the assessment process, as that would not have been appropriate, given the commissioner's functional independence. The corporate body also interviewed Ms Carlton. The outcome of that interview was similar to the findings of the independent assessor. Therefore, we have no hesitation in recommending that Parliament agree to the motion.

I place on record my thanks to Sir Neil McIntosh for undertaking the independent evaluation of Ms Carlton. I also thank Louise Rose for confirming, by way of a validation certificate, that the reappointment interview that was undertaken by the corporate body, sitting as a reappointment panel, was in accordance with good practice and that the commissioner's nomination is made on merit.

Overseeing the selection of those who run many of Scotland's public bodies is an important role that involves ensuring that the process is open and transparent and that those who are selected have the relevant experience and expertise. As

required by the legislation that established the post, in her first term of office Ms Carlton has developed a code of practice and an equal opportunities strategy. The code sets out the process for regulating ministerial appointments to the boards of many of Scotland's public bodies and includes guidance on the methods and practices to be employed when making such appointments. The equal opportunities strategy aims to encourage people from all walks of Scottish society to see themselves as potential board members and to apply for posts in the knowledge that their application will be welcomed and valued.

Ms Carlton has done an excellent job in establishing her office and in undertaking her statutory functions. I wish her, and her dedicated team, every success in further developing the public appointments process in Scotland.

I move,

That the Parliament nominates Karen Carlton to Her Majesty The Queen for reappointment for a second term as the Commissioner for Public Appointments in Scotland from 1 June 2009.

The Deputy Presiding Officer: The question on the motion will be put at decision time.

Cashback for Communities

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-4244, in the name of Kenny MacAskill, on cashback for communities, investing the proceeds of crime back into our communities.

14:59

The Cabinet Secretary for Justice (Kenny MacAskill): On 6 June 2007, I announced a new approach to reinvestment of the proceeds of crime: we committed to investing the money that we recover from gangsters and criminals in Scotland's young people, in order to give them more choices and chances, and to help keep away from crime and antisocial behaviour those of them who stray. A small minority stray, but most young people simply need more to do—things that are fun and healthy and which keep them occupied. In June 2007, I set out the challenge. I can now report back on what we have achieved—and we have achieved a great deal.

In January 2008, I launched cashback for communities to reinvest the proceeds of crime. Since then, there have been unprecedented levels of investment: £13 million has been committed so far and more than 100,000 young people from Stornoway to Hawick, and from Wick to Portpatrick, have benefited. They are involved in hundreds of projects covering sports, arts, culture and youth work. Such projects give our youngsters something to do. They help them to develop new skills and interests while having safe and healthy fun, and—of course—they help to keep them out of trouble.

We know that crime and antisocial behaviour afflict every community, but some are worse affected than others, which is why cashback focuses on the areas that need it most, while ensuring that other areas also benefit. Of course, it is not just the poorer communities that lack facilities and opportunities, which is why we are ensuring that all young people—boys and girls, in the countryside and in the towns and cities—can benefit. Everyone between the ages of 10 and 19 will have a cashback activity or project near them—if not now, then soon. Cashback also benefits the wider community by getting kids off street corners and giving something back to the community through their involvement in things such as volunteering.

The benefits go even wider. Cashback has brought together in partnership a fantastic range of national organisations, including YouthLink Scotland, the Scottish Football Association, the Scottish Women's Football Association, the Scottish Rugby Union, basketballscotland,

Scottish Sports Futures, Scottish Screen and the Scottish Arts Council. They are all working together and working in new ways. I thank them for all their hard work, collectively and individually, in making cashback a success, and I thank the volunteers and paid staff in those organisations.

Local efforts have also been fantastic. In Falkirk, Dundee, Ayrshire, Orkney and the Borders, hundreds of volunteers, parents, teachers, police officers, fire officers and youth workers are working together for the benefit of young people.

I want to say something about the recovery process. I acknowledge the diligent work that has been done by the Crown, the police and the other agencies that are involved. We know that by hitting organised criminals in the pocket, we impact seriously on their activities. That is as it should be. I want increased focus on that, which is why we have already committed to reinvesting £400,000 of the proceeds of crime in the recovery process that is led by the Crown. We are working with the Association of Chief Police Officers in Scotland to consider how to help the police identify more criminal profits and recoverable assets so that they, as well as the Crown, benefit.

I want to say something about all the strands of cashback, starting with the small-scale local projects that we support through our YouthLink grant scheme, which gives money not only to those who need it most but to those who can do most with it. It is our biggest investment so far—£3 million in the first year alone, which supports 278 projects, which are in every local authority area in Scotland and have more than 21,000 participants. We are still gathering the results, but I have no doubt that the success will be clear. I believe that it is through small-scale local investment of that kind—the average award is about £10,000—that cashback can make the biggest difference.

We are investing in groups that do not always find it easy to access funding—groups that are often at the very heart of our communities and are most trusted by young people: from a tractor-restoration project in Stornoway to a community farm in Dumfries; from a sell-out rock concert in Glasgow to an equestrian project in Edinburgh. Cashback is investing in youth cafes, skate parks and environmental projects. It is supporting young people, building networks and capacity, and energising our communities. Because of the success of that approach, I announced earlier today that another at least £1 million would be invested through YouthLink, starting this financial year, which will mean that thousands more young people all across Scotland will benefit.

Cashback has also invested a huge amount in sports. First, I will consider our national sport of football. Cashback has provided more than

£2.5 million to deliver a significant programme of football activities throughout Scotland. More than 6,500 young people are playing street football and midnight league football. It is giving kids what they want, where they need it, and it is offering diversion and participation.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): The cabinet secretary will know of the outstanding success over the past few months of the Spartans Community Football Academy, which has provided facilities for hundreds of young people in my constituency—many of whom would otherwise be on street corners. Does the cabinet secretary share my disappointment that the academy was not successful in the previous round of applications to cashback for communities, and will he ensure that its undoubted success is drawn to the attention of the people who make the decisions in the next round?

Kenny MacAskill: I am more than happy to draw people's attention to Spartans' undoubted success. I was in my local hostelry on Saturday night as the team celebrated winning the championship. Craig Graham and the others tend to hang out there, so I was happy to congratulate them on winning the trophy yet again in their victory over Dalbeattie Star. I have worked with them and I know the good work that they do. The new ground is magnificent, and the club does a huge amount in the community. I will certainly be hoping that Spartans will be successful in future applications. The Government does not make the decisions in St Andrew's house, but I certainly accept that Spartans are a role model that many other clubs will follow.

The activities that I mentioned are not just one-off activities—we are providing sustainable activity. The soccer one programme is reinvigorating schools football in all 32 local authorities, with more than 5,400 young people from more than 300 schools playing each week. There has been a fantastic response throughout Scotland. For example, the Nicolson institute in Stornoway has provided the most new teams—eight. There are also long-term benefits, with more than 440 new volunteers trained as football coaches.

Margaret Curran (Glasgow Baillieston) (Lab): I obviously welcome the announcements that the minister is making about investment in sports and other activities for young people. However, will he explain to Parliament what is distinctive about cashback for communities? The money comes from crime, but how does the cabinet secretary distinguish it from general funding that the Scottish Government should be providing for the activities that he has mentioned?

Kenny MacAskill: The funding is additional. It is taken from people who have harmed their

communities and is then reinvested in an effort to make those communities better. Clearly, other funding should continue, whether from local authorities or from other departments. The justice department is taking from people who damage our communities, and it is ensuring that those communities—and all other communities—benefit. Some areas suffer from severe and dangerous crime, but many other areas are blighted by low-level antisocial behaviour, which is why we have to target the funding.

As I was saying, there are long-term benefits. There are more than 440 new volunteer football coaches, and the aim is to train 1,700 a year. There will also be funding for six schools of football, which will offer intensive engagement, using football as a way to get kids involved. Indeed, I was at Cumnock academy with national coach and team manager George Burley earlier this week.

We acknowledge that sports need facilities, as Mr Chisholm suggested. That is why we have invested £2 million in 27 projects the length and breadth of Scotland. There are new grass pitches on Bressay in Shetland and in Aberdeen, and there are new changing rooms in Haddington, Dunoon and Dundee. In Loanhead, Lochend and Lybster, there is a legacy that will last for years.

However, it is not just about football. We have provided one of the biggest-ever investments in youth rugby—£1.4 million—to get more than 50,000 young people involved in school and street rugby, and to help to build a volunteer base for the sport. Through the fantastic efforts of the SRU, we have already exceeded our target, with more than 67,000 young people having participated in cashback rugby activities. We are taking rugby to places it has never been, and we are getting thousands involved.

We have also invested £1.74 million in basketball, and thousands more kids are now involved in twilight basketball. More than 130 schools are now involved in the jump2it programme—an inspiring partnership between the Scottish Rocks professional team and Scottish Sports Futures.

We know that not everyone is passionate about sports, which is why we are continuing to develop cashback in new areas. We have started an arts and culture fund. In March, we launched with Scottish Screen and the Scottish Arts Council a £1.2 million investment in the creative arts, which will get to some of the most hard-to-reach young people and to some of those who are most deserving of our support. That investment in the arts is only the beginning. We will continue to develop cashback to ensure that it provides what young people want, when they want it and where they need it.

More than £13 million has been committed through cashback and more than 100,000 young people will have been involved and engaged across Scotland. What better way could there be to reinvest the money that is drained from our communities by the gangsters who prey on the weak and the vulnerable? We are doing everything we can to end their evil trade, and while that battle continues, and as long as the police and Crown are stripping the criminals of their ill-gotten gains, I promise that our young people will continue to benefit, along with those in law enforcement.

New activities, new opportunities—a new start for many of our youngsters.

I move,

That the Parliament welcomes the fact that, since its launch in January 2008, the CashBack for Communities programme has provided positive opportunities and activities for over 100,000 young people in Scotland; recognises that providing healthy and fun activities not only gives young people something to do, but can help in reducing crime and antisocial behaviour by diverting the small minority who cause trouble away from such behaviour; welcomes the fact that the CashBack programme has been funded through £12 million recovered from criminals using the Proceeds of Crime Act 2002, and commends the significant efforts of partners in the CashBack programme including Youthlink, Scottish Football Association, Scottish Rugby Union, Basketballscotland, Scottish Sports Futures, sportscotland, Scottish Screen and the Scottish Arts Council, as well as the very many local projects and volunteers that are making the scheme a success.

15:11

Richard Baker (North East Scotland) (Lab): I welcome this debate on the cashback for communities initiative, which, because of legislation that was introduced by the previous Executive, benefits many individuals and communities across Scotland. Labour ministers pioneered the work that is being done to ensure that the communities that pay the price for the criminal profits of a few benefit when those ill-gotten gains are rightly seized by the courts.

Of course, we welcome the fact that the scheme has continued to be promoted by ministers in the Scottish Government. We know that it is not slow to promote the scheme, given that there have been 12 press releases celebrating it since March last year. However, I do not dispute that this is an initiative that we should—as a country and a Parliament—shout about from the rooftops. It is something that we all support and, given the fractious and contentious debates that we have on the Government's justice policies, it is good that we can discuss today an issue on which there is greater consensus.

We will support the Government's motion today and hope that our amendment, which seeks to

build on it, will also be supported. However, in the general and refreshing air of agreement, we should not shy from asking important questions about the future focus and direction of travel of the policy.

There can also be no complacency about the success rate of seizures of the illegitimate profits of those who have been convicted of criminal activity. That is not a simple process. Authorities north and south of the border have felt the benefits of the legislation, but a great deal more could still be achieved in terms of recovering the proceeds of crime. We look to ministers to ensure progress on that, and I will return to those questions later.

We believe that funding through the cashback for communities scheme must focus relentlessly on projects that divert the people who are most at risk of offending and on the communities that are most affected by crime. During the previous Executive's time in office, a host of such activities were funded. In particular, I draw attention to the drug dealers don't care campaign, which was launched by Cathy Jamieson and Hugh Henry and saw the seizure of £1.5 million of drugs and cash from dealers.

I will not disagree about the potential for sporting activity—including football, of course—to provide effective diversion from offending. In the previous session of Parliament, I was the Enterprise and Culture Committee's reporter on the future of Scottish football and, while researching that, I visited midnight football league schemes. The evidence of their success in reducing crime and antisocial behaviour was clear. One scheme in Fife offered access to indoor sports facilities on Saturday evenings, and one in Glasgow provided late-night floodlit pitches for use by young people. In both instances, youth offending in the immediate area fell by up to 70 per cent. Aberdeen Football Club's community football programme reaches some 40,000 children across the north-east and, earlier this month, Hearts came to Parliament to brief members on the success of their scheme here in Edinburgh, so I do not need to be persuaded of the merits of investing in that kind of activity.

However, when we think about investment in such sporting activity, and in the cultural activities that the cabinet secretary mentioned, we must always ask whether the activity is going to be diversionary from crime and antisocial behaviour and whether it will benefit in that way the communities that are most affected by crime. I am sure that that is true of the project in Edinburgh that Malcolm Chisholm mentioned, and street football, which has also received funding, clearly fits the bill.

The initiative must not, however, be used to fund elite sport provision, and if the money is invested

in cultural programmes, they must be programmes that encourage maximum participation by the targeted groups. The scheme must always be linked to improving communities and addressing crime. I have heard concerns about whether that focus will be maintained in the current programme. I ask ministers, when they fund programmes directly and work with the national bodies—whose participation in the scheme we welcome—to ensure that that priority is clear when awards are made.

However the schemes are administered, it is the amount of funds that are successfully seized from criminals that determines how much can be invested. It is accepted throughout the UK that, although legislation on proceeds of crime has been an excellent start to the work, far more needs to be done to maximise the amount of illegal assets that are recovered from criminals.

Those who profit from crime will always be adept at concealing their profits, to the extent that some are even granted legal aid because of their success in hiding their money. It is estimated that, on average, just 10 per cent of criminals' total assets are confiscated. We should look for improvements in the amount of assets that are recovered and do more to ensure that the Mr Bigs of the criminal world are not let off the hook. I do not suggest that that is easy, but it was never the intention to stand still on the work. It is essential to the cashback for communities scheme to ensure that we maximise both the number of successful prosecutions and the funds that are recovered.

That is one reason why it is so important to get on with the job of building the crime campus at Gartcosh without further delay. We must ensure that more and not fewer people are prosecuted for fraud. We must reconsider what can be done to ensure that as much money as possible is seized from criminal gain and reinvested in communities that are affected by criminal profiteering. Those communities can benefit from the cashback for communities scheme.

I welcome the fact that the Scottish Government wants to extend the range of crimes that the Proceeds of Crime Act 2002 covers. We will support that. The cabinet secretary has said that, so that we can do more, £400,000 of the funds that are seized will be used to support the Crown Office's work on pursuing criminals' assets. That approach has been called a virtuous circle because the seized funds will be used to help seize more funds in the future. That, too, is something that we can support—we hope that there will be greater investment in the scheme through that work.

The cabinet secretary has also talked about introducing a policy of incentivisation, whereby police forces will be able to retain a proportion of

the funds that they are involved in seizing. Such a policy is already in operation for forces south of the border, but I am sure that I do not need to tell the cabinet secretary that we do not always have to do exactly what is done down south. We must do what is best in the Scottish context. In Scotland, we decided previously that the funds should be gathered centrally to be invested in projects in communities that are affected by crime—projects such as cashback for communities. If that is to be changed—some figures suggest that agencies would receive 50 per cent of what they recover—it should be the subject of a full debate, because we would have serious questions about such a change in the direction of travel.

Kenny MacAskill: I assure Richard Baker that no chief constable has asked for 50 per cent. We are working with ACPOS on the matter—I will be speaking to it this evening. The member makes the valid point that, as the Crown Office does, we want to ensure that the proceeds of crime go back to agencies so that we have that virtuous circle, but I assure him that no chief constable has sought such an amount, and that we would not consider providing it. We will work with ACPOS to try to strike a balance. I will be more than happy to keep Parliament abreast of developments.

Richard Baker: I would welcome further dialogue with the cabinet secretary on that. I find his reassurance helpful.

We welcome the cashback for communities initiative and the fact that it is taking forward opportunities that are presented by legislation that was passed under the previous Executive. I hope that members will support our amendment, which seeks even greater success for the scheme and a continued community focus in respect of investment of the funds.

We are happy to support the Liberal Democrat amendment and the Government motion. I am sure that all members look forward to a future in which we can do even more to ensure that illegal profits are taken out of the criminals' pockets and put into the communities that most need our support and protection.

I move amendment S3M-4244.1, to insert at end:

“; believes that every effort should be made to ensure further progress in recovering assets from those who profit from crime, and believes that funds obtained through the Proceeds of Crime Act 2002 should continue to be focussed on projects in communities affected by crime and in activities that provide diversion from offending.”

15:20

Robert Brown (Glasgow) (LD): There is a welcome slant to this very welcome motion.

Although we have had many debates, statements and parliamentary questions on crime and justice issues, the thrust of many of them has been much more negative, with heavy overtones of playing to the gallery and demands for either tough action or—not infrequently—the minister's head. It is perhaps inevitable that the justice secretary—not this one, in particular, but justice secretaries in general—will always be in the headlines and frequently under attack. Of course, that is not to say that the attacks are not sometimes justified, as they are with regard to the cabinet secretary's continued defiance of Parliament's will over the Glasgow community court proposal. However, who knows? Perhaps if more money gets recovered through this very welcome scheme, there might be some left over for a rethink on that.

Today's debate marks a welcome change. In the criminal justice system, the cashback for communities programme represents a kind of alchemy: it does not exactly turn base metal into gold, but it converts the ill-gotten profits of criminals from serious criminal conspiracies into opportunity and hope for young people who might, in the wrong circumstances, become the criminal leaders of the future or the damaging petty troublemakers who hurt so many communities.

The cabinet secretary was right to echo the observation by the former Commissioner for Children and Young People in Scotland that young people need more to do. Although the concept of positive activities to burn off excess energy and of pursuit of sports and arts to fill idle hours productively is not new, it remains none the less dynamic. It would be trite to remind Parliament that antisocial behaviour rises in the evenings, at weekends and during school holidays. It would be redundant to tell our audience this afternoon about the useful work that is being done by the violence reduction unit and operation reclaim, and about the work on gangs and territorialism to cut crime and tackle the motivation to commit crime. It would be commonplace to recall that so much criminal behaviour and substance abuse are fuelled by the social alienation of people who have often had very dreadful starts in life and quite unsatisfactory parenting experiences, or that a very high percentage of offenders have been through the care system, suffer from mental health or addiction problems or have no useful skills.

I suggest, taking all these factors together, that a diversionary approach that tackles the root causes of crime and antisocial behaviour probably has more to offer and is more effective in reducing crime than almost anything else one might care to suggest, whether it be ineffective short-term prison sentences or other measures that are usually seen—perhaps optimistically—as being a deterrent to offending.

The cashback for communities programme, which I have to say is one of the more successful names that have been devised by the Government's legion of public relations gurus, has the supreme advantage of being a dedicated fund that supports diversion from crime. Projects such as street football and twilight basketball, the youth projects strand of the fund, rugby coaching and the many other projects that were mentioned by the cabinet secretary are enormously fruitful. As Mr MacAskill said, £13 million has been disbursed in just two years.

The Liberal Democrat amendment makes two points that I hope will be accepted by Parliament. First, the Minister for Community Safety needs to ensure the closest possible engagement between safer neighbourhood and community police teams and young people. In other words, the projects that are chosen should have clear added value in diverting young people from crime, and communities should be closely involved in identifying needs and bids. I point out that the Government has already signed up to that concept in the related approach of involving communities in the projects that are to be tackled by offenders under the new community payback orders.

The second point in our amendment is that the cashback money should be distributed fairly around Scotland to the general benefit of us all. I suppose that there is a degree of tension between that aspiration and the suggestion in Labour's amendment that the funds be targeted at communities that are affected by crime. However, as the cabinet secretary has pointed out, many urban and rural communities are affected by crime. Indeed, the Minister for Community Safety acknowledged that very point when he said in January and again in April that the money had to be distributed fairly around Scotland, and went on to make it clear that he was

"aware that we have not reached certain parts of the country."—[*Official Report*, 22 January 2009; c 14331.]

and called for more representations from MSPs about projects in their areas.

If I may, I will make another contextual point. The Government is committed to early intervention strategies, and the cashback for communities funding does some of that. However, if that commitment means anything, it means that services for young people should be prioritised because of the long-term benefits of putting young people's lives back on track, thereby enabling them to fulfil their potential and enhance their life chances and to contribute positively, rather than negatively, to society, as so many young people do.

We await the outcome of the dormant bank accounts consultation, in which Liberal Democrats

have taken a considerable interest and which could result in a one-off windfall. The money could complement the cashback for communities scheme if it were allocated to making effective, meaningful and lasting interventions in general services for young people.

This will be slightly off on a tangent but, as a minister in the previous session of Parliament, I launched the youth work strategy. At that time, we identified the importance of modern premises and facilities and of full use being made of those facilities. The cabinet secretary also referred to the importance of that. We also emphasised the importance of youth organisations such as the scouts, the Boys Brigade, the guides and local youth clubs. I know that the cabinet secretary does not have responsibility for those wider matters, but such organisations still play a huge part in providing positive opportunities for young people. It is clear from what the cabinet secretary said about school football and volunteers that he has discussed those issues with his Cabinet colleagues, but I urge him to continue to do so on a partnership basis.

Diversion from crime and antisocial behaviour is eminently worth while, but the big prize is the positive enhancement of opportunities and personal skills for all our young people. That is a much bigger and more positive project. We should not simply look through the narrow end of the telescope and consider only diversion from crime. I welcome and support the motion and the Labour amendment and I commend the Liberal Democrat amendment.

I move amendment S3M-4244.2, to insert at end:

“, and calls on the Scottish Government to promote closer working and engagement between safer neighbourhood and community police teams and young people in efforts to prevent and tackle crime and antisocial behaviour and to ensure that the CashBack money is distributed fairly so that the whole of Scotland can reap the benefits of the scheme”.

15:26

Bill Aitken (Glasgow) (Con): In what has been a torrid week for the cabinet secretary, I assure him that, if he is looking for a fight this afternoon, he certainly will not find one. Thus far, the debate has been fairly consensual and much of what has been said is a good-news story. Members will have heard me speak previously on the theme that one problem with antisocial behaviour involving young people is the lack of activities for them. Robert Brown was correct to highlight the point that the problems reach a bit of a crescendo during the school summer holidays and at weekends.

Paul Martin (Glasgow Springburn) (Lab):

Does the member agree that, as we have said on several occasions in the Parliament, it is not solely young people who are involved in antisocial activity? We must consider why we are focusing the cashback scheme purely on activities for young people, as they are not the main contributors to antisocial behaviour.

Bill Aitken: The point is well made that young people do not have a monopoly on causing us concern with regard to their conduct. There are sound arguments for extending the beneficiaries of the cashback to communities scheme beyond youngsters. However, for the moment, we should direct the principal benefits to youngsters.

Compared to the halcyon days when I was a young person—believe it or not, that was the case some time ago—today, there is not the same amount of youth activity. There are many reasons for that, some of which the Parliament should begin to address. One is the dearth of people who are prepared to volunteer as youth leaders. We should perhaps address the reasons for that. I support whole-heartedly the scheme as it has been developed so far. In particular, it is useful that money is put into diversionary sporting and physical activities. Frankly, if a youngster is so knackered at night that they cannot misbehave, that must be a benefit for everyone. Of course, such activities are also healthy and deal with the problems of obesity, which are of growing concern to our health colleagues. Therefore, everybody wins.

I turn to the downside. In the years since the Proceeds of Crime Act 2002 was enacted, we have collected £23.5 million. Richard Baker said that that is an estimated 10 per cent of the total turnover of the drugs trade. I would find that reassuring if it were the case, but I believe that the turnover of the drugs trade is very much higher—I see Dr Richard Simpson nodding in agreement.

Nevertheless, we are where we are and progress is being made. I make it clear that I recognise that there have been tremendous efforts on the part of the Crown, the Scottish Crime and Drug Enforcement Agency and serving police officers everywhere in this direction. I concede, and freely admit, that it is not easy, but we have to raise the game a little bit. We have to consider ways in which we can disrupt the evil people who prey on communities. The cabinet secretary was quite right that the most effective approach is sometimes to hit them in the pocket.

We must look at what happens elsewhere. The cabinet secretary will recollect that he and I have been in correspondence about that. I know that we have had discussions with the authorities in Ireland, which I imagine will now be at a fairly advanced stage. I look forward to getting a report

from Mr MacAskill—or Mr Ewing—once he feels that the discussions are sufficiently advanced for him to be able to share their results.

It is clear that some communities suffer more from the effects of drug misuse than others. I find it particularly frustrating that the people who are prepared to peddle human misery, who are setting the bad example, are sometimes seen as folk heroes. Young people in particular can look at those individuals, who have never done an honest day's work in their life and who are living a luxurious lifestyle with all the accoutrements that go with it. That is a bad example to set. As such, it is essential that we ensure that the money is taken from them and that we tell people that that has happened. We must ensure that the publicity that surrounds the projects that we run indicates that they are funded with money that has been taken from people who have been involved in the drug trade. If that happened, the activities of those people might not seem quite so impressive to the average youngster.

We are making progress. Thus far, the scheme has worked perfectly satisfactorily. I know that individual members will say that more money should come in the direction of their constituency. That will always be the case; some of our members will, no doubt, always put forward constituency interests in a particularly robust manner.

What we are doing is along the right lines and credit is due for that. However, we must not be complacent. We must recognise that we would not be getting this money in if there were not something seriously wrong with our society. We must make every possible effort to hit the drug barons hard, take their resources from them and use those resources to the maximum benefit of the maximum number of people.

The Deputy Presiding Officer: We move to the open debate. Time is on our side, so members can take about a minute and a half more than they were expecting, if they wish.

15:33

Tricia Marwick (Central Fife) (SNP): It is a real pleasure to speak in this debate. Cashback for communities was launched by our Cabinet Secretary for Justice, Kenny MacAskill, in January 2008 and has to date provided substantial money to youth projects the length and breadth of Scotland. It is Kenny MacAskill's drive and commitment that have made the scheme the reality that it is. To date, more than £12 million of criminal cash has been ploughed back into our communities through partners such as YouthLink Scotland, the SFA, the SRU, basketballscotland, sportscotland and Scottish Screen.

The cashback scheme provides for diversionary projects for young people. I know that the impact on our communities of the injection of these funds is considerable. As others have said, the scheme takes money from criminals—drug dealers in particular—who want to destroy our communities, and invests it to try to build those communities up again.

Something that Bill Aitken said struck a chord with me: we need a new look at the scheme. The scheme depends on organisations and others coming forward with projects, but many of our communities have been destroyed by the drug dealers and in some areas there are no local organisations. We need to build capacity within our communities, including the capacity for people to volunteer and to be involved in bringing forward projects. If we do not have people to run the organisations and volunteer for projects and help to bring them forward, then some of the worst-affected communities will never benefit from the scheme. I ask the cabinet secretary to look at the possibility of allocating some of the money for capacity building in our communities, to try to bring forward projects and encourage people to volunteer. It is from the volunteers in those communities that we will get the projects of the future.

I remind the cabinet secretary that another reason for the lack of volunteers is the criminal vetting process. I know that the cost of vetting a volunteer falls on local organisations, and I wonder whether funding the vetting process might be a worth while investment. That would take the cost away from the poorest communities and get more people to come through the volunteering route, which would also help to build capacity. It would also support those who wish to be vetted so that they can work with young people.

That said, many projects for young people in Central Fife have been supported by cashback for communities, and I have worked very hard to try to encourage existing organisations to take advantage of the money that is available to them. Glenrothes YMCA and YWCA received money to fund a Friday night music project and a film making project; Levenmouth YMCA got £26,000 to develop its street live project, which I know that Kenny MacAskill has visited; Levenmouth youth initiative got money for summer programmes for young people; and Barnardo's Levenmouth links project got money to fund a summer programme. Glenrothes YMCA also received additional funds.

I add my thanks to those of Councillor David Alexander, our councillor for Kennoway, who has worked so hard with partners to bring forward the Kennoway sports association application, which has received £100,000 to develop a new sports pavilion at Cotlands park in Kennoway. I cannot

begin to tell the cabinet secretary how much it means to that particular community that they have something to support the many youth football teams and other teams that are springing up in Kennoway. That is happening because there is hope, and because there are facilities for the young people who live there to be able to take part in sports.

I am particularly pleased about the Fife cashback media project, which is working with young people in Glenrothes and elsewhere in Fife; the Glenrothes project deals with generational discrimination. Those local projects are all important. I acknowledge that another £70,000 for Fife has been announced today, and I will do my best to ensure that a lot of that money comes to my constituency of Central Fife.

It is essential that money is invested in diversionary measures in our communities, particularly in the Levenmouth area, which has been devastated by the closure of the pits, the lack of hope and aspiration in the community and the criminal activity that goes on there.

I am delighted that the cashback for communities money has been complemented by the work of the Scottish National Party-led Fife Council—and in particular the work of Dave Alexander, who is the chair of the area committee in Levenmouth. The council is investing in the Levenmouth area, because the SNP believes in communities and in young people. After decades of neglect by Labour councils, the area is experiencing investment at last. That is probably best summed up by the former Levenmouth Labour councillor, Joyce Smith, who was quoted recently as saying—

The Deputy Presiding Officer: The member is beginning to stray from the terms of the motion; I would be grateful if she would get back to it.

Tricia Marwick: Indeed. However, I believe that it is important to invest money, unlike Labour councillors who suggested in the past that there was no point in investing in young people because they would destroy that investment. The SNP believes in young people, which is why I am absolutely delighted that at long last that kind of money is going back into our most deprived communities, such as Levenmouth.

Richard Baker: Will the member give way?

Tricia Marwick: I think that I am just coming to the end of my speech.

The cashback for communities scheme is so important to our deprived communities. I will do my best, and I know that the cabinet secretary will do his best, to ensure that communities such as Levenmouth and Glenrothes are recipients of

more money from cashback for communities in the future.

15:40

Margaret Curran (Glasgow Baillieston) (Lab):

I was invited by Bill Aitken to participate in a more consensual approach to the debate—which comes naturally to me, as members know—but having heard Trish Marwick I will just continue with business as usual. Her speech was shamelessly partisan and completely misrepresented the past, to which I will refer later. I do not wish to add to Kenny MacAskill's woes this week, but I will press several constituency issues in my contribution. However, if the minister gives more resources to the east end of Glasgow, I will back off happily, join in the consensus and just ignore Trish Marwick along the way.

Let us get the context right. The Proceeds of Crime Act 2002 was ground breaking. It answered the concerns of many who could not stomach, let alone make sense of, a situation in which known criminals could live lavish lifestyles while ostensibly living on benefits when there was no viable explanation of how their money was accumulated other than through illegal activity.

As many members will remember, the Irish Government took action following the dreadful murders of the journalist Veronica Guerin and Garda Jerry McCabe, which inspired the British Government to act. The passing of the Proceeds of Crime Act 2002 was a decisive measure that put to rest the notion that actions to recover assets somehow trampled on fundamental freedoms. The impact of the legislation is disruptive and costly to criminal networks, and it represents, even if only in a small way, some payback and compensation to those communities that carry disproportionately the consequences of crime in our society. That is the central argument that I put to the Government today, because it is losing the emphasis on the collective community nature of that impact.

I have spoken in the chamber many times about the extent and consequences of crime in my constituency. Too often, I am confronted, as many of us are, with the human reality of such crimes and the dreadful consequences for individuals and families. More broadly, we need to look at the price paid by everyone in the street where the crime takes place and everyone in that community. If a drug dealer seems to act with impunity and if street violence is the currency of their crime, I have no doubt that certain communities pay too high a price. Gangsters intimidate not just individuals but entire neighbourhoods as they do their work.

I can tell the Parliament, and the people of my communities in greater Easterhouse can certainly

tell it, that they contribute disproportionately to the funds that the minister is distributing. My central point to the minister today is this: should those communities not get a fair share of that cashback? If they give disproportionately to the fund, they should get it back disproportionately. If, as Robert Brown said in a powerful speech, that money is to be truly diversionary, we have to spend it where it is most needed. I argue that my constituency needs more money.

The minister will know that I have submitted numerous parliamentary questions on the subject. The Scottish Government cannot tell us what the communities in the east end of Glasgow contribute to the fund, although I am sure that the matter can be pursued further. Perhaps this is not the exact figure, but I hazard a guess that it is more than the £306,000 that we receive back. If the minister has more money to announce and wants to give any of it to the east end of Glasgow, I will happily pay him tribute in my press release, but I do not think that £306,000 is a fair amount of cashback for the east end of Glasgow.

Surely it is disappointing that only 0.3 per cent of the total budget for rugby has been spent in the east end of Glasgow. Glasgow East rugby club is a very strong group, with excellent leadership, and is willing and able to work with the most vulnerable young people in the east end, but it does not have the resources to do that. Surely that is exactly what proceeds of crime resources were meant for. Surely that is what cashback for communities was meant for.

Kenny MacAskill: I am happy to check with the SRU. The rugby scheme was launched in the east end of Glasgow, and the SRU took the Calcutta cup there. There were international players, and young kids from the east end were there. The SRU is showing willing, but I am more than happy to speak to Colin Thomson, the head of youth development, to ensure that the SRU does what it can. There is certainly no attempt by the Scottish Government—and, I would lay a wager, no attempt by the Scottish Rugby Union—not to grow the game in the east end of Glasgow.

Margaret Curran: Let me be clear: I am not implying any ill intent on the part of the Scottish Government; my argument is that the Government is spreading the money so thinly across the whole of Scotland that it is not focused appropriately. I have had representations about the announcement that the Government made in the east end of Glasgow, and the people I work with are deeply frustrated: they see all the press about it, but when they want to develop grass-roots rugby and get to the young people they have not yet reached, they find that they do not have the full resources to do so.

If the minister wants to correct me or to give me more resources, I will be more than happy to accept, but I ask him to accept that reality—that we are not getting the targeted resources that we need.

Bob Doris (Glasgow) (SNP): Will the member give way?

Margaret Curran: I need to press on, if the member does not mind.

I will pull the argument together. We cannot afford to allow the funding to be allocated on too broad a basis, in which case it might lose its impact. Bill Aitken was right: there needs to be a coherent link between the resources that are seized and the resources that are spent. I honestly think that the Government's approach means that we are losing the distinctiveness of the resources that are being raised. We must say to young people and everyone who commits crimes in our communities that we will take their resources and spend them where they have caused the most harm. The identity of the resources is being lost.

Cashback for communities is a very small compensation for those who have to live with crime. As Richard Baker said, we need to be more assertive in pursuing and applying the legislation. We should not let the resources become just another general fund for the Scottish Government. We need to make the programme distinctive and ensure that the money is spent in a way that demonstrates that crime does not pay in Scotland and that resources will be given back to those who suffer from crime the most.

15:47

Michael Matheson (Falkirk West) (SNP): All members will agree that the cashback for communities scheme is very worth while and that excellent work is being done to support a range of organisations across the country, including some in my constituency. Perversely, it is a fund that we would prefer not to have—we would prefer it if no proceeds were gained from crime—but I suspect that the utopia of a society free from crime is beyond even the present excellent Cabinet Secretary for Justice.

I recall visiting the Irish Criminal Assets Bureau back in 2000, along with my colleague Roseanna Cunningham, to consider how it was developing a similar initiative. Margaret Curran has made reference to what has been done in Ireland. The Irish have been trailblazers in the seizing of criminal assets from individuals. Their bureau has proved to be very successful over the years and set the template for the system that was introduced in Scotland.

I recall from my time dealing with the legislation on the Justice 1 Committee, some six years ago, that it had cross-party support. I recall that, when we considered it, there was a considerable level of uncertainty on the part of the then Minister for Justice, Jim Wallace, on what would actually happen with the assets that were seized under the legislation. One suggestion was for the assets seized within a particular constabulary area to remain in that area. That idea was pushed aside on the basis that it would have meant that the bigger force areas probably gained disproportionately from the overall scheme. The general view was that, whatever happened with the money, it should go into a general pot and the whole of Scottish society should benefit. That is why I think that the present scheme is worth while and working well in its present form.

There are a number of issues with the way in which the scheme is operating at present. If I have one criticism, it is that the pot of money is too small. That is not to say that I want to encourage more people to get involved in criminal activity so that we can seize their assets; rather, I want to consider what more we can do to seize more assets so that communities can benefit. I hope that the minister can expand in his closing remarks on what measures the Government is considering to increase the size of the pot.

Retribution is one of the key three key pillars of our justice system in Scotland. Although the cashback for communities system is not exactly a direct form of retribution, it is an important signal to communities that, where we can, we will seize the assets of those who profit from criminal activity and use the money for wider community benefit. I agree that it is not the chain gang, but it certainly sends out a clear message that we will do everything possible to seize criminals' assets and make better use of them in our communities.

I want to pick up on another two issues linked to cashback for communities. The first is on the groups who can apply for the present scheme, and the second is on the groups who could apply if the present scheme was altered. A number of organisations in my constituency, from YouthLink Scotland to the midnight football league and the Scottish Rugby Union through Falkirk rugby club, have all benefited from money that is provided through the scheme. However, I have been working with a number of organisations in my community that would benefit from the scheme if they had the capacity to develop their organisation so that it qualified. A couple of those organisations are Camelon Juniors football club and Dunipace Juniors football club. Those clubs sit at the heart of the local community and have facilities that, with a wee bit of extra investment, could be opened up for much wider benefit.

Those clubs are working to become community football clubs under the Scottish Football Association scheme. If they succeed in securing that status, they will be able to apply for funding from the cashback for communities fund in its present form. However, the clubs have limited capacity to become community football clubs because of the number of volunteers who are involved with them. One of my real frustrations, which those clubs have, too—I think that a couple of members have mentioned this—is that they need just a wee bit of support to help them gain the status of community club, which would open the door to cashback for communities funding. For almost a year and a half now, I have been trying to get Falkirk Council to work with those clubs, not to give them money but to have officers work with them to develop their capacity and to help them become community football clubs and then apply for funding through the scheme. However, it has been like drawing teeth, because the council does not regard providing such help as necessarily part of its responsibility, as it does not deal with the administration of the funds.

If there is one message that I hope the minister takes away from my contribution to the debate, it is the need to ensure that local authorities, which have the capacity to assist organisations to develop themselves and potentially benefit from the scheme, regard themselves as part of the way in which we can unlock the money and get it invested in some of our most deprived communities through those organisations. I hope that the Government will consider how we ensure that local authorities do more to achieve that.

The second area that I want to pick up on is that of organisations who cannot apply for the present scheme, namely professional football clubs. The cabinet secretary will be aware of the excellent work that is done by Stenhousemuir Football Club in my constituency, which should be congratulated on securing promotion to the second division on Saturday past. The club does fantastic work with some 5,000 kids per week and uses its all-weather football pitch for a range of initiatives that it runs in the local community. However, because it is a professional football club, it cannot benefit from the cashback for communities scheme. The club operates on a shoestring and does not have much more than junior clubs, which can benefit from the scheme. In my view, small clubs such as Stenhousemuir, which have a very important part to play in our communities and have facilities that, with a wee bit of extra investment, could be opened up more to the community and provide wider benefits to it, should also have the opportunity to benefit from the scheme.

I hope that the cashback for communities scheme will continue to benefit a range of organisations, but we must consider how we can

evolve it more effectively so that more organisations benefit from it, whether under the existing rules or under rules that we amend to allow other organisations to get money from the fund.

15:55

Dr Richard Simpson (Mid Scotland and Fife)

(Lab): We first considered in October 2001 what became the Proceeds of Crime Act 2002, which introduced the present system. As Margaret Curran said, we were following Ireland's example—Ireland blazed the trail. As we know, it was recognised that using in the act the concept of being beyond reasonable doubt as a basis for confiscating assets would be insufficient and inappropriate, because criminals are adept at hiding their assets and avoiding prosecution. The act allowed a change to civil proceedings, which was an important step that has benefited communities.

I was involved in the original debate because I was the Deputy Minister for Justice at the time. As Michael Matheson said, we debated how the money would be applied best and whether it should be left with individual constabularies or centralised. We also debated how we could promote a virtuous circle in which intelligence-led policing was supported by communities, with the result that more criminals were caught or recognised and prosecuted. We must never lose sight of that virtuous circle. In a powerful speech, Margaret Curran said that it is difficult to get the balance right between Scotland-wide distribution and distribution to communities that provide the intelligence that leads to confiscation. That balance should err on the side of the communities that provide information so that we retain the virtuous circle.

I was concerned that, at the outset, the Lord Advocate and the Crown Office wanted to address the big criminals and to attack the people who had big amounts of money. My concern then, which remains, is that those people are difficult to catch. They are adept at hiding their assets and dispersing them among relatives and abroad. I ask the minister to comment in his summing-up on assets that are dispersed in the rest of the United Kingdom or abroad.

Kenny MacAskill: We have met the European Police Office to discuss such matters, many of which are more for the Serious Organised Crime Agency than for the SCDEA, given their respective jurisdictions. I give the member and every other member the absolute assurance that we are seeking to map organised crime and to work with other jurisdictions, especially that south of the border. As Mr Simpson says, such matters also concern activity abroad.

Dr Simpson: I hope that that means that our larger criminals' Spanish assets, as well as their UK assets, are being confiscated.

The principle is local reparation, which must be visible, so that communities see that their efforts are being rewarded. That is the incentivisation that we need and that is the most appropriate approach.

Youth diversion is a fundamental concept. The fund that uses criminal assets was preceded by money that was raised in part by a *Daily Record* campaign, which the then Scottish Executive matched. Systems were tested as we disbursed the modest sum of £500,000 to communities. What we learned from that was useful. Communities that had some capacity were able to apply and to develop schemes. Michael Matheson, Bill Aitken, Tricia Marwick and others referred to the fact that some communities are so damaged that their organisational capacity has been hugely impaired. We must have a way to work with local authorities and neighbouring communities to develop the necessary structures in such damaged communities. I hope that the minister will take on board the fact that cross-party support has been given to the concept of supporting the recruitment, development and training of volunteers to develop capacity further.

I had grave doubts when I saw that the scheme was being used to fund the under-21 Scotland football team. I thought that football at that level was sufficiently well off to provide for itself. However, my criticism was muted when I learned that the purpose of the funding was to replace an alcohol logo with one from cashback for communities, which may be appropriate in the circumstances. I have reservations about using the scheme to support wealthier clubs, but small clubs such as Stenhousemuir, the Stirling clubs and Alloa Athletic, which are not wealthy, need to be considered. I echo Michael Matheson's comments in that respect.

Given that we are all congratulating our communities, I ask members to join me in congratulating Alloa rugby football club on winning division 2 midlands of the Caledonian regional league. Linking into existing systems, the programme has been used to fund the appointment of Kris Burney as a rugby coach; it is not totally novel but provides one more link in the chain to promote rugby among secondary 1 and 2 children, which will be important. Eighteen or 19 groups in my region of Mid Scotland and Fife have received awards, all of which are welcome.

I join Tricia Marwick in paying particular attention to communities such as Levenmouth, which has been devastated by drugs. Although some good drug treatment work is being done there—as Fergus Ewing, the Minister for Community Safety,

will know—the promotion of the YMCA and other groups in the area is particularly welcome.

I welcome the updating of regulations on the issue. I do not know whether we have re-examined the question of what constitutes a criminal lifestyle, but that needs to be done. I am not sure whether we have looked again at the threshold at which the programme applies. I did not win this battle at the time, but it is important that we focus on intermediate groups, such as drug dealers. The drug dealer campaign was particularly successful in persuading communities to give information, as they could see money coming back to them. Drug dealers do not have large sums of money, but it would be helpful if it could be demonstrated that such money was going back to communities. I hope that the minister will consider adjusting the scheme as we proceed.

Now that the scheme is working so well, we need to consider sustainability in the longer term. It is not just about one-off projects but about sustaining projects.

16:02

Shirley-Anne Somerville (Lothians) (SNP): I welcome the generally positive tone that has been set across the chamber. Given the accusations that often fly about, especially on justice issues, it is nice to see that we can all nearly agree on something. It makes a pleasant change for me when making a speech to be able to agree with Richard Baker on anything, so I will start by doing so, in case that does not happen again for a long time.

It is important that we welcome the fact that we are taking funds out of the hands of some of our most hardened criminals and giving them back to the communities that those criminals blight. Cashback for communities has been an excellent example of joined-up thinking in action. It provides a successful example of how we can make our streets safer and stronger from both ends of the spectrum—from tackling the scourge of serious organised crime to diverting people away from crime by improving their life choices.

I pay tribute to the police and law enforcement agencies for the work that they have done in my local area to tackle drug abuse and supply. There has been a great deal of co-ordinated effort from those agencies to put criminal gangs out of business. Although plenty of work remains to be done, as many members have said, there have been some successes to date. They include operation hurricane in Lothian and Borders, which cut off a cocaine supply chain to Edinburgh and seized more than £64,000-worth of assets. In West Lothian, a ground-breaking multi-agency

initiative—operation focus—has led to 63 arrests of suspected drug dealers and has been well received by targeted and assisted communities. Chief Superintendent Ronnie Liddle said:

“It is not only the scale of this operation which has made it different from any other but the level of close working across the agencies is unprecedented.”

I am pleased that that committed partnership approach is now paying dividends in our communities, and I hope that it will ensure that there is no hiding place for criminals in the future.

It is satisfying that, through cashback for communities, people can reap a double benefit from those successful police operations. We are not only taking seized drugs off the streets; we are turning seized cash from those criminals into positive alternatives for young people.

The initiative makes a contribution in many of the key battlegrounds for improving Scottish society, whether preventing crime, reducing underage drinking, improving health, tackling obesity or building our young people's sense of self-esteem and inclusion in society in general. The scheme also typifies a more positive approach to tackling antisocial behaviour and to young people in general. Although the measures are in place to deal with bad behaviour where necessary, I welcome a tone that steers away from the many negative stereotypes that are often portrayed in our media of young people and their effects on society.

Any attempt to classify all young people as yobs or to tarnish the whole of the younger generation serves only to alienate young people and does nothing to make our communities safer. Although I would not go as far as hoping to see the Government hug a hoodie any time soon, it is worth emphasising that it is only a small minority of young people who are involved in criminal behaviour. Indeed, young people are most likely to be the victims of crime.

I received an e-mail this morning about a separate issue, but it was from two goths from Edinburgh city centre. They were asking for action to be taken to provide a community activity and a place for them to spend time in at the weekend. They talked of their worry about being on the streets because they are the victims of crimes perpetrated by people who see their lifestyle as different. That was an important lesson for me about how people by whom we are often intimidated themselves feel intimidated and under threat. We should always remember that the vast majority of young people are a credit to their communities and that all our young people deserve better life chances—something that the scheme is helping to provide.

The cashback for communities scheme provides many opportunities for people to develop their interests and skills in a wide range of areas, working in partnership with sporting, arts and youth organisations. Although much of the initial emphasis was on the development of opportunities in team sports such as twilight football or rugby, as someone who is not particularly sporty I was pleased to see the introduction of a cultural strand to increase the scope of the scheme further for those who are not attracted to football and rugby.

I was nevertheless pleased to see funding dedicated to—and increasing participation in—girls' football, with nearly £297,000 being provided to the Scottish Football Association over three years. That will offer girls opportunities in their local areas. People often start hanging around with the wrong crowd simply because there is little else for them to do and there are no positive choices for them to make. That problem does not affect just young men, so I am pleased that nearly 27,000 girls are already participating in football in Scotland. The funding is much needed and will help to progress the game as well as offer a positive alternative to drink, drugs and offending for girls as well as boys.

The YouthLink Scotland strand has already supported many youth projects that work with some of our most vulnerable groups. Members have paid tribute to individual projects throughout the debate, and I pay tribute to a small number of projects in Edinburgh that have been successful. Edinburgh has so far received £220,000 from the first two rounds of the YouthLink allocation alone, which has benefited a diverse range of projects including the Leith Acorn youth centre. Funding has enabled the centre to put youth work out on the streets of Leith at weekends, at the most difficult times. Another successful project is the Rock Trust, which supports young parents throughout the city.

As with any initiative of this size, there will always be some debate about how the funds could best be distributed, and members will always want more for their areas. I hope that ministers will keep that aspect of the scheme under constant review. However, one thing is certain: cashback for communities is already making a difference throughout the country. With more than 100,000 participants so far, the evidence speaks for itself. We owe it to young people to develop more such opportunities. After all, they, as well as our communities, are the ones who will pay the price of crime for years to come.

16:09

Bill Butler (Glasgow Anniesland) (Lab): I support the amendment in the name of my colleague Richard Baker.

The cabinet secretary's motion quite correctly refers to the Proceeds of Crime Act 2002, which became law under the then Scottish Labour-led Executive. That act applies throughout the UK but includes specific provisions to take account of differences in Scots criminal and civil law and procedure. It enhanced existing powers of confiscation following criminal conviction by aligning the previously separate schemes for drug trafficking and other crimes on an all-crimes basis, and by strengthening the investigation and enforcement powers. It also introduced new powers of civil recovery, thereby allowing the state to claim the proceeds of criminal activity in cases in which it has proved impossible to prosecute or secure a conviction.

In my view, the 2002 act is a significant example of Holyrood and Westminster acting together in the interests of citizens across the UK. Despite some initial and, if I may say so, spurious sabre rattling about the Sewel convention, the then SNP justice spokesperson, my good friend Michael Matheson, acknowledged in the debate thereon that it allowed the Scottish Executive to

"become the enforcing agency for civil recovery in Scotland"

and that

"Money recovered by civil recovery and criminal confiscation in Scotland will go into the Scottish budget."—
[*Official Report*, 24 October 2001; Vol 14, c 3251.]

Mr Matheson was correct, and the SNP was right on that day, nearly eight years ago, to side with all other members at Holyrood and agree to the Sewel motion.

Over the years, the 2002 act has allowed more cases to be brought to court, and the new powers of investigation and enforcement that it contains have allowed more assets to be traced successfully. The money that has been gathered under the civil recovery scheme has hit crooks where it hurts most and the scheme has made it possible for those ill-gotten gains to be channelled into projects located in the communities that have been most seriously affected by crime and into schemes that have the aim of diverting those young people who are most at risk from falling into patterns of offending and which allow them, instead, to work together to build their self-confidence and provide them with a range of opportunities to develop their innate talents. That is a good thing.

Under Governments of all political complexions at Holyrood, a strategy has been followed whereby the proceeds of crime are used for the benefit of those neighbourhoods that are more vulnerable to underworld activities. That has been the correct path to follow, and I congratulate Mr Ewing and Mr MacAskill, and their Labour predecessors, Cathy

Jamieson and Hugh Henry, on taking that tack. In April of last year, the total amount gathered under the 2002 act reached £21 million; thanks to my good friend Bill Aitken, I now understand that it has risen to £23.5 million. The annual figures range from £4,424,313 in 2006-07 to £2,847,037 in 2007-08. Those sums have been focused on projects in vulnerable communities. That strategy has been successful and should continue to be followed.

An outstanding example of the effectiveness of that strategy can be found in my constituency at the Temple/Shafston youth project that is popularly known as the hut, which I believe has received just over £40,000 in two awards under the scheme. I assure the minister and the Parliament that that money has been put to very good use. The hut is open seven days a week and is used by around 150 young people from the neighbourhood and surrounding localities. It has used the awards to put together an attractive and innovative range of activities, including arts and crafts, sports, information technology training, homework classes and advice sessions. In addition, the project arranges a number of visits, outings and away days that are aimed at broadening horizons and encouraging project members' personal development. Again, that is a good thing.

Young people regularly tidy up the area in the north-west of the city as part of the clean Glasgow campaign; others take part in the Duke of Edinburgh's award scheme. Many local people and surrounding communities have benefited directly from that work. Indeed, the success of the hut's approach was recognised by the *Evening Times* last December, when the project was awarded the paper's young community champions award for the west of Glasgow. That success whereby young people, supported by Government, come together and show what young people can do in positively contributing to the community is a very good thing. I agree with Shirley-Anne Somerville that the vast majority of young people are a credit to their communities and to Scotland. Only a tiny minority of young people cause problems, often for other young people—a fact that bears re-emphasising.

The hut is the sort of project that the proceeds of crime money, via the cashback for communities scheme, should continue to support. I would welcome a cast-iron assurance from Mr Ewing in his summing-up speech that the Scottish Government will continue to follow a strategy that has, at its heart, a commitment to supporting projects in communities across Scotland that suffer—a word that I use advisedly, as did my colleague Margaret Curran—disproportionately from the activities of career criminals. Clarity on that point would be welcome. There is a continuing need to give something back to those communities

that are most directly affected by the activities of our organised criminal gangs. Government must continue to recognise its duty in that respect and must not take its eye off the ball.

I welcome the progress that has been made over the past eight years, but further progress needs to be made. There is no room for complacency. On that basis, I ask members to support the Labour amendment. I also welcome the SNP motion and the Liberal amendment.

16:16

Bob Doris (Glasgow) (SNP): It gives me great pleasure to speak in this afternoon's debate. The substantial amount of cash that has been levered in by the cashback for communities initiative is testament to Scotland's increasing success in tackling serious organised crime. From such success, communities should quite rightly reap benefit. That is the very essence of what cashback for communities is about.

Dirty money, built up on the pain and heartache of communities, is now being used to assist communities. Let me share with members my direct experience of that. After I was elected in 2007, one of my first visits was to operation reclaim, which is run jointly by Strathclyde Police and Sidekix with support from a variety of community partners. That day, I met Police Constable Harry Faulds, who was out playing a game of football with youngsters in the Milton area.

The Milton area is no stranger to serious organised crime; I made that point in a members' business debate that I secured in order to praise the community activists who have taken a stance against such crime. With members' indulgence, I will mention just a few of those activists. Alex O'Kane, for instance, has had his home and family targeted over the years because of his stand against drug dealers, who have for a long time peddled their misery in the local area and beyond. Indeed, only a few months ago, Alex O'Kane's house was subject to a reprisal petrol bomb attack. It would be wrong not to mention Councillor Billy McAllister, the local SNP councillor, who has also been subject to many serious threats against his person. Such people who take a stand in communities and become victims themselves need the Parliament's support.

Let me describe an incident that perhaps brings home the extent of the threat that exists in our communities. When Councillor McAllister and I held a public meeting in Lambhill—just along from the Milton community—just a few years ago, several hundred people attended. The MOT station next door to the meeting venue had been witness to the cold-blooded murder of a young

man whose family was allegedly involved in organised crime. The shooting happened just a few hours before the meeting took place. After our speaking out against such criminality and violence at the public meeting that night, a call was made to our local SNP mobile phone number, saying that criminals had been in attendance at the meeting. The anonymous caller said that, if people continued to speak out, people would be hurt. The threat was, "Stay quiet or else."

I mention that incident in today's debate because it is important that we never forget the pain and misery that such organised criminals cause to our communities. We must acknowledge the truly brave and heroic actions that communities take daily to stand up against the perpetrators of organised crime. It is just that the money that is recovered from such criminals is used to support our communities, and that is precisely what the cashback for communities scheme is doing in Milton and throughout north Glasgow.

I return to operation reclaim. The police and sports coaches are working with young people in various locations in north Glasgow. PC Harry Faulds plays football or rugby with young people who are at risk of falling into crime, as opposed to chasing them round the housing scheme. Such diversionary activities have broken down territorial boundaries and led to a dramatic fall in the local crime figures.

The cabinet secretary and the minister are aware of that. A few months ago, I visited Petershill Juniors during one of Mr MacAskill's ministerial visits. The Scottish Government had provided £15,000 to operation reclaim for intensive work with 120 known gang members in the local area over a six-month period to turn them away from organised crime. Perhaps the cashback for communities scheme will allow such schemes to be expanded. Longer-term funding for large-scale diversionary activities such as operation reclaim, which could be enhanced and expanded, could be secured. That would be a positive thing. The existence of more large-scale projects with longer-term funding would represent a positive initiative for communities from the cashback for communities scheme.

Every penny that we spend on the cashback for communities scheme should improve the futures of our communities and reduce the number of youngsters who turn to crime and antisocial behaviour. In other words, we are talking about building a legacy. In our discussions in the chamber on the Commonwealth games in 2014, we have spoken a lot about building a legacy. I firmly believe that we should find a way of twinning the cashback for communities scheme's ability to fund a legacy by lifting communities out of the

grasp of organised criminals and raising the aspirations of the next generation with the hope and vibrancy that we wish to develop through having the Commonwealth games in Glasgow. The cabinet secretary should consider how the social legacy that we wish to build from the cashback for communities scheme and the Commonwealth games in Glasgow in 2014 can be developed through people working in partnership in a structured and co-ordinated fashion. I hope that that can be achieved, although I appreciate that the Commonwealth games legacy starts with a deficit of £150 million.

I welcome the debate and its consensual nature. Before the debate, I looked at the figures for Glasgow. Sixteen cashback for communities projects were funded in the east end of Glasgow in the first two rounds of funding; the funding for those projects came to £266,000. In the past couple of years, my city of Glasgow has received £680,000. We should say thank you for that money, although we are entitled to it. As a Glasgow MSP, I want to get more money for Glasgow, which is natural, but we should clearly say that Glasgow receives cashback for communities money and benefits from it.

16:23

Mike Pringle (Edinburgh South) (LD): The Liberal Democrats have long supported the use of diversionary projects and peer support to tackle the root causes of crime in our communities. By providing opportunities and activities for young people, the cashback for communities programme has made excellent progress in giving young people something valuable to do in communities throughout Scotland and in diverting the minority who are responsible for crime and antisocial behaviour away from such activities. I reinforce something that I have often said before—a minority of young people become involved in antisocial behaviour. The vast majority of young people in my constituency and, I am sure, throughout Scotland, do not get involved in it. It is clear that the cashback for communities programme helps those who do.

The success of the Proceeds of Crime Act 2002, which has been instrumental in making the cashback for communities programme possible, is worth mentioning. Since that act was passed, it has raised almost £23.5 million, more than £12 million of which has now been successfully reinvested in diversionary and participatory programmes for young people. We hear about criminals moving money around, and moving it to Spain and elsewhere on the continent. We can all do more to try to get the proceeds of their criminality back off them. The more money we can

have for cashback, the more money we will be able to spend on programmes.

I do not want to take away from the fact that serious problems still exist. There was news in Edinburgh just yesterday that a group of young people had caused £3,000 of damage to a nursery and disabled people's drop-in centre. The damage is impossible to justify, so why did they do it? I expect that the young people involved may even struggle to rationalise it to themselves. In his speech, the cabinet secretary said that we have to give young people something to do. They often find themselves without things to do, which is why they become bored. When they become bored, they go on the rampage, or commit antisocial acts.

The cabinet secretary referred to a scheme that started early on in my constituency—Go4it. The scheme, which was one of the good things done by the Labour administration in Edinburgh, was introduced by Donald Anderson. It was a new idea to get people involved in things during the summer, to stop them getting bored. The scheme has been extremely successful and has spread across Edinburgh.

It is clear that the rhetoric about being tough on crime and the short-term enforcement measures that have characterised Scotland's justice system have not always worked. We all need to find better ways of discouraging young people from committing offences. All too often, communities have been left with the original bill for the short-term enforcement strategy, as well as the new bill for the damage when the strategy does not succeed. What is required is a continuing shift in culture towards prevention and rehabilitation.

Where investment has been made, the benefits have already been felt. I recently attended the finals of the Bank of Scotland midnight league at Tynecastle—and perhaps now, because everybody else is doing it, I should congratulate Heart of Midlothian on finishing third in the league, which means that the team will be in Europe next season. The midnight league event was attended by Andrew Driver, a young man whom many people will know. He is a very successful player at Tynecastle. His example for all the young people was excellent.

Since their inception, midnight leagues across Scotland have been instrumental in lowering levels of youth crime. Last year, Inspector Alan Keith of the antisocial behaviour unit of Grampian Police, Aberdeen division, noted that there was

“a significant reduction in youth calls”

while the 2007 midnight leagues were taking place. A similar point was made by another member earlier on. Inspector Bob Wardrop of Lothian and Borders Police remarked that midnight leagues were an

“excellent way of getting involved with young people in the community”.

They keep young people away from antisocial behaviour.

There have been other initiatives in Edinburgh. The Edinburgh youth cafe has been going for a long time, but it has now benefited from a cashback award and is going from strength to strength—not just in providing a wide range of activities, but in working directly with young people who want to re-engage with their families or communities.

I know that there has been some concern about how money is distributed under the cashback programme, and I might suggest that there will never be enough money. However, although I do not question the fairness of the distribution process, I agree that it could benefit from greater detail and, perhaps, more transparency—especially with regard to the overall strategy. Thinking back to Fergus Ewing's remarks on 2 April, I would say that I fully accept that distributing money effectively across a whole country is an extremely difficult exercise. That is precisely why a more detailed national strategy is required.

YouthLink Scotland and several other independent agencies, such as the SFA, play valuable roles in deciding how funding is allocated. I encourage the Government to continue working with those agencies to strengthen relationships, so that funding allocations can be better co-ordinated. Once funding has been allocated, communities should play a more active part in deciding exactly how the money will be spent. Communities know where the problems lie, and are often best placed to consider different prevention options. Further Government engagement with safer neighbourhood and community police teams, as well as with young people, has the potential to provide valuable input into how best funding can be targeted.

Real progress in developing preventive and diversionary projects has been made, but a lot more could be done. In the first six months of the previous financial year, a record £2.4 million-worth of criminal assets were recovered under the Proceeds of Crime Act 2002, which is an average of £13,000 a day. If the funding is targeted effectively, Scotland can make significant progress in addressing youth crime and antisocial behaviour.

I support the amendment in the name of Robert Brown.

16:30

John Lamont (Roxburgh and Berwickshire) (Con): We welcome the Scottish Government's cashback for communities scheme and the

millions of pounds that have been collected via the Proceeds of Crime Act 2002 and redirected into a range of activities for young people, from sport to culture and the arts. Criminals must learn that crime does not pay, but taking that lesson and turning it into a positive venture for our young people is very powerful indeed.

It is important that we encourage our children and young people and direct them to take part in positive community activities. All too often, the lifestyles of those who are involved in criminal activities can look tempting to our young people: nice house, big car, money to burn and what is perceived to be the respect of the community but is much more often fear. In times of economic hardship, what may appear to be a quick and easy way to make money will be all too tempting to many.

Our young people have energy to burn, and the different activities and schemes that are on offer allow them to focus that energy in rewarding and positive ways. In the Borders, for example, cashback for communities money is helping to fund Selkirk Dry Bar Association's drop-in youth centre for 12 to 18-year-olds, which has games, computers and music, and provides other activities such as dance and movement workshops, visits to other places and a cookery course that covers everything from cooking to shopping and budgeting. The cashback for communities programme is also providing the £2 million that has been invested in sports facilities in and around deprived areas and the £1.4 million that has been invested to deliver free rugby playing and coaching opportunities.

As Bob Doris has pointed out, with the London Olympics looming and the Glasgow 2014 Commonwealth games only five years away, cashback for communities money gives us a great chance to engage with our future athletes, to educate them about healthy lifestyle choices and to help develop their sporting abilities.

An important by-product of the scheme is that it brings positive role models to the attention of children and places them at the forefront of their minds. Many of our children are brought up in areas where, as I have said, fear is mistaken for respect and the local gang leaders or Mr Bigs are the only ones with money and commodities. In those areas, crime becomes a viable employment choice and is run like a business. When there are no other obvious options, why would a child aspire to anything else?

Crime does not pay—that is the message that the Government needs to send out. Last year, the Crown Office reported that it had recovered almost £23.5 million since the Proceeds of Crime Act 2002 came into force. We congratulate the Crown Office on that, and on the important work that it

and the Procurator Fiscal Service do in recovering ill-gotten gains. However, we must go further.

Serious organised crime is a major problem in Scotland. Our police and the Scottish Crime and Drug Enforcement Agency do a great job in tracking down people who attempt to shroud themselves in legitimate business ventures and hide behind layers of criminals, thinking themselves untouchable. The best lesson that we can teach our children is that such people are not untouchable and that they cannot be protected by their assets.

Those people deal in human misery, exposing children to drugs and exploiting vulnerable people through prostitution or trafficking, and we need to launch a fresh offensive. As members such as Margaret Curran and Michael Matheson have said, we need to consider what is being done in other countries, such as Canada, and particularly Ireland, where the Criminal Assets Bureau uses a multi-agency, multi-disciplinary approach and, most important, the onus is on the criminal to prove that their assets were got through legitimate means, rather than the burden of proof being on the prosecuting authority, which is the situation that our Crown Office is in.

The cashback scheme is a worthwhile venture and it is making a difference, showing young people that crime and antisocial behaviour are not the way forward and opening up a range of options and vocations and a different kind of future for many of our young people. The Scottish Conservatives want more money to be made available so that we can expand on the 278 youth projects that currently benefit from cashback for communities funding. However, to do that we might have to make further changes to our legislation so that we can go after Scotland's Mr Bigs and show that crime does not pay.

We will support the Government's motion and the Labour and Liberal Democrat amendments.

16:35

Paul Martin (Glasgow Springburn) (Lab): It is always welcome to get the last penny out of the drug baron's pocket, and the Proceeds of Crime Act 2002 provides an opportunity to do that. Working with the UK Government, we delivered an effective piece of legislation. Without the 2002 act, we would not be debating the cashback for communities scheme in the first place.

The prosecution of criminals has always taken priority and it will continue to do so. However, it has always been unacceptable that the ownership of the proceeds of crime remained immune from legal challenge where criminal proceedings were not available. The 2002 act gives the police the power to seize the cash of suspected drug

dealers. The principle and ethos of the legislation is that the moneys that are seized should be reinvested in communities that are affected by crime.

Like other members, I have seen so-called drug barons flaunting their wealth in communities, with their flash cars and luxury homes, and showing contempt for authority. As Bill Aitken and others have said, that sets the wrong example to future generations. That is why the humiliating—to them—process of recovering drug dealers' wealth is to be welcomed. However, despite the best efforts of the many people who are involved in the process, I am not convinced that we recover anything like as much cash as we should. Richard Baker is correct to say that we should not blame anybody for that, because we recognise the challenges that are involved, but the moneys that are recovered are minute compared with the sums that criminals obtain. Using the Freedom of Information (Scotland) Act 2002, "Panorama" found that, in the past three years, the Scottish unit that is responsible for criminal confiscations froze £60 million of assets but managed to recover just £6 million of that. We all find that unacceptable. Collaboration between all the relevant agencies is important.

On regeneration, as Margaret Curran has said, our communities are held back because of the unacceptable criminal activities that take place within them. Tricia Marwick mentioned that as well. The Parliament must represent not the minority but the majority of people in our communities, who live responsible lives.

We welcome the cashback for communities programme, but we do so on the basis that the communities that are most affected by crime will see the recovered money. There are examples of cashback money being invested in my constituency. Bob Doris helpfully mentioned operation reclaim, which has been running successfully for the past five or six years, following the tragic murder of Firsat Dag in Sighthill in 2001. The additional funding from the cashback programme has been welcome. Reidvale adventure playground in my constituency has also benefited.

There are many good examples of activities for the young, but as others have said, we need more transparency in how projects are identified for funding. I ask the minister to clarify the process in his closing speech. Does a project board decide how funds are invested? It is important that the process is transparent and that we move forward on that basis.

Those who have suffered because of criminal activities should see the proceeds of crime. As Michael Matheson and Tricia Marwick said, we should ensure that our communities are

empowered to apply for funding. That is another important aspect. All too often, it is those who are more informed or are considered more sophisticated whose applications for Government funding are successful. I am afraid to say that parts of my constituency such as Springburn, Ruchazie and Blackhill, Possilpark in Patricia Ferguson's constituency, and other areas have suffered dramatically because of drug barons. A number of members made the constructive point that those communities must be genuinely empowered to apply for funds.

We should also examine the basic criteria for funding. After all, we want the majority of it to be provided to communities rather than to the authorities that fight crime. I know that certain police authorities in England and Wales have benefited from the cash that has been seized. Richard Baker raised the possibility of police chief constables looking for up to 50 per cent of the assets seized. I acknowledge that the cabinet secretary is dealing with that issue. I understand why police officers and other authorities that fight crime might find the prospect of keeping the cash appealing, and I realise that some might even argue that such a move would incentivise police officers, but I do not think that anyone should need to be incentivised in dealing with this matter. Instead, we should be motivated by our determination to humiliate criminals by stripping them of their wealth and ensuring that they get the message that they will not benefit from our communities and that we will stand up to them and their associates.

The "Panorama" programme that was transmitted earlier in the year filmed Michael Voudouri, who pocketed more than £3 million from an international fraud scheme that he ran. According to the programme, Mr Voudouri, who served a prison sentence for his crime, now lives in a £2 million house in the Stirlingshire town of Bridge of Allan—in Richard Simpson's area, I understand—and drives a £60,000 car. We have to address the public's concern that although we deal with the perpetrators of crime, their families and associates still benefit from those crimes. Indeed, Bill Aitken has made the same point on a number of occasions. We must send a very clear message to those individuals that we will ensure that the law is on our side instead of, as Richard Baker has pointed out, the legal aid system apparently being on their side.

Stewart Maxwell (West of Scotland) (SNP): Given the member's point that we should tackle not only the criminals and Mr Bigs but their associates, has he made a link in his own mind between solving the problem of how we get hold of these people and their assets, and the sections on serious and organised crime in the Criminal Justice and Licensing (Scotland) Bill, particularly

the proposal to make it an offence not to disclose any knowledge of serious organised criminal activity? Has the Labour Party reached a view as to whether it will support that measure?

Paul Martin: It would be completely wrong of us to draw conclusions on any section of the bill before we have interrogated it. However, as Bill Butler and Richard Simpson have pointed out, the issue of reasonable doubt was dealt with in the Proceeds of Crime Act 2002 to ensure that the benefit of the doubt fell on the prosecution rather than on the perpetrators of crime.

I ask the minister to reflect on some of the issues that have been raised in this consensual debate. Indeed, it has been proven this afternoon that we can reach a consensus on justice issues. However, the debate has also been challenging, with Margaret Curran in particular making some robust points about the criteria and the need to ensure that the communities that are most affected by crime feel that their needs have been identified. Those points must be dealt with.

I ask members to support Richard Baker's amendment.

16:44

The Minister for Community Safety (Fergus Ewing): This afternoon, we heard many constructive comments from all parties right across the chamber. The tone of the debate has been mostly positive, at times even amiable; indeed, it appeared at one point to stray into bonhomie. "Whatever next?" one might ask.

We also listened to some rarely heard assertions. Margaret Curran, for example, stated that she was known best of all for the consensual tone of her remarks. Shirley-Anne Somerville spoke up for the interests of goths, who apparently are apprehensive of vandals and even, perhaps, huns. We even heard the assertion that Bill Aitken was once a young person. It has been an afternoon of unfamiliar terrain for old hands.

All members praised the basic idea of cashback, which is to use criminals' ill-gotten gains to benefit young people throughout Scotland. Shirley-Anne Somerville set out the argument crisply and succinctly, but all members acknowledged that the policy is excellent. As with all excellent policies, there were many competing bids for parenthood—unlike other policies, which often seem to be more like orphans—but whether the credit is due to previous justice ministers or deputies such as Dr Richard Simpson, who made an interesting speech, or the current cabinet secretary, Kenny MacAskill, does not matter as much as the fact that the programme is being delivered successfully throughout Scotland. We can all welcome that.

I do not want to be repetitive in the substantial time that I have for my speech, but it is fair to say that the first step is the apprehension and bringing to justice of drug dealers and other organised criminals.

Robert Brown: Will the minister take an intervention?

Fergus Ewing: Why not?

Robert Brown: I am happy to assist the minister. He and other members have spoken about drug dealers, but does he accept that there is a significant problem with people trafficking, from which lots of money is made, albeit sometimes abroad? Will he say something about the ability to recover money from people traffickers?

Fergus Ewing: Robert Brown is right to point to that particularly venal and abhorrent area of criminal activity. He will recall that he and I took part in a separate debate on the issue. The difficulties with apprehending those who are engaged in that vile trade are apparent to all of us and are to do with persuading people to give evidence or at least to remain here to give evidence. However, in principle, I accept that point and we will bear it in mind.

We start with the need to apprehend criminals—I pay tribute to the work of police officers throughout Scotland. Lothian and Borders Police's operation focus resulted in 66 arrests, 19 people being remanded, 44 being bailed and more than £50,000-worth of drugs being seized. Grampian Police's operation Lochnagar resulted in 155 arrests. Proceedings are on-going, so the numbers of individuals bailed and remanded have not yet been released, but £77,000-worth of drugs was seized. In a Tayside Police operation, seven individuals were apprehended—two are on bail awaiting trial and four were remanded in custody. In each case the police carried out those operations after a protracted, detailed and thorough effort to gain evidence, using methods such as undercover police officers. The police engaged fully with the communities that are most affected by drug dealing and carried out concerted raids on criminals' houses.

We must all acknowledge the excellent work that our police carry out daily throughout the country. I have mentioned campaigns in particular areas, but work is being done in all parts of the country. As I understand it, operation Lochnagar might be regarded as one of the most successful operations against crime ever carried out in Grampian. I mention that because although members are quite right to say that we can learn from other countries such as Canada and Ireland—various members have made good points about ways in which we might learn, and we are willing to do so—we

should look at the good work that is carried out here at home first and give credit where it is due. Members will know that I am an unstinting and unswerving supporter of the police and the work that they do.

We have heard much about the activities that are funded by the cashback scheme. The cabinet secretary outlined the fact that 100,000 children have been assisted thus far and that tens of thousands more are about to receive the chance to participate in these schemes. More than £13 million has been invested in a range of projects for young people: £4 million to YouthLink, which I praise for its excellent, outstanding and effective work in administering many separate components throughout the country; £1.4 million to the SRU; £1.7 million to Scottish Sports Futures and basketballscotland; £2 million to the sports facilities fund—members have referred to facilities that have been funded by the scheme; £600,000 to Arts and Business in Scotland; £1.2 million to the Scottish Arts Council and Scottish Screen; and £2.5 million to the SFA.

I do not think that anyone mentioned this in the debate, so I am sure that members will be pleased to hear that the SFA is one of only seven national associations to be awarded the new Union of European Football Associations grass-roots six-star membership. Cashback-funded projects were one of the main aspects of the submission to UEFA and the SFA is grateful for the support from the Scottish Government, which enabled it to deliver such a worthwhile programme for many people.

I will respond to as many as time permits. A number of members, particularly Bill Butler, who made a magnanimous and measured speech, talked about how the distribution of the funding reflects the level of deprivation and the communities that suffer most from the impact of crime. The distribution formula does reflect deprivation. I have it in front of me, but I do not think that I have sufficient time to read it all out; it is perhaps of interest to those who are interested in technicalities. However, I am assured that it reflects deprivation. That is an important point and I am happy to write to Bill Butler and other members on it in more detail. The scheme seeks to benefit more greatly the communities that need it most.

Many members, including Bill Aitken, Margaret Curran and Bob Doris, mentioned Glasgow. I praise the work carried out by the Strathclyde violence reduction unit led by John Carnochan and the community initiative to reduce violence, which provides £1.6 million in addition to the cashback money to tackle that serious and engrained problem in Glasgow.

Bob Doris said that Glasgow has benefited to the tune of £680,000 over the past three years. In fact, the figure is even better than that. YouthLink alone contributed £785,000 to Glasgow, which is £490,000 more than the next biggest beneficiary.

Michael Matheson made a detailed contribution about those who might or might not be entitled to apply and qualify for assistance under the cashback scheme. I understand that the football clubs that he mentioned could in fact have applied under the rules. Clubs do not have to be community clubs, but they do have to involve young people. Michael Matheson said that clubs do great work with young people in his constituency, so I hope that what I have said has reassured him and that he will act accordingly.

A number of members, including Bill Aitken, Margaret Curran and Tricia Marwick, referred to volunteering. I can confirm that volunteering is a huge focus for the cashback initiative. A great deal of volunteering is already taking place. For example, 1,700 volunteers each year are involved with the SFA strand of the cashback policy and 400 volunteers each year are involved with the SRU strand.

Members are right to say that we need to consider why people might be deterred from volunteering and that barriers exist that might prevent people who would otherwise be interested in volunteering for that kind of activity from doing so, but I am sure that members acknowledge that huge contributions are made by individuals throughout the country who carry out excellent volunteer work.

I hope I will not try the patience of members if I refer to a few of the projects that I have visited. They include the street rugby activity in Falkirk, which I visited on 27 February, and the twilight basketball programme in Inverness, which I visited on 8 May. The basketball scheme that operates in Glasgow has resulted in one young man, who is now 17, winning a scholarship to the United States of America through his basketball prowess. That is a terrific achievement and it shows what can stem from such a project.

Last month I attended the Scottish community wardens conference, at which I had the opportunity to speak to the individuals who are on the front line of tackling antisocial behaviour. There is great support for cashback for communities from community wardens, who are able to identify young people in our target audience and direct them to local activities.

Kathy Tooke, the community wardens manager in Renfrewshire, said:

"Wardens deal with antisocial behaviour on a daily basis. We know that not all young people in our communities are troublemakers but sometimes they feel as though there's

not much for them to do. Through these CashBack activities I have seen kids and teenagers benefit enormously: their horizons have been broadened and their energies focussed. I am delighted that Wardens are able to direct young people to a host of CashBack activities in their local areas. I am excited to see these great projects continue."

I am pleased—

Dr Simpson: Will the minister give way?

Fergus Ewing: Certainly.

Dr Simpson: Will the minister and his team consider the possibility that some of the victims of crime are children? That includes looked-after children, who are singularly disadvantaged in many respects and often have difficulty getting into such schemes. Will the minister consider whether such children could be given specific help from the scheme in future?

Fergus Ewing: We are certainly happy to consider that suggestion, along with all the other suggestions that members have made in the debate. We will, as is customary, study members' contributions and consider specific suggestions. It would be helpful if members could provide more details on their suggestions in writing.

We are concerned to ensure that there are more things to do for girls, as well as for boys. Many of the cashback activities perhaps focus more on boys than girls, but I learned in Inverness on Monday that while the boys are playing football in the local football project, the girls are coming along, as girls may tend to do when there are boys about—

Members: Oh!

Fergus Ewing: Well, I thought that that was very interesting—*[Interruption.]*

The Presiding Officer (Alex Fergusson): Order. I ask members to settle down.

Fergus Ewing: I thought that that was an uncontroversial statement, Presiding Officer, but if I have offended the sensitivities and sensibilities of any member, I humbly apologise.

I was going to say that as well as the football activities, which are provided by the community police and many other volunteers—the excellent upstanding citizens of Inverness—a mobile unit is provided by Action for Children where girls can, and do, go to get advice about sexual health and jewellery making, I believe.

I am told—*[Interruption.]*

The Presiding Officer: Order. I ask members to cut down on the background noise.

Fergus Ewing: I am sure members will be fascinated by this bit, Presiding Officer. I am told that some of the boys who play football are so

interested and engaged in the prospect of learning jewellery making that they want to stop playing football and learn how to make jewellery, so they are obviously in touch with their feminine side—*[Interruption.]*

The Presiding Officer: Order. The minister should be closing now.

Fergus Ewing: All right, Presiding Officer, but I was only just warming up.

Shirley-Anne Somerville was absolutely right to say that only a minority of children in Scotland get in trouble. It is only a handful of that minority who pose a serious problem to Scottish society.

It is known that I am neither an acolyte nor disposed to sycophancy in any way. However, the strong leadership that the Cabinet Secretary for Justice has shown in delivering record numbers of police and the lowest crime levels ever known in our land are matched only by the success of the cashback scheme, which we will all support this afternoon.

Point of Order

Iain Gray (East Lothian) (Lab): On a point of order, Presiding Officer.

Will you advise me on the obligations on ministers to provide full information when they respond to questions in the chamber? Earlier today, as you will recall, the First Minister and I had a robust exchange on absconds from the open prison estate. I find it hard to believe that he was not aware at that point that a life prisoner had failed to return to Castle Huntly yesterday. The prisoner had absconded; a fact that the First Minister did not see fit to mention in passing. That seems a clear failure to observe the obligation on ministers to provide comprehensive answers. At the very least, I expect Mr MacAskill to make a statement—very shortly—to explain how this has come about.

The Presiding Officer (Alex Fergusson): As Mr Gray is aware, it is not for me to rule on the veracity of ministerial answers. If any member wishes to come to the chamber in light of what has been said, they are entirely free to do so.

Bill Aitken (Glasgow) (Con): Further to the point of order, Presiding Officer.

As you will be aware, under questioning from Mr Gray and Annabel Goldie at First Minister's question time today, the First Minister dealt with the issue of abscondee. We now have a situation where another convicted murderer has gone absent without leave from Castle Huntly prison. In the circumstances, is it appropriate for you to give the First Minister the opportunity to make a statement—now, in the chamber—on the circumstances of the abscond or will you direct him along the lines of making a full written statement when he has the opportunity to do so at the conclusion of this meeting?

The Presiding Officer: As the member knows, matters for business in the chamber are decided by the Parliamentary Bureau. Any such request will be considered accordingly. I have no more to say on the matter.

The First Minister (Alex Salmond) rose—

The Presiding Officer: The First Minister wishes to respond.

The First Minister: Further to the point of order, Presiding Officer.

The release of information on prisoners in this regard is an operational matter for Tayside Police. It would be extraordinary if any politician tried to change that. I could also mention that if this new criterion—of ministerial statements on abscondee—had been followed previously, we would have had 60 when the Labour Party was in office and 80 when the Tory party was in office.

Decision Time

17:04

The Presiding Officer (Alex Fergusson): There are nine questions to be put as a result of today's business. The first question is, that amendment S3M-4245.1, in the name of Richard Baker, which seeks to amend motion S3M-4245, in the name of Robert Brown, on a missing children alert system, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S3M-4245, in the name of Robert Brown, on a missing children alert system, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament supports the establishment of strong cross-Europe working to ensure that there are effective, linked "amber alert" systems in place to bring European-wide attention to missing children; understands that early action is critical in locating missing and abducted children and that the experience of those countries that have alert systems in place, such as the United States of America, is extremely positive; welcomes the formal adoption of the written declaration on Emergency Cooperation In Recovering Missing Children as a resolution of the European Parliament in April 2009 but regrets that European countries currently fail to cooperate effectively when recovering missing children and that progress has been slow, and calls on the Scottish Government to work proactively and constructively with the UK Government and to encourage Scottish police forces to collaborate with their UK and European counterparts to ensure that all missing children alert systems and cross-border cooperation policies, including the 116 000 European hotline, are operational as soon as possible to bind the country effectively into the European system.

The Presiding Officer: The next question is, that amendment S3M-4246.2, in the name of Jim Mather, which seeks to amend motion S3M-4246, in the name of Jeremy Purvis, on supporting Scottish business, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
Aitken, Bill (Glasgow) (Con)
Allan, Alasdair (Western Isles) (SNP)
Brown, Gavin (Lothians) (Con)
Brown, Keith (Ochil) (SNP)
Brownlee, Derek (South of Scotland) (Con)
Campbell, Aileen (South of Scotland) (SNP)
Carlaw, Jackson (West of Scotland) (Con)
Coffey, Willie (Kilmarnock and Loudoun) (SNP)
Constance, Angela (Livingston) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Don, Nigel (North East Scotland) (SNP)
Doris, Bob (Glasgow) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Fabiani, Linda (Central Scotland) (SNP)

FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 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)
 McLaughlin, Anne (Glasgow) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, 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)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 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)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

The Presiding Officer: The result of the division is: For 63, Against 56, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-4246.1, in the name of John Park, which seeks to amend motion S3M-4246, in the name of Jeremy Purvis, on supporting Scottish business, as amended, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S3M-4246, in the name of Jeremy Purvis, on supporting Scottish business, as amended, be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Allan, Alasdair (Western Isles) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Campbell, Aileen (South of Scotland) (SNP)

Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McMillan, Stuart (West of Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Paterson, Gil (West of Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)

Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 O'Donnell, Hugh (Central Scotland) (LD)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)

The Presiding Officer: The result of the division is: For 105, Against 14, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament notes the serious difficulties faced by the Scottish businesses struggling to access the funds that they need during the economic downturn, with the double squeeze of late payment and tighter lending a critical concern for small businesses in particular; notes that the Welsh Assembly Government is using European Investment Bank (EIB) funding to help small businesses bridge funding gaps, supporting the expansion of 800 businesses and creating up to 15,000 jobs across Wales; further notes that the Scottish Investment Bank, announced by the First Minister on 21 April 2009, will initially bring together approximately £150 million in public sector resource to support company growth in Scotland; also notes that, following this first step, the Scottish Government will look to enhance the scale and impact of such financial support to growing Scottish businesses including the potential to secure significant additional funds from the European Investment Bank through the establishment of a Joint European Resources for Micro to Medium Enterprises (JEREMIE) fund for Scotland, and considers that, among other measures that the Scottish Government has introduced, its small business bonus scheme has helped the tens of thousands of Scottish firms now exempt from paying local business rates, and calls on the Scottish Government to provide detailed information about the Scottish Investment Bank proposal announced by the First Minister at the STUC conference on 21 April 2009.

The Presiding Officer: The next question is, that motion S3M-4250, in the name of Alex Johnstone, on the reappointment of the Commissioner for Public Appointments in Scotland, be agreed to.

Motion agreed to,

That the Parliament nominates Karen Carlton to Her Majesty The Queen for reappointment for a second term as the Commissioner for Public Appointments in Scotland from 1 June 2009.

The Presiding Officer: The next question is, that amendment S3M-4244.1, in the name of Richard Baker, which seeks to amend motion S3M-4244, in the name of Kenny MacAskill, on cashback for communities, investing the proceeds of crime back into our communities, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-4244.2, in the name of Robert Brown, which seeks to amend motion S3M-4244, on cashback for communities, as amended, be agreed to.

Amendment agreed to.

The Presiding Officer: The final question is, that motion S3M-4244, in the name of Kenny MacAskill, on cashback for communities, as amended, be agreed to.

Motion, as amended, agreed to,

That the Parliament welcomes the fact that, since its launch in January 2008, the CashBack for Communities programme has provided positive opportunities and activities for over 100,000 young people in Scotland; recognises that providing healthy and fun activities not only gives young people something to do, but can help in reducing crime and antisocial behaviour by diverting the small minority who cause trouble away from such behaviour; welcomes the fact that the CashBack programme has been funded through £12 million recovered from criminals using the Proceeds of Crime Act 2002; commends the significant efforts of partners in the CashBack programme including Youthlink, Scottish Football Association, Scottish Rugby Union, Basketballscotland, Scottish Sports Futures, sportscotland, Scottish Screen and the Scottish Arts Council, as well as the very many local projects and volunteers that are making the scheme a success; believes that every effort should be made to ensure further progress in recovering assets from those who profit from crime, and believes that funds obtained through the Proceeds of Crime Act 2002 should continue to be focussed on projects in communities affected by crime and in activities that provide diversion from offending, and calls on the Scottish Government to promote closer working and engagement between safer neighbourhood and community police teams and young people in efforts to prevent and tackle crime and antisocial behaviour and to ensure that the CashBack money is distributed fairly so that the whole of Scotland can reap the benefits of the scheme.

Infertility Treatment

The Deputy Presiding Officer (Alasdair Morgan): The final item of business today is a members' business debate on motion S3M-3741, in the name of Helen Eadie, on inadequate infertility treatment.

Motion debated,

That the Parliament notes with concern that couples seeking fertility treatment in the NHS have to wait for 20 months in Glasgow, 13 months in Lanarkshire, 13 months in Ayrshire and Arran, 15 months in Dumfries and Galloway, three years in Lothian, six months for Lothian self-funding, up to 18 months in Grampian, up to 14 months in Highland, 12 months in Tayside, up to two years in Fife and up to two years in Forth Valley and that Orkney decides on a case-by-case basis; is pleased to learn that Shetland has no waiting restrictions; is extremely disturbed to note that Fife NHS board ranks among the worst providers of the service in Scotland in that each frozen embryo is counted as a cycle when other NHS boards require fresh and frozen embryo(s) to count as a cycle and that Fife NHS board only provides two cycles whereas other NHS boards provide three, thereby effectively giving Fife couples a third less of an opportunity for this treatment that some other couples in Scotland have; expresses particular concern that when a woman is in a relationship with a partner who has a child from a previous relationship she is denied access to any form of NHS provision in this area of specialism, and considers that NHS Lothian provides an example in increasing the age at which it accepts prospective fertility treatment candidates in consideration of the fact that many couples will not know that they need fertility treatment until their late 30s and are subsequently restricted by the unacceptable waiting times.

17:08

Helen Eadie (Dunfermline East) (Lab): Why am I concerned about the inadequacy of assisted conception services in Scotland? In the 10 years during which I have been a member of the Scottish Parliament, a number of couples have raised with me their problems in trying to conceive a child. About one in six couples seeks specialist treatment for fertility problems, and infertility can have a profoundly distressing and devastating impact. However, excellent results can be achieved in providing assisted conception services if patients are rapidly investigated and referred for appropriate treatment.

What outcome am I hoping for from the debate? I hope that the Minister for Public Health and Sport will agree to more funding in order to eradicate the unacceptably long waiting lists for assisted conception services. I know that the Scottish Government has, in answers to my parliamentary questions, accepted that there is a postcode lottery as far as infertility services are concerned and it has agreed that that is simply not acceptable.

How can we fail to care about women who have been told, as one Edinburgh woman was, "Don't

even try to join the waiting list. You're 36 years old now, and by the time you reach the top of the queue you'll be 39 and outwith the guidelines"? That young woman was typical of many, in that she studied hard at school, graduated, saved for a first home and then settled in. In the meantime, her biological clock was ticking and by the time she realised that there was a medical problem, it was too late. There was no possibility of treatment from Lothian NHS Board, because by that time she was 36. She and her partner raised the finance to go private, however, and the happy outcome was a child.

How can we fail to care about such couples and about the couples who cannot raise the finance to go private? The costs of private treatment range from £4,500 to more than £25,000, as in another case with which I am familiar. That couple now have two sons, but they also lost one baby in a miscarriage. A further outcome that I am looking for from the minister is for her to ensure that the recommendation of the expert advisory group on infertility services in Scotland that there be an age limit of 41 for infertility treatment is implemented across Scotland. That would partly alleviate what is in some ways a chaotic situation, with many health boards having different policies.

How can we tackle the problems and ensure equality of access for all? I know, from discussing the issues with a variety of professionals—including Professor Scott M Nelson, who is Muirhead chair of obstetrics and gynaecology at the University of Glasgow—that there exists the capacity to address infertility in national health service hospitals throughout Scotland. There is an informal network of relevant clinicians who are in contact with one another and can vouch for the infrastructure being able to cope. However, Professor Nelson advises me that the infertility units in various health boards are given fixed budgets each year and that they are instructed, when the money runs out, to stop treatments there and then and to restart them at the beginning of the next financial year. That could mean that treatments are stopped in the 10th month of the financial year, with units not operating for two months.

That situation has arisen because health boards have chosen to ignore the guidance that the Cabinet Secretary for Health and Wellbeing gave them. There has also been the EAGISS recommendations, the "Report of the Review of Infertility Services in Scotland" and the development at United Kingdom level of the National Institute for Health and Clinical Excellence guidelines. I understand that some health boards follow the EAGISS guidelines and some follow the NICE guidelines, while others do not follow any.

The previous Government sent out guidance in April 2007 in the shape of the "Report of the Review of Infertility Services in Scotland". A recap, with an update on the criteria, was issued by the health department in December 2008. Despite that, only seven health boards are attempting to meet the requirements of the guidance. In a response to a recent parliamentary question, I was advised that the minister is in discussions with another three health boards on application of the guidelines from her health department. The concern for members of the Scottish Parliament is that the other seven health boards can simply ignore the cabinet secretary and the health minister. In response to that point, the cabinet secretary said in a written answer:

"NHS boards are subject to on-going performance management by the Scottish Government Health Directorates and are required to formally account to ministers at their Annual Accountability Review."—[*Official Report, Written Answers*, 5 May 2009; S3W-22676.]

It seems to me that that job is not being tackled effectively, so I ask the minister this evening to give assurances to members that that item will be high on her agenda during each one of the reviews.

The Minister for Public Health and Sport (Shona Robison): I will certainly undertake to do that. I agree that at issue is what we do on our watch, so I am more than happy to take responsibility for what we have done since 2007.

However, does Helen Eadie acknowledge that there is a question to be asked about what happened during the previous 10 years? Will she reflect on whether more progress could have been made during that time, which would have put us in a better place today?

Helen Eadie: The problem goes back a long way before that time. In reality, the Scottish Government is in the driving seat now and has given a commitment to the people of Scotland, so it is up to it to do more than pay lip service to the matter. I want action now.

I hope that members and supporters of Infertility Network UK will make it their business to turn up at the public reviews with the minister in towns this summer, having given advance notice to the minister of their questions. I shall certainly urge members of the network to do so.

There are other issues that I urge the cabinet secretary to tackle. Why have expert views in the 2007 review seemingly been dismissed? The clear preference of all respondents—including all the experts and voluntary organisations—was that it should be clear that the female should not have reached her 40th birthday at the time of treatment. Given that, why does NHS Lothian still have the nonsense of telling a young woman not to bother

to go on the waiting list when she is 36 years old, because Lothian's age limit is 38 and she would have passed that deadline by the time she reached the top of the queue, as the waiting time is three years? If all that is not bad enough, some health boards send couples back to the end of the waiting list if the first treatment cycle is unsuccessful, which can be emotionally and psychologically devastating for them. The whole process is a rollercoaster of emotion for them.

Another issue is that in Fife NHS Board, not only is the waiting time two years, but treatment cycles are limited to three frozen embryos. That goes totally against the NICE and EAGISS guidelines. The EAGISS guidelines specify clearly a maximum of three embryo transfers, including two fresh cycles and one transfer of frozen embryos. If no frozen embryos are available, there should be one additional fresh cycle. I recognise that that is technical but, for the individuals who are concerned, it is crucial to treatment. One fresh cycle typically produces up to three embryos—one for fresh implantation and two for freezing. One treatment cycle has a minimum price tag of about £4,500. Each fresh treatment cycle requires another £4,500 and requires ovary stimulation, with the attendant risks for women from the drugs that are used. EAGISS recommended a limit of three fresh cycles. That was supported in the public consultation in 2007.

On social criteria, EAGISS recommended that neither partner should have been previously sterilised and that the couple should have no child living in the home. The NICE guidelines did not identify non-clinical criteria, but the Secretary of State for Health at Westminster said that priority should be given to childless couples. The response to the public consultation on the review group's report showed no clear preference for specific changes to criteria, but 70 per cent of respondents favoured some relaxation of non-clinical criteria.

I am grateful for having been given the opportunity by my colleagues to have this members' business debate and I am grateful for the support of colleagues in the chamber this evening. I respectfully urge the minister to respond meaningfully and not politically to the concerns that I have been asked to articulate on behalf of all those who are suffering throughout Scotland. On behalf of all the couples throughout Scotland who are waiting for treatment, I call for equal access for those with an established clinical need to a full range of services for the investigation and treatment of infertility on the NHS. I ask the Scottish Government to set targets to cut waiting lists in a phased way, in order to achieve a wait of not more than six months, and to put in place a special initiative urgently.

17:18

Angela Constance (Livingston) (SNP): I thank Helen Eadie for giving me the opportunity to speak in the debate, as I would like to record my appreciation of the world-class work that the Simpson centre for reproductive health at the Edinburgh royal infirmary does to help and support childless couples.

Thousands of babies are born as a result of in vitro fertilisation treatment. The latest figures, from 2005, show that 10,000 babies were born throughout the UK as a result of IVF in that year, of whom 942 were born in Scotland. Of course, all children are special and all parents boast, but I have no doubt that the mothers of IVF babies have more bragging rights, because their miracle babies are a triumph not only of medical science, but of faith.

I have always believed that being a parent is a privilege and not a right, but everyone should have the same right to treatment. Equity of access is a founding principle of our national health service. I am therefore interested to hear from the minister what progress has been and will be made to ensure universal implementation of the recommendations of the expert advisory group on infertility services. As Mrs Eadie said, variations in the upper maternal age limit and in definitions of a treatment cycle are unacceptable. We know that, for clinical reasons, unexplained infertility will not be diagnosed until three years have elapsed. A woman living in the Lothians will then have an additional three-year wait for treatment. For a woman in her 30s, six years is far too long to wait.

If someone has unexplained infertility and is in their 20s, there is a 50:50 chance that treatment will be a success. If they are in their early to mid-30s, that reduces to one in three. If they are in their mid to late 30s, it reduces further, to one in four, and for those over 40, it reduces to one in 10. Speedy treatment is therefore imperative. I know of no couple who go into treatment blind to those statistics. To put oneself through treatment is to let the genie of hope out of the bottle when, for many people, there will be no baby at the end of the rainbow—only disappointment and despair. For that reason, I commend Infertility Network UK on the work that it does not only in assisting couples in accessing treatment but in supporting them to live with its consequences, good and bad. I hope that the minister can advise us what support is currently available to such organisations.

The funding and availability of fertility treatment—like all health services—invariably rightly becomes wrapped up in political issues of choice and priority, but it should not become a political football. As a back bencher, I want to do all that I can to push fertility treatment up the list of political priorities, but I have the luxury of not

having to make the hard decisions for which the minister must account. However, for those who have had to work harder than most at conception and have eventually been blessed with the safe arrival of a real wee person who looks so unique but so familiar, we know how lucky we are. As Mrs Eadie stated, it costs approximately £4,000 per cycle of treatment, but our children are priceless. Fertility treatment may not be life saving, but it is certainly life giving, in more ways than one.

17:22

Mary Scanlon (Highlands and Islands) (Con): I, too, thank Helen Eadie for securing this debate.

I had a members' debate on infertility services and treatment on 27 January 2005. It has been interesting to look back at what motivated me to seek that debate and at my expectations for action following it. My motivation was based on the same issues that Helen Eadie and Angela Constance raised in their speeches. For example, couples now seeking fertility treatment can wait for 18 months in Grampian, 20 months in Glasgow and two years in Fife and Forth Valley. An even more disturbing fact is that people in Lothian who can afford to self-fund their treatment will get it in six months, whereas those who cannot must wait for three years. That hardly fits into the equality of access agenda—it is a clear example of a postcode lottery.

Another issue that was raised in the debate four and half years ago was the profoundly important role of male factors as a cause of infertility, with the average sperm count continuing to fall. Although many people assume that infertility is a female issue, male factors are responsible for 40 per cent of infertility cases; female factors are responsible for 60 per cent of cases.

Another serious issue is the continuing use by many health boards of a range of body mass index levels, either to ration treatment or for safety—who knows? Clarity is needed on the issue. Some health boards do not fund the treatment of anyone with a BMI of more than 30. Others set a BMI of 35 and channel patients to weight reduction before treatment is considered. However, being overweight and being very low weight enormously affect ovulation and mean that more people are presenting for treatment.

Infertility is now acknowledged as a medical problem. Previously, it was not given the same priority, because it was classified as a lifestyle choice. Women are still deferring childbirth, with clinics seeing a doubling of the number of women over 35 attending in the past 10 years while, over the same period, the proportion of women under 35 attending has halved. I imagine that that trend

is likely to continue in the current economic situation.

The removal of the anonymity of sperm donors has drastically reduced the availability of sperm in Scotland, with many clinics purchasing from London at a cost to the NHS or the patient of £2,500 per course of treatment. I understand that all fertility clinics in Scotland are struggling to maintain a donor insemination service, with many waits of up to and over a year. Still, more than 5,000 couples present for infertility treatment each year.

The final point that I will mention, which arose in the previous debate and is as pertinent today, is the range of emotions that couples go through—fear, guilt, anger, shock, shame, isolation and inadequacy. That was highlighted previously by Infertility Network Scotland.

What has changed in four and a half years? The Westminster Government introduced an 18-week referral-to-treatment target in mid-2008, which has, understandably, had a dramatic effect on waiting times. In Scotland, we had a consultation and then a report on the review of infertility services, which was published in March 2007. On its back page, the review promised

“to consult with service providers and other stakeholders in developing the recommendations on waiting list management, which will be published in the summer of 2007.”

We are now in the summer of 2009 and we are still waiting for those recommendations. As Helen Eadie said, there needs to be greater clarity on fertility issues such as the definition of IVF—whether fresh or frozen—a consistent age bar to treatment and an urgent look at donor insemination services, whether on a Scotland or UK-wide basis.

I welcome the debate and look forward to hearing the minister break the silence on infertility issues so that couples throughout Scotland who face such problems can be given some hope of parenting a child.

17:27

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I congratulate Helen Eadie on obtaining this further debate on infertility. It is clearly an important issue. Indeed, the level of fertility appears to be declining, although the birth rate has gone up in the past five years. A number of factors are associated with that—as Mary Scanlon said, there is a general feeling that male fertility is declining—so it is important that we debate the issue.

I had the good fortune to serve under Dr John Ford on a commission in the 1990s that led to the

publication of a report entitled "Infertility Services in Scotland". The report was written in 1992 and published in 1993, and I am sorry to say that the issues that are being debated today are broadly similar to those that were debated then. The only change is that the cause of infertility—when it can be established by a diagnosis—is something that couples are now entitled to know. There is a more rapid approach to that. However, in 1992, there was a huge postcode lottery even for access to a diagnosis. As Angela Constance said, as a first step, every patient and every couple should be entitled to a diagnosis when that is possible. Not knowing the situation that they are in is very difficult for them.

Much of the commission's work centred on some highly technical aspects of infertility. As the general practitioner and psychiatrist on the commission, I was particularly concerned about the psychological aspects of services. Among other things, the variation in waiting times throughout the country meant that many couples were being unduly stressed by the uncertainty of the situation. Indeed, the whole management of infertility was, at that time, characterised by massive uncertainty.

The commission, which was supported by the Scottish Health Advisory Service, made 27 recommendations, all but six of which were accepted by the then Conservative Government. Of those six, three were commended to health boards for their consideration and the remainder were passed on to a new clinical resource and audit group advisory committee.

The one recommendation that was not accepted was that reproductive services should receive centrally determined funding, and that remains the case. It is for health boards to decide what funding they allocate to infertility treatment. Inevitably, that leads to the postcode lottery that Helen Eadie and Mary Scanlon have ably described. When the commission produced its report, we had four Scottish centres for infertility services, and that is still the case. Consideration should be given to the direct funding of those centres on a regional basis. Looking back at the notes that I made at the time—my wife does not like the fact that I tend to hoard all my papers—it is interesting to discover that many of the centres were charitably supported because they did not have sufficient NHS funding even to provide a basic service.

As I have said, it is clear that without careful planning and the provision of effective support, couples can be left in a cycle of apparently never-ending investigations. When there is no closure, couples cannot deal with the sense of loss that they are bound to experience. The uncertainty means that depression is quite commonplace during that process. Our recommendation that an

infertility network and a network of specialist nurses be established has been helpful.

I have concentrated on the history of the issue, but we are concerned about the future. It is true that NHS funding will always be limited, so it is difficult to provide adequate funding to cover all the new medical technologies that are available. Whatever we do, we must try to eliminate the postcode lottery. It is totally unfair that some couples have enormous waiting times simply because of where they live.

In January, I asked the Scottish Executive whether infertility treatment would be included in the 18-week waiting time initiative. The cabinet secretary's reply was that she was aware that some boards had invested in reproductive services in an effort to reduce waiting times and that the issue of waiting times was being considered. Four or five months on, I hope that the minister—the failings of any previous Administration notwithstanding—will be able to give us a clearer indication of whether the present unacceptable postcode lottery will be ended.

17:32

The Minister for Public Health and Sport (Shona Robison): On behalf of the Scottish Government, I welcome the debate. I know that members of all parties have taken a strong interest in what is a complex and long-standing issue.

In 2007, we inherited some complex problems, which, unfortunately, were not addressed by the "Review of Infertility Services in Scotland" that was published in early 2007. The review did not address a range of issues, including the differences in waiting times in different board areas, the problems of gamete donation or the subject of data collection—I could continue.

However, we are making progress: boards are making progress, and a number are reviewing practice in their areas. I am pleased to inform members that NHS Grampian plans to implement the guidance fully by the end of this summer; this month, NHS Orkney has fully implemented the guidance; and NHS Shetland and NHS Western Isles fully implemented it at the beginning of the year. That means that nine boards have implemented, or are in the process of implementing, the guidance. I hope that members will welcome that progress.

Many areas have invested in order to provide a timely service for patients who need to access all levels of infertility services. In many areas, waiting times have improved since the expert advisory group on infertility services published its guidance back in 1999. For example, the average waiting time in the NHS Borders area is currently three months, whereas when the guidance was

published it was five years. The wait had reduced to four years by 2001 and has been at three months for several years.

Over the same period, waiting times have reduced in many other board areas, including those of NHS Ayrshire and Arran, NHS Greater Glasgow and Clyde, NHS Grampian and NHS Lanarkshire. However, we accept that other boards still have considerable work to do. For example, average waiting times in NHS Fife have remained static, at around 24 months, since 1998. That prompts the question why we are beginning to get to grips with the issue only 10 years later.

We are giving the matter our attention, and I hope members will welcome that fact. We are considering options on various complex aspects of infertility services, including how best to ensure equity of access throughout Scotland. We are currently finalising a draft action plan that will cover data collection, waiting times, the definition of a cycle and single-embryo transfer, as well as other important issues that members have raised in this evening's debate. During the summer of this year, stakeholders—including clinicians, the Infertility Network UK in Scotland and the Royal College of Obstetricians and Gynaecologists—will be invited to form an expert advisory group on infertility services to consider the draft action plan. I will certainly ask for regular updates from the group as well as an interim report after six months, which I will be happy to share with Parliament.

Angela Constance made specific mention of the Infertility Network UK in Scotland and paid tribute to its work—I do likewise. We have had constructive discussions with the charity, which I am pleased to say has offered to work with NHS boards throughout Scotland so that they better understand the barriers that exist and to help them implement the infertility guidance in full. I hope that Helen Eadie will be reassured that we have been able to reach that position through constructive dialogue. The lobbying that she suggested will, I hope, not be needed because we will have made the progress that is required. I was delighted to accept the charity's offer of assistance, and over the next three years we will provide funding to it to work with boards to help them address the inequity of access that has existed in Scotland for too many years.

Particular emphasis will be placed, initially at least, on the boards that have very long waiting times and those that have not implemented the 2007 updated criteria in full. We very much hope that boards will see that development as a positive step that will assist and complement the work that is already on-going in individual board areas. We will be in touch with boards in the near future with further details.

I am pleased to be able to say that despite all the challenges that we have faced—and while I acknowledge the challenges ahead—Scotland is the only part of the UK that routinely follows NICE guidelines on the number of cycles of IVF treatment. A majority of our NHS boards allow three cycles of IVF treatment to those who are eligible. In Northern Ireland and Wales, only one cycle is routinely made available. In England, some primary care trusts did not refer patients for treatment at all until recently and the remainder offered only one cycle. As a result of the Infertility Network UK's work with primary care trusts in England, some trusts now offer more than one cycle, and in one area—in the east of England—trusts now offer three cycles of treatment and up to a maximum of six embryo transfers. When we talk about the situation in Scotland, it is important that we get an accurate picture.

We agree that action is required, but we must also recognise where progress has been made. I certainly agree that waiting times require attention and are too high in some areas, but we should recognise the improvements that have been made by the likes of NHS Borders and NHS Lanarkshire since the expert advisory group published the guidelines back in 1998.

As some members are aware, data from the four level-3 infertility clinics in Scotland are not collected by the Information Services Division as the data belong to the Human Fertilisation and Embryology Authority. As the information is not collected, a waiting time target could not be monitored at present. However, we believe that systems need to be established to allow confidential and sensitive patient information to be shared, and over the next few months we will engage with our key partners to discuss those issues to consider how they should be taken forward. We would like those who are eligible for NHS infertility treatment, wherever they are in Scotland, to receive timely NHS treatment.

We recognise that much remains to be done, but we believe that, on our watch, we have made a start in addressing issues that did not receive attention previously. We very much look forward to working in partnership with NHS boards and other stakeholders, particularly the Infertility Network UK in Scotland, to ensure that the Government at last takes seriously the subject of infertility. I do not doubt the difficulties faced by NHS boards with long waiting times, but we will work with them and support them to ensure that there is equity of access throughout Scotland.

I thank members for their speeches in the debate. I will respond to any points that have been raised during it that I have not been able to cover, but I hope that I have managed to give members some room for optimism for the future.

Meeting closed at 17:40.

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