



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 22 April 2010

Session 3

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Scottish Parliament

Thursday 22 April 2010

[The Presiding Officer *opened the meeting at 09:15*]

Business Motion

The Presiding Officer (Alex Fergusson): Good morning. The first item of business is consideration of business motion S3M-6172, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, which sets out a timetable for the stage 3 consideration of the Control of Dogs (Scotland) Bill. Any member who wishes to speak against the motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees that, during Stage 3 of the Control of Dogs (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit being calculated from when the Stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the Stage being called) or otherwise not in progress:

Groups 1 to 3: 20 minutes.—[*Bruce Crawford.*]

The Presiding Officer: Mr Kerr has pressed his request-to-speak button, but I assume that he has done so for the next debate rather than to object to the business motion.

Andy Kerr (East Kilbride) (Lab): Yes.

The Presiding Officer: As no member has asked to speak against the motion—I assume that Mr Purvis has done the same as Mr Kerr—I will put the question.

The question is, that motion S3M-6172, in the name of Bruce Crawford, be agreed to.

Motion agreed to.

Economy

The Presiding Officer (Alex Fergusson): The next item of business is a Labour Party debate on motion S3M-6174, in the name of Andy Kerr, on the economy. We do not have a lot of time available, so members should keep to their times. Mr Kerr, you have 13 minutes.

09:16

Andy Kerr (East Kilbride) (Lab): Put quite simply, the inadequacy and incompetence of Mr Salmond and Mr Swinney in the Scottish National Party Government have cost thousands of Scottish jobs and robbed families of pay packets, all because of the fiasco and the political fig leaf that is the Scottish Futures Trust. The SNP started out with a rash promise in a manifesto laden with false promises. That has led us to the Salmond slump. Nowhere is that more evident than in our construction sector.

I remind SNP members that page 19 of their manifesto said:

“we will introduce a not-for-profit Scottish Futures Trust”.

As far back as August 2007, Alex Neil—then a regular “Newsnight” presenter for the SNP—said that the SFT would be up and running within three months. In 2008, John Watt of Grant Thornton told us:

“It is uncertain; we just do not know what SFT will look like.”

Some things just have not changed. He went on:

“The last date that I heard for SFT having its own funding capability was 2010, which is quite a way off. People will not be able to hold on until 2010 in the hope of seeing a pipeline then.”—[*Official Report, Economy, Energy and Tourism Committee, 29 October 2008; c 1129.*]

There has been no clarity, no pipeline and no funding subsequently.

Around that time, the managing director of Mactaggart & Mickel Ltd said:

“While the Scottish government ponders how the new Scottish Futures Trust might provide an alternative to Public Private Partnerships (PPP), thousands of valuable construction jobs in Scotland are in jeopardy. Immediate and concrete proposals on the SFT will ease uncertainty.”

Of course, the uncertainty was not eased and the jobs were lost. He went on:

“we implore the Scottish government to consider the plight of thousands”

of skilled workers. Perhaps the Scottish Government considered their plight, but it did not act. As ever, it was all talk and no action.

I am glad that Mr Mather has made a guest appearance on behalf of Government ministers

today. When he appeared before the Economy, Energy and Tourism Committee in November 2008, Lewis Macdonald asked him:

“When will the Scottish Futures Trust be fully established? When will the first project go to market?”

Mr Mather replied:

“It will be established as soon as possible.”

Complacent as ever he went on, but Lewis Macdonald questioned him further:

“Do you expect contracts to be let in this financial year?”

The financial year in question was 2008-09. Mr Mather said—wait for it, folks—in his reply:

“I have a folk memory that that will happen.”

Lewis Macdonald asked:

“Are you confident that it will happen?”

Mr Mather said:

“I have been told that it will.”—[*Official Report, Economy, Energy and Tourism Committee*, 5 November 2008; c 1231.]

Mr Mather was told wrong. It did not happen.

What of the First Minister and the Scottish Futures Trust? Mr Salmond said that capital would be raised

“from the issuing of both specific project bonds and general Scottish Executive bonds”.

He went on to say—this would be funny if it was not so serious:

“Candidates for inclusion might be a bullet train on the Shotts line between Edinburgh and Glasgow, and”—

this is irony beyond irony—

“a train link between all three central belt airports, dualling the A9 and the trunk-road network in the South-west and North-east, supporting super-port developments at Hunterston and Scapa ... and electrifying the Glasgow-Edinburgh-Aberdeen rail triangle.”

We have a fantasist First Minister and cruel deceiver who has cost thousands of jobs here in Scotland.

The original concept of the Scottish Futures Trust providing Scottish Government bonds for conventional public financing of infrastructure has, in Unison’s words, evolved into an “expensive quango”. The business editor of *The Sunday Times* said that it was

“hard to spot the difference between the outgoing scheme”—

the public-private partnership scheme of the previous Government—

“and plans for a Scottish Futures Trust”.

There is a difference: the Labour Government in Scotland delivered on schools and hospitals, whereas the SNP Government has not.

So where are we now, to bring the matter up to date? Just last week, the Scottish Chambers of Commerce published a report that highlights the fall in the volume of public sector contracts that the SNP Government has presided over. That report is a total embarrassment for the SNP. In 2007, the value of public sector contracts in Scotland was £1.3 billion. Under the SNP, because of the failure of the Scottish Futures Trust, that fell to £303 million in 2008 and £508 million in 2009. That represents a cumulative fall of £1.8 billion in capital spend. Using the Scottish Government’s own mystifying model—the input-output tables that the Government uses to calculate the impact of its spend on the economy—we see that the employment impact of the £1.8 billion drop in capital spend is equal to 27,200 jobs. This so-called Government has seen jobs lost, families going short and dreams of apprentices turned into nightmares.

The Scottish Futures Trust is not fit for purpose—we all know that—and it was founded on a manifesto promise that is not just broken but shattered. We have a Government that was elected on a false prospectus.

We have seen skilled Scottish workers put out of work, families struggling with smaller pay packets or no pay packet at all and apprentices losing the opportunity to train for the future. One in 10 construction workers has lost their job as a direct result of the Salmond slump. Just last week, Garry Clark of the Scottish Chambers of Commerce said:

“Construction remains in difficulties, and of particular concern is the apparent fall in the volume of public sector contracts. It underlines the need for the Scottish Futures Trust to rapidly expand its delivery of capital infrastructure projects throughout Scotland.”

The fundamental point is that no one knows what the Scottish Futures Trust is trying to do and how it will do it. The construction industry is in crisis because of the hiatus in building projects. The delay is putting off both international and local contractors from investing in Scotland. The delay has led to, and is leading to further, flights in expertise from Scotland. Any projected—somewhat fictional, I think—savings that the Government has claimed for the Scottish Futures Trust are currently being lost through construction inflation.

Let us look at one aspect of the SFT’s programme—the schools programme. Setting aside the nonsense of the SNP’s claim that the schools that are being opened now have anything to do with the SNP Government, let us look at what the Government has announced. In June 2009, it announced 55 new schools, of which 28 were to be secondaries. In the next announcement, mention was made of only 14

secondaries. However, funding has been given for only three of those. How many will have been built and opened in the current parliamentary session? Zero. No schools have been delivered. So much for matching Labour's promise "brick for brick".

The representative from Grant Thornton told the Parliament:

"There is a massive change in the pipeline".

That massive change was that the money had gone. In response to a question, the representative from the Scottish Building Federation said:

"We are already there. If we do not take action now, there will be no point in doing so in six months' time".—
[*Official Report, Economy, Energy and Tourism Committee*, 29 October 2008; c 1128, 1133.]

That was back in late 2008. No action was taken, and the predictions have come true. The warning signs were there, but there was no response from the Government. We are losing expertise in our construction industry and in other industries throughout Scotland.

The Scottish Government's flagship organisation published its "Scottish Futures Trust—Business Plan 2009/10", which, as ever, contains a bit of irony. It states:

"The significance of the construction industry to the local and national economies is also recognised."

Well, it might be recognised, but neither the SFT nor the Scottish Government is doing anything about it. It gets better: the business plan has the cheek to list 16 projects in major activity areas. It is responsible for the delivery of only three, two of which were inherited from the previous Government and the other of which is a quango.

If we look at the situation more closely, we might ask what involvement the Scottish Futures Trust has had in the Forth crossing or the Southern general hospital. The Government's flagship organisation, which has cost taxpayers millions of pounds, is not even involved in the two biggest infrastructure projects in Scotland.

The real tragedy is that the delay and the dithering of the Government have caused real and untold damage not only to the workers in the construction industry, the steel industry and the professional services that support construction but to children and to patients in our national health service, who deserve better infrastructure. We are calling either for the SFT to be scrapped or for the SFT and the Government to get their acts together.

The Salmond slump goes far wider than the construction industry. Professional services and financial services have been affected, as has the steel industry, which relies heavily on work in the construction sector. Of course, quite ironically,

much of the product of the Scottish steel industry was exported to England and elsewhere due to the fact that we had the Salmond slump in Scotland. We have lost the opportunity for the Scottish construction and steel industries to prosper in Scotland. This week, Bone Steel in Lanarkshire went into administration—a company that, 18 months ago, appeared on Newsnight and said that orders were relatively good but that it was doing no business in Scotland because of the SFT, and that the steel that it was making was being sent down to England to build schools and hospitals there.

The figures around our construction industry are damning of this Government. Our gross domestic product figures tell us that the construction sector fell by 10.8 per cent in the year to the end of December 2009. In the fourth quarter of 2009, the service sector and the production sector grew, but the construction sector fell by 2.8 per cent—all as a direct result of this Government's inadequacy and incompetence.

During this debate, I want to call on members to support Labour's campaign for every young person in Scotland to be given the right to quality training. The campaign is gathering momentum. We have support from major trade unions and business organisations, including the Scottish Chambers of Commerce. Our demand is for every young person in Scotland with suitable qualifications to have the right to an apprenticeship. This is an opportunity for us to speak up for the next generation and make a clear statement that every young person should have the right to quality training.

It is quite unacceptable that more than 700 apprentices from the construction trades have lost their jobs in the past year. Those young people are being deprived of skills and the opportunity to train for the future needs of Scotland and our industries.

The Scottish Chambers of Commerce has said that it is

"strongly supportive of continued investment in apprenticeships".

Unite's regional secretary, John Quigley, said:

"The economy is now on the road to recovery, but sustaining growth means we have to invest in skills. That's why Labour's commitment to give young Scots the right to quality training is so important."

The Scottish regional secretary of the Union of Construction, Allied Trades and Technicians said:

"The construction industry is losing confidence in the Scottish Government. We have now waited two years for them to make the Scottish Futures Trust fit for purpose and their failure to bring forward new jobs is creating a major gap in the market."

The Scottish regional director of Community said:

“We think this is a great forward thinking initiative and we are delighted to give it our support.”

At the heart of this debate is the cynical incompetence of this SNP Government; the promises that it made in its manifesto and the announcements that it made later about how the Scottish Futures Trust would deliver for Scotland; a pipeline that has been emptied of more than £1.8 billion; 27,200 jobs that have been lost; and a look of shame on the faces of Scottish Government ministers and their backbenchers. The SNP has failed to deliver, and it is about time that it stepped up and delivered for the construction industry in Scotland.

I move,

That the Parliament notes the recent comments from the Scottish Chambers of Commerce that construction remains in difficulties and that the apparent fall in volume of public sector contracts is of particular concern; notes further its call for the Scottish Futures Trust to rapidly expand its delivery of capital infrastructure projects throughout Scotland and regrets that the Scottish Government's failure to ensure a steady stream of capital infrastructure works has led to the loss of nearly 30,000 jobs in the Scottish construction industry and a massive downturn in the order books of suppliers such as the structural steel industry; welcomes additional funding for housing in the UK budget; notes that 720 construction apprentices have lost their jobs as a result of the downturn in the industry, and calls on the Scottish Government to provide every young person with the right to quality training, including advanced apprenticeship or technician level training for those who are qualified.

09:29

The Minister for Enterprise, Energy and Tourism (Jim Mather): I am grateful for this opportunity to debate the Scottish economy and cut through the cynical and incompetent smokescreen that we have just heard.

I am somewhat at a loss to explain why the Labour Party would want to remind us of its recession and its regulatory race to the bottom that created it.

Andy Kerr: Will the member give way?

Jim Mather: Let me build my argument.

We all know the price that real people are paying for the financial crisis, the bonus culture and the greed that the Labour Party unleashed, with financial players succumbing to the moral hazard of unethically boosting short-term profits in order to boost their bonuses and the United Kingdom Government living in the false belief that that could continue.

Andy Kerr: Will the member give way on that point?

Jim Mather: Let me make the case.

What happened? Elements of the financial sector acted greedily because of the incentives and opportunities to do so that were delivered by the Labour Party. Why did that happen? There was a flawed system of corporate governance. There was a major moral hazard. The UK financial markets failed to perform their essential societal function of managing risk, allocating capital, mobilising savings and keeping transaction costs low. They were also working in the belief that the UK Treasury would bail them out.

Brown, Blair, Darling, the Financial Services Authority, the Bank of England and the Treasury let all of that happen—Gordon Brown admits it. The final word—*[Interruption.]* The final word does not come from Labour members in this chamber; it comes from Bob Thomson, who said:

“After 15 years of new Labour, what have we achieved? We have the biggest deficit in history”—

[Interruption.]

The Presiding Officer: Order. Can we cut out the constant sedentary commentary that is going on? Mr Kerr was listened to in reasonable silence, and the minister should be accorded the same courtesy.

Jim Mather: No wonder they want to block out what they are hearing.

Bob Thomson said:

“People say Gordon Brown saved the banking system, but that's like thanking an arsonist for putting out the fire he started. From any objective standard, he's been a disaster.”

Andy Kerr: On the subject of the regulatory race to the bottom, does Mr Mather condemn the First Minister for talking of the gold-plating of the financial services sector in the UK and John Swinney for saying, in a policy document that was published prior to the previous election, that Scotland must change its regulatory environment and make it more attractive to the financial services sector? The regulatory race would have reached lower levels in the hands of the SNP.

Jim Mather: Certainly not. We were entitled to expect that the FSA, the Treasury, the Bank of England, the US Federal Reserve, the US Treasury and the US Securities and Exchange Commission were doing a proper job, but they were not; they were absent and they missed what was happening.

We have a UK Government that was able to fail during a global boom and is now trying to obliterate its inept handling of that boom. It wants to hide its responsibility for the financial services crisis and is attempting to lay the responsibility at the door of an SNP Government that has made the best of an outrageously poor pass from the UK Government. The result of Labour's policies is the biggest downturn in recent memory, and its

members in this chamber seem to be cheery about it.

I am sure that members will join me in welcoming news that the Scottish economy has now moved out of recession. The latest statistics, released yesterday, show that output in the Scottish economy grew by 0.2 per cent in the final quarter of 2009. That return to growth comes after five consecutive quarters of falling output, which is one quarter shorter than the recession that was experienced in the UK. The recovery has been driven by the production sector, as Mr Kerr mentioned, with output expanding by 0.8 per cent, and the service sector. We welcome the return to growth, the fall in the numbers of those claiming jobseekers allowance and the fact that we are enjoying positive employment rates in Scotland compared with the rest of the UK.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Given that Scotland's GDP fell more deeply than the GDP of the rest of the UK during the recession, was the First Minister right to say that Scotland would weather the storm better than other parts of the UK?

Jim Mather: The negativity of the Liberal Democrats on this matter never fails to surprise me. Do they not worry that they might damage confidence, investment and growth?

Rightly, the construction sector has been the focus of attention today. It has undoubtedly felt the effects of the global downturn, which is why the Scottish Government has repeatedly called on the UK Government to allow further acceleration of capital expenditure into 2011-12. Had Alistair Darling accepted that request, that money would have supported 5,000 jobs in Scotland, most of them in the hard-pressed construction sector.

David Whitton (Strathkelvin and Bearsden) (Lab): The minister will recall that there was some accelerated capital and the SNP Government spent 40 per cent of it on land. How did that create any construction jobs?

Jim Mather: We are moving on, and we have a situation in which the capital expenditure in Scotland has gone from £3.1 billion, when Labour was last in office, to £3.782 billion, which is an increase of £655 million.

There are new and refurbished schools and social work facilities, new recreation facilities and a range of key infrastructure projects. That is helping communities and businesses. Other projects that are under way include schools in Inverclyde, Dumfries and Galloway and West Dunbartonshire, the new NHS Forth Valley acute hospital, NHS Fife's Victoria hospital project, the M74 completion, the M80 Stepps to Hags development and the Airdrie to Bathgate rail link.

Through the economic recovery plan, we are meeting the challenge of the recession head on. We have used all the levers at our disposal to support Scotland through the current times. The latest upgrade of our recovery plan was published on 3 March and debated in the Parliament last week. The plan, which remains firmly aligned with the principle that was laid out in the Government's economic strategy, directly supports 15,000 jobs and sets out actions to accelerate the Scottish recovery and ensure that we can secure increases in sustainable economic growth in the longer term.

The plan focuses on three key areas: investing in innovation and industries of the future; strengthening education and skills; and supporting jobs and communities. However, the recovery is at a fragile stage, so the latest economic recovery plan sets out plans to accelerate it. The priorities in that are the transition to a low-carbon economy, which I believe has wide support in the Parliament; a focus on internationalisation; further planning reform; improving access to finance; a renewed focus on commercialisation; and managing labour market pressures. As part of the plan, we have brought forward capital expenditure to the fullest possible extent. The capital acceleration of £350 million has supported more than 5,000 jobs, including the 3,000 in the construction sector that I mentioned earlier.

Infrastructure is a key issue. The Scottish Government is maximising its capital spend to support infrastructure investment throughout Scotland. This year, Government capital spending is £3.3 billion. On 14 April, the Cabinet Secretary for Finance and Sustainable Growth announced a £76 million allocation of consequential from the UK budget to support a wide range of projects, including £31 million for affordable housing development and £17 million that is earmarked for investment in further education colleges—for existing work at Dundee College and enabling an early start to construction of Forth Valley College's new campus. Ultimately, our infrastructure investment is estimated to support 50,000 jobs in the Scottish economy, including 30,000 in the construction sector.

On the Labour record, Hairmyres hospital, which Jim and Margaret Cuthbert famously called

"one hospital for the price of two",

actually helped to create the Scottish Futures Trust. That was the driver. The Scottish Futures Trust recently published its 2010-11 business plan, setting out ambitions and positive objectives for the current financial year. Those include supporting the delivery of 16 key programmes and projects that the SFT estimates are worth about £7.3 billion. The flagship SFT projects that are under way include the hub programme, which is bringing together the public and private sector to

deliver about £1 billion of community infrastructure in the next 10 years. The SFT has proposed to deliver a minimum level of £7 in benefit per £1 spent.

On skills, every business and community in Scotland has been affected by the recession. The on-going employment pressures in Scotland highlight continued risk. Skills investment and training opportunities continue to be a priority. Our skills strategy was put into action to manage the immediate impacts of the downturn, but it was also designed to bring long-term benefit to the economy. We believe that skills development, particularly through the apprenticeship programme, is of paramount importance to a strong economic recovery. We all know that training equips people with the skills that are needed for long-term employment, which is why we have developed the most comprehensive package for apprentices in the UK. We have invested £145 million to help unemployed people enter the labour market, to help employers develop workforce skills and to support further redundancy moves from work to work.

Marilyn Livingstone (Kirkcaldy) (Lab): Will the minister say why 63 apprentices in Fife have lost their jobs and why the Government is withdrawing vital programmes that could support those people through their training?

Jim Mather: That is more evidence of Labour's recession. Labour fails to recognise that we have exceeded our target of 18,500 modern apprenticeships and delivered more than 20,000 of them. We are moving on and making things happen. Keith Brown will go into more detail on that in his closing speech. A lot is happening on learning choices for those aged 16 plus, although we could do more.

We continue to feel the impacts of the recession and we will do so for some time. We must not put the recovery, which is in its fragile early stages, at any greater risk. We would like to do even more, and we could do more, but we are being stymied by the UK Government. Not only has it created the recession, but it refuses to bring forward capital expenditure. The latest rise in the Scottish unemployment rate to 7.8 per cent illustrates that the effects of the recession are still being felt. Continued support is needed to prevent a further rise in unemployment. Support should be withdrawn only when private sector demand has recovered sufficiently. Argentina is one of the few countries to remove its fiscal stimulus this year. The UK budget was clearly a missed opportunity. Given the fragile nature of the recovery, now is not the time to withdraw support for the Scottish economy.

I move amendment S3M-6174.3, to leave out from first "and" to end and insert:

“; notes that growth is returning to the Scottish economy but that the recovery is still fragile and significant challenges remain as Scotland seeks to consolidate recovery, and calls for the Scottish Government to work with all sectors in Scotland to further build on recovery from Labour's recession.”

09:40

Derek Brownlee (South of Scotland) (Con):

The recession might finally be over, but it was deeper than that in the rest of the UK. The trends in unemployment are worrying. We in the Conservative party accept that the recovery is fragile. A recovery that is so fragile that it depends on borrowing £170 billion and which would allegedly be snuffed out if borrowing was £164 billion is hardly the stuff of which Labour should be boasting. The biggest threat to our economic future is that of a failure to deal with the legacy of debt that Labour has run up before it finally spins out of control—the debt that is, rather than Labour, which has been spinning out of control for most of its time in office.

Scotland has specific problems. The business start-up rate has consistently been lower than that in the rest of the UK. We need to encourage entrepreneurship and build an economy that is not as dependent on the public sector. Scotland's two Governments need to work together to tackle the legacy of the recession and get the economy moving. As Labour proves every time it is in power, Governments can easily destroy jobs, but it is much more difficult to create them. Job creation will come only from a thriving private sector.

We believe that Labour's jobs tax will cost jobs and must be stopped. In Scotland, at least 5,000 families face losing a breadwinner if Labour's plans are allowed to take effect. We should not forget that, as well as businesses and the self-employed, charities, schools and the national health service would be hit hard by the proposal, with a cost of £63 million to the devolved public sector in Scotland alone. That is money taken out of public services by Labour's jobs tax. Labour politician after Labour politician tell us that increasing the tax on jobs will not hit employment levels. In 30 years, we have gone from Labour isn't working to Labour isn't thinking—I hope that, in a few weeks, we go to Labour isn't governing.

Increasing tax seems to be a popular theme at the moment. As the Labour motion states, and as Andy Kerr correctly pointed out, the construction sector has been particularly badly hit. However, even the Labour Party does not want to impose VAT on new homes. The Lib Dems clearly believe that not only council tenants should lose the right to buy, Scotland has many problems, but the price of new homes being too low is not one of them. Perhaps the proposal is a way of drawing more homes into the Lib Dems' so-called mansion tax,

which we are told would fund a £17 billion tax cut, despite the fact that only 500 homes in Scotland would be affected. Whatever the reason for the plans, Scotland would be hit hard by those moves. If any Government abandoned zero rating for new homes, European Union rules would impose a minimum rate of VAT of 5 per cent and no future Government would ever be able to go back to the current position of no VAT.

The chief executive of Homes for Scotland, Mr Fair, has noted:

“Somehow, the Liberal Democrats seem to be unaware that Scotland, not to mention the UK as a whole, is facing its worst housing crisis since the Second World War.”

To be fair, the Lib Dems seemed to be unaware that the plan was in their manifesto—at least, Tavish Scott was—so it is not isolated ignorance. Mr Fair went on to say:

“Not only has our industry lost up to half its workforce, development is touching an all-time low and vital first-time buyers are struggling to find deposits of up to 25 per cent. Any measure increasing the cost of new homes, whether in the public or private sector, is sheer madness and will simply exacerbate the problems we as a country already face.”

Sheer madness is probably the greatest accolade that has been given to a policy in the Lib Dem manifesto. We should think carefully when everybody recognises that there is a shortage of accommodation and there are pressures in relation to family housing. House price inflation will be rampant if we do not tackle the shortage of accommodation. Increasing tax on new homes is not the way to do it.

Jeremy Purvis: The Conservatives’ “Blueprint for a Green Economy” states:

“In the UK, the rates of VAT are heavily weighted in favour of demolition and new build as opposed to refurbishment ... In the long run this is, in any case, a damaging distortion in terms of retrofitting and improving rather than demolishing the stock. We believe that we should seek ways to move away from the present situation to one which is more balanced.”

Does Mr Brownlee agree?

Derek Brownlee: The contrast between the Conservatives and the Lib Dems is that we do not think that every problem is handled by increasing tax. We certainly would not impose VAT on new homes, which would add £14,000 to the cost of a typical starter home in Scotland.

The First Minister has not been shy about lecturing the UK Government on VAT policy. Our amendment simply asks the Scottish Government to make clear that VAT on new homes would be bad for Scotland. Just as we believe that VAT on new homes is a tax hike that Scotland does not need, so we believe that it is wrong to return business rates to local council control. Many local authorities in Scotland cannot raise from local

businesses anything approaching the amount of money that they receive under the current distribution formula. A massive increase in business rates would be required, including for small businesses.

The figures are startling. Businesses would pay 69 per cent more in Aberdeenshire, 72 per cent more in Argyll and Bute, 110 per cent more in East Dunbartonshire, 20 per cent more in Fife and 96 per cent more in the Scottish Borders and Angus. In East Renfrewshire, the figure is 190 per cent.

Jim Mather: Given that it is not the Government’s position to return business rates to local council control, does the member have other parties in mind?

Derek Brownlee: I am sure that the Liberal Democrats will explain why they want to increase business rates in Argyll and Bute by 96 per cent. I am sorry, the figure is 72 per cent—I must not exaggerate the position. No one disputes the figures that I have given. I would be grateful if the minister would confirm—as he seems to have done—that the Scottish Government rules out any plans to return business rates to council control.

David Whitton: I am not sure that I follow Mr Brownlee’s line of argument. Is he saying that local government in East Dunbartonshire is responsible for the problem? If so, has he discussed the matter with the deputy leader of East Dunbartonshire Council, his Conservative colleague Councillor Billy Hendry?

Derek Brownlee: I am saying that East Dunbartonshire receives substantially more in business rates revenue than it could raise locally. Mr Whitton should speak up for businesses instead of joining the Liberal Democrats in trying to hammer them. We should look at how we can reduce business rates.

Today, the Parliament has a chance to send the clear message that we reject Labour’s jobs tax, that Scotland does not want the Lib Dems’ plans for VAT on new homes or their crazy scheme to increase business rates across the country by returning the rates to local control, and that instead we want to let businesses get on with creating jobs and to help families to get on to the housing ladder. The recovery is fragile. Any one of Labour’s jobs tax, the Lib Dems’ VAT bombshell or the Lib Dems’ business rates rise would damage the Scottish economy, put the recovery at risk and cost jobs. A combination of all three would be utterly toxic.

I move amendment S3M-6174.2, to leave out from first “and” to end and insert:

“; notes that an increase in the rate of VAT for new homes would significantly compound these difficulties, as would further increases in national insurance contributions; asks the Scottish Government to make representations to

the UK Government to try to prevent such tax rises, and calls on the Scottish Government to take action on the economy within its own powers by ruling out the transfer of business rates to local authorities, which would significantly increase bills in many parts of the country, including Aberdeenshire, the Borders, East Dunbartonshire, Argyll and Bute and Fife among many others, and by considering the scope within existing revenue projections to extend business rate relief for small and rural businesses."

09:48

Jeremy Purvis (Tweeddale, Etrick and Lauderdale) (LD): It is a curious election campaign when the Liberal Democrats are love bombed by the Conservatives and the Labour Party one day and carpet bombed the next. There is no misunderstanding among the electorate. They want parties in the election campaign to put forward their approaches and to allow people to make up their minds. Two weeks ago, in an attempt to woo Liberal Democrat voters, Kenneth Clarke said that Nick Clegg was essentially a Conservative. Now, in an attempt to terrify exactly the same electorate, he says that, under anything other than a George Osborne chancellorship, the International Monetary Fund will be called in. The electorate want parties to put forward positive solutions.

When I spoke to secondary 5 and 6 pupils at Galashiels academy on Monday, the economy—more specifically, the economy in Scotland over the next decade—was at the top of their list of concerns, and understandably so. They hear and see the figures that make it clear that the Scottish economy performed worse in the recession than that of the United Kingdom as a whole. It is consolation that the economy grew in the last quarter of last year, but it did so at half the growth rate of the United Kingdom. It is no surprise, given the profile of public sector employment in Scotland, that the overall claimant rate is slightly better than that for the United Kingdom. However, those people who have lost their jobs in the construction sector, among others, and want to get them back are looking for ways in which we can have a balanced economy that is fair, that does not reflect a traditional view of public and private and in which those who did not cause the recession are not primarily those who pay for it.

The economy is critical to the 120 young people to whom I spoke, who are seeking policy approaches. Some have been presented this morning and have been part of the election campaign; there is no mistake about that. In their amendment and in nearly all of Derek Brownlee's speech, the Conservatives attack us for our proposals for a different taxation system for business in England, but their approach to local government in Scotland is different from their approach in England. They also have different approaches to schooling and education. In their

manifesto for England and Wales, they propose setting up free independent primary schools, but they explicitly rule that out in Scotland. When challenged on the point, they say that devolution is the reason for the difference and that there are different circumstances and positions in Scotland.

Ian McKee (Lothians) (SNP): Does Mr Purvis agree that the introduction of minimum unit pricing of alcohol is proposed in the Liberal Democrat manifesto for the United Kingdom but ruled out by the Liberal Democrat party in Scotland?

Jeremy Purvis: I disagree neither with the Conservatives having different approaches to primary schools in Scotland and in England and Wales nor with other approaches that provide devolution answers. When I asked Liz Smith why the Conservatives took a different approach to education in Scotland, she answered that the reason was devolution. If the Conservatives take one policy from the Liberal Democrats' UK manifesto and argue that it applies to Scotland, they must say that any federal party should take the same approach in Scotland and England, but they do not do that.

This week, when they launched their manifesto in Melrose, in my constituency, the Conservatives' refrain on the economy was that the Liberal Democrats pose the most danger. I will look at a couple of the issues that they have raised, principally rates and building development.

David McLetchie (Edinburgh Pentlands) (Con): Call it VAT.

Jeremy Purvis: On VAT, I quoted accurately from the Conservative policy document "Blueprint for a Green Economy". The group that produced the document was chaired by John Gummer, and the document was written by the Conservative candidate for Richmond Park, Zac Goldsmith. It states:

"In the UK, the rates of VAT are heavily weighted in favour of demolition and new build as opposed to refurbishment ... In the long run this is ... a damaging distortion ... we should seek ways to move away from the present situation to one which is more balanced."

Harmonisation is the approach. If VAT is charged at 17.5 per cent in one area and at zero in another, how can the figures be balanced by keeping the zero rate at zero? Are the Conservatives saying that they would remove VAT on renovations entirely?

Derek Brownlee: I know that this will come as a shock to the Liberal Democrats, but it is possible to reduce VAT in one area without increasing it on new homes and adding £20,000 to the bill for every first-time buyer. The member said that he wanted to pass on the cost of the recession to those who were responsible for it. First-time buyers did not start the recession.

Jeremy Purvis: If the Conservatives have an uncosted commitment, they may be able to do what the member suggests, but I do not understand how they can balance the rates by keeping one of them at zero. Last February, John Purvis MEP called for specific targeted reductions for services such as renovations to homes. That was consistent with the Conservative approach by John Gummer and Zac Goldsmith, which was to balance rates between 17.5 per cent and zero. We need an injection of resources into the replacement and repair of existing building stock.

The big driver with regard to properties in Scotland is land price inflation. In the Borders, Mr Brownlee and Mr Lamont have done two things in the past few years. First, they have criticised the new greenfield developments that are included in local planned zoning for housing. Secondly, they have said that a rapid increase in property inflation is not sustainable. At the same time, there has been difficulty regenerating properties in towns—the centre of Galashiels, Hawick, Selkirk and Peebles. Why should someone who tries to put a new insulated roof on their house and make their home warm and accessible to people with disabilities be faced with a £20,000 tax bill? If Mr Brownlee thinks that the average or typical house price is £201,000 for first-time buyers, that is simply not the reality.

Finally, the Conservatives' position on rates increases would be more credible if they were honest and admitted that businesses are facing rates bills that have gone up by 50, 100, 150 and 200 per cent. Businesses have received such bills, and the Conservatives have supported them by backing the SNP's position of offering no transitional relief support. Funnily enough, the Conservatives are supporting that in England.

I move amendment S3M-6174.1, to leave out from "welcomes" to end and insert:

"regrets that the UK GDP fell by 4.6% and the Scottish GDP by 4.8% over 2009; further regrets that unemployment in Scotland continues to rise at a faster rate than in the rest of the UK, and notes that the UK economy grew twice as fast as the Scottish economy during the fourth quarter of 2009."

09:55

Sarah Boyack (Edinburgh Central) (Lab): The debate is an opportunity for us to discuss how we can help to move Scotland out of recession. The SNP Government must put in place the right support and leadership to make that happen. Talking about what needs to be done is not the same as doing it, and saying that something is being done when it is not is even worse than that.

The SNP Government's record is appalling. We are suffering the Salmond slump because the SNP Government is simply not interested in using all

the powers that are available to it. Blaming everyone else for its own inaction is much easier.

The SNP has let down every part of the construction industry. I have spoken to a constituent who was angry that his job was to get rid of apprentices—who were doing really well—because there were no public sector jobs in the area in which his big company could bid. His job was to identify young people who had worked hard to get their apprenticeship and sack them. He was angry with the SNP Government because he knew exactly who to blame for the lack of contracts for which the company could bid.

In Edinburgh, we are not getting the investment in new schools that we need, and we are falling further and further behind in building the houses that we need to solve our housing crisis. We have seen failure not just with new houses. There is complete agreement across the chamber that we need investment now to refurbish our homes, to insulate people from the massive rises in fuel prices that they have experienced to date and that they will experience in future, and to cut our carbon emissions. That is the obvious place to start. When Obama got into power in America, one of his first acts was to get shovel-ready programmes in place. His top priority was energy efficiency programmes, which should have been our priority.

Jim Mather: Does the member not understand cause and effect, the impact of the financial crisis and the property crash on the Scottish economy, or the currency depreciation that caused the fuel price rises?

Sarah Boyack: I will make two points. First, fuel prices were well on the way to increasing before the current financial crisis. Secondly, banks in this country have had to be bailed out, and we should be proud of the fact that our Government acted on that.

Energy efficiency should have been our priority. I ask the minister whether these words ring a bell:

"implement measures to improve Scotland's energy use through the Energy Efficiency Action Plan, which is a key part of the Scottish Government's Climate Change Bill."

That is pledge 7 of the Government's 10-point plan, first published in February 2009, to ensure that the energy industry aids the economic recovery. There is a serious gap between promises and the reality. We are still waiting for the energy efficiency action plan to materialise, and half of the amount budgeted to be spent in this year's energy efficiency programme is still to be spent with one month to go. I wonder whether the minister would like to report today on the current rate of progress in that context. Perhaps not.

My proposals for a national council tax discount scheme had the potential to create thousands of new jobs, but the SNP watered them down so that there was a much less ambitious approach that left it up to somebody else—local authorities—merely to have schemes in place. There is no leadership, no national targets, no drive and no ambition on the ground from the SNP Government.

In Edinburgh, all the schools that have been opened since the SNP Government came into being were commissioned by the previous Labour-led Scottish Parliament. We are still waiting for the next generation of schools. By the way, there has been absolutely no sign of the SNP's manifesto commitment on a renewable energy installation in every school. Even the Cabinet Secretary for Education and Lifelong Learning has not been able to answer the question about that. Given the lofty soundbites, the globetrotting to Copenhagen and the big manifesto commitments on climate change, the SNP Government's abject failure to put in place basic energy efficiency mechanisms that could create thousands of jobs in the construction industry is absolutely breathtaking. We know that our new homes will be built to higher standards, but the SNP Government should be doing more now to give the construction industry new apprenticeships and training schemes to let it meet those radical ambitions. Manufacturers also need to be confident that there is a market for their new renewables goods. The delays in getting going on the renewables revolution in households and communities have been disastrous for companies, which have waited for the SNP Government to act.

Patrick Harvie (Glasgow) (Green): Will the member take an intervention?

Sarah Boyack: No. I will move on, if Patrick Harvie does not mind.

The last three years have been a huge missed opportunity. The most recent disappointment has been the Scottish Government's handling of the boiler scrappage scheme. The UK Government announced that it would follow up the massive success of the car scrappage scheme with a boiler scrappage scheme for England and Wales. I ran a petition on the matter that gained thousands of supporters. Colleagues reported that constituents had got in touch because they had seen the television adverts that said that there was to be a boiler scrappage scheme. They could not believe that they were not eligible because they lived in Scotland and an SNP Government was in charge. No one in the plumbing industry understands why Scotland has taken so long and why we have missed out. Plumbing companies have reported that people have been delaying putting in new boilers because they are waiting for the scheme.

They have been told that there will be a scheme, but not when.

There is confusion and delay, and there has been damage to the industry. A scheme has been announced this week, but it is three months late and is not as ambitious as it should be. That is a classic case of SNP ministers believing their own hype. Read the small print. Apart from the fact that it has taken three months for the SNP to get a scheme going—Labour down south has announced and delivered a scheme in that time, and people in 125,000 houses there now know that they are getting a boiler—only 5,000 houses will be covered in Scotland. That is not even as ambitious as Wales has been. More money and the same number of boilers are being offered in Wales, which has a population that is 60 per cent of Scotland's population. After all this time, would it not have been better to fund the scheme properly? Would it not have been better to use the money left in this year's energy efficiency scheme? We need more money.

Members should support the Labour motion. Let us unite and ensure that the Salmond slump is not allowed to continue.

10:02

Linda Fabiani (Central Scotland) (SNP): When I first read Andy Kerr's motion, I decided to have a closer look at the Scottish Chambers of Commerce report that it refers to: "The Scottish Economy in 2010—A Time of Opportunity". In reading that report, it struck me that Mr Kerr appears to have a blind spot for good news for Scotland. Before it comments on construction, the report mentions

"The emerging positive outlook evident in Scottish business in the second half of 2009"

and the

"cautious optimism in the early months of this year."

The Scottish Chambers of Commerce indicated some of the things that have been causing problems, such as the severe winter weather and VAT going back up to 17.5 per cent. Neither of those things happened as a result of a Scottish Government policy.

The report makes it clear that one of the biggest cost pressures on Scottish businesses and one of their heaviest burdens is transport costs. Labour's fuel tax hikes have hit Scottish businesses hard and are becoming a major problem in Scotland. Jobs will be lost in our economy unless those rises are reversed.

Another SCC publication, "Down to Business in 2010", says:

“The Government must avoid tax increases that could penalise wealth creation or complicate the overall tax system. The planned increases in National Insurance Contributions will make it more expensive to take on new employees at a time of rising unemployment. We urge politicians of all parties to reverse this as soon as possible.”

Mr Kerr’s motion refers to the construction industry. The detail in the section on the construction industry in the report that is mentioned shows that the sector is less pessimistic about the future than it was a year ago, and that 20 per cent of construction companies are recruiting new staff. Andy Kerr claims that nearly 30,000 Scottish construction jobs have gone. The latest Office for National Statistics labour market statistics show that 7,000 construction jobs were lost in Scotland during the final year of the Labour-Lib Dem coalition, which was, I understand, a time of boom. Some 16,000 construction jobs have been lost in the past three years, at a time when Labour’s recession has hit us all hard. Becoming unemployed is hard for anyone, and the struggle to get back into work is an individual challenge that should never be underestimated, but it is clear to me that Scottish Government policies and actions have worked to reduce the number of Scottish construction workers who are losing their jobs, and that the continuing actions of the Government should help them to get back into work. Those efforts have not been helped and nor will they be by Labour talking down Scotland, its economy and construction industry. Not only are Andy Kerr’s figures wrong, his dismissal of Scottish workers is wrong too.

The Scottish Building Federation writes a lot about Scottish construction, which is its business and its blood. It blames the recession for the job losses. The recent SBF press release states clearly:

“But the fact remains that the recession has forced a majority of Scottish building firms to lay people off since the beginning of this year.”

People also fear what will happen in the future.

This is the recession brought into being by Brown and Darling, among others, as outlined by the minister earlier. We have had this Government’s support for capital investment—the extra £350 million for the Scottish Government to spend on new house building. Every effort is being made.

Andy Kerr spoke about the Scottish Futures Trust and he is fond of quoting the chambers of commerce. Ron Hewitt, the chief executive of the Edinburgh Chamber of Commerce said:

“The SFT has now got a good team of experienced people. It (the SFT) is absolutely the right thing to do. It will save public money.”

Andy Kerr’s problem seems to be that he and his colleagues, both here and in Westminster, are

unable to recognise that we are trying to make public investment in this country without using that discredited system of public finance initiatives and public-private finance on which they are so hung up.

Andy Kerr: Will the member give way?

Linda Fabiani: No, thank you.

The payment figure for PFI will approach £1 billion each year by the middle of the next decade and will peak at £1.168 billion in 2024-25. For goodness’ sake, we all know about the scandal that was Hairmyres hospital under the previous Administration—it had a capital value of £68 million compared with a total unitary charge of £725 million, which is more than 10 times as much.

Andy Kerr: Will the member take an intervention?

Linda Fabiani: No, thank you. I think that we have heard enough from Mr Kerr on PFI.

Equity of just £100 invested in rebuilding Hairmyres hospital is projected to earn £89 million in dividends over 30 years.

That project happened when Gordon Brown was talking about the lack of boom and bust—that is what he wanted. I tell members that he created the boom for himself and a bust for future generations.

It absolutely does not stop. Down south, they are still carrying on with PFI schemes. Even Unison, which supports the Labour Party, has described Labour’s continued support of PFI as “irrational”. PFI shifts the risk of project failure back to the public sector when it goes wrong. We have all seen that; such projects have to be bailed out constantly.

We should work together in Scotland, stop talking it down and start helping this Scottish Government to create better conditions for all in Scotland.

10:08

Murdo Fraser (Mid Scotland and Fife) (Con): When I heard that the Labour Party had scheduled a debate on the economy this morning, I thought that we might have had just a hint of contrition from its members or perhaps a scintilla of an apology for the state that our country is in. We heard the extraordinary Labour proposition set out this morning by Andy Kerr that the entire responsibility for the state of our economy must rest with Alex Salmond and the SNP. I do not entirely absolve the SNP of responsibility for some of its actions or the state that we are in, but let us be clear that the ultimate responsibility for our economic mess rests firmly with the Labour Government and Gordon Brown.

The man who was Chancellor of the Exchequer for 10 years from 1997 inherited from Kenneth Clarke a golden economic legacy and proceeded to squander it. In those 10 years as chancellor, Gordon Brown presided over an irresponsible inflationary boom fuelled by easy money, cheap credit and dodgy lending practices, 125 per cent mortgages and people being lent money at five times their salary, soaring house prices and a boom that could not continue. Of course people felt good; they felt the good times and spent money like there was no tomorrow, believing the Government that the economic cycle had been abolished. As Linda Fabiani said, Gordon Brown repeated endlessly that there would be no return to boom and bust. When Gordon Brown promised us that the good times would last for ever, people foolishly believed him and went out and spent money. It was inevitable that that crumbling edifice, built on foundations of clay, would soon come tumbling down and that is exactly what happened. The Labour Party's approach today is reminiscent of a burglar who breaks into someone's house, cuts his hand on the kitchen window that he smashed, and then tries to blame the home owner for his injury. That is the state that we are in.

Let us look at where we are after 13 years of Labour. We had the longest and deepest recession on record; we were the last country in the G20 to emerge from recession; we have the second-largest deficit of the Organisation for Economic Co-operation and Development countries, after only Ireland; and we have seen a doubling of the national debt that our children and grandchildren will be paying off for decades to come. That is Gordon Brown's golden legacy and Andy Kerr and his colleagues should apologise for it this morning.

Far from trying to make things better, what do we see from Labour now? A policy on national insurance that demonstrates that it has learned nothing from its mistakes and will make the situation much worse. It is determined to push ahead with its damaging national insurance rise. We are continually lectured by Gordon Brown and Alistair Darling that the Government should do nothing to harm the recovery and make the situation worse, yet their national insurance rise will do precisely that and suck money out of the economy at just the time when we should be keeping money in people's pockets. That is why business leaders from across the UK and Scotland have been queueing up to oppose the Labour policy to impose national insurance rises.

If we stop that rise, as the Conservatives propose, seven out of 10 Scots will be better off and none will be worse off. We will save the Scottish public sector £63 million that will otherwise be taken out of health, education and

justice. How many teachers, nurses, doctors and policemen will lose their jobs as a result of that proposed rise in national insurance? Labour should think again.

When it comes to ludicrous tax rises, let me move swiftly on to the Liberal Democrats and their proposal to put VAT on homes when the construction industry is already on its knees. There is a policy so mind-boggling in its daftness that it was denounced yesterday by the industry body, Homes for Scotland, as "sheer madness". So daft is that policy that even Tavish Scott, leader of the Liberal Democrats, did not know that it existed in the Lib Dem manifesto. In what has to rank as the biggest laugh of the election campaign so far, yesterday Tavish Scott was quizzed five times by Glen Campbell of the BBC about whether the policy existed and five times Tavish Scott denied that the Liberal Democrats had any intention to change the rules on VAT.

In the gospels, St Peter denied Christ a mere three times, but St Tavish had to do better than that until, of course, the angel Carmichael flew in to put him right. I have every sympathy for Tavish Scott—I cannot imagine a worse chore than having to read the Liberal Democrat manifesto—but surely it is not too much to expect that the party leader would have got past the pretty pictures and read some of the text of his own manifesto. How can the Liberal Democrats expect voters to take their manifesto seriously when even they do not take it seriously? I offer a word of advice to Mr Scott and his colleagues for future elections: they should read their manifesto before they come to a press conference to launch it and then they might be better placed to answer questions on the details and will not look quite so ridiculous.

In the moments remaining to me, I return to where I started. History seems to be repeating itself. I am old enough to remember 1979, when we had a discredited Labour Government that had run its course, the economy was in crisis, public finances were in a horrendous state and the Government had no ideas about how to get us out of the mess. Thirty-one years on, we are in an identical position. Let us be in no doubt that, when the history of these times is written, responsibility for the state that we are in will rest firmly at the door of one man—James Gordon Brown, Prime Minister of the United Kingdom from June 2007 to May 2010.

10:14

Rhoda Grant (Highlands and Islands) (Lab): I am pleased to speak in this debate on the construction industry. I declare an interest in that my husband is an electrician. I am as aware as anybody of the problems in the construction

industry, both through my mailbag and through personal experience.

It is important that the Government provides the construction industry with a clear indication of the public work that will be available. Without a level of stability and some knowledge of future public works programmes, companies cannot commit to taking on apprentices.

Ninety apprentices in the Highlands and Islands have lost their jobs in the past year. That is a disaster not only for them but for the economy. Not so long ago, we had a shortage of skilled tradespeople and we were unable to cope with the demand for workers. We need to learn that lesson and ensure that we have an adequately skilled workforce that is ready for the recovery.

The funding package for apprentices ended in March. We need a further programme to replace it. We also need new placements for those who have already lost their jobs. In addition, there needs to be a clear picture of expected public procurement. The Scottish Government needs to use every means at its disposal to build schools, hospitals and affordable homes.

The Minister for Skills and Lifelong Learning (Keith Brown): I point out that the programme will continue. There will be 15,000 new apprenticeships this year—we had 20,000 last year. Will the member confirm what Andy Kerr said earlier: that the Labour Party now supports a guarantee to apprenticeships—a right to apprenticeships? That is a departure from what employers want and from the way that things have been done in Scotland for a long time and it is not sustainable.

Rhoda Grant: What we need is a guarantee to young people who want to take up an apprenticeship that they can get one. It is important that that form of training remains in place and I am grateful to the minister for intervening to confirm that the programme will continue. I am sure that many construction companies will be delighted by that news.

I have been pushing the Government for some time about housing association grant. Cutting the grant when housing associations have difficulty borrowing stops them building. That affects the availability of affordable homes and jobs.

I have been critical of the assumed rent that is imposed by the Government when housing associations need to apply for additional housing association grant. Additional grant is often required for small projects in remote and rural areas where there are no economies of scale. In order to access the additional grant, housing associations have to use the assumed rent in their calculations. The assumed rent does not take account of what people in the area can afford;

many people in rural areas are on lower incomes and cannot afford the assumed rent. Forcing housing associations to use a rental income figure that is not realistic in the local economy means that the housing projects do not stack up financially. There is a funding gap for those projects, because housing associations can borrow only against actual rent. If a different figure is used to calculate housing association grant, the figures simply do not stack up.

The Government has made funding available to councils to provide them with grant of up to £25,000 for each house that they build, but only certain councils are able to access that additional council house funding. They have to bid for the funding and councils with large housing debt are not eligible to receive it. In Highland Council, the SNP campaigned against stock transfer, under which the council's housing debt would have been written off. The SNP Government is now penalising councils that have not had their debt written off. It needs to change that policy and provide for councils that cannot afford to build.

In addition to large cuts in the housing budget this year, the profile of funding and the cost stipulations put forward mean that it is impossible to build projects that do not enjoy economies of scale. They also make it difficult for new homes to be environmentally sustainable and to incorporate renewables, so those houses will not assist the Government in reaching its carbon emissions targets. It also means that the Government's policy has all but halted building in rural areas, some of which are still pressured. Local people earning local wages are unable to buy.

The Scottish Futures Trust is yet to build anything. It appears that the only decision that the trust has taken is to create further bureaucracy in public procurement while doing nothing to maximise finance for public projects. It has devised procurement hubs throughout Scotland and has sought bids for them from partners. Only one construction company can be the main partner. Although the company can subcontract, the current climate is such that that in effect shuts out other construction companies from public contracts for at least 10 years. Only large companies can become part of that, because the pre-qualification process is time consuming and very expensive. At a time when the Government is refusing to use public-private partnerships to lever in private finance, that will spell disaster for many companies that are already facing difficulties because of the downturn in the housing market. It also means that smaller companies that are involved in smaller projects will be unable to take part. That is especially true in rural areas. Although there is an opt-out for projects under £75,000, it is unlikely that that will happen if the

hub procurement route is used for all public projects.

The Government's focus is bureaucracy and centralisation at a time when our companies need flexibility and opportunity. The Government could helpfully provide guidance on best practice, such as on EU public procurement for councils, which would create efficiency and cut bureaucracy, but it is doing the opposite.

Our construction industry is fundamental to the Scottish economy. Our young people are now losing out on training that will benefit them and our economy in the future. The economic downturn means that people need affordable homes and jobs. It is time for the Government to act.

10:20

Rob Gibson (Highlands and Islands) (SNP): If we are going to get out of this recession, we must have economic growth. That is understood in Scotland, Britain and across the world. The debate that we are having just now is about how we achieve that.

We have seen the discredited method of spend now, pay later. We are trying to find better ways to deliver the public goods that people are looking for and, at the same time, to bolster employment and training.

I suggest that we start with reality. Given that no one from the Labour front bench is left in the chamber, they can read the point that I am about to make later. [*Interruption.*] David Whitton does not count. An article in *The Herald* from 12 April states:

"Scottish manufacturing staged a strong recovery last month but could not prevent a fall in the rate of growth in the private sector economy, according to the latest Bank of Scotland PMI survey published today ... Production levels at manufacturing plants rose at the fastest pace in the 12-year history of the survey ... Positive momentum came from existing customers placing new business while the continuing poor weather acted as a brake on better performance."

That is an indicator that, in hard times, progress is being made in the Scottish economy.

On the same day, it was reported that in 2008-09—in the heart of the recession—there was an 8.3 per cent increase in sales by the Scotland-based oil and gas supply chain industry around the world. Many highly skilled jobs are tied up in those businesses, which are successful and are expanding. We are finding plenty of examples throughout the economy to show that, where business is expanding, apprentices will be taken on.

There is the stopgap of Government schemes that support apprenticeships, such as safeguard an apprentice, invest in an apprentice and adopt

an apprentice, many of which have bolstered the economy and the firms that are struggling to come out of recession, but the real recovery will come when private business expands and takes on the trainees.

David Whitton: I am sure that Mr Gibson will recognise that private firms can expand only if there are contracts to expand to. The mere fact that the Scottish Futures Trust has not laid one single contract is probably the reason why companies are still trying to find jobs for apprentices.

Rob Gibson: Given that Mr Whitton mentioned the Scottish Futures Trust, it is important to scotch the myth that it is doing nothing. School programmes and hub partnerships are being supported. There are tax increment finance schemes, the Aberdeen non-profit-distributing refinancing plan and the Borders rail NPD scheme. The Forth replacement crossing is getting advice. There is work in NHS Tayside. I could go on. The point is that the SFT is putting money into the development of schemes. A small example in my area is the Tain replacement health centre. The Scottish Futures Trust injected £1.02 million to kick-start that £7 million project. There are many more such examples. If members ignore what is on paper and what is there to see, we will not be able to have a debate about the reality of Scotland and will just repeat the rhetoric of the past.

How will we get things moving? We have to change from having an economy that is based on banks that have been bolstering property prices and supporting share prices. Lending from the banks has dried up or has become so much more expensive that it has been necessary for the Scottish Government to follow what has been suggested by others, including Gordon Brown, who said that he would set up a green energy bank—if there is any chance of his being returned to deliver it. At least the Scottish Government is launching its own investment bank. By putting its money where its mouth is, the SNP Government is showing its faith in the ability of Scottish businesses to contribute to the Scottish recovery and growth and setting an example to the banks and financial institutions that they must do the same.

The banks that are based in Scotland have been categorised as part of the problem, but the activities in Scotland were not the problem. It is the investment banking operations in London and New York—the spivs and speculators—who were the problem, and they were allowed to do what they did because Labour's oversight of banking failed and because, as the minister said, oversight also failed in the USA.

The previous speaker from Labour went on about housing associations, but she ignores the

large increase in affordable housing through councils, which was cut off in the Thatcher years and under Labour. We are seeing that increase taking place now.

Rhoda Grant: Will the member give way?

Rob Gibson: I am sorry, but I do not have time. I will talk to the member about the matter later.

What is so funny about the Labour argument is the fact that it was appalled by the use of the accelerated spend to buy land. We cannot build on thin air. Much of Labour's argument is about building on thin air. Its PPP schemes, under which we buy now and pay later, have landed Scotland with a huge burden that will have to be paid and which will hold back the development of our economy in the future.

I ask members to support the Government's amendment, which contains the commonsense approach.

10:26

Ross Finnie (West of Scotland) (LD): The previous speaker pointed out the important role that the banks have to play. He was making excellent progress until he spoiled it by suggesting that the only people who invented bad practices in banks were those who resided in London and America. Sadly, we have to acknowledge that an important role in the management of some of the banks was played by some at-one-time prominent Scots. The collective responsibility for the mismanagement of the banks spreads across our banking sector. I accept that the changes to banking regulation in 2000-01 did not contribute greatly to progress, but Rob Gibson was nevertheless wrong to make the point that he did.

We are seeking ways in which to ensure that the private sector is ultimately able to make a recovery but, as has been the case in every other economic cycle that we have observed, there is no immediate sign that a spontaneous recovery is being generated by the private sector, so the public sector plays an important role in the process. I agree that the process needs to be carefully balanced because we are consuming public money in trying to reach the point of recovery.

The difficulty that we have, I suppose, is the models that we are using here in Scotland. It is not helpful to characterise the debate as being entirely polarised. I am bound to say to the minister that the Scottish Futures Trust has taken up an inordinately long time in repeatedly remodelling itself. If, as we have been told, it now has good management, is staffed by good people, and is starting to make some progress, that is good. I do not object to that, but to claim that it has been a

wonderful success to date is to overstate the position and also to overlook the other models that exist.

For example, the reduction in the construction industry in the west of Scotland has undoubtedly had a devastating effect, but I note with interest that the urban regeneration companies that were created by the Government of which I was a part have still been placing contracts and are still able to produce the public and private sector model that was started within those projects. There are such models in Scotland. We do not necessarily have to create new and different structures.

That brings me back to the important role that the housing sector plays in our economy, particularly in the construction industry. Derek Brownlee mentioned some of the factors that cause house price inflation, but another is the fact that some 70,000 dwelling-houses are out of use, which contributes to the question of supply and demand. Why are they out of use? That is the question. I am sure that Murdo Fraser will get much more entertainment and amusement from his characterisation of St Alistair Carmichael, but the VAT proposal is a serious one.

If we are looking at the economy as a whole and at housing provision as a whole, we must recognise that 70,000 houses in Scotland are out of use. I do not have the UK figure. Organisations such as the Royal Institute of British Architects, the Royal Institution of Chartered Surveyors and the Federation of Master Builders have been campaigning for quite some time for an equalisation of the VAT rate for new build and repairs and refurbishments, and we can understand why. It will be extremely difficult to stimulate a recovery through the regeneration of older properties unless we make a serious attempt to reduce the high level of VAT in the sector.

We might disagree about whether the proposal represents the right route, but we cannot say that it is not a serious suggestion. It has not just been invented by the Liberal Democrat party. It has strong support from professional people who work in the sector. It is a serious proposal to deal with the need to bring properties back into use, and we should also consider the multiplier effects on the regeneration side, which are higher than those on the new-build side.

There is also the question of meeting our energy targets, which Sarah Boyack discussed in her speech. We need to bring the 70,000 houses back into use to benefit the economy and the housing sector, but we must also refurbish them in such a way that they make a significant contribution to our energy targets. Given that the current rate of replacement of our building stock is about 0.5 per cent, the repair and upgrading of existing building stock is the primary weapon to be used in

protecting the environment against the ravages of climate change.

The suggestions are serious ones that look not just at the immediate problem of trying to stimulate the housing market but at the mix of that market and particularly at how we sustain jobs in the housing sector. The measures are sustainable and supportable but, more particularly, they make a major contribution to employment and economic growth.

10:33

Michael McMahon (Hamilton North and Bellshill) (Lab): In 1977, I began an apprenticeship as a welder. Like many of my friends, neighbours and peers in the steel and coal communities of Lanarkshire, I appreciated the importance of training and skills and the opportunities that they provide. By the time I became a time-served craftsman in the early 1980s, I had begun to witness the decimation of both the steel and coal industries and the trades that were associated with manufacturing and construction.

It was to fight against the damage that was being done to our traditional industries at that time that I became active in the Labour and trade union movement. That is why I place such great store in the Government's role in invigorating the construction and manufacturing sectors and investing in skills and training programmes to give young people the same opportunities that I had when I entered the workplace.

Derek Brownlee: Given the importance of manufacturing, does the member consider that it is a shame that more than 140,000 manufacturing jobs were lost in Scotland between June 1997 and November last year?

Michael McMahon: It is always regrettable when jobs are lost. It is when we look at why the problems exist and what is being put in place to address them that we start to see the wider picture. Not addressing the problem is the biggest issue as far as we are concerned. We can identify all the problems we want. The important thing is whether we have the attitude and the endeavour to address the problems that are encountered.

That is why I am angered by the Scottish Government's failure to provide the capital infrastructure projects that would have built on the legacy that we bequeathed to it and enabled us to fight against the impact of the global recession. That failure is the reason why we need to have this morning's debate.

The Scottish Government's failure is the reason why 150 apprentices in Lanarkshire have lost their jobs in the past year. They include young potential

tradesmen such as Nicos Lambrou from Uddingston in my constituency, who was made redundant with a redundancy package of less than a week's wages as he approached the end of his third year as an apprentice joiner with a large well-known building company. He was allowed to finish his advanced craft and design course at college, as it was already paid for, but, one year on, he is still unemployed and is in the predicament of being neither a fully qualified joiner nor an apprentice whom companies would be able to employ.

The commitment to continuing support for apprenticeships and all the other schemes is greatly welcome, but the reduction in the maximum age for support to 19 means that that young man is in no position to take advantage of any support networks that are available to allow him to complete his apprenticeship. As time ebbs away, he is losing touch with a career for which he spent a significant amount of time training. What a waste—and what an indictment of ministers, who should be straining every sinew to provide every young person with the right to high-quality training and to finish the training that they started.

We have heard how important the construction sector is, and no more so than in Hamilton North and Bellshill, which is home to more construction workers than other constituency in Scotland. Traditionally, Lanarkshire has also been the focus of the Scottish steel industry. The demolition of the Ravenscraig steelworks has bequeathed the area the largest brownfield site in Europe. It is vital that redevelopment of the site progresses, to provide the thousands of new employment opportunities that have long been promised there, but the Administration has been found wanting yet again. It has reduced the project from a national to a regional priority and has deprived it of millions of pounds of Government investment as a result.

Only the Dalzell plate mill and the heat treatment section at Clydebridge remain of Motherwell's once thriving iron and steel industry, but the Scottish steel industry retains a highly skilled workforce. The industry has been in a slump of late, as have many other industries—manufacturing has been badly hit—but the industry's work is cyclical. It is vital to retain the workforce's skills to take advantage of the upturn when it comes. The Scottish Government can help to create stable and growing demand for skills by preparing a route map of national infrastructure investment, but the Scottish Futures Trust is not achieving that. Whatever else it might be doing, it is not delivering projects that will put people into jobs.

Manufacturing is the cornerstone of any successful and balanced economy. The events of recent months should have shown us that we can no longer rely on the financial sector to prop up

the entire Scottish economy. It is essential to retain our traditional industrial base. As the Association for Consultancy and Engineering says, the Scottish Government needs to take an integrated approach to making the business environment conducive to construction and manufacturing.

We need to encourage private sector investment in construction projects. We need clarity about and consistency of funding, rather than the misbegotten Scottish Futures Trust, which whiles away the hours while schools go unbuilt and road projects go unstarted. Given that construction projects can deliver about £2.50 in return for every £1 that is invested, a continued slow-down in capital projects will increase costs and diminish returns for Scottish taxpayers and have a detrimental impact on Scotland's construction industry.

Scotland needs a dynamic Government, not a dogmatic one that strangles the industries on which we depend when it should draw on all the capacity that is at our disposal to breathe life into our economy. It is not good enough to have warm words; we need action. What we have seen from the Scottish Government has resulted in people such as my constituent being left behind, being disappointed and having no prospect of progressing the career to which they were entitled. I benefited from Government support when it was necessary. It is time that the current Government stepped up to help people like me.

10:39

Ian McKee (Lothians) (SNP): First, I join Murdo Fraser in expressing amazement that Labour has chosen to debate the economy at this stage in the UK election campaign, as it is Labour's gross mishandling of the economy that has contributed to many of the problems that face us, including the dearth of capital infrastructure projects, which affects jobs in general and apprenticeships in particular.

Projects in the construction industry depend on investment being available not only from the public sector but from private sources. We have only to look at the huge number of private house building projects that have been put on hold because of the current financial situation to see that. I have no doubt that part of the problem has been the worldwide economic recession, but it is no use Labour hiding behind that smokescreen. All countries throughout the world have faced the recession so, if that is the only reason for financial distress, all should be in the same boat, yet Britain is worse off than almost every other first-world country. The evidence for that can be seen not only in the pound's falling level as measured

against other currencies but in more objective measurements by impartial outside analysts.

For example, we need to sell a massive number of Government bonds to countries such as China to stay afloat financially. Institutions that raise money are assessed according to the cost of insuring against default. According to a report by the respected international financial analyst company Bloomberg a few weeks ago, by that measure Gordon Brown's Government is not only less creditworthy than countries such as Portugal and Slovenia but even far less creditworthy than private sector companies such as Vodafone, Gap, BP and McDonald's. Yes—we have now reached the humiliating situation in which a Big Mac is a far safer bet than Her Britannic Majesty's Government to the outside world. We could say Big Mac 1, Hash Brown nil—what a verdict on 13 years of Labour rule.

By the way, do members remember the then chancellor's multiple boasts that he had ended for ever the cycle of boom and bust? He said that most recently in his budget statement on 21 March 2007. How his speeches have changed. He artificially bolstered his reputation for creating prosperity by plundering our gold reserves and losing £5 billion in the process, by squandering our oil and by helping himself to well over £100 billion in stealth taxes on private pension schemes, which now have less to invest in the construction industry as a consequence—and Labour moans about the economy. No wonder so few countries are buying our bonds that the UK Government must buy them, which is building up inflationary times ahead that will rock the economy, including the construction industry, still further. Those are the reasons—rather than any lack of action by the Scottish Government—why many construction jobs have been lost.

The Labour motion purports to regret

"the Scottish Government's failure to ensure a steady stream of capital infrastructure"

projects but ignores the fact that the Scottish construction industry is outperforming the industry in most of the Labour-controlled UK and would be doing even better if Alistair Darling had taken our advice—and that of Iain Gray—to accelerate capital investment this year by £350 million. How hypocritical is that?

David Whitton: If we are speaking about hypocrisy and construction jobs, how does Ian McKee justify cancelling the Glasgow airport rail link and its 1,300 jobs?

Ian McKee: The Glasgow airport rail link had so many flaws that it would take the rest of my speech to explain them all. The project was a poor investment. Creating jobs just for the sake of doing

so, when the investment is not good, is not a good idea.

I ask members to consider the SNP Government's house building record in my constituency, the Lothians. Thanks to Government support, more than 900 affordable homes were built in Edinburgh in 2009, which is the highest figure for any year since devolution. In Midlothian, 555 affordable homes have been started since the SNP took office in 2007. That compares with the pathetic 240 affordable homes that were built in Labour's entire time in office since devolution. In two and a half years, the SNP has provided more than double that amount. The same pattern is being repeated throughout Scotland, which is keeping many construction firms in business. The myth that Labour is the party of social housing in Scotland has been well and truly exposed.

Moreover, more would be available to spend on affordable housing and other projects if it were not for Labour's disastrous love affair with PFI/PPP, as my colleague Linda Fabiani said. That love affair has saddled Scottish public bodies with payment obligations of £820 million in 2010-11 and the obligations will be fully paid off only by 2041-42. It is as if Labour incurred a huge credit card bill but has committed to paying back only the minimum amount each month, which is the most expensive way of organising finances that we could think of—it is a way of organising finances that I would classify as transgenerational robbery, as it is our children who will have to pay for the money that we are spending now.

I was going to say a few words about the Government's record on apprentices, but time is running out because of my response to Mr Whitton's intervention.

The Deputy Presiding Officer (Alasdair Morgan): Wind up, please.

Ian McKee: I will just add that we are up for it, and I ask members to vote against the Labour motion.

10:45

David McLetchie (Edinburgh Pentlands) (Con): As we all know, we often need both a brass neck and a thick skin in politics. Those features were well exhibited by Andy Kerr and the Labour Party today in securing a debate on the economy. Some might call it brave, and others would call it foolhardy, but we ought to be grateful to the Labour Party for giving us this opportunity to scrutinise its record in government over the past 13 wasted years.

Labour just loves to gloss over the role of its Prime Minister and former Chancellor of the Exchequer in the mismanagement of our

economy, which has brought our country and our public finances to their present sorry state. Labour members want to blame the bankers and international capitalism as the root of all the problems. Given that the irresponsible behaviour of certain banks has created problems on a global scale, it is on a global comparison against which the record of our Government should be judged.

In that global comparison, the record of the present Labour Government simply does not stand up to scrutiny. As Murdo Fraser and others have pointed out, among all the G20 countries, we have been the last to emerge from the recession. Trying to pin the blame on the SNP Government's management of a budget of a mere £33 billion, which is only one fifth of the total annual deficit that is being run up on the nation's credit card year after year by the Labour Government, is a ludicrous proposition.

Against that backdrop, and given the massive deficit in the public finances of Grecian proportions that the next Government will have to tackle, I am firmly of the view that the focus must be on keeping people in work, and our policy responses in Scotland must be tailored accordingly to help get us out of the recession and on the path to recovery.

In that context, the Labour Government's tax on jobs through national insurance increases is quite simply wrong. It has been rightly condemned by every single business organisation in the country, and by hundreds of businesses, large and small. It will raise the cost of employing people, and it will make more employees vulnerable to redundancy and short-term working.

The impact of that increase will not just be felt in the private sector, as the public sector is a major employer in Scotland—including the national health service, councils and other Government bodies and agencies. Together, they employ approximately 25 per cent of the working population. Labour's national insurance increases will cost the public sector £63 million a year, or £20 million for the NHS and £33 million for councils. With that money, our councils could employ more than 1,200 teachers and reverse the decline in the number of teachers that has taken place over the past two years. With that money, the NHS could make life-saving drugs for the treatment of cancer much more widely available than is the case at present. The tax rises are not painless—they come at a cost, in both jobs and services.

Having expressed my gratitude to the Labour Party for giving us an opportunity to criticise its record, I must convey a special thanks to it for highlighting the construction industry in its motion.

Rob Gibson: Aha!

David McLetchie: That is the construction industry that, I remind Mr Rob Gibson, built more council houses every year under Mrs Thatcher than has subsequently been achieved under Labour or the Liberal Democrats—or than even the SNP aspired to build, a point that Mr Alex Neil has been generous enough to acknowledge.

More important, and particularly in the current context, it is the construction industry that has lost more than 30,000 jobs over the past two years. That is the sector that was identified as being in need of particular support when we accelerated the affordable housing investment programme in the last two Scottish budgets in order to build new affordable homes on behalf of housing associations.

Construction is the sector that, all of us were supposed to agree, needed special attention and support, but we will have to think again because, lo and behold, the Liberal Democrats want to impose VAT on the sale of new homes. Until yesterday, not many people had heard about that Liberal Democrat policy. Indeed, even Tavish Scott had not heard of it—he denied its very existence five times during a radio interview. It is a fact—it is a policy in the Liberal Democrat manifesto and in no one else's. It has been described by Jonathan Fair, the chief executive of Homes for Scotland, as “sheer madness”.

Who signed off that policy? It must have been the Liberal Democrat shadow chancellor, the saintly Vincent Cable, the sanctimonious Brahan seer of the recession, who loves to tell us how only he had the foresight, and only he has the wisdom to identify and deal with the financial crisis. The Brahan seer certainly took his eye off the ball as far as that policy is concerned, did he not? It is indeed “sheer madness”. In one fell swoop, the not so capable Cable has gone from financial guru to nutty professor.

Rob Gibson: Will the member give way?

Ross Finnie: Will the member take an intervention?

David McLetchie: I am in the last minute of my speech.

We are indeed indebted to the Labour Party for pointing out the key features of the emerging Labour-Liberal Democrat coalition that its members are just gagging to stitch together again, if they get the chance. The Labour Party would give people a tax on new jobs; the Liberal Democrats would give people a tax on new homes. That way lies not the road to recovery—those are policies that will deepen the recession.

I support the amendment in the name of my colleague Derek Brownlee.

10:51

Marilyn Livingstone (Kirkcaldy) (Lab): All of us in the chamber can agree on the need to act urgently to implement effective solutions to support our local and national economies. As convener of the cross-party group on construction, I take this opportunity to highlight the difficulties that continue to be experienced by the construction industry and to outline what the sector needs from this Scottish Government—not from someone else, but from the minister's Government. Given the significance of the construction industry in Scotland, it is vital that it takes an appropriate place on the political agenda.

The construction industry is crucial to the Scottish economy. It employs more than 200,000 people, which is 8 per cent of the working population. It contributes approximately £10 billion to Scotland's economy every year, which is equivalent to 10 per cent of total economic output.

The economic downturn has had a very significant impact on the industry. Employment in the industry fell by 4 per cent in the first eight months of 2009, which is equal to the loss of 8,500 jobs. It is expected that, by 2013, the industry will have recovered only as far as the levels of output that were achieved in 1999. It is crucial that the Scottish Government listens to the needs of the sector if it is to return to full strength.

The Government must work with the construction industry and with bodies such as the Scottish Further and Higher Education Funding Council to ensure that college and university courses are adequately funded and that the industry is equipped with the skills to deliver construction projects. The recent proposals by the Scottish funding council to cut funding in universities for architecture, the built environment and planning by 22 per cent would severely impact on the construction industry and on the ambitions of the Scottish Government. All Government departments and agencies need to work together—it seems that the right hand has no clue what the left hand is doing.

Keith Brown: I thank the member for taking this intervention, and I acknowledge her work in the cross-party group on construction. Will she acknowledge that, when she talks with representatives on that group, they tell her that their main problem lies in adequate finance for people to buy houses in the first place?

If Labour is proposing a guaranteed right to an apprenticeship for young people, how does the member propose that Labour will fulfil that guarantee in the absence of employers taking on those apprenticeships?

Marilyn Livingstone: I am trying to point out, first, that all Government departments need to

work together. Secondly, the Government must get its Scottish Futures Trust act together, so that public sector contracts and building projects can proceed. If there was work in the sector, there would be places for apprentices.

The Scottish Government's targets on climate change could be seriously impeded by a reduction in the number of built environment graduates, who would be expected to lead in such areas as developing building standards and sustainable energy. The Scottish Government's targets on housing could also be impacted upon, through a reduction in the number of skilled professionals who are available. Issues have been raised throughout Scotland about there being too few planning graduates.

The Scottish Government's strategy of

"investing in major infrastructure projects to support the growth of our key sectors"

cannot be delivered without an adequate supply of built environment graduates, quantity surveyors and others.

Although the proposals have been shelved because of intense lobbying by the sector, the Government must work with the Scottish funding council to ensure that they are rejected, as such cuts could have dramatic implications for the future of the industry.

The Civil Engineering Contractors Association estimates that the Scottish civil engineering sector has downsized 15 per cent to 20 per cent in the past year, with many firms now working minimum hours in an effort to avoid further redundancies and the loss of skills. The sector relies on Scottish public sector clients for more than 75 per cent of its workload and, to protect the core skills base, it is essential that the Scottish Government prioritise its investment programme for major capital building projects. That answers the minister's intervention.

The Scottish Futures Trust must act now to mobilise additional funding for new schools, hospitals, public sector housing and infrastructure from the private sector. I urge the Scottish Government to evaluate the overall package of funding for Scotland's construction industry to make public sector investment efficient and effective. It is crucial that public sector procurement contracts within the sector be linked to skills and training. The Government must create drivers to stimulate the sector and link contracts to construction jobs, such as the Dysart townscape heritage initiative in my constituency, which has allowed stonemason apprentices to train in an area where there will be long-term training and a need for their skills. Transport Scotland also aims to include apprenticeship clauses in the construction of the Forth replacement crossing.

Such initiatives must be welcomed and supported by the Government and must be how we draw up contracts in future.

Part of the cross-party group's remit is to emphasise the need for focused education and training places. As I said, I am deeply concerned that 63 apprentices in the construction and engineering industries in Fife have lost their jobs in the past year. Since the start of the recession, 1,450 apprentices have been made redundant and, although 40 per cent of those young people have been re-employed, 833 still require a work placement. The Government has withdrawn support for apprentices through ScotAction and a high number of apprentices still seek work. The adopt an apprentice initiative continues until May 2010, but it is anticipated that a high number of young people will still require support after that date.

What is the Government going to do for those young people? The construction industry is asking that, not me. More proactive support is needed to prevent further apprentice redundancies and to create new opportunities for modern apprenticeships.

The Deputy Presiding Officer (Trish Godman): You should finish now, Ms Livingstone.

Marilyn Livingstone: Okay.

The latest figures from the construction industry claim that 7,220 new recruits are needed annually. The minister and the Government must recognise the significant contribution that the construction industry makes to the Scottish economy by supporting jobs and the skills in the industry and by giving it the support that it needs now if it is to continue to be the driver for economic recovery.

10:58

Stuart McMillan (West of Scotland) (SNP): The debate this morning has gone according to party lines, as we would expect. As there is the small matter of a UK election, it is no surprise that the Parliament is being used as a platform for all parties to promote their wares, and I am afraid that I will be no different from other members in that.

We have already heard from some members the allegation of a lack of public contracts and, not surprisingly, that has been rebutted by my SNP colleagues. It is a ridiculous position for Labour members to take in their motion bearing in mind the fact that even more public sector contracts could have been started and more jobs safeguarded and created if the Labour chancellor had agreed to accelerate £350 million of capital funding. Unfortunately, he did not see the sense in that.

Andy Kerr: Will the member give way on that point?

Stuart McMillan: I have just started, so I need to make some progress at the moment.

We have already heard about the consequentialists that came to the Scottish Parliament. Only two weeks ago, John Swinney announced how that money is to be spent. Sarah Boyack touched on the boiler scrappage scheme in her speech. That scheme was £2 million and it would have been wonderful if it had been more but, if Sarah Boyack wants more money for the scheme, we would have to consider, and she would have to answer, the question: from which consequentialists would it come? Would it be from the £31 million of additional money that is going into housing?

Sarah Boyack: As I said in my speech, I would take it from the woeful underspend in the energy efficiency programme this year. The money that the Scottish Government put in is the consequentialists. The UK Government and the Welsh Assembly Government put in more; that is what the SNP should have done.

Stuart McMillan: I admit that I would rather trust John Swinney to handle our economy than Alistair Darling, to whom I will come in a wee moment.

Under the current and previous chancellors' never-never economic policies, if the money was not there, they would just go and borrow it. Before anyone shouts about the money that went into assisting the banks, I point out that the full UK national debt cannot be attributed to the loans given to the banks. No amount of spin or bluster can deny that. The bottom line is that every person in Scotland and the UK is up to their eyeballs in debt. It is not so much personal debt—although some people are, of course—but the debt built up by two chancellors who threw money around like confetti with little regard for the return on investment.

Andy Kerr: Will the member give way?

Stuart McMillan: I will make some more progress on this point.

They also threw virtually £32 billion of PPP money around, which we in Scotland will be paying back for decades. My kids are eight months old and coming up for three. By the time that they leave school, they will have the privilege of paying taxes for the schools that they went to, which will still have to be paid off.

The Tories, given their record, have nothing to crow about in Scotland or elsewhere in the UK. I grew up in Port Glasgow and remember the 1970s, when being outside a shipyard when the hooter went was frightening, as thousands of men

and women poured out. That was obviously not the heyday for shipbuilding but, nonetheless, thousands of men and women worked in the yards in Inverclyde as well as in engineering firms such as Kincaid's. When Thatcher came to power, she hammered the final nail in the coffin for the shipyards in Inverclyde.

Karen Gillon (Clydesdale) (Lab): Will the member give way?

Stuart McMillan: I will make some progress on this point.

Thatcher's policies resulted in a generation of people being lost to apprenticeships and training. I am afraid that the youth training scheme was nothing short of a cheap labour scheme. It paid people up to about £27 per week and did not train them fully. It was an affront to the youth of Scotland and elsewhere in the UK, and the Tories should be eternally shamed for it.

Karen Gillon: Will Stuart McMillan join me in condemning the SNP MPs who, in 1979, walked through the lobbies and ushered in the worst decade of Thatcherism that the country has ever seen?

Stuart McMillan: I am glad that the member asked that question because, let us face it, the economy in the late 1970s was an absolute shambles created by the Labour Government and Labour members should be ashamed of themselves.

To go back to the Tories, Norman Tebbit called on people to get on their bikes, but that was not an option for some people, and others wanted to stay in a place they called home to try to rebuild their lives and communities. The latter point is something that Tories of that era probably did not understand and, thankfully, the electorate of Scotland continued to give them a bloody nose and ultimately humiliated them by electing none of them in 1997.

The Liberal Democrats do not have much of a record to defend from London but, only yesterday, Homes for Scotland slammed their proposals to add VAT to new-build homes. Just in case the Lib Dems do not know, there has been a recession and the housing market is extremely fragile. However, they want to add to the already challenging house-building market. The electorate will see the madness of that proposal.

Ross Finnie: Will the member give way?

Stuart McMillan: I am in my last minute, so I really have to finish off.

With regard to the motion, it is absolute nonsense to say that the Scottish Futures Trust is not doing anything. My colleague Rob Gibson already mentioned a range of projects in which the

SFT is involved. Ron Hewitt, the chief executive of the Edinburgh Chamber of Commerce, has said that the SFT

“is absolutely the right thing to do. It will save public money.”

I would rather take Mr Hewitt’s advice than the Hoddit and Doddit economic strategies of Gray and Kerr and the bankrupt partnership of Brown and Darling.

We have had enough of Gray’s guff, Tavish’s tosh and Annabel’s amnesia. Some members will say that Scotland is too poor, too wee and too stupid to be independent.

The Deputy Presiding Officer: Finish now, Mr McMillan, please.

Stuart McMillan: I say that Scotland simply cannot afford to remain as part of this bankrupt Britain and that our economy needs to continue to move forward with more economic powers.

11:04

Anne McLaughlin (Glasgow) (SNP): I like to think of myself as pretty unshockable when it comes to hubris from the British Labour Party benches, but the sheer brass neck of Mr Kerr’s motion takes Labour to heady new heights. The motion calls on the Parliament to regret

“the Scottish Government’s failure to ensure a steady stream of capital infrastructure works”.

The Scottish Government demonstrated its commitment to accelerating capital expenditure last year, when investment helped the construction industry to cope with the recession. It is sad that Alistair Darling’s record is not quite so illustrious.

Andy Kerr: Will the member take an intervention?

Anne McLaughlin: If he gives me a moment to make my points, I will let the member in.

Despite repeated requests to allow the Scottish Government to accelerate capital spending, the British Labour Party sold Scotland’s construction industry down the river. What a cheek Scottish Labour members have to bring this debate to the Parliament, when their colleagues down south prevented more capital investment. What a nerve! The idea that the Scottish Government could do more under the current devolution settlement is absurd. However, if Mr Kerr has seen the light, in a road to Damascus conversion on the road back from Hairyres, and is suggesting that the Scottish Government should be accountable for all revenue and expenditure in Scotland, I welcome his conversion to the cause of independence and I will have a membership form sent to his office—in fact, I will take it over myself.

Andy Kerr: I look forward to getting the member’s letter in the post. Will she comment on the substantive point that all our construction lobbies, organisations and trade unions have made, which is that the programme that the Scottish Government inherited was £1.3 billion but collapsed to £300 million, leaving a £1 billion deficit in the construction industry in Scotland, which has led to the loss of 27,200 jobs by her Government?

Anne McLaughlin: Andy Kerr should listen to Drysdale Graham, from the law firm McGrigors, who said:

“the SFT is a force for good.”

Mr Kerr should feel the force and embrace it.

The British Labour Party’s dilemma in Scotland is that its Westminster bosses are telling the world that the recession was not their fault but was a global recession—and yes, there was a global recession—so the recession in Britain had nothing to do with them. In the meantime, in the Scottish Parliament, the same party is obsessed with playing party politics with the recession in Scotland. Labour would have us believe that there was a completely global recession and a completely Scottish one.

In the closing speeches, I invite Labour to apologise for their continual smears against countries such as Ireland and Iceland, particularly now that the most recent IMF estimates—Labour members will be disappointed to hear this—show that Ireland, Iceland and Norway will remain wealthier per head than the UK between now and 2014.

I give credit where credit is due. Iain Gray supported the Scottish Government’s call to accelerate capital spending this year, which would have secured thousands of jobs in Scotland throughout the recovery period. It is unfortunate that the rug was again pulled out from under the Labour Party in Scotland by none other than Mr Darling—one of its own and supposedly one of our own, given that he is a Scottish Labour MP—who refused to help Scotland and threw a rare opportunity for consensus to the winds. It is no wonder that Scottish Labour members’ frustration at being caught like rabbits in the devolution settlement’s headlights is palpable in the lodging of motions such as the one that we are debating.

The motion refers to the Scottish Chambers of Commerce’s business survey. Let us consider the key issues that the survey identified. The Scottish Chambers of Commerce said:

“Once again there are more signs that cost pressures are increasing, especially transport”.

That will not surprise anyone who has been to the petrol pumps recently. Does the Labour Party not

realise that every construction business in Scotland feels the knock-on effect of increased transport costs, as do wholesalers and the hauliers who have not yet been driven out of business?

Duncan McNeil (Greenock and Inverclyde) (Lab): Will the member give way?

Anne McLaughlin: Not unless Duncan McNeil is standing up to condemn the rising fuel costs. Labour members will not condemn the increases, because they have been presided over by the British Labour Party, of which they are all fully paid-up members. Despite the good work of my colleague Angus MacNeil MP on the issue, the London-based Labour Party has refused to help companies and communities to deal with rising fuel costs. Companies are being driven out of business on Labour's watch.

Marilyn Livingstone: Will the member give way?

Anne McLaughlin: No. If I thought that the member was going to say something constructive rather than indulge in party politicking, I would do, but I do not think that, so I will not give way—*[Interruption.]* Labour members should remember that I am responding to their pathetic motion.

The decline in the demand for house building is hugely significant to the construction industry, but—funnily enough—Mr Kerr makes no mention of that in the motion. I will give members a clue as to why that is. The Scottish Government is making substantial progress on house building. Indeed, the recent announcement of £31 million for affordable housing will be welcome in the construction sector. If the matter was left to Labour, there would not be enough new council houses to house their soon-to-be-unemployed ex-MPs, let alone anyone else.

The SNP Government is doing the best that it can do to support the Scottish economy and steer it back to growth, given the limited powers that it has. The restrictions on our power, which prevent us from fully addressing economic growth, are of course supported by all the unionist parties in the Scottish Parliament. The SNP Government is doing its best, given the restrictions that are imposed on it by the British parties. If members of this Parliament want to grow our economy and provide training to “every young person”, as the motion says, they must acknowledge that although we are doing pretty well with one hand tied behind our backs, we would do a whole lot better if we had the full economic powers of an independent nation.

11:11

Jeremy Purvis: Many members have referred to the fact that the economy in Scotland is performing worse than the economy of the rest of the UK. We have agreed with and supported some of the work of the Scottish Government during the past year and, when we engaged with the Government during the budget process, it was inevitable that we focused on elements of the economy. We argued that it was unsustainable for the pay bill for the highest-paid employees in the public sector to continue unchecked and that tackling the issue would free up resources to provide more college places for young people. The Scottish Government responded—largely, if not entirely—positively to our arguments. I think that the people of Scotland expect the budget process to operate in that way.

However, we have been concerned by some perverse decisions by the Scottish Government during the worst recession in living memory, which is deep and will have a longstanding impact. One such decision was the decision to reduce the enterprise budget. Moreover, the Government has not been clear about its priorities within its fixed budget. For example, the first version of the Government's economic recovery plan said that free school meals were a crucial part of economic recovery, but the policy has been dropped from subsequent versions. We are right to highlight the perverse choices that the Government has made, despite its claim that its number 1 overarching aim is economic development in Scotland.

Gavin Brown (Lothians) (Con): Will the member give way?

Keith Brown: Will the member give way?

Jeremy Purvis: If Mr Gavin Brown does not mind, I will give way to the Minister for Skills and Lifelong Learning.

Keith Brown: I thank Mr Purvis. Does he think that it is right for someone who proposes the application of VAT to new house building to accuse anyone else of making “perverse decisions”?

Jeremy Purvis: I will respond to the minister's point. Given the Government's housing policy as set out in “Firm Foundations: The Future of Housing in Scotland”, and given that in today's papers the Cabinet Secretary for Health and Wellbeing argues that renovation of the dormant properties that are a blight on our town and city centres will be critical, the absence of creative thinking on the issue represents an abdication of responsibility. The minister should not simply make comments blithely.

Of course, the SNP's approach is a feature of the alliance with the Conservatives that is evident

in another area of tax policy—rates. I will come back to that, but first I will talk about the approach to VAT. The Conservatives' paper, "Blueprint for a Green Economy" described the impact of VAT as "a damaging distortion". Murdo Fraser rightly condemned the boom of the previous 13 years, which was built on a housing bubble and predicated on new greenfield homes becoming more and more expensive. That was, in part, the result of the distorted VAT structure in the UK tax system, which the Conservatives talked about in their paper and which John Purvis MEP correctly identified last year. The Conservatives' paper said:

"we should seek ways to move away from the present situation to one which is more balanced."

If a party says that the tax system should be "more balanced", people expect it to say how it would make that happen.

Murdo Fraser: Will the member give way?

Jeremy Purvis: I am sorry, I have no time to give way to Mr Fraser—if I find that I have time when I am further on in my speech, I will give way to him.

If the Conservatives want to rebalance the situation and reduce VAT on renovations, extensions, improvements and restorations, they must say where the money will come from.

The Conservatives do not agree with the Royal Institute of British Architects, the Construction Products Association or the Federation of Master Builders, which have repeatedly called for harmonisation or equalisation of VAT. That is fine—they can disagree with those organisations, but they should not go round the country complaining about the allocation of brand new greenfield sites in local plans or about the continuing trend of people moving away from, and choosing not to live in, town and city centres.

To some extent, I agree with the rest of the refrain from Mr Fraser and Mr McLetchie. We regretted the increase in national insurance. Where our approach differs is that if the intention is to reverse that increase, it is necessary to do slightly more than say simply that cutting out waste will pay for it. Mr Fraser is right to say that the tax increases for large businesses and the public sector because of the rise in national insurance contributions will cost jobs and will mean fewer teachers, nurses and police officers, but last week the Conservatives said that similar increases because of the rates revaluation would have no impact at all. It is simply inconsistent to say that one tax increase will cost jobs, whereas another will not. The Conservatives and the SNP have a joint approach to rates tax in Scotland.

Gavin Brown: Will the member give way?

Jeremy Purvis: I am sorry, but I have not got time.

There is no difference between the approach of the SNP and that of the Conservatives on rates tax. Mr McLetchie said that the increased rates tax would mean that money would be available to spend on cancer medicine. If the Conservatives' position was that a doubling of the tax bill in Scotland as a result of rates increases would not have an impact, why should we believe what they say today? Their position is simply inconsistent.

We have heard that it is the wrong time for business in Scotland to be paying more tax. Mr McLetchie said that making business pay more tax would be the worst thing to do in a recession, but we might be surprised to learn that it emerged in an answer to a parliamentary question on 16 March about how much tax had been collected through business rates in each of the past three years, broken down by local authority area, that over the past year, businesses in Scotland have paid an additional £112 million in tax. For the first time ever in Scottish history, the tax take from business is more than £2 billion.

The Deputy Presiding Officer: You should be finishing now.

Jeremy Purvis: We are told that a rise of 6 per cent, or £112 million, in the amount that businesses have paid in tax over the past year, during the recession, will not have an impact. A bit more consistency from the Conservatives in that regard would be welcome.

11:17

Gavin Brown (Lothians) (Con): It will come as no surprise to members that the Conservatives do not intend to take any lessons from the Liberal Democrats on any form of taxation scheme. The transitional relief scheme that was hot property for the Liberal Democrats last week was such hot property that it did not make it into their manifesto. If Mr Purvis had spent a little more time reading his party's manifesto instead of reading policy papers and quotations from former MEPs, he might have made a more useful contribution to the debate.

Mr Purvis twice refused to accept an intervention from me. I will take an intervention from him if he will answer this question. [*Interruption.*] Last week, he said—Mr Finnie was there, too—that his transitional relief policy would be funded by the £70 million of Barnett consequentials from the budget. However, the day before that, we were told that the largest slice of that money was to be spent on affordable housing. Mr Purvis may wish to tell us which of those issues is the biggest priority for the Liberal Democrats. Is it affordable housing or is it his transitional relief

scheme? I will take an intervention on that point at any time during my speech.

Jeremy Purvis: With regard to rates increases across the board, do the Conservatives agree that, at the very least, there should be a transitional scheme in Scotland on the number of options that are available? Are the Conservatives in favour of any form of transitional scheme?

Gavin Brown: We have had no answer. Mr Purvis constantly has the demeanour of a man who has just lost his no-claims bonus. That is the case now.

We will take no lessons from the Liberal Democrats on their tax policy. The idea of putting VAT on new homes when we face the worst housing crisis since the second world war is ridiculous. The view that Homes for Scotland expressed yesterday—that the proposal is “sheer madness”—has been repeated frequently. First-time buyers would be hit disproportionately by it and they would be hit hard at a time when they are already struggling to raise deposits for a house. They would be penalised disproportionately by a higher rate of VAT on all new-build houses, which would be permanent. Once we moved away from a zero-rated VAT scheme, there would be no going back.

Let us focus on Labour’s motion, to which colleagues have responded differently. Mr Brownlee expressed surprise that Labour wanted to debate its record on the economy, and Mr McLetchie thanks Labour for allowing us to do so. In the parlance of “Yes Minister”, Andy Kerr’s decision to debate the issue was “courageous”.

Andy Kerr: We are happy to debate the economy. We say that the Scottish Government has caused a crisis in our construction sector.

Is Gavin Brown prepared to acknowledge that there have been fewer repossessions during the present global recession than there were during the recession under the Tories, and that unemployment and business bankruptcy levels are lower, too. Therefore, when it comes to the importance that is attached to tackling the recession, we will take no lessons from the Tories.

Gavin Brown: Instead of using the strict International Labour Organization definition of unemployment, we should look at the number of people who are out of work. The number of people on incapacity benefit is higher than the number of people who meet the ILO’s unemployment rules. Perhaps Andy Kerr ought to focus on that figure.

On employment, as all the Conservatives who have spoken in the debate have said, the biggest danger is Labour’s proposed permanent tax hike on national insurance, which could cost 5,000 jobs, and which will rip £63 million directly from

front-line services and put it straight into the Treasury’s coffers. Labour had the opportunity to pull back from the proposal, but it chose not to, on the ground that doing so was a bad idea. Just after that, captains of industry signed up to the Conservative proposal to stop the tax hike. The Labour Party’s response was to say that industry leaders had been duped. How patronising is that? Just as Labour claimed that industry leaders had been duped, more businesses signed up to the Conservative proposal to stop the permanent tax hike on jobs.

That was followed, last week, by a bizarre intervention from George Foulkes and Jim Murphy, who both declared that employment increased the last time national insurance went up, and that increasing national insurance would somehow result in the same happening again. That was a ridiculous position to take as we hope to move towards recovery. This week, in a press release, Iain Gray suggested that Conservative plans to take £6 billion out of the Treasury’s coffers and put it into a tax cut would result in a doubling of unemployment. That eclipses even the comments of Lord George Foulkes and Jim Murphy.

A Labour Party headline this week said, “Brown decides not to have roll-call photo with industry”. The reality is that industry decided not to have a roll-call photo with Gordon Brown.

11:24

The Minister for Skills and Lifelong Learning (Keith Brown): As we know, the Scottish economy entered recession in the middle of 2008 and returned to growth in the final quarter of 2009. Through our economic recovery plan, the Scottish Government’s response to the economic downturn has been flexible and dynamic. We have supported people and businesses through what has undoubtedly been a challenging time. We believe that we have acted decisively to support our economy and our construction sector. Last year, we maximised and accelerated some £3.8 billion of capital spending to support infrastructure investment and some 50,000 jobs across Scotland.

In addition, we are clear that our modern apprenticeships programme is of paramount importance to a strong economic recovery for Scotland, as it equips people with the training and skills development that are needed to gain long-term employment. Over the past year, we have acted quickly to put in place incentives to support businesses to take on a new apprentice, to recruit an apprentice who has been made redundant, or to protect an apprentice who faces the threat of redundancy. Indeed, our ScotAction programme represents the most comprehensive support

package for apprenticeships in the UK. More than 20,000 people in Scotland started modern apprenticeships last year and are now receiving training and skills development to help them into long-term employment. Almost 3,500 of the starts were in construction-related jobs. We will continue to prioritise investment in skills and training this year by offering a minimum of 15,000 modern apprenticeship starts and a minimum of 34,500 training opportunities overall—and we will do more if we can.

At present, 79 companies and 160 modern apprentices in the construction sector benefit from the wage subsidy that is available through our safeguard an apprentice scheme. Given the continued uncertainty in the labour market, we will continue to offer both that and the successful adopt an apprentice scheme through to March 2011. I hope that that answers a point that was raised by Marilyn Livingstone.

Today's debate has raised a number of issues that I want to address. First, I thought that Andy Kerr's opening speech was a very poor start to the debate. Coming from a council where we are used to much higher standards of debate, I was disappointed that he managed to get through 13 minutes of a speech without mentioning Labour's recession. Speaking for 13 minutes without acknowledging the 13 years of the failure of the Goldman Sachs-type Government that we have had in the UK takes some skill in itself, so perhaps that justified the tiny mention of skills that he made at the end of his speech.

Andy Kerr: The SNP's manifesto in 2007 proposed the end of gold-plating financial regulations so as to increase the financial services market in Scotland, but in this debate the minister somehow suggests that he would have introduced more regulation, rather than less. His manifesto said otherwise.

Keith Brown: The point was asked about and answered earlier on. We prefer to have less gold plating, but certainly not the Goldman Sachs-type Government that we have had from Andy Kerr's party in the UK over the past 13 years.

I regularly talk to people in the sector skills councils and representatives from the construction industry, and there is no question but that there is a great deal of support for the Scottish Government's ScotAction programme. There are one or two who have different views on how we could best go about addressing the problems, but without exception people are clear about the cause of their concerns in the construction industry: it is, first and foremost, Labour's recession. They know that that is the big problem. How we try to deal with it is obviously a matter of debate.

Last year, in agreement with the Labour Party, we aimed for 18,500 apprenticeships, and we have exceeded that with 20,000 apprenticeships—the figure will be beyond that by the end of the year. From my discussions with the industry, I think that it will be troubled by Labour's new policy development to guarantee apprenticeships. That is incompatible with the employer-led apprenticeship scheme that we have. That scheme was not followed in England, where people now wish that it had been. It will be interesting to see in the coming days how Labour members explain the change in policy and how they will fulfil a guarantee of an apprenticeship for young people. On our part, we guarantee, and are happy to work with others who support it, the idea that there is a training opportunity or apprenticeship for people in that age group. However, not everybody can be guaranteed an apprenticeship under the current scheme. It will be interesting to see what happens.

As for the Lib Dems, I do not deny that there is something to be said for the idea of encouraging refurbishment and not always new build—if only that had been the case in the eight years of the Labour-Lib Dem Administration, when every PFI project channelled in the idea of new build rather than refurbishing existing buildings.

Jeremy Purvis: That is not true.

Keith Brown: It is true. The three new projects that we have in Clackmannanshire are all new build, and the five PFI schools in my constituency are all new build. In many of those projects, there were other options, but they were not taken. It is a late conversion from the Lib Dems to favour refurbishment over new builds.

I have mentioned before the Lib Dems' idea of applying VAT on new houses. Everybody in the construction industry says that the problem is a lack of access to finance, especially for first-time buyers. The idea of addressing the problem by whacking VAT on new houses is complete nonsense.

Ian McKee made the point that both Labour and the Lib Dems support minimum alcohol pricing down south but oppose it up here. It is not good enough to have the one-word answer, "Devolution". The Lib Dems have to explain why the situation up here is different, but they have failed to do that. It seems that there is simply political posturing from the Lib Dems, who are the shapeshifters of Scottish politics—they will take a different point of view depending on the issue and the support that they will get for it.

Ross Finnie: Is the minister accusing of supporting nonsense the Royal Institute of British Architects, the Royal Incorporation of Architects in Scotland, the Federation of Master Builders, English Heritage, the Heritage Link and the

Construction Products Association, all of which have campaigned for equalisation of VAT because they recognise the enormous difficulty and impossibility, particularly in Scotland, of dealing with the 70,000 houses that are not in use? That is not Liberal Democrat posturing; those are genuine organisations. If you want to take them on, minister, please do.

Keith Brown: Ross Finnie can misinterpret my words as he will. [*Interruption.*] I am attacking the Lib Dem proposal to apply VAT to new house building. I hear from some of the sedentary interventions from Labour members that they seem to support the idea, too. Let us see whether they will propose that in the last two weeks of their election campaign. It is simply the case that the policy will not fly. It is exactly the wrong thing for the construction industry in Scotland.

As I said, we have started more than 20,000 apprenticeships during the current year. I would take some of the criticism from Labour members a bit more seriously if they had actually voted for the apprenticeships that we have had this and last year. However, they did not do that—they voted against them.

I say to Sarah Boyack that there is no credibility in attacking the boiler-scrappage scheme, which we are having to introduce—[*Interruption.*]—once we get the consequentials. You failed to vote for it. People throughout the country know that you failed to vote for the scheme, so you have no credibility on it whatsoever.

Marilyn Livingstone and one or two others raised a point about having to explain to apprentices in her constituency why they have lost their job. She asked Keith James Brown; perhaps she should ask James Gordon Brown. He is from Fife too, and by far the biggest cause of people losing jobs just now is Labour's recession. Labour members know that, but they have failed to mention it throughout all the interventions that we have had from them.

Marilyn Livingstone: The construction industry is saying that the SNP needs to sort out its Scottish Futures Trust. There needs to be a steady stream of projects. That is your responsibility, minister—no one else's.

Keith Brown: Marilyn Livingstone is still failing, even given another chance to accept responsibility for the recession that the Labour Party has caused. [*Interruption.*] I actually think that she made a valuable contribution when she spoke, but I have the right to answer some of the points that she made.

Linda Fabiani and Ian McKee made excellent speeches, and there were some humorous speeches from elsewhere.

When Mr Whitton sums up, Labour will have one final chance for an apology for what has happened.

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

Keith Brown: There are millions of people across the UK and hundreds of thousands in Scotland whose lives have been really badly affected by the recession. Labour cannot go through a debate on the economy—a debate that it called for and for which it wrote the motion—and fail to apologise for what the Labour Government has done to people in Scotland.

Finally—

The Deputy Presiding Officer: Finish now, please.

Keith Brown: Labour can try to ignore the elephant in the chamber, and the Lib Dems and Tories can fight among themselves, but as a Scottish Government we will continue to do what we can to help the people of Scotland get through Labour's recession.

11:32

David Whitton (Strathkelvin and Bearsden)

(Lab): Labour called this debate today because the failure by the SNP to deliver a steady stream of capital projects in the pipeline has been one of the main reasons for the dramatic decrease in confidence in the construction sector in Scotland and for the equally dramatic increase in the numbers of unemployed tradesmen and apprentices in such a vital part of the Scottish economy. We think that a party that continually boasts that its number 1 priority is sustained economic growth would have paid some attention to what its policies are doing to the construction sector but, on the evidence, we would be wrong.

We have heard the statistics today. I believe that all members should sign up to the Labour motion that ministers should

“provide every young person with the right to quality training, including advanced apprenticeship or technician level training for those who are qualified.”

Mr Brown is shaking his head—

Keith Brown: No, I am nodding.

David Whitton: That is excellent. I am glad that we agree on that, because Mr Brown knows as well as I do that apprentice training is not just in the construction industry—it covers the whole breadth of Scottish industry.

In this “balanced Parliament”, as the First Minister now likes to call it, we should all be concerned with promoting economic growth and

using all the money and means available to create as many jobs as possible.

As Mr Brown has agreed, we will hold another apprentice summit next week, when I hope that he, as the skills minister, will announce an extension of the ScotAction programme, with further support for the adopt an apprentice and safeguard an apprentice schemes. Indeed, if I heard him right, he will do that. I also hope that the SNP will look again at the invest in an apprentice scheme, as the budget for the last hurried extension was used up within 10 days, with demand far exceeding supply. Those are all ideas that we have pushed for in budget discussions in the past two years.

Let us not forget older workers who are keen to retrain or to take on apprenticeships. This week, a constituent contacted me about a construction apprenticeship. He is 32—still a young man—and desperate to get a construction-related skill. I asked Skills Development Scotland, which said that there is no help for him unless he is aged 16 to 19. It referred me to Careers Scotland, which said, “Yes, it is difficult, but we’re sorry—there is still no help for that age group.” I then approached Construction Skills Scotland, which said that funding is available, but only if my constituent finds a forward-thinking employer who is willing to take on an older apprentice. Graham Ogilvy, who is the chief executive of Construction Skills Scotland, says that we need to fund adult apprenticeships properly if we are to get people to re-train. I understand that some European money might be available for that. If so, can we get it started as soon as possible? I ask that not just for my constituent, but for thousands like him.

What exactly can we do? We all agree that we need to push apprenticeships as the best available vocational entry route, thereby keeping apprenticeships at the front of the minds of employers, local authorities and students. Public funding must be prioritised towards employability, basic skills and the people who face severe disadvantage in the labour market. Not all young people will have the qualifications for a modern apprenticeship, so programmes such as training for work and get ready for work must be extended in order to bridge the gap, especially in the most deprived areas. It would help, too, if Skills Development Scotland would spend all its budget for those particular budget lines.

Statistics show that nearly 25 per cent of 16 to 19-year-olds in the 15 per cent most deprived areas are still not in employment, education or training. It is hard to find places for those 16 to 19-year-olds, and when the Scottish construction industry forecasts that there will be 51 per cent fewer apprentices in 2010, the situation becomes much more difficult. Yesterday’s gross domestic

product figures are not too encouraging, either. The bare facts are there to see. A survey by the Scottish Building Federation found that 24 per cent of firms expect to have to reduce their workforce in the course of 2010. A quarter of the firms that responded to the survey said that they expect to employ fewer apprentices this year, and almost half expect to be unable to employ any.

Ian McKee: Does the member share my pleasure in the fact that the report of the Construction Skills Network, which was published in January, shows that, overall, the construction industry in Scotland expects an annual growth rate of 2.8 per cent, which is higher than the UK figure of 1.7 per cent? Does he recognise that the expansion of the construction industry will provide more jobs for apprentices as they come on stream?

David Whitton: I am grateful to Dr McKee for that information, but that is a projection, not a fact. The bare facts are there to see, and the Scottish Building Federation found that 24 per cent of firms expect to reduce the size of their workforces.

We need action and more targeted Government support to retain apprenticeship places specifically in the construction sector. We must maintain public sector investment until the private sector picks up. The construction industry is forecast to remain in recession until at least 2011, and steady public sector investment is crucial to its recovery. Now is the time to do more and to increase help as the economy recovers. We must provide support to enable businesses to give young people a job, apprenticeship or internship, not take it away. That is why so many members of Scotland’s business community found the decision to cancel the Glasgow airport rail link—a project that would create 1,300 jobs—inexplicable.

Instead, as Mr Kerr highlighted, we have had the Salmond slump, which has cost almost 30,000 construction jobs through the stagnation that has been caused by the Scottish Futures Trust. *[Interruption.]* SNP members are laughing, but those are the facts. The business plan of the SFT, which was published a few days ago, states under its objectives for 2010-11 that it wants

“to enable the delivery of the first primary school by 2011.”

There we have it. Four years after coming to office, the SNP’s fantastic funding provider may deliver its first primary school in 2011. Given that rate of progress, it is little wonder that there are thousands of construction workers currently out of a job, and that apprentice numbers are falling.

Mr Mather got uncharacteristically heated about the reasons for the global recession. He spoke of SNP policy creating 15,000 jobs. Where are they? Even the Scottish Parliament information centre struggles to identify them. The minister also asked

Sarah Boyack whether she understands the cause and effect of the crisis. That is ironic, because the effect—unemployment of many construction workers and apprentices—has been caused by his wasting three years trying to form the Scottish Futures Trust.

Jim Mather: Does the member regret the fact that the only lasting legacy from Labour is a devaluation and debasement of the currency, which every Scot experiences every time they go to the petrol pumps?

The Presiding Officer (Alex Fergusson): You have about half a minute left, Mr Whitton.

David Whitton: As I said, the minister is getting uncharacteristically heated.

Mr Gibson demonstrated similar myopia in saying that “spivs and speculators” were the cause of the global recession. Does he blame Sir George Mathewson, who was flown halfway round the world to chair the First Minister’s Council of Economic Advisers and who is also the chair of a hedge fund that was short selling Royal Bank of Scotland shares?

Unfortunately, time does not allow me to address any other members’ speeches.

We want to see a green jobs skills strategy and Scotland working hard to create jobs in that area. Yesterday, we debated transmission charging and heard a lot about wind and wave turbines. We need workers with the skills to take up the job opportunities that will flow from the renewables industry, but there is no skills strategy to follow the renewables strategy. We also need the SNP to stop dithering and start delivering on capital projects and the SFT, so that Scotland’s construction industry can get the boost that it needs.

Scottish Executive Question Time

General Questions

11:40

Abdelbaset Ali Mohmed al-Megrahi

1. George Foulkes (Lothians) (Lab): To ask the Scottish Executive what recent discussions ministers have had with the solicitors acting on behalf of Abdelbaset Ali Mohmed al-Megrahi. (S3O-10181)

The Cabinet Secretary for Justice (Kenny MacAskill): None.

George Foulkes: Does the cabinet secretary realise that it is now eight months since he released al-Megrahi on the basis that he had less than three months to live? Has he seen reports that al-Megrahi’s health is improving, that he is working on his autobiography and that he has welcomed more than 30,000 visitors to his home? Is that why both the cabinet secretary and al-Megrahi’s lawyers are refusing to put in the public domain the medical evidence that he claims justified the release of a mass murderer?

Kenny MacAskill: If Lord Foulkes has questions about Mr al-Megrahi’s lawyer, he would do better to put them to Labour’s deputy justice spokesman, who is his brother, rather than to me, as I have had no correspondence with him. Lord Foulkes may be salivating about it but, in this country, medical reports are private and confidential. That applies equally to people who have committed serious offences and to those who have self-confessed addictions. Medical reports are not available to the Cabinet Secretary for Justice, to members of the press or to members of political parties. Lord Foulkes may wish to change that, but that is how things currently are.

I said at the time that Mr al-Megrahi may live for three months, for less or for longer. What is clear is that he faces terminal prostate cancer.

George Foulkes: On a point of order, Presiding Officer. Is it not totally inappropriate for a cabinet secretary to refer to someone’s brother—it happens to be an MSP’s brother—when that is entirely irrelevant to the question and answer?

The Presiding Officer (Alex Fergusson): I considered it at the time, Mr Foulkes, and I consider that there is nothing unparliamentary in what the cabinet secretary said. What he chooses to say is a matter for him.

Christine Grahame (South of Scotland) (SNP): Does the cabinet secretary agree that, given the additional information that has come to light since Mr al-Megrahi's return to Libya—for example, information from former Central Intelligence Agency operatives in Iran and elsewhere—the case for an independent, thorough and complete public inquiry by the United Kingdom Government is now overwhelming? Will he give an assurance that the Scottish Government would co-operate fully with such an inquiry should the next UK Government, whatever its composition, establish one?

Kenny MacAskill: The Government is well aware that there are lingering questions that people feel need to be answered. We have always made it clear that we will fully support any inquiry that carries out an investigation, but it must have the appropriate powers. Those are not within the domain of the Scottish Government or the Scottish judicial system, but we have put on record what we are allowed. We will co-operate fully with any inquiry, whether it is constituted by the United Nations or by a UK Government of whatever political complexion. I give Ms Grahame the assurance that the Scottish Government will co-operate.

Bill Aitken (Glasgow) (Con): Does the cabinet secretary agree that, if anything, Lord Foulkes is guilty of underestimating the extent of the difficulty in that the prognosis upon which the man was released is now nine months old—it was made in July—and that the pressure to release the medical evidence, on the basis of which the man was released, is now absolutely compelling?

Kenny MacAskill: That comes back to the point that medical evidence is privileged and is regarded as private and confidential in this country. That applies to all individuals, irrespective of their status and whether or not they have been convicted. If Mr Aitken or Lord Foulkes wishes to change that, they can seek to do so; however, that would require legislative changes and medical reports are not within the Scottish Government's domain. Nor is it within our control to publish medical reports. If there are desires to change the legislation, members can seek to do so through members' bills or in other ways.

Office of Gas and Electricity Markets (Fossil Fuel Levy Account)

2. Ross Finnie (West of Scotland) (LD): To ask the Scottish Executive when it will access the funds held by the Office of Gas and Electricity Markets in the fossil fuel levy account. (S3O-10212)

The Minister for Enterprise, Energy and Tourism (Jim Mather): As a result of interventions from Scottish ministers, the

Chancellor of the Exchequer has agreed to consider the matter of Scotland's fossil fuel levy surplus in the next spending review. The Scottish Government welcomes the chancellor's approach in that respect, although we continue to make the case for a more urgent resolution of this issue.

Ross Finnie: I am grateful for the minister's indication that the chancellor will consider the matter. However, after it was elected, the Government indicated that it had reached agreement with Ofgem and indeed, when it was questioned about its promise to deal with the issue in the first 100 days after its election, it said that it was in negotiations. Are you confirming that you have not really made much progress in those negotiations?

Jim Mather: Progress with Ofgem is one thing; progress with the chancellor, who has a track record in Scotland of refusing to bring forward capital expenditure, is another. I am surprised that the member is surprised by that.

Lewis Macdonald (Aberdeen Central) (Lab): As the minister will acknowledge, representations on this matter were made by ministers at the Scotland Office and resulted in the UK Labour Cabinet's decision to consider the levy in the next spending review. Do ministers take the view that funds from the levy should be ring fenced for low-carbon energy and grid investment? Will the minister undertake to consult widely on setting up a fund for that purpose in order to make further progress?

Jim Mather: The legislation in question specifically indicates that the money will be used to promote renewable energy throughout Scotland. Although detailed proposals need to be worked up, we very much want to go down that consultation route.

High-speed Rail Link

3. Gil Paterson (West of Scotland) (SNP): To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding the high-speed rail link. (S3O-10246)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): There have been a number of discussions on that matter with the UK Government at ministerial and official levels, during which my officials and I have pressed Scotland's case for inclusion in a UK high-speed rail network.

Gil Paterson: Minister, in your discussions with the UK Government, will you remind its officials that, as part of the campaign for the Eurotunnel, Scotland was promised a direct link to Europe, which we are still waiting for? Can we learn from that experience and, when it comes to the high-

speed rail link, insist that Scotland not be cheated and forgotten by London once again?

Stewart Stevenson: It was deeply disappointing that the rolling stock that was acquired at the time of the Eurotunnel to operate services from Scotland and other points north of London was never deployed and, indeed, was disposed of without ever being used for that purpose. We should learn lessons from that. However, I believe that the lesson is twofold: first, we must keep up the pressure and continue to make the case; and secondly—and more serious—we do not have to trust anything that we are told from the south.

Perth and Kinross Council (Meetings)

4. Elizabeth Smith (Mid Scotland and Fife) (Con): To ask the Scottish Government when it last met representatives of Perth and Kinross Council and what issues were discussed. (S3O-10159)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Ministers and officials regularly meet representatives of councils, including Perth and Kinross Council, to discuss a range of issues.

Elizabeth Smith: Will the cabinet secretary use this opportunity to put on record the Scottish Government's support for Perth's bid for city status in 2012?

John Swinney: I am absolutely delighted to do so and confirm that the Government very much supports Perth and Kinross Council's aspiration to secure city status. I very much welcome the broad support that has been given to the objective, which represents a very exciting prospect for the city of Perth.

The Presiding Officer: Question 5 was not lodged.

Machrihanish Royal Air Force Base

6. Jamie McGrigor (Highlands and Islands) (Con): To ask the Scottish Executive what it has done to encourage the efforts of the Machrihanish Airbase Community Company to buy out the ex-Royal Air Force base at Machrihanish near Campbeltown for the community. (S3O-10166)

The Minister for Housing and Communities (Alex Neil): The Scottish Government has worked closely with Machrihanish Airbase Community Company, known as MACC, to provide impartial advice to enable it to register an interest in the ex-RAF airbase under the community right-to-buy provisions of the Land Reform (Scotland) Act 2003. That has enabled MACC to secure a pre-emptive right to buy on the former airbase, and the

Government will continue to provide impartial advice throughout the right-to-buy process.

Jamie McGrigor: I thank the minister for that answer, but he will know that £20 million of negative equity is ensnared in the airbase's aged infrastructure, including sewerage, electricity and water, and that 140 home owners who have bought ex-RAF houses and depend on all this now have no factor to contact to address those issues. He will also be aware of the airbase's huge importance as an asset of fantastic potential to the communities of Campbeltown and Kintyre. As a result, will he ensure that the airbase becomes an asset to the community rather than a liability that a Scottish Government might have to settle at some point in the future? Will he also investigate worrying reports on the For Argyll website of possible radioactive contamination on part of the site?

Alex Neil: We in the Scottish Government will do everything we can within our powers and our resources to facilitate the community right to buy. However, many of the very valid issues that the member has raised can be addressed only by the Ministry of Defence in London. We will be very happy to raise these matters with the new Secretary of State for Defence, whoever they might be, and encourage them to address them to ensure that the community can not only exercise its right to buy successfully, but go on to make a success of the development.

Non-domestic Rates

7. Iain Smith (North East Fife) (LD): To ask the Scottish Executive what action it is taking to support businesses affected by increases in their non-domestic rates bills. (S3O-10220)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): We are taking a range of actions. The package of measures that I announced on 10 February to support all businesses in Scotland following the 2010 revaluation amounts to around £700 million in 2010-11 alone. It also includes the most generous reliefs available in the United Kingdom, which are worth in total around £2.4 billion to Scottish businesses over the next five years.

Iain Smith: Did the cabinet secretary see an article in yesterday's *Scotsman* by Debbie Taylor, the managing director of the Old Course hotel in St Andrews and chair of the British Hospitality Association's Scotland committee? In it, she says:

"In February, the Scottish Government announced that the transitional relief scheme, which phases in increases to business rates, is being removed with effect from April. With less than two months to prepare, many businesses were left dismayed by this decision ... For some, the huge increases to their rates will be the straw which broke the

camel's back after clinging on through the worst recessions for decades."

The Presiding Officer: Question, please.

Iain Smith: Debbie Taylor's article concludes:

"If the Scottish tourism industry is to remain a strong brand that attracts hundreds"—

The Presiding Officer: Come to your question please, Mr Smith.

Iain Smith: I am coming to the question. Does the cabinet secretary agree with Debbie Taylor that

"If the Scottish tourism industry is to remain a strong brand that attracts hundreds of thousands of visitors to this country every year, Scottish businesses must be put on an equal footing to their English counterparts and be given a fighting chance to come out of the recession intact and competitive"?

John Swinney: I am certainly pleased to record that Scotland has emerged from recession. Indeed, it is important to note both that and the fact that the recession was shorter in Scotland than it was in the rest of the UK.

I have listened carefully to the views expressed by the businesses that have been adversely affected by the rates revaluation. As I said in last week's debate, I encourage any affected business with such concerns to appeal the decision on their business rates. However, I point out to Mr Smith that the Scottish Government has made available a very generous amount of support—amounting to around £700 million in 2010-11 alone—to cushion the impact of business rates on the viability and operation of businesses. I will continue to listen to representations from businesses affected by this issue, but I stress that an appeal mechanism is available and I encourage companies that are concerned to use it.

Lewis Macdonald (Aberdeen Central) (Lab): Will the cabinet secretary listen to representations from Aberdeen and Grampian Chamber of Commerce, which wrote to him earlier this week about their concern about the lack of transitional relief in Scotland, and agree to have the urgent meeting that it has asked for?

John Swinney: I am aware of the correspondence that has been received from Aberdeen and Grampian Chamber of Commerce and representations that have been made and concerns expressed to me by Mr Adam, the MSP for Aberdeen North. I would be delighted to meet the chamber of commerce to discuss its concerns. I point out to Mr Macdonald, however, that many businesses in the Aberdeen area and throughout Scotland have benefited from significant reductions in their business rates bills as a consequence of the rates revaluation and because the current Administration has put in place

generous support that was not available under its predecessors.

The Presiding Officer: Question 8 was not lodged.

Concessionary Rail Travel (Fife)

9. Helen Eadie (Dunfermline East) (Lab): To ask the Scottish Executive whether it will intervene to ensure that the concessionary rail travel scheme in Fife is retained. (S3O-10179)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): I understand that there are no plans to stop Fife's concessionary rail travel.

Helen Eadie: I suggest that the minister must improve communications with his colleagues in Fife, because there are certainly plans to remove the 50p travel scheme whereby those who benefit in Fife have the privilege of travelling to Glasgow, Edinburgh and Dundee for only 50p each way. Does he share my profound concerns that Fife's old people are being hurt in a way that has never happened over the past three decades? Does he accept that every policy outcome of the Liberal Democrat and SNP administration on Fife Council has done nothing but bring harm to Fife's old people?

Stewart Stevenson: What concerns me, and should concern any member who seeks to represent Fife in any Parliament, is the grossly inaccurate misrepresentations that are seen on election addresses that are being distributed there. Even the Prime Minister's election material talks about SNP cuts to concessionary travel. If even the Prime Minister cannot get it right, let me here and now tell Labour candidates throughout Scotland that the concessionary travel scheme has been supported by the Scottish Government. We have increased support for the bus industry through the bus service operators grant to underpin the route network. The matter is absolutely safe in our hands. Margaret Curran is guilty of a similar misrepresentation. Someone who is standing on a manifesto that is inaccurate and false and who is a member of this Parliament should know better.

Jim Tolson (Dunfermline West) (LD): Does the minister agree that the proposals that have been made by the administration on Fife Council provide good value not only for rail travellers but for all taxpayers in Fife?

Stewart Stevenson: I am very happy that our SNP colleagues are working with the Liberals to ensure that Fife has an effective rail concessionary travel scheme.

West Lothian Council (Meetings)

10. Mary Mulligan (Linlithgow) (Lab): To ask the Scottish Executive when it last met representatives of West Lothian Council and what issues were discussed. (S3O-10201)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Ministers and officials regularly meet representatives of councils, including West Lothian Council, to discuss a range of issues.

Mary Mulligan: When the ministers and officials met West Lothian Council, did they take the opportunity to discuss how they would protect the public interest of my constituents from the impact of planning decisions that are now the subject of police charges and of a Standards Commission for Scotland investigation?

John Swinney: Not to my knowledge. If issues are the subject of a police investigation, it would be entirely inappropriate for officials and ministers to discuss them with the local authority. I have seen news reports on the matter, but if a police investigation is under way, it would be thoroughly inappropriate for me to make any remarks on it in the Parliament.

The Presiding Officer: That concludes general questions.

Before moving on to First Minister's question time, I advise members that I noticed during this morning's debate and during general questions that there is a growing tendency for members to address each other directly. I suggest that, as we move into electoral times, we address each other through the chair.

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-2339)

The First Minister (Alex Salmond): I have a variety of engagements to take forward the Government's programme for Scotland.

Iain Gray: Nine months ago, Labour forced the First Minister into a legally binding target to reduce carbon emissions by 42 per cent by 2020. How does the First Minister plan to achieve that?

The First Minister: As Iain Gray should know, we plan to achieve that through a range of measures that give a parliamentary commitment and ensure governmental action.

I know that Iain Gray is loth to praise the Government, but even he will have to acknowledge that the drive towards those ambitious targets in Scotland is proceeding at a somewhat faster pace than is being managed by his colleagues south of the border.

Iain Gray: It is exactly the pace at which we are proceeding towards those targets that I want to raise. Yesterday, the First Minister published his target for carbon emissions reductions for this year. The target says that he intends to reduce emissions by one five hundredth of a per cent. That is so small that it appears in the tables as zero. However, in 2013, the target suddenly jumps to 9 per cent in a year. How does the First Minister think that that quantum leap is going to happen? Is the answer simply that he does not care, because he knows that it will not be his problem by 2013?

The First Minister: Election campaigns are times for wishful thinking, and Iain Gray has just given us an example of that.

As Iain Gray knows, the United Kingdom Government and the Scottish Government are advised by the same committee. In the short-term proposals that we have outlined, we have gone beyond that advice to make that start to the ambitious targets.

Iain Gray asks why the targets jump in a few years' time. That is because many of the great investments that are being made in, for example, renewable energy, come on stream in a few years' time.

This Government has approved nearly 30 renewables projects, which is nearly double the rate of the previous Administration. However, not even this Government can make those projects

have instantaneous production. It takes a few years for them to come into production. When they do, we will go a substantial way towards achieving our targets.

I say to Iain Gray, "For goodness' sake, do not break the parliamentary consensus behind the targets, which was so impressive internationally. Get behind the Government, get behind the Parliament and let us together ensure that Scotland leads the world in green energy."

Iain Gray: If the First Minister had the slightest idea about the detail of the policy that he is talking about, he would know that those renewable energy improvements will not kick in immediately. Indeed, they will not kick in until after 2020, largely. *[Interruption.]* I am sorry, but here is the First Minister's policy—perhaps he should read it. The reason why there is a jump in the target for 2013 is not based on any of the things that the First Minister talked about; it is based on a piece of wishful thinking. It is solely based on phase 3 of the European emissions trading scheme. *[Interruption.]* I am sorry, but if the First Minister does not know his own policy, he is going to have to have it explained to him.

Here is the cunning plan. *[Interruption.]*

The Presiding Officer (Alex Fergusson): Order.

Iain Gray: Here is the First Minister's cunning plan. This Scottish Government is basically going to do nothing to cut emissions and the next Government will depend on a hypothetical scheme, which might be agreed, if we are lucky.

Is that not all just Salmond-speak for "I haven't got a clue, but we'll cross our fingers and hope something turns up later"?

The First Minister: I do not think that Iain Gray has a cunning plan at all. I do not think that he can even articulate the question, never mind understand the answer.

I have already tried to explain to Iain Gray the massive investment in renewable energy. More than 3GW of renewable energy capacity has been sanctioned by this Government. Scotland uses 6GW in a normal day. It seems to me, therefore, that the new capacity will make a substantial difference to the production of renewable energy in Scotland.

I point out to Iain Gray that we are not going to wait until 2020 to see those major investments come to fruition; they are coming to fruition now, and that will increase year by year to help us to achieve our targets.

Of course, we are not only relying on the major investments in renewable energy. What about the home insulation scheme, which makes a

contribution? What about John Swinney's announcement on sustainable transport in the past few days? Has Iain Gray been so busy reading Andy Kerr's misleading press releases that he has not had time to look at the facts that show a Government in action?

Iain Gray: If the Government is doing so much, why is its carbon emissions reduction target for this year zero? The First Minister loves to boast about the world-beating climate change legislation. He flew all the way to Copenhagen to tell the world about it. He is going to the Maldives to tell people there not to worry, because Alex Salmond is on the case. They will not be too impressed when he tells them that his target for reductions this year is precisely nothing. However, we should not be surprised, because Alex Salmond believes that he introduced free personal care in the Parliament and that he is going to win 20 seats in the general election. I do not doubt that he can leap tall buildings in a single bound, but even Alex Salmond cannot believe that he will cut carbon emissions by 42 per cent with this plan. Will he just take it away and bring back something serious?

The First Minister: Where will I start? I have such a variety of options to choose from. I remember Iain Gray being confident about the results of the European elections in Scotland. I remind him that the Scottish National Party won those elections not only throughout the country, but even in his constituency. Furthermore, I know that this is parliamentary knockabout, but he should content himself with the thought that whatever I have to say about him in the next few seconds is as nothing compared with what Anne Moffat has said about him in the past few weeks.

On that great semblance of unity in the Labour Party in taking things forward, I noticed the comments of Bob Thomson, the former chair and treasurer of the Labour Party, in speaking about the party's prospects in the election that Iain Gray mentioned. Bob Thomson said:

"After 15 years of New Labour, what have we achieved? We have the biggest deficit in history. Our manufacturing base has been destroyed.

People say Gordon Brown saved the banking system, but that's like thanking an arsonist for putting out the fire he started. From any objective standard, he's been a disaster."

Iain Gray has been a disaster as well.

Secretary of State for Scotland (Meetings)

2. Annabel Goldie (West of Scotland) (Con): To ask the First Minister when he will next meet the Secretary of State for Scotland. (S3F-2340)

The First Minister (Alex Salmond): I have no plans to meet the secretary of state in the near

future. Actually, that is not true—I think that I am meeting him in a debate this coming Sunday.

Annabel Goldie: John Swinney announced last week that the Barnett consequential for social housing will produce an extra £31 million for the Scottish Government to spend. Yesterday, Homes for Scotland said that Scotland

“is facing its worst housing crisis since the Second World War”,

and that housing development

“is touching an all-time low”.

Will that £31 million have a significant effect on the Scottish house building industry? How many houses will the money build?

The First Minister: As Annabel Goldie should know, as a result of our initiatives on social rented housing, we are now building a record number of social rented houses in Scotland. That has mobilised not only consequential funds, but European Investment Bank funds and funds from housing associations. The social rented sector has been performing at an exceptional rate in the past two years. However, the construction industry has of course faced the consequences of the decline in private sector house building. Although the investment in social rented housing has been extremely important and valuable and has been widely welcomed not just by housing associations, but by the construction sector, that investment cannot in itself compensate for the decline in private sector house building, which has been notable.

One thing that Annabel Goldie will not necessarily agree with—although many members and others welcome it—is that, thanks to the efforts of the Government in the past two years, we have had the first council house building in Scotland for many years.

Annabel Goldie: Not for the first time, the question that I asked was not answered. I will do that for the First Minister. I estimate that £31 million could build nearly 400 houses, which is welcome. Why is the Scottish Government completely undermining that benefit by robbing the housing budget of an estimated £100 million—almost 1,300 houses—because of Alex Salmond’s dogmatic insistence on abolishing the right to buy? First, we had the Liberal Democrats hitting new-build houses with a £14,000 tax bill. Now we have Alex Salmond, with his SNP cut, clobbering the Scottish house building industry and shattering the hopes of many families across Scotland. How can he justify that cut of £100 million to the Scottish housing budget?

The First Minister: I point out to Annabel Goldie that 7,000 social rented houses are being built in Scotland thanks to the Government’s

actions. I know that she does not want to hark back to the previous period of Tory Government, but it is generally accepted that the housing crisis in Scotland had its genesis in the complete collapse in public sector house building during that Conservative Government’s term.

The changes in the right to buy to which Annabel Goldie refers have been widely welcomed across the housing sector in Scotland. Two thousand council houses are planned or are being built at present, in comparison with the total of six—that is right—all in Shetland, that were planned under the previous Administration. Does she seriously think that those 2,000 houses, which will provide homes for families across Scotland, could have been started, never mind completed, if we had left in place the right to buy? It was clear and obvious that councils across Scotland would not build houses if those would immediately be taken off the council house register. There is much to welcome in the Government’s initiatives to provide 7,000 social rented houses and to restart the council house building programme. Those initiatives are fair to the whole community of Scotland.

Cabinet (Meetings)

3. Tavish Scott (Shetland) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-2341)

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

Tavish Scott: The advisory board to the Cabinet Secretary for Education and Lifelong Learning is meeting this morning to consider whether the introduction of widespread and fundamental changes to the curriculum and exams in Scotland should begin at the start of the new school year, in August. Parents, children and schools across Scotland need to know one way or the other when the curriculum for excellence will start. Is the Government intending this afternoon to make a statement to Parliament on its decision?

The First Minister: The curriculum for excellence has been introduced in primary schools in Scotland for a considerable time; of debate have been the terms of its introduction in the secondary sector. As Tavish Scott should know, the management board met this morning and will provide us with a report this afternoon. He also knows that the Government has indicated that we pay close attention to and take the advice of the board, which consists of a representative group from across Scotland. When its advice comes forward, we will ensure that members know about that and about the Government’s intentions.

The Government is deeply committed to the curriculum for excellence, which we want to go ahead. I have a range of quotes from representative interest groups across Scotland urging the Government to get on with the curriculum for excellence and to ensure that we restore the excellence of the Scottish education system.

Tavish Scott: We have been told that the Government will simply issue a press release at 3 o'clock this afternoon. Surely Parliament should have the opportunity to question the Cabinet Secretary for Education and Lifelong Learning. Will the First Minister ensure that that happens?

Is the First Minister as concerned as every Scottish parent is at the talk today from teaching unions of potential strikes and working to rule? Parents can understand teachers' frustration about the lack of information, training and clarity and the inadequate resources that have been provided to schools; all those issues must be sorted out before the go-ahead for August can be given. Will the First Minister cut through the institutional mess of the different roles of Learning and Teaching Scotland, the Scottish Qualifications Authority and the Government, and guarantee that all those bodies will work together with schools to iron out the problems?

A Scottish Secondary Teachers' Association survey shows that 86 per cent of secondary teachers are not confident that they can deliver the change in August. How will the Government respond to the views of Scotland's headteachers?

The First Minister: The management board manages—that is what it does. It gathers together all the interest groups in Scottish education so that we can pilot through the curriculum for excellence.

I am puzzled by Tavish Scott's request for a statement this afternoon. Should his Liberal Democrat representative not have taken the matter to the Parliamentary Bureau and asked for a statement? I am sure that the Cabinet Secretary for Education and Lifelong Learning will inform members as soon as possible of any advice from the management board this afternoon.

On the Government's approach of bringing people along with us in introducing such a vital change, which I know many members across the chamber support, it would have been fair-minded of Tavish Scott to have mentioned the 10-point plan that the cabinet secretary announced to help further with the introduction of the curriculum for excellence. Tavish Scott will, of course, be aware that that plan was announced after the SSTA survey that he mentioned. It is only fair and reasonable to take account of the initiatives that have been taken, which have been widely welcomed by many people in the education sector

in Scotland. For example, the general secretary of School Leaders Scotland, Ken Cunningham, said in *The Herald* of 31 March:

"The announcement is exactly the kind of positive reassurance that teachers, pupils and parents need to hear. We have a first-rate teacher workforce in Scotland. Let's celebrate that and let's continue to give them the tools to do the job."

I know that the Opposition has a right and a duty to probe in questions, but Tavish Scott should be fair-minded and accept that many people throughout Scotland take the view that Ken Cunningham has expressed on bringing together the interest groups and the management board and, with the appropriate resources and back-up, ensuring that a vital reform in the Scottish education system can be properly piloted through.

Budget Projections

4. Nigel Don (North East Scotland) (SNP): To ask the First Minister, in light of the announcement by the Scottish Parliamentary Corporate Body that the Parliament is seeking to reduce its budget by up to 15 per cent by 2013-14, what projections the Scottish Government has made in relation to its budget over the next decade. (S3F-2350)

The First Minister (Alex Salmond): As John Swinney said in last week's debate on the economic recovery plan, we have commissioned an analysis of current plans for United Kingdom expenditure over the coming years and their implications for Scotland. Obviously, that work has been conducted to inform the work of the independent budget commission, and I will ensure that a copy of the report is placed in the Scottish Parliament information centre for Nigel Don and other members.

Based on the chancellor's most recent budget statement, in broad terms, the analysis shows potential real-term reductions in Scottish Government expenditure of 3 per cent per annum between 2011-12 and 2014-15. Projecting further forward, the analysis forecasts a period of up to 12 to 15 years before 2009-10 levels of expenditure are reached again. That represents a cumulative loss of between £22 billion to £35 billion of public spending over that period, depending on what assumptions are made in the forecast.

Nigel Don: I am probably not the only member who finds those figures somewhat chilling. Will the First Minister expand on the Scottish Government's thoughts on how those substantial cuts, which, as we are well aware, result from mismanagement down south and the biggest deficit in history, will be accommodated in the Scottish budget so that we protect front-line public services as far as possible?

The First Minister: The civil service in Scotland produced that analysis. Obviously, the analysis takes the budget and projects it forward, based on what we know about the current Government's assumptions in London. The civil service does not criticise or endorse in any way; rather, it has tried to give context to the independent budget review. However, Nigel Don is right to describe the figures as chilling.

I will say two things. First, the forecasts are extremely sensitive to economic growth. We should consider the experience of the past few months and, indeed, this morning, when it was announced quite quietly but nonetheless significantly that there was a further improvement of £4 billion in the UK's public finances because growth has been faster and unemployment has been lower than was forecast even a few weeks ago in the budget. Some £6 billion here and there has been argued about in the election debate. Experience should indicate to many people that economic growth is the most sensitive aspect of a forecast. Perhaps we should concentrate a bit more on how to secure economic growth, instead of the other matters that have preoccupied the election debate.

Secondly, in a context in which, even with enhanced growth, public spending will be at a premium, many people—including those who hitherto might have taken a different attitude—will now concentrate their minds on the question whether spending more than £100 billion of vital public money over the next generation on a cold war system of mass destruction and Trident missiles can be justified when health, education and other vital budgets will be under pressure.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): The independent budget review group has said that no budget line in the Scottish budget should be ring fenced going forward. The Chartered Institute of Public Finance and Accountancy told the Finance Committee on Tuesday that, given a 15 per cent reduction in the overall Scottish budget, if health and wellbeing expenditure were ring fenced, disproportionate reductions of 25 per cent would have to be made elsewhere. As the Government is now asking civil servants to do modelling of the future Scottish budget, have civil servants been asked to exclude any reductions in the health and wellbeing budget lines?

The First Minister: No, but one of the sensitivity analyses takes us to the lower point of what are admittedly huge totals of £22 billion to £35 billion with the assumption that front-line services would be protected and therefore that, under the Barnett formula, consequentials would be allocated to Scotland. Whatever the Liberal Democrats' proposition is in this economic debate,

this Government will continue as far as possible to protect front-line services as we have done to date.

Margo MacDonald (Lothians) (Ind): I, too, am interested in whether the Scottish Government is modelling. Based on the admission of all three parties that are likely to be in the next Government that there will be reductions in services, there will be big effects on the employment scene. Edinburgh is the financial, governmental and administrative centre and will inevitably face big unemployment. Will the First Minister assure me that modelling on future unemployment trends is being done for Edinburgh and its travel-to-work area?

The First Minister: I repeat my point that I am talking about a civil service analysis that is based not on endorsing or criticising the policies that can be interpreted from the UK budget, but on what would happen if such policies were carried forward in a range of scenarios. In doing that and in having the independent budget review group, we are far in advance of anything else that is being done throughout these islands—

David McLetchie (Edinburgh Pentlands) (Con): Thanks to us.

The First Minister: Mr McLetchie is claiming the credit. Obviously, his foresight does not extend to his colleagues south of the border, where the parameters of the Tories' vision seem to extend to two-year periods. In addition to the threatened cuts to Scottish public spending, they want to have a specific Tory Cameron cut that would make those figures even worse.

The parameters of the civil servants' forecast are to inform members, the public and, in particular, the independent budget review group about the potential seriousness of the situation that we face. As the political debate continues, it will be up to Margo MacDonald and me to articulate that there is a course, both for public spending and for the future of this nation, that is different from the rather dismal prospect on offer from Westminster.

Derek Brownlee (South of Scotland) (Con): Almost a year ago, on 30 April 2009, the First Minister and all his SNP colleagues voted for an amendment in my name that called on the Scottish Government to prepare contingency plans in light of a potential reduction of £3.8 billion in the Scottish departmental budget. Is he now telling us that nothing happened until after this year's budget?

The First Minister: No. I am saying that we are far in advance in looking at the parameters. However, I say to Derek Brownlee, for whom I have an enormous amount of respect—[*Laughter.*]

The Presiding Officer: Order.

The First Minister: Without meaning to do any long-term harm to the young man's career, I say that I have enormous respect for him within the parameters of political opposition—I hope that that helps him in the *Official Report*.

These forecasts are important because they have been done in an objective way. My interpretation of the high end of the forecasts is that they would affect some of the policies that Derek Brownlee's colleagues in London intend to pursue. Therefore, perhaps he could use his good offices to explain to them that there might be more important items than £100 billion Trident missile systems. It would be inadvisable for the Conservative party to propose a specific Scottish cut in spending, particularly at a time when, under any forecast, it will be hugely reliant on the vast resources from Scottish oil and gas.

Rape Conviction Rate

5. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what action the Scottish Government is taking to address Scotland's low rape conviction rate. (S3F-2348)

The First Minister (Alex Salmond): Rape is a horrific crime. Police and prosecutors are committed to investigating all allegations of rape thoroughly and sensitively and, when it is appropriate to do so, prosecuting such cases professionally and effectively.

In June 2006, the Crown Office and Procurator Fiscal Service completed a review of the investigation and prosecution of rape and other serious sexual offences. The review resulted in 50 recommendations, which were implemented in full by the summer of last year, when the Crown Office established a new national sexual crimes unit led by a dedicated team of specialist Crown counsel who direct criminal investigations from the earliest stages and provide advice and expertise to procurators fiscal.

The Scottish Government has also acted to modernise and strengthen the law in this area. The Sexual Offences (Scotland) Act 2009, which will come into effect later this year, provides a clear, modern framework for Scots law on sexual offences, replacing the confused patchwork of common law and statute with a single statutory framework.

The Government is also working with a range of agencies, including Rape Crisis Scotland, to improve the justice system's response to the crime of rape.

Johann Lamont: I thank the First Minister for that reply. I am sure that he will acknowledge the grave concern that conviction rates for rape are at

their lowest level since 1984. Rape Crisis Scotland tells us that there is no reduction in the level of demand from women seeking its help.

Is the First Minister aware that Rape Crisis tells us that seven out of 10 women can now expect their sexual or medical history to be introduced in evidence in rape cases? That could have an impact on conviction rates and will certainly have an impact on the confidence of women victims to report the crime at all.

Will the First Minister ask the Scottish Law Commission to examine how the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002 is being interpreted, given that the consequence seems to be the opposite of the intention? Will he indicate how he will explore the possibility of affording women victims of rape representation of their own in court, given that, currently, it seems that their character can be attacked and they are unable to defend themselves?

The First Minister: I am sure that Johann Lamont will be the first to acknowledge that substantial funds—more than £44 million—have been allocated between 2008 and 2011 to tackle violence against women and that almost £4 million has been allocated to rape support services. That is vital and valuable expenditure.

It will be some time before we can evaluate whether the two major changes that I indicated in my first answer to Johann Lamont, which I tried to make as comprehensive as possible, are making a difference. The 50 recommendations were implemented in full only in the summer of last year and, of course, the Sexual Offences (Scotland) Act 2009 has not yet come into force. It would be reasonable to look at those matters to see whether they bring about a vital improvement in a situation that we find unacceptable at present.

We will consider the further suggestions that Johann Lamont has made today, and I will ensure that they are passed on to the Lord Advocate.

Perhaps Johann Lamont will reflect in particular on the fact that the Cabinet Secretary for Justice has asked the Scottish Law Commission to look at the law of evidence in relation to the Moorov doctrine on factually based evidence. Reform of those rules might assist prosecutors in pursuing repeat offenders in circumstances in which there is limited corroboration, which has been one of the great difficulties in the prosecution of sexual offences.

I hope that Johann Lamont will acknowledge that this Government, and indeed Opposition parties throughout the chamber, share the concern and the agenda of acting to change what we see as an unacceptable position.

Youth Unemployment

12:32

Meeting suspended until 14:15.

6. Murdo Fraser (Mid Scotland and Fife)

(Con): To ask the First Minister what action the Scottish Government is taking to tackle youth unemployment. (S3F-2344)

The First Minister (Alex Salmond): Action by the Government is ensuring that all young Scots have training and support. We have delivered more than 20,000 modern apprenticeships and have supported 7,500 additional university places and more than 4,000 additional college places. As Murdo Fraser knows, we are rolling out the 16+ learning choices programme, with a guaranteed offer of a place in post-16 learning or training for every young person in Scotland. As a result, although youth unemployment is much higher than anyone would wish, the labour market figures that were released yesterday show that the International Labour Organization unemployment rate for 18 to 24-year-olds in Scotland was 13.5 per cent. That is high, but it is lower than the UK average of 17.1 per cent. However, Scotland also has a higher youth employment rate of 62.6 per cent compared with the UK rate of 57.2 per cent.

Murdo Fraser: We learned this week that youth unemployment in Scotland has increased by 89 per cent in two years as a result of Labour's recession. Does the First Minister agree that, although the first priority must be to help youngsters to find employment, we need to help those who cannot do that, with structured volunteering programmes to keep them active and contributing to society? Will he therefore support the Conservatives' plans for a national citizens service to help our young people become active and responsible members of society?

The First Minister: We will consider any positive ideas that could help young people in Scotland, regardless of the source, but we would want initiatives that were suggested for Scotland to be backed up by budget lines to bring them into being. Otherwise, we would be faced with the prospect of having to remove funding from many of the excellent volunteering courses and programmes that are taking place at present throughout Scotland. I am sure that no one, least of all Murdo Fraser, would like that.

It is important that we recognise, first, that the youth unemployment rates are far too high, but, secondly, that a great deal has been done, particularly in the apprenticeships programme, to ensure that as many young people as possible get a start in a career. Although I am very interested in volunteering and I believe that it can bring about badly needed and much-to-be-welcomed skills, I am sure that Murdo Fraser will acknowledge that there is no substitute for an economy that provides life opportunities in work for the young people of Scotland and elsewhere.

14:15

On resuming—

Scottish Executive Question Time

Europe, External Affairs and Culture

On-screen Smoking

1. Charlie Gordon (Glasgow Cathcart) (Lab):

To ask the Scottish Executive whether it is aware of any proposed film or television productions that have been lost to Scotland due to the lack of derogation that would permit characters to be depicted smoking on screen. (S3O-10184)

The Minister for Culture and External Affairs (Fiona Hyslop): The Scottish Government is not aware of any film or television productions that have been lost to Scotland specifically as a result of the smoking ban. Producers base their decisions to film in Scotland on a wide range of factors, including fiscal incentives and the availability of skilled crew and good locations.

Charlie Gordon: England, Wales and Ireland have smoking bans, which I support, but they also have derogations that permit film-makers to depict characters smoking on screen. The lack of such a derogation in Scotland puts our film industry at a competitive disadvantage. For instance, two years ago, a project called “A Very British Sex Scandal”, which was set in the 1940s and 1950s, switched from Scotland to England because of the issue. British Academy of Film and Television Arts award-nominated productions, such as “Nowhere Boy”, “An Education” or “The Hurt Locker” could not have been made in Scotland for similar reasons. Will the minister meet industry representatives to discuss the issue?

Fiona Hyslop: I have had no representations on the issue. In Wales, legislation on smoking came into force on 2 April 2007. Following public consultation on draft regulations in 2006, the Welsh Assembly Government decided not to provide an exemption for performers, and it has advised that there is no hard evidence to indicate that the legislation prevents any productions from being made in Wales, which contradicts the member’s comments. However, if the member has any evidence or representations, I am happy to engage with him on that.

Stewart Maxwell (West of Scotland) (SNP): I am sure that the minister is aware that it is not actually compulsory or necessary to depict smoking—or to glamorise it—in film and TV productions. Is the minister also aware that, in last week’s episode of “Doctor Who”, a number of world war two Spitfires flew into space and

attacked the Daleks’ mother ship? I believe that everyone knew that that was faked by the TV company, but we now find that Charlie Gordon believes that it really happened. Does the minister agree that, if it is possible to fake Spitfires in space—I am sorry to have spoiled Charlie Gordon’s illusions about that—it is not beyond the ingenuity of film and TV companies to fake smoking without forcing actors to inhale cancer-causing chemicals while they are at work?

Fiona Hyslop: Unfortunately, I missed the latest episode of “Doctor Who”, even though I am an avid fan.

There are, of course, different technological ways of using film inventively and creatively. Despite the smoking ban in Scotland, there are a variety of ways in which smoking can be shown where that is required by artistic integrity in reflecting, for example, 1950s Scotland, when more people smoked. Electric cigarettes can be used, for example, as is being done in Scottish Opera’s current production of “La Bohème”. Some ingenuity and respect are needed.

The important point is the success of the smoking ban: I acknowledge Stewart Maxwell’s personal involvement in ensuring that the ban happened. With cross-party support, we have managed to achieve a great improvement in health promotion. The point about not glamorising smoking was one of Stewart Maxwell’s more serious points.

Ted Brocklebank (Mid Scotland and Fife) (Con): Does the minister agree that a much more serious threat to Scottish film production is the introduction of the new United Kingdom film tax credit, which has had a serious impact on Scottish producers’ ability to mount co-productions with European partners? Will the Government—

The Deputy Presiding Officer (Alasdair Morgan): No. I am sorry Mr Brocklebank, but that is not in order. That is not a supplementary to the question that was asked.

Ted Brocklebank: It is about a threat to Scottish film-makers that is far more important than the smoking ban, to be honest.

The Deputy Presiding Officer: No, the question was about a derogation that would permit characters to be depicted smoking on screen.

Ted Brocklebank: Well, well.

North America Plan

2. Nanette Milne (North East Scotland) (Con): To ask the Scottish Executive when it will provide an update on its North America plan. (S3O-10160)

The Minister for Culture and External Affairs (Fiona Hyslop): My recent visit to the United

States for Scotland week provided me with a valuable first-hand perspective on the opportunities for promoting Scotland in the US. I shall be reflecting on this with officials with a view to publishing a refreshed United States plan shortly. We are also working on a new plan for our engagement in Canada.

Nanette Milne: In light of the North America plan and the recent visits by ministers and others of our colleagues to the United States of America, has any research been done into the benefits that those visits have brought and, if so, and considering the high costs involved, what additional income have those visits generated?

Fiona Hyslop: The US is an important market for us in terms of business. Our Scotland week events included 20 business meetings that were conducted by all three ministers. Each year, we examine the feedback and research into the coverage that we receive in terms of publicising and promoting Scotland's interests.

It is essential to ensure that we get value for money from the expenditure on Scotland week, and I assure the member that we have taken every step to ensure that that is the case.

Irene Oldfather (Cunninghame South) (Lab): Can the minister put a timescale on the refresh of the North America plan? Does she recall that she indicated to me in a letter that was sent on 28 January that the Government had reviewed its representation in North America and had extended the remit of the office not only to include Canada but to co-ordinate better the activity of various agencies, which at one point was the subject of a committee inquiry into the promotion of Scotland? Is the minister able to say what benefits those actions have brought about?

Fiona Hyslop: It is essential, as I said in my previous answer, that we ensure that we get value for money from all the operations that are funded by the Scottish Government, whether through Scottish Development International, the Scottish Government office in Washington or VisitScotland. During my time in the United States, I paid specific attention to those issues to see what progress is being made.

There are particular opportunities in Canada, due to personnel issues, and we are pursuing them.

On the member's first point, about the timing of the publication of the refresh, I hope that she understands that I want to reflect on my visit. However, we published the south Asia development programme on 1 March and the India plan on 26 March. The Pakistan plan is due to be published before the summer recess, and the wider south Asia engagement plan and the US plan are due as well. By the summer recess, the

European and External Relations Committee will have a range of plans to support our international strategy, on which the Government can be held to account.

Gaelic Education (Kilmarnock and Loudoun)

3. Willie Coffey (Kilmarnock and Loudoun) (SNP): To ask the Scottish Government what implications the publication of "Ginealach Ùr na Gàidhlig: An Action Plan to increase the numbers of Gaelic speakers" will have for Gaelic education in Kilmarnock and Loudoun. (S3O-10228)

The Minister for Culture and External Affairs (Fiona Hyslop): Bòrd na Gàidhlig's action plan and our response were published last week. We expect that the effective implementation of the action plan will have important implications for Gaelic education in Kilmarnock and Loudon and throughout Scotland. We will be working closely with Bòrd na Gàidhlig to ensure that we bring improvements to the key areas of Gaelic early years education, Gaelic school education and Gaelic adult education.

Willie Coffey: I was particularly interested in the potential of having home visitors to encourage parents to enrol their children in Gaelic-medium education. I agree that that will be vital if the language is to grow in the years ahead.

Can the minister outline how that proposal is to be taken forward and what opportunity there will be for families in Kilmarnock and Loudon to participate?

Fiona Hyslop: The member is correct to identify the need to support the supply of teachers and people who can help to promote the Gaelic language. and the need to stimulate demand for use of Gaelic. I am in full agreement with the proposal that Gaelic education be promoted to parents.

I am encouraged by the work that is being done in East Ayrshire. I understand that there is a Gaelic parent and toddler group at Mount Carmel primary in Kilmarnock and Gaelic-medium provision at Onthank primary, with secondary provision at Grange academy. I also understand that the council offers adult learning opportunities but, of course, providing support for parents means that we have to have a greater emphasis on adult education, to enable them to learn Gaelic and use it with their children.

Scotland Week

4. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Executive how it will assess the benefits to Scotland of its engagement in Scotland week in North America. (S3O-10157)

I fear that we may have covered this ground already.

The Minister for Culture and External Affairs (Fiona Hyslop): I will attempt to vary my answers. I am pleased that there is such interest in Scotland week from members.

The benefits of our promotional activities during Scotland week will be realised in various ways. Some are immediately obvious, such as the media coverage in the US and Canadian print and television media of events such as the Scotland run, the “Dressed to Kilt” event and the Harry Benson photographic exhibition, which brought Scotland to the attention of hundreds of thousands of people.

The benefits of our engagement with existing and potential investors in Scotland and with travel operators might become apparent only in the medium to longer term, as companies shape their future investment plans. We are confident that engaging with two of our largest international markets is absolutely the right thing for us to do.

Murdo Fraser: I thank the minister for her full and varied reply. Does she share my concern that as part of that taxpayer-funded trip, her colleague sitting beside her—the Cabinet Secretary for Education and Lifelong Learning—used a platform in the USA to set out the case for Scottish independence? Surely if the Scottish ministers are to use such trips for party-political purposes, those trips should be funded from the coffers of the Scottish National Party and not by the Scottish taxpayer.

Fiona Hyslop: It will come as no surprise to Murdo Fraser that Scottish independence is the policy of the Government; it would be highly unusual for a Government not to explain such a policy. However, there is an important point here. As Michael Russell said in his debate at Carnegie Mellon University, everyone recognises that the issue of constitutional debate is no longer about whether change is needed, but about what form that change should take. Even the Conservatives would agree that constitutional change is required; indeed, it is something that Murdo Fraser has advocated. Rather than leave our international colleagues in the dark, among the 80 events promoting Scotland it was appropriate to ensure that at least one event we gave information about Scotland. I understand from Mr Russell that people asked very pointed and informed questions, and were very interested in ambitions for Scotland. I hope that the Conservatives would agree that we should be ambitious for Scotland when we travel abroad.

Aileen Campbell (South of Scotland) (SNP): Will the minister outline in more detail the cultural benefits and connections that have been

established following her recent visit to the USA and how those relationships will be moved forward beyond the trip?

Fiona Hyslop: Scotland week provided an excellent opportunity to promote Scotland’s unique culture and creativity. In New York, I attended engagements relating to the Harry Benson photographic exhibition, the Royal Scottish Academy of Music and Drama’s American foundation and the Clan Currie Society’s “Scotland’s Gifts” exhibition, and made a number of connections. I had an extremely productive meeting with an off-Broadway theatre producer about future cultural collaborations.

In Tennessee, I attended a musical showcase at which I had the opportunity to meet John Carter Cash, Laura McGhee and a number of senior figures in the music industry, who all expressed enthusiasm for working with Scotland. Regarding my ministerial colleagues, Mr Mather attended a special dedication service to commemorate Scottish connections to the Alamo, and Mr Russell visited the Pittsburgh Creative and Performing Arts School, where he learned about the benefits that arts can bring to the wider curriculum.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): The Scottish diaspora in the United States is huge, and more people in the United States wear tweed than tartan. Tweed is an export that was originally sourced from the Borders. What support is the Scottish Government providing specifically to the Scottish Borders tweed industry in the United States that it does not provide to tweed from Harris?

Fiona Hyslop: I hope that the member appreciates that our job is to promote all aspects of fashion, design and textile production from Scotland. I was pleased that we were able to finance an event with the Fashion Institute of Technology in New York. This year we provided a merchandising store promoting Scottish fashion and textiles, and we had the elite of fashion students showcasing events on fabric—indeed I was proud to wear a Harris tweed jacket, designed by one of Scotland’s top designers, to the event.

Importantly, Scottish interior design was also showcased, and formed part of a competition. The Government will continue to use and promote Scottish fashion design and fabrics whether they are produced in the Borders or in Harris.

United States of America (Ministerial Visits)

5. Patricia Ferguson (Glasgow Maryhill) (Lab): To ask the Scottish Executive what has been achieved as a result of the recent ministerial visits to the United States of America. (S3O-10180)

The Minister for Culture and External Affairs (Fiona Hyslop): As part of my varied answers to that question, in 2010, our most ambitious Scotland week programme to date saw ministers undertake more than 80 engagements in 10 cities across North America. All three ministers held important business meetings with existing and potential investors in Scotland. We forged important new relationships for Scotland at state and provincial level in Pennsylvania, Tennessee, Texas and Ontario. Our business first message, which is about Scotland being an internationally competitive location, received media coverage on Fox, CBS and NBC and in major dailies in New York, San Francisco, Toronto and Pittsburgh, as well as in many local and specialist media outlets—all for less than half the budget the previous Administration spent on tartan week in 2007.

Patricia Ferguson: Although there may not have been a great deal of originality in this afternoon's questions, at least they are topical. This is not the place to rebut assertions by the Government, but I reflect on the sense of *déjà vu* that I have had in listening to the minister's "varied" responses, especially her response to Aileen Campbell's question. Given that the Parliament has awaited the delivery and publication of the North America plan for three years, I ask the minister in all seriousness whether it would not be better for the Executive to reflect on and to put effort into that plan, to ensure that its activities in North America are co-ordinated with it, than to try to rewrite it as a result of a week-long visit.

Fiona Hyslop: That was a rather churlish question. I record my thanks to Patricia Ferguson and the previous Administration for producing a good North America plan, to which we are still operating and conducting our business. However, as the member recognises, it is important to refresh the plan. One of the key challenges that the previous Administration faced was to join up the work of Scottish Development International, VisitScotland and the Scottish Government. As Irene Oldfather indicated, that was the subject of an inquiry by a previous committee of the Parliament, so it is not a new challenge. It is more useful to see at first hand what the relationships are and what opportunities exist. We will build on the good work of the previous Administration, but it is important that we refresh that, extend our reach beyond the initial plan's focus on diaspora issues and New York and Washington, and look for opportunities from coast to coast. There is much more that we can do, although we acknowledge the good work that has been done in the plan. I reassure Patricia Ferguson that the refreshed plan will be in place before the summer recess, but ask

her to give me time to develop my thinking on what it should include.

Community Arts Initiatives

6. Johann Lamont (Glasgow Pollok) (Lab): To ask the Scottish Executive how it supports community arts initiatives. (S3O-10190)

The Minister for Culture and External Affairs (Fiona Hyslop): The Scottish Government regards community arts as important in providing participation, appreciation and enjoyment of arts and culture. The national performing companies and collections bodies that we fund are expected to provide outreach activities that engage communities. Our partnership with local government also promotes the benefits of community arts for improving quality of life and wellbeing in local communities.

Johann Lamont: I am sure that the minister wishes to recognise and celebrate the many community arts initiatives that are making a real difference in my constituency and across Scotland. Will she acknowledge the anxiety of some community arts groups that they may be disproportionately affected by local cuts in funding because they may not be seen as front-line services? What action will the Scottish Government take to identify the impact of local funding decisions on community arts initiatives? What action will the minister take, and what resources will she provide, if local community arts initiatives are suffering disproportionately?

Fiona Hyslop: The member's question relates to the future position on public funding. We have concerns about the impact on Scotland of potential cuts by the Westminster Government. All of us, including local authorities, will have to face up to that.

I understand that the community planning team in the member's constituency of Glasgow Pollok is developing a community arts strategy and that voluntary sector groups can access funding locally from a budget of £100,000. She makes an important point about the need for us to recognise how arts and community arts projects can help to stop offending, to address mental health issues and to improve self-esteem, and can help in a range of other areas. For precisely that reason, a few weeks ago we held a seminar with local authority partners to identify how culture, arts and community work can be mainstreamed and recognised as a vital part of support in the areas that the member has identified. I am more than happy to send the results of that seminar to the member.

BBC Alba

7. Rhoda Grant (Highlands and Islands)

(Lab): To ask the Scottish Executive what representations it has made to the BBC trust regarding BBC Alba being made available on Freeview. (S3O-10185)

The Minister for Culture and External Affairs

(Fiona Hyslop): Since BBC Alba's launch, Scottish ministers have made it clear that we believe that the service should be made available on Freeview. During 2010, I wrote to the BBC trust about the issue three times. I wrote to Sir Michael Lyons, the chair of the trust, following last week's debate in the Parliament on the Gaelic action plan. In my letter, I informed him of the cross-party expression of disappointment by many MSPs about the BBC's delay in taking a decision on Freeview access to BBC Alba.

I also wrote to Sir Michael Lyons on 16 February, following the unanimous vote in the Scottish Parliament on 11 February on the desirability of BBC Alba being available on Freeview. In addition, I responded to the trust's consultation on Freeview access for BBC Alba on 15 January. That consultation response can be found on the Scottish Government website.

Rhoda Grant: I share the minister's disappointment and am glad that she has pointed out to the trust the political consensus that exists on the issue. It is important that we increase access to BBC Alba not only for Gaelic speakers, but for Gaelic learners. Will the minister work closely with the chairman of BBC Alba, Alasdair Morrison, and the Secretary of State for Scotland to ensure that a speedy and satisfactory conclusion is reached?

Fiona Hyslop: We have and will work collectively with members of other political parties, and certainly with BBC Alba, on presenting the case. The strength of that case is further supported by the cross-party support for it.

Education and Lifelong Learning

Children (Additional Support Needs)

1. Robert Brown (Glasgow) (LD): To ask the Scottish Executive what its position is on the adequacy of arrangements for placing children with additional support needs across local authority boundaries and for funding their needs. (S3O-10211)

The Minister for Children and Early Years

(Adam Ingram): The Education (Additional Support for Learning) (Scotland) Act 2009, which is scheduled to commence in August 2010, and section 23 of the Education (Scotland) Act 1980 will, respectively, allow children with additional

support needs to be placed across local authority boundaries and allow for the recovery of the costs of providing such places. It is for individual local authorities to interpret the legislation and discharge their duties in line with it.

Robert Brown: My question arose from a constituency case involving Glasgow City Council and South Lanarkshire Council. The parents of a disabled child have been unable to place the child across the border; to be precise, they have arrived in the middle of a confused situation on placing and funding that involves the two local authorities. I think that the minister will agree that the situation is not satisfactory.

The minister has told us when the 2009 act will commence, but what measures is the Government taking to safeguard the best interests of children who are caught in such situations, and what guidance—if any—is issued to local authorities on the matter? I think that he was anticipating that question when he referred to interpretation. How many request denials based on inter-council disagreements have arisen across all the local authorities? What procedures have been put in place to address them? I think that I had around 18 when I was in the minister's position.

Adam Ingram: As Mr Brown will appreciate, I cannot comment on individual cases, given that I have a statutory role in relation to disputes between local authorities and costs of out-of-area placements. However, it is important to emphasise that we are talking about one local authority: Glasgow City Council. I understand that that council's policy was set after Lord Macphail's judgment in 2007 that parents of children with co-ordinated support plans and, by implication, additional support needs could not make out-of-area placing requests. The council's policy was that such requests would not be considered, as they were not legally competent. As Robert Brown will be aware, the 2009 amendment act addressed that issue directly to ensure that parents' rights in that regard were restored in line with the original policy intentions of the Education (Additional Support for Learning) (Scotland) Act 2004. Given that Parliament has clearly expressed its will on the matter and that the 2009 act will commence at the start of the new school term in August, my view is that Glasgow City Council should review its policy as a matter of urgency. I encourage Glasgow MSPs to make representations to that effect to the council. We should bear in mind that the resource implications for the council are mitigated by its ability to recover the costs of additional support services from the child's home authority under section 23 of the 1980 act.

Teacher Numbers

2. Ms Wendy Alexander (Paisley North) (Lab): To ask the Scottish Executive whether it remains its policy to maintain teacher numbers at the levels prevailing in 2007, as proposed in the Scottish National Party manifesto. (S3O-10169)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The Scottish Government is committed to ensuring that Scotland has the right number of teachers to meet the needs of our pupils and our class size objectives commensurate with the economic conditions prevailing and likely for the foreseeable future.

Ms Alexander: Under the heading “Specified set of commitments”, the concordat states:

“specific arrangements for local authorities to maintain teacher numbers in the face of falling school rolls will allow significant progress ... over the Spending Review period.”

We are still in the spending review period, so let me repeat the question: is it still Scottish Government policy that local authorities should maintain teacher numbers in this spending review period?

Michael Russell: The member knows perfectly well that Labour’s recession—the mess that Labour has made of the economy, one might say—has created considerable pressures on local authorities. [*Interruption.*] I see that Dr Simpson finds that entertaining. The reality is that local authorities are meeting an enormous number of pressures, many of which are from Labour’s recession and some of which are from Labour’s obsession with private finance initiatives. Local authorities are trying to deliver to the best of their ability with the support of the Scottish Government.

There is good news. I am pleased to say that the number of teachers in Scotland’s schools in 2009 was 4.2 per cent higher in primary and 2 per cent higher in secondary than when Wendy Alexander was last a minister. I regard that as progress.

Elizabeth Smith (Mid Scotland and Fife) (Con): From his discussions with local authorities, can the cabinet secretary say whether there has been any improvement in the process of keeping accurate data on teacher numbers in our local authorities?

Michael Russell: That is a much more intelligent question. The question of accurate statistics in education is a key one and I constantly pursue that holy grail so that we understand fully what is happening in Scotland’s schools and do not indulge in the type of playground politics that we have just had from Labour.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Will the cabinet secretary help me to reply to a constituent who is a retired teacher and who has written to me saying,

“I have received no written statement from the Scottish Government as to why my Teacher’s Pension has been ‘frozen’ for the period 2010-11 ... I hold no documentary evidence, over several years, that my pension may or will be ‘frozen’ because of pre-stated reasons, legally enforceable”?

Have teachers’ pensions been frozen for the financial year 2010-11?

Additionally, the Minister for Skills and Lifelong Learning was due to reply to me in writing to a question that I asked in the chamber some weeks ago as to why the pension contributions of the chief executive of Skills Development Scotland had increased—

The Deputy Presiding Officer: Order. The member really should relate his supplementary to the substantive question, which was about teacher numbers, but I fail to detect a link in his question.

Homophobic Bullying

3. Shirley-Anne Somerville (Lothians) (SNP): To ask the Scottish Government what steps it is taking to prevent homophobic bullying in schools. (S3O-10247)

The Minister for Skills and Lifelong Learning (Keith Brown): Scotland’s schools must be inclusive, welcoming places, where everyone can work and learn irrespective of their sexual orientation or gender identity. Good relationships and positive behaviour in schools are fundamental to the delivery of the curriculum for excellence.

The Scottish Government has funded Learning and Teaching Scotland and LGBT Youth Scotland to develop a toolkit to provide schools and teachers with the confidence, skills and support to prevent homophobia and deal with homophobic incidents. Every secondary school in Scotland was issued a copy of “A Toolkit for Teachers—Dealing with Homophobia and Homophobic Bullying in Scottish Schools” in February 2009. We have also part-funded Stonewall Scotland to develop a DVD resource of the play “FIT”, which was launched in March 2010. The film complements the toolkit for teachers and can be used as a resource to explore issues to meet a range of experiences and outcomes in the third, fourth and senior phases of the curriculum for excellence.

Furthermore, the Government has developed national guidance on the Equality Act (Sexual Orientation) Regulations 2007, which make discrimination on the grounds of sexual orientation unlawful in a number of areas, including learning settings.

Shirley-Anne Somerville: The "FIT" DVD, which was produced by Stonewall Scotland and to which the minister referred in his answer, has now been distributed to local authorities throughout the country. The response from teachers and pupils who have seen it has been extremely positive. They see the film as being an excellent tool for tackling homophobic bullying.

Given that a recent Stonewall survey said that 41 per cent of lesbian, gay, bisexual and transgender pupils had experienced physical bullying and a frightening 17 per cent had had death threats, will the minister encourage local authorities to ensure as far as they can that the DVD is seen by as many people as possible in Scotland, particularly children?

Keith Brown: I can confirm that Learning and Teaching Scotland has distributed a copy of the "FIT" DVD to every secondary school in the country. We will explore with Learning and Teaching Scotland how we might further highlight that resource, and my colleagues and I will continue to promote that excellent film at every opportunity. Respectme and the positive behaviour team are also aware of the DVD and respectme has highlighted the "FIT" DVD alongside other anti-bullying films and resources on its website.

Family Mediation and Couple Counselling

4. Brian Adam (Aberdeen North) (SNP): To ask the Scottish Government what progress is being made in bringing together family mediation and couple counselling services across Scotland and the long-term strategy for delivery of these services. (S3O-10225)

The Minister for Children and Early Years (Adam Ingram): We wish to encourage local family mediation and couple counselling services to work closely together and to merge if that is appropriate. However, they are independent, voluntary sector bodies and it is not for the Scottish Government to force through changes that may not suit local circumstances. I am aware that local services rely heavily on local authority funding and I am deeply concerned about reductions in such support in several areas. I am pleased to say that the Scottish Government has been able to maintain funding levels for 2010-11 for the two national bodies, Relationships Scotland and Scottish Marriage Care, and for 13 local family mediation services. That funding will total £1.786 million.

Brian Adam: I welcome the news that Scotland is finally out of the recession and the recent Scottish Government announcements of additional funding to support the economy. Will the minister also consider increasing support for families through couple counselling, family mediation and

child contact services, which are offered by organisations such as Counselling and Family Mediation Grampian, which has merged?

Adam Ingram: First, I am grateful for the member's acknowledgement of the Scottish Government's action to help to revitalise our economy.

We also welcome and fully support the excellent and necessary service that the organisations to which the member referred provide to families in difficulties. It is extremely disappointing that that is not recognised in some local authorities, which have reduced or removed their financial support for such local services.

I am well aware of the pressures in Grampian and we are examining ways in which we might be able to help. We are looking at the issues raised in Grampian and I hope that I will be able to write to Brian Adam soon with conclusions.

We are also aware that similar problems to those that Grampian faces have emerged in other parts of the country. We will open a dialogue with the sector to examine what role the Scottish Government can play in ensuring that important family mediation services continue to be available throughout the country.

Bullying

5. Angela Constance (Livingston) (SNP): To ask the Scottish Executive what is being done to address bullying in schools. (S3O-10229)

The Minister for Skills and Lifelong Learning (Keith Brown): The Scottish Government supports those who work directly with children and young people and with schools to prevent and tackle bullying effectively. In conjunction with the Scottish anti-bullying steering group, which the Scottish Government co-ordinates, we have recently consulted on a national approach to anti-bullying in Scotland.

We wholly fund respectme, Scotland's anti-bullying service, with £339,500 per annum to 2011. Respectme provides advice, information, resources, support and training to develop, refresh and support implementation of anti-bullying policies and to build capacity to prevent and deal effectively with bullying. We also provide £160,000 per year until 2011 to support ChildLine Scotland in running a bullying helpline for children who are directly affected by bullying. The Scottish Government has issued guidance, "Safe and well", which outlines that every school and education authority should have systems in place to support school staff in cases of bullying and harassment.

Angela Constance: I thank the minister for his comprehensive answer. I have a constituency case that involves 12 individuals subjecting a

fellow pupil to cyber-based bullying tactics, including the posting of unauthorised images and comments. The police say that it is a school matter and the school says that it is a police matter. What advice would the minister give and how does he suggest that families best protect their children from that type of bullying?

Keith Brown: The member will appreciate that I cannot comment on a particular case, nor on the police's decision whether to proceed to prosecution. I refer the member to the agencies that I mentioned in my first answer. We have a comprehensive plan in place, which builds on the United Kingdom Government's plan to tackle cyber-bullying. It is not the technology that bullies people; it is individuals. The agencies that I have mentioned, the local authority and the school have to tackle the individuals involved. As I said, it is difficult for me to comment on a particular case, but I am more than happy to meet the member to discuss whether all that could have been done up to now by the agencies has been done and, if not, what we can do about that.

Arts Education

6. Anne McLaughlin (Glasgow) (SNP): To ask the Scottish Government what importance it places on the arts in education. (S3O-10242)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The curriculum for excellence recognises the value of the expressive arts and culture in providing learners with opportunities to be creative and to develop skills in art and design, dance, drama and music. Ministers hosted a successful seminar on 15 December 2009 to explore opportunities for strengthened collaborative working across the education and culture sectors. We will bring forward an action plan that builds on the needs that were identified.

Anne McLaughlin: As I am sure the cabinet secretary knows, the much acclaimed Dance School of Scotland, which is based in Glasgow, is under threat because the lease on its residential accommodation is coming to an end and Glasgow City Council has not yet found an alternative. Indeed, it is having difficulty in doing so. Will he join me in recognising the tenacity and determination of current pupils, staff and parents in their fight to save this national centre of excellence? Will he arrange for his officials to meet them—and possibly me and other members who have been working on the matter—to discuss possible ways forward?

Michael Russell: I am happy to assure the member that officials will meet her and her constituents to discuss the issue. As she knows, the decision is one for Glasgow City Council. Its consultation, which requested the views of all

interested parties, closed on 26 February and a decision on the course of action has yet to be announced. I am aware that parents have lodged a petition with the Scottish Parliament. Of course, the Government and, to be fair, our predecessors have given strong support to centres of excellence as being the right way forward for specialist schools.

Ken Macintosh (Eastwood) (Lab): Following the end of central funding for cultural co-ordinators, can the minister tell me how many cultural co-ordinators are still in position? How many posts have been lost and what is the Government doing about it?

Michael Russell: The funding for cultural co-ordinators was always a medium-term measure. It is no surprise, therefore, that local authorities will make their own decisions at a time of great and increasing financial pressure—pressure that has been caused, as I have pointed out, by decisions that were made by the Labour Government at Westminster and by previous Administrations in this place. It is clear, however, that the cultural imperatives that exist in Scotland need the support of local authorities and I encourage them to think strongly about how they support culture in their areas and within education.

Teacher Numbers

7. Malcolm Chisholm (Edinburgh North and Leith) (Lab): To ask the Scottish Executive what action it will take to address the decline in teacher numbers. (S3O-10176)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): I am tempted to say that I refer the member to the answer that I gave some moments ago. I add that the employment of teachers is primarily a matter for local authorities. However, the Scottish Government is committed to ensuring that Scotland has the right number of teachers to meet the needs of our pupils.

Malcolm Chisholm: I thank the cabinet secretary for reminding us in the answer that he gave some moments ago of the massive expansion of teacher numbers between 2002 and 2007. I remind him that, in each of the past three years, certainly in Edinburgh, the number of teachers has declined. Indeed, that has been the case in many local authorities throughout Scotland. Will he work hard to find a mechanism to protect school budgets as we face increasing financial difficulties, rather than just standing by and allowing local authorities to reduce teacher numbers and, in some cases, to plan compulsory redundancies?

Michael Russell: I am committed to the highest quality of education in Scotland, and both Mr

Chisholm and I know that the delivery of that comes from local authorities. We are doing everything that we can to support local authorities—with increased resources this year—so that they can meet their obligations. We expect them, as we expect everybody in the public sector, to be forceful and imaginative about how they deliver education.

However, if the member is suggesting to me that we should magic out of thin air £80 million to replace the teachers we have lost in the past two years, he will have to tell us where that money will come from. Perhaps he could square that with the way in which his party south of the border—and indeed the other parties in the United Kingdom—talk about swingeing cuts in Scotland. It does not add up from the member and it does not add up from any of those parties.

Free School Meals

8. Dr Richard Simpson (Mid Scotland and Fife) (Lab): To ask the Scottish Executive whether it remains its position that the commitment in the Scottish National Party manifesto to provide free school lunches to all primary 1 to 3 pupils by August 2010 has been fully funded and whether it expects this pledge to be met. (S3O-10207)

The Minister for Children and Early Years (Adam Ingram): The Scottish Government remains fully committed to providing free school meals to all primary 1 to 3 pupils. However, we recognise the need to be realistic in the current economic climate. We recently agreed jointly with the Convention of Scottish Local Authorities that, by August 2010, councils will provide a nutritious free meal to all children in primary 1 to 3 in the schools that are in the most deprived communities in a council's area, although some councils might implement an alternative targeting scheme of equal extent. Councils will also work to promote increased uptake of free school meals among those who are currently eligible.

Dr Simpson: I think that I thank the minister for his response. It is clear that only one of the 32 local authorities will deliver on the pledge. Ten councils say that they do not have the funding even to attempt to deliver it. Given that there is an additional £900 million in the Scottish budget this year—

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): No, there is not.

Dr Simpson: An additional £900 million is in the Scottish budget this year, but it is clear that the minister and the cabinet secretary are shifting the goalposts on the commitment by telling councils that they need only demonstrate progress or provide free school meals in deprived areas. Will

the minister accept that, like the SNP's discredited class sizes pledge, the free school meals policy was never going to be delivered in this parliamentary session?

Adam Ingram: Dr Simpson should be aware that the Administration has greatly extended free school meal entitlement, so that 147,000 children are now eligible for a free school lunch. That is a 42 per cent increase on the figure that we inherited from the previous Administration, and there is more to come.

As for Dr Simpson's funding question, our concordat commitment was indeed fully funded. However, he will be aware of the £500 million cut to this year's Scottish Government budget that the Labour Government at Westminster has imposed. A substantial part of that had to be borne by local authorities, so it was only fair for us to help to ease the burden on local government rather than insist on maintaining an agreement that was made before the United Kingdom Government's financial meltdown.

Control of Dogs (Scotland) Bill: Stage 3

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is stage 3 proceedings on the Control of Dogs (Scotland) Bill. In dealing with amendments, members should have the bill as amended at stage 2, the marshalled list and the groupings that the Presiding Officer has agreed. The division bell will sound and proceedings will be suspended for five minutes before the first division. The period of voting for that division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after each debate.

Section 1—Serving of dog control notice

The Deputy Presiding Officer: Group 1 is on meaning of “out of control”—size and power of dog. Amendment 1 is the only amendment in the group.

Patricia Ferguson (Glasgow Maryhill) (Lab): The bill promotes the idea that a dog should not be judged on its breed and that a dog’s behaviour and its owner’s actions should inform any action against it. At stage 1, the Local Government and Communities Committee and all those from whom we took evidence agreed with that presumption. However, in the definition of an out-of-control dog, a dog’s breed characteristics have crept back in. Ms Grahame has proposed a two-part test. The first part is whether the dog is kept under control effectively and the second part is a test of reasonableness—of whether the person who complains is justified. Those tests are sufficient, so referring to a dog’s size and power is unnecessary.

As we have gone about campaigning over the years, I am sure that we have all met dogs that have given us cause for concern. I am equally sure that many of them were smaller dogs. How do we define a dog’s size and power? Does that mean the size and power of, say, a Dobermann, which might concern me—I mean no disrespect to Dobermanns and their owners—or of a Jack Russell, which might concern a five-year-old?

I lodged amendment 1 to deal with a point that the committee agreed unanimously in its stage 1 report and to make the rationale behind the bill consistent in its delivery and—I hope—more workable in its execution.

I move amendment 1.

The Cabinet Secretary for Justice (Kenny MacAskill): We are aware that some who gave evidence at stage 1 expressed concerns about the inclusion of a dog’s size and power as part of one element of the two-part test that must be met

before a dog can be deemed to be out of control. Some respondents felt that the inclusion of references to a dog’s size and power were inconsistent with the bill’s general thrust of moving away from basing dog control measures on a dog’s breed and towards focusing the approach more on the deed of a dog and its owner.

We accept that removing the words “size and power” might have little effect on the practical operation of the two-part test, but the inclusion of the reference to size and power serves a useful purpose. Those words add clarity, warning owners of large and powerful dogs of the need for greater control over those dogs. To draw a parallel, we would expect all drivers to drive responsibly and to take care when driving. However, we would expect the driver of a 10-tonne lorry to be aware of the likely extra danger of their large and powerful lorry getting out of control—as opposed to the driver of a small moped, say, losing control of their vehicle.

Notwithstanding amendment 2, in my name, to section 1(3), which will be debated shortly in connection with the two-part test in its current form, we should remember that a further element of the second part of that test also requires to be met: authorised officers may consider issuing a dog control notice only when they are satisfied that the alarm or apprehensiveness that might be felt by the individual as a result of the size and power of the dog is not unreasonable. For clarity, we would prefer the two-part test to retain the reference to the size and power of a dog. We oppose amendment 1.

Christine Grahame (South of Scotland) (SNP): I thank Patricia Ferguson for lodging amendment 1. I have sympathy with the intention, although I think that the amendment is misguided in its terms. I support what the cabinet secretary has said.

The provisions are framed in such a way that it is irrelevant what breed of dog is misbehaving. The bill concentrates on the deed and its effect on people. As the cabinet secretary said, that takes us back to the reasonableness test. The main aim is to address irresponsible ownership, regardless of breed. That is the whole ethos behind the bill.

I have considered again the out-of-control test, and I remain confident that it is framed in such a way that it focuses on deed. Let me explain. A dog that is large and powerful and which might otherwise cause alarm or apprehensiveness, such as an Alsatian, but which is kept under control, cannot be the subject of a dog control notice. The same Alsatian, when walked by a person who, for whatever reason, is incapable of controlling the dog, because of its sheer size and power, could be considered to be out of control—but only if, for example, it was snapping at people or at other dogs. The deed is the actions of the dog, allied to

someone being in charge of a dog that they cannot control.

Taking that argument a step further, a dog that might not be large or powerful, such as a Jack Russell, but which behaves in a manner that causes alarm or apprehensiveness and which is not controlled effectively and consistently, would be considered to be out of control.

Amendment 1 would remove helpful legislative signposting for those who will have to implement the provisions of the bill, resulting in less clarity. The reference to size and power highlights that, in considering the circumstances of the incident, size and power may—I emphasise the word “may”—play a part. Including specific reference to size and power is a direct warning to owners of large and powerful dogs that, if they cannot control their dogs effectively, further measures will be imposed on them. Those words are therefore a powerful tool in promoting responsible purchasing and ownership of dogs. They are integral to the out-of-control test and to the ethos of the bill, which, as I have said, is deed not breed. I caution members that, if they are inclined towards supporting amendment 1, they might be missing the point of the provision and the additional protection that it provides.

The arguments for the removal of the words “size and power” are narrowly focused. A clear example of breed not deed legislation is the Dangerous Dogs Act 1991, which, at section 1, bans particular breeds of dogs. That argument could not be levied at the bill, as no specific breed of dog is singled out. If we interpreted the words “size and power” to refer to large, powerful dogs, which might need extra measures to keep them under control—which I suggest is common sense—such as a harness or a larger fence round the back garden, we would be right. There are indeed additional responsibilities, which should rightly apply to owners, depending on the dog that they own. That is a matter of fact—not breed.

Members should remember that the purpose of the bill is to provide effective tools to address the behaviour of all dogs before serious incidents occur. It is a matter of early intervention. Members should not miss the opportunity to send a clear message to owners that they must be capable of controlling their dog, whether it is a Labrador, an Alsatian, a Japanese Akita, a West Highland terrier or the ubiquitous Heinz 57. Big dog does not mean bad dog, and small dog does not mean good dog—it all depends on how good the owner is. I ask members not to support amendment 1.

Patricia Ferguson: I am grateful for Christine Grahame’s clarification, but I point out that the bill gives consideration to the size and power of the dog, so it would be part of the reasonableness test. I contend that, if dog control officers will have

to make a judgment on whether the size and power is an issue, we might have to specify the matter more clearly if it is to be helpful to them.

Ms Grahame indicates that the size and power of a dog may be taken into account. However, I am afraid that, when we frame legislation, we cannot use the word “may”; it will be taken into account.

Any owner should, of course, have control of their animal. Any owner who cares about that animal and takes their responsibility seriously will do that but, at the end of the day, the size and power of the animal is not the question. As the bill has been at pains to say, the question is the behaviour and the deed.

The Deputy Presiding Officer: The question is, that amendment 1 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. I suspend the Parliament for five minutes prior to the division.

15:06

Meeting suspended.

15:11

On resuming—

The Deputy Presiding Officer (Trish Godman): We will proceed with the division.

For

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)

McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 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)
 Smith, Iain (North East Fife) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 57, Against 42, Abstentions 0.

Amendment 1 agreed to.

The Deputy Presiding Officer: Group 2 is on meaning of “out of control”—reasonable alarm or apprehensiveness. Amendment 2, in the name of Kenny MacAskill, is the only amendment in the group.

Kenny MacAskill: Amendment 2 seeks to modify part of the two-part test for a dog being out of control, so that the wording of section 1(3)(c) changes from

“the individual’s alarm or apprehensiveness is not unreasonable.”

to

“the individual’s alarm or apprehensiveness is, in all the circumstances, reasonable.”

We consider that changing the wording of section 1 in that way, so that the obligation on the authorised officer is to decide whether the alarm or apprehensiveness of a person is reasonable rather than not unreasonable helps to emphasise that the authorised officer must be satisfied, in making the decision, as to what is reasonable. The change will also be helpful in ensuring that consideration of the two-part test by the authorised officer or a court will be more clearly focused and consistent with other references in legislation to a reasonableness test.

We have sought to include the phrase “in all the circumstances” to ensure that the authorised officer is required to look more broadly at the context in which the alarm or apprehensiveness arose to determine whether it was reasonable.

I move amendment 2.

Christine Grahame: Amendment 2 seeks to address some outstanding concerns relating to the out-of-control test and, in particular, as the cabinet secretary said, a potential for lack of consistency in decisions by authorised officers.

As I said during the stage 1 debate, I am relaxed about the use of the reasonableness test as it is used in many acts and is a widely recognised proposition. It applies to MSPs when we consider what interests to register, for example an overseas visit.

In response to the committee’s concerns, I amended the bill at stage 2 to clarify that the alarm or apprehensiveness of an individual must not be unreasonable. The cabinet secretary’s amendment will still require authorised officers to ask themselves: would a fair-minded and impartial observer conclude that the behaviour or actions of the dog would cause alarm or apprehensiveness? The inclusion of the phrase “in all the circumstances” clarifies the proposition, meaning

that, irrespective of the individual's concern, a dog control notice can be issued only when the authorised officer is satisfied, having considered all the circumstances, that the alarm or apprehensiveness would be held by a reasonable person. The authorised officer will have to take a broad view of the incident in coming to his or her decision.

I am content to support the amendment and will endeavour to cover the other safeguards in the bill during the debate to pass it.

Amendment 2 agreed to.

After section 11

The Deputy Presiding Officer: Group 3 is on guidance for local authorities and authorised officers. Amendment 3, in the name of Kenny MacAskill, is the only amendment in the group.

15:15

Kenny MacAskill: Amendment 3 provides that the Scottish ministers must provide guidance to local authorities in relation to the exercise of their functions and the exercise of the functions of authorised officers under the bill, and that all local authorities and authorised officers must have regard to such guidance.

Under the terms of the bill as it stands, there is no obligation on the Scottish ministers to produce guidance on the bill, but we plan to issue guidance and we believe that amendment 3 is helpful in putting a requirement to that effect on the face of the bill.

Patricia Ferguson: I am grateful to the minister for allowing me to intervene. Will he bring that guidance to Parliament for consideration prior to issuing it to local authorities?

Kenny MacAskill: We would be happy to discuss that. The purpose is to keep the approach fairly light, and there are methods by which we can seek to do that. It is certainly not the desire of the Government to exclude anything from public scrutiny. Subject to the caveat that we must ensure that matters are dealt with as expeditiously and as simply as possible, we will be more than happy to ensure that members are kept abreast of matters.

Amendment 3 provides that local authorities and authorised officers

“must have regard to guidance”.

Local authorities and authorised officers will have to consider the guidance, but they will not necessarily be obliged to follow it as they carry out their functions under the bill. We consider that the issuing of guidance will help to enhance understanding of the bill's provisions and of

decisions by authorised officers on what is and what is not reasonable in the context of section 1.

We are aware of the concerns that have been expressed that the legitimate and lawful activities of working dogs may be adversely affected by the bill. Although we do not think that that will be the case, we will engage with all those parties who have key interests in the bill, including local authorities and rural stakeholders, in drafting the guidance to ensure that it is fully understood how the dog control notice regime is to operate. We think that guidance will assist local authorities and authorised officers as they plan ahead for implementation of the bill.

I move amendment 3.

The Deputy Presiding Officer: I exercise my power under rule 9.8.4A of standing orders to extend the deadline for consideration of the groups of amendments to give members the right to speak on amendment 3, if they wish to do so.

Christine Grahame: During stage 1 consideration of the bill, I suggested to the cabinet secretary that it might be helpful to provide guidance to those who would have to implement the bill's provisions. It was my understanding that if the bill was successful in passing through Parliament, such guidance would be provided. As the cabinet secretary has stated, there is no legislative need to include a guidance provision, but I welcome the Scottish ministers' commitment to the provision of guidance and therefore support amendment 3.

Amendment 3 agreed to.

Control of Dogs (Scotland) Bill

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S3M-6147, in the name of Christine Grahame, on the Control of Dogs (Scotland) Bill.

15:18

Christine Grahame (South of Scotland) (SNP): I am delighted to open the final debate on the Control of Dogs (Scotland) Bill, which is the culmination of three years' sustained work. For that, I express my gratitude to the staff of the non-Executive bills unit—I wish that it had a catchier title—and the legal department for their dogged determination; that will be my only canine pun.

I also thank my colleague Alex Neil, who set the bill in motion before his well-deserved elevation; Duncan McNeil, for most ably overseeing the Local Government and Communities Committee's consideration of the bill at stages 1 and 2; the committee clerks; all the witnesses and consultees, without whose input the bill could not have been developed; the cabinet secretary, for taking such a constructive approach; and Government officials, whose expertise was so useful. I also thank the many members of the public who have followed the progress of the bill and contacted me with their comments, and Patricia Ferguson, for her helpful amendments and interventions in discussions.

It is clear that the problem of out-of-control and dangerous dogs is growing across the United Kingdom. Scotland now sees around 600 reported dog attacks each year, which is more than double the figure 10 years ago. In 2007-08 hospitals treated 363 people who had been bitten or struck by a dog.

So what will the bill do? Its thrust is to promote responsible ownership of dogs. Local authorities will have the power to serve dog control notices on owners who do not keep their dogs under control. As pointed out in the stage 1 debate, many politicians have direct experience of out-of-control dogs while campaigning. I recall a canvassing expedition for some by-election or other, during which I discounted the snarls and growls of a canine occupant as it jumped up at a large picture window. Casually—a mite too casually, it turned out—on having no response to the bell ringing and door knocking I pushed a leaflet through the door, safe in the knowledge that the dog was elsewhere. It was not—the house, it appears, was open plan and the dog was open jawed by the letter box. The candidate's leaflet was shredded, but my fingers were not. Therefore, although we may not be able to protect ourselves in time for the United Kingdom election, with a positive vote today MSPs could be

voting for safer fingers for themselves in the campaign next year—by which time, if it is passed today, the bill will be in force. That is a reason to vote for it if ever there was one.

Although the hazards of our profession are cyclical, postal workers experience daily harassment from dogs. People walking their dogs are intimidated by out-of-control dogs, and some parks are no-go areas because of local delinquent dogs. All those situations and a myriad of others can be addressed by the bill, which will help to improve in a small and practical way the ordinary lives of the ordinary people of Scotland—which is what we are here for.

My bill also addresses another important issue regarding dangerously out-of-control dogs. It extends the offence of allowing a dog to be dangerously out of control as defined in the Dangerous Dogs Act 1991 to apply to all places. By amending the 1991 act, my bill ensures that dog owners can be held responsible at all times for their dog's behaviour, including in their own home. Indeed, the incidents behind horror reports of children and infants being savaged to death have more often than not occurred in a private dwelling where the dog was permitted to be—a relative's house for example.

There is one outstanding issue that I would like to address—the bill's impact on working dogs that are legitimately carrying out their duties, such as pest control and flushing out or herding animals. I see Mr McLetchie in the chamber. At stage 2, he raised a concern that dog owners could be penalised because someone feared for the safety of a wild animal, such as a rodent, that is not otherwise protected in legislation—I did not know that he liked rats, but never mind.

The bill offers protection to other animals, but I also give assurance to people with working dogs who felt, for example, that a Jack Russell that is out ridding, a juvenile sheep dog in training that is overenthusiastically herding sheep, or a springer spaniel that is flushing out game fowl could be subject by some novice city visitor to a dog control notice. I have lived in the countryside for 15 years, and I represent a rural constituency. When developing the bill, I had in my mind the interests of rural communities. Working dogs by their very nature are well trained and responsive to their handler's commands. In the cases that I referred to, the test of reasonableness would not be met because by their very nature such dogs are under control, which is the key test. If a dog is under control, it will not come within the ambit of the bill.

I can offer further assurances to Mr McLetchie and those who work the land that the bill will not have unintended consequences on the owners of working dogs. The bill provides five important safeguards. First, section 1(3) refers to the

conditions that the proper person is not keeping the dog under control effectively and consistently and that the behaviour of the dog gives rise to alarm or apprehensiveness on the part of any person. Both parts must apply before the out-of-control test can be met.

Secondly, at stage 2, I proposed an amendment to section 1(3) to meet the committee's concerns and to clarify that any alarm or apprehensiveness must not be unreasonable. The bill has been further amended and protection strengthened by the cabinet secretary's amendment 2 this afternoon.

Thirdly, local authorities have a duty under section 1(7) to ensure that authorised officers have the appropriate level of skill to determine from an objective standpoint whether the dog is out of control and, importantly, to identify appropriate steps aimed at addressing its future behaviour. Government amendment 3, which will make it mandatory for ministers to issue guidance to local authorities on the function of the legislation, is a further protection that the law should be applied, so far as possible, uniformly Scotland-wide.

Fourthly, section 2(8)(d) requires authorised officers to explain the reasons, including a description of the circumstances, that have led them to issue a dog control notice. Fifthly, a person can appeal against the notice under section 3. Indeed, the bill aims to ensure that domestic dog owners raise their dog's level of training nearer to that of a working dog.

The bill will bring certain benefits. I hope that more responsible dog ownership will follow from it. Public safety will be improved through preventive measures that will help people who are out with children or with their dogs. Also, the welfare of dogs will be improved, because dogs that are not properly cared for, exercised or socialised will benefit from specific measures being imposed on their owners, such as their being required to attend training classes with their dogs.

I hope that members agree that the bill is worth while. It gives local authorities and the police the legislative tools to deal with the growing problem of out-of-control dogs and attacks by dangerous dogs in private places.

I move,

That the Parliament agrees that the Control of Dogs (Scotland) Bill be passed.

15:25

The Cabinet Secretary for Justice (Kenny MacAskill): I thank Christine Grahame for the Control of Dogs (Scotland) Bill and join her in commending Alex Neil, who laid the foundations

for the bill while he was a back bencher. As she correctly pointed out, a member's bill does not reach this stage without significant commitment and a great deal of effort. I therefore join her in commending the non-Executive bills unit for all its work and effort in bringing the bill to this juncture.

The Local Government and Communities Committee, which is chaired by Duncan McNeil, carried out detailed and thoughtful scrutiny of the bill throughout the parliamentary process, and the bill's general principles received unanimous support at stage 1. The bill was good to begin with, but it has become better through the small number of amendments that were made at stage 2.

We welcome the policy objectives of the bill, which tries to make our communities safer through enabling effective preventive action to be taken against dogs that are out of control. The bill is designed to identify and tackle out-of-control dogs at an early juncture and provide measures to change their behaviour and, frequently, the behaviour of their owners before the dogs become dangerous. We believe that the creation of a dog control notice regime will encourage dog owners to take responsibility for the actions of their dogs. Under the bill, authorised officers will be able to issue a dog owner or the person with day-to-day charge of the dog with a dog control notice if their dog is found to be out of control.

As the bill has progressed through Parliament, there has been some discussion of the costs of the new dog control notice regime. The main responsibilities under the proposed new regime will fall on local authorities. Members will recall that, during stage 1 evidence, some local authorities said that existing dog wardens would take on the role of authorised officer without any new costs being incurred. Others, to be fair, disagreed and suggested that higher costs would be incurred by their training and employing new staff. The Government's view is that the new dog control regime is designed to be preventive and we do not expect thousands of dog control notices to be issued every week.

Under current law, when a dog is dangerously out of control in its own home, no criminal offence is committed by its owner under the terms of the Dangerous Dogs Act 1991. Section 10 of the bill will change that. The Government believes that the law should be extended to make it an offence to allow a dog to be dangerously out of control in any place, whether a public place or a private place, such as the dog's home. As Christine Grahame said, we all know of tragedies that have occurred not in a public place but in a private place, often the owner's home. This change will help to ensure that dog owners take responsibility

for the actions of their dogs in all places at all times.

This good bill, which will assist in making our communities safer while respecting dog owners' rights, is an excellent example of the Parliament's system of members' bills. Alex Neil and then Christine Grahame drove forward the consultation process, which led to the bill's drafting and scrutiny by committee and, finally, to this momentous day on which we hope the bill will be passed.

We welcome what seems to have been unanimous agreement at stage 1 and, as we expect, unanimity at decision time this afternoon that these changes need to be made. Although they are relatively minor, they might well have a significant effect in preventing some tragedies. The legislation will certainly help to drive home the message that although, as we all agree, dogs provide great comfort, friendship and solace for many, they have to be looked after and dog owners are required to be responsible.

Once again, I pay tribute to Christine Grahame and everyone else who has been involved with the bill. The Government will support the motion and will be more than happy to work with Patricia Ferguson and others on ensuring that members see the guidance that will be provided to local authorities. As I have said, it will be up to those in local government who are involved in the enforcement procedure to take the appropriate action, but we are more than happy to undertake this work to maintain unity in the chamber.

15:31

Michael McMahon (Hamilton North and Bellshill) (Lab): Given statistics showing a 160 per cent increase in the number of dog attacks between 1999 and 2007, it would be a real surprise if no one wanted to address the situation. Faced with that information, it is right that we have had the opportunity to look anew at the prevailing laws on dangerous dogs, particularly as the data that have been presented appear to indicate that the existing legislation has not addressed the problem that led to such a huge outcry in the years before the turn of the century. I therefore congratulate Alex Neil on his initial work and Christine Grahame on introducing the Control of Dogs (Scotland) Bill and giving the Scottish Parliament the chance to consider how we might improve on the measures that are available to our local authorities and police to tackle this increasing problem. I also congratulate NEBU and the Local Government and Communities Committee on assisting the bill's progress.

As has been widely recognised and supported, the bill started out, rightly, by addressing the fact

that the current law's focus, which is mostly on dangerous dogs and particular breeds of dogs, is wrong. It is difficult, though, to establish hard and fast statistics on the extent of problem dog ownership in Scotland; indeed, that has been one of the discussion points about the bill. I do not think it unreasonable to accept the estimate in the bill's supporting documents that there are around 550,000 dogs in Scotland. If the percentage of out-of-control dogs in Scotland is similar to that in London, at around 0.12 per cent, there are likely to be about 650 dogs whose behaviour needs to be addressed. However, given that in 2007 there were 623 reported dog attacks that resulted in injury, never mind the number of incidents of behaviour that would cause a reasonable person a degree of alarm, we might actually be underestimating the scale of misbehaviour in our communities. I think that I have been barked at by about 650 dogs already in this general election campaign, and I have been hospitalised on three occasions because of dog bites. Of course, that might just say something about my own relationship with dogs.

In any case, if we accept that the number of control notices can be expected to be close to 1,200, we begin to get to the issue that most concerned me during the passage of the bill and which I highlighted at stage 1: the bill's cost implications. Information from local authorities indicates that the level of staff employed in the control of dogs is, at best, mixed, and that the expected burden on our councils is going to cause many of them difficulties. At a time when we are losing teachers, social workers, home care workers and other necessary front-line staff under the current local government financial strictures, it stretches credulity to be asked to believe that dog wardens and other costs associated with the bill's implementation and application will be immune from the cost pressures that are afflicting other essential services. As many councils have repeatedly flagged up, even if we accept that administration costs will be fairly minimal, the fact is that staff costs will not be so low. That is the main issue confronting our local authorities, and no amount of wishful thinking or positive gloss by the bill's supporters will eradicate local authorities' genuine concern about the financial burden that the legislation will place on them.

That said, given the abject failure of the Convention of Scottish Local Authorities to defend councils from the Scottish Government's cuts, I am a little surprised that it has been so exercised by the legislation's impact. So, along with the majority of those who have commented on the bill, I will be looking at its positive aspects and overlooking COSLA's concerns.

Improving the control of dogs, preventing dogs from becoming dangerously out of control,

ensuring that owners are responsible for controlling their dogs wherever they are, including on private property, and improving the care and treatment of dogs are all worthwhile objectives and good enough reasons to support the bill, whatever the misgivings about the finances. I look forward to the remainder of this debate and hope that we will get the expected outcome when we vote at the end of today's business.

15:35

David McLetchie (Edinburgh Pentlands) (Con): Like others, I welcome the fact that today brings to a parliamentary conclusion the legislative process that was initiated by Alex Neil in January 2008 and carried on by Christine Grahame. I believe the bill to be worth while and well-founded in principle. It recognises the deficiencies in earlier legislative attempts to deal with dangerous or out-of-control dogs. In particular, the focus on deed not breed is an important principle, which highlights the responsibility of owners as much as the behaviour of their dogs, and avoids the problems that are inherent in legislation that focuses on specific breeds, some of which are not prevalent in this country, to the exclusion of other breeds or cross-breeds that might be equally dangerous if not properly controlled and managed by their owners. In that respect, Patricia Ferguson's amendment, which was agreed to by Parliament, was consistent with that principle and in line with the unanimous recommendation of the Local Government and Communities Committee, as set out in paragraph 68 of its report to Parliament.

I welcome the fact that, in today's stage 3 proceedings, we have approved a Scottish Government amendment that will lead to it issuing guidance to councils and authorised officers on the exercise of their respective functions under the act. I highlight two issues that I hope will be covered in that guidance. The first refers to my unsuccessful stage 2 amendment, which was motivated by the concerns of organisations such as the Scottish Countryside Alliance, the British Veterinary Association, the Kennel Club and others that the bill as drafted could give rise to the service of dog control notices for the natural behaviour of working dogs in the open when they are interacting with wild animals as opposed to protected animals, as defined in animal welfare legislation that this Parliament has passed. That issue should be covered in the guidance that the Scottish Government will issue and I welcome the cabinet secretary's statement in the short debate on amendment 3 that it will do so. I trust that that will reassure the owners of working dogs and be in line with the views expressed by the cabinet secretary in the Local Government and Communities Committee's debate on my

amendment, and with those expressed earlier this afternoon by Christine Grahame in her opening speech.

The second issue was raised with me by my constituent Catriona Brown, who submitted evidence to the Local Government and Communities Committee about the commercial walking of large numbers of dogs. That was born out of an unfortunate experience that she had while walking in the Pentland hills regional park in my constituency. Catriona was attacked by three large and powerful dogs, which were under the control of a commercial dog walker who, at the time, was exercising 13 dogs, all of which were off the leash and unmuzzled. A number of dog walkers appear to be running such businesses and using the park for that purpose. Not surprisingly, perhaps, in communication with the committee, Ms Grahame and myself, Ms Brown expressed the belief that the bill should be sufficient in its scope to cover such activities. Indeed, she suggested that we might want to lay a statutory basis for the sort of byelaws that have been introduced by Wandsworth Council in London that specifically regulate the exercising of groups of dogs on a commercial basis in its parks, and put a limit—normally a maximum of six—on the number of dogs that can be exercised at any one time. The byelaw also requires professional dog walkers to have public liability insurance and a licence from the council.

Given the stage that had already been reached in the progress of the bill, I did not think that it was appropriate to lodge amendments to introduce a scheme of that nature, as it would have had to have been the subject of a consultation, which, quite clearly, had not taken place. Moreover, Christine Grahame was right to underline the point that, under the bill, an owner is not absolved from responsibility for the behaviour of his or her dog simply because the exercise of that dog is contracted out to a third party. However, I hope that in putting together its guidance, the Government will consider that issue and perhaps consult councils throughout Scotland to determine whether it is a problem in parks and public spaces elsewhere. I also hope that the Government will remind dog walkers of their obligation to comply with the legislation on behalf of the dog owners who employ them.

I have much pleasure in expressing my support for the bill, and I hope that it will be passed by Parliament today.

15:41

Jim Tolson (Dunfermline West) (LD): The Control of Dogs (Scotland) Bill has been an interesting one on which to take evidence in the Local Government and Communities Committee. I

commend the significant work that was done by Alex Neil, prior to his taking up ministerial responsibilities, Christine Grahame, who is now sponsoring the bill, and the witnesses who gave evidence to the committee.

The aim of the bill, which is to move away from banning certain breeds of dog to a focus on the deeds of some dogs, is widely supported in the Parliament and in the wider Scottish community.

We are all aware of concerns about some dogs, whether they involve causing fear and alarm, biting people or other animals, or, in the most unfortunate cases, fatalities among our young people. However, the vast majority of dogs are well behaved and well looked after. Most are loving family pets who bring a great deal of enjoyment to their owners and their families. Such owners have nothing to fear from the bill. However, dog owners who do not take responsibility for their dogs, who do not ensure that they are reasonably trained, who do not keep their dogs on a leash when in public and who have their dogs as status symbols had better watch out—this legislation is coming to bite them.

When this bill is passed tonight, it will give local authorities the ability to serve a dog control notice on owners who have not kept their dog under control. Importantly, that control will extend to public and private areas, including dwellings, and will mean that the level of care that is required to prevent a dog from becoming dangerously out of control is quite high.

It is important to note that the bill contains a number of steps, from serving a dog control notice on the owner to implanting a microchip in the dog that carries details of the dog and its owner to, ultimately, destroying the dog if it is dangerously out of control. Although destroying the dog is unlikely to be carried out in any more than a few cases, I believe that that crucial ultimate sanction is required to ensure public protection.

Although most issues were overcome at stage 1, a few issues remained to be dealt with today at stage 3. In the debate on amendment 1, which concerned the size and power of dogs, it was clear that Christine Grahame and Patricia Ferguson were trying to achieve the same end, albeit by different means. We all agree that the wording in the bill should be clear and concise. However, unfortunately, the wording that Miss Grahame wished to leave in the bill confused the issue. Patricia Ferguson's amendment 1 sought to leave out the extra text, and I believed that it would make the bill clearer and ensure, albeit by insinuation, that all types and breeds of dog were covered. Therefore, the Liberal Democrats had pleasure in supporting Patricia Ferguson's amendment this afternoon.

Kenny MacAskill's amendment 2 sought to provide extra clarity without adding any confusion, so we supported it. Mr MacAskill's amendment 3 sought to add reasonable guidance to the bill, and we supported it as well.

The Liberal Democrats welcome the bill. It will provide clarity for dog owners, teeth for enforcement officers and, most important, protection for our communities.

15:44

Patricia Ferguson (Glasgow Maryhill) (Lab): I thank Christine Grahame, as others have done, for all the work involved in bringing the bill to Parliament after she took it over from Alex Neil. I also thank the clerks to the Local Government and Communities Committee for their help and advice, and all those who gave evidence and spoke with such passion about dogs and the importance of training and proper care.

The Dangerous Dogs Act 1991 was introduced in reaction to a number of extremely serious incidents. Unfortunately, serious and indeed fatal dog attacks have continued to take place since the act came into force. The previous legislation identified several breeds that were to be defined as dangerous in law. However, my contention—and that of the bill and Christine Grahame—is that any dog can be dangerous if it is not cared for properly, not trained properly and not socialised with people and other dogs. The bill's emphasis on the deed and not the breed is welcome. I hope that my amendment 1 will assist in the delivery of the policy behind the bill.

However, we will have to be vigilant in monitoring the implementation of the legislation. There is uncertainty about the number of dangerous dogs in Scotland, so it is difficult properly to judge the accuracy of the bill's financial memorandum, particularly the cost that will accrue to local government. What we do know, though, is that in 2006-07—the most recent year for which there are records—there were some 623 offences under the 1991 act. It is therefore important that local authorities move quickly to employ wardens and properly resource and train them. I took cognisance of what COSLA said about cost, but the cost of not taking action could be even higher in terms of the use of the national health service, the police and other authorities. It will be interesting to see how that goes forward.

Another welcome aspect of the bill is the fact that it will be an offence to allow a dog to be dangerously out of control anywhere, even in a private place. I listened carefully to Christine Grahame when she recounted her experience of campaigning, and of the barking dog at the window. In my experience, however—Ms

Grahame may also have experienced this—it is not the barking dogs that we have to be aware of but the silent ones that sit behind the letter box. If we are lucky, we feel their breath at the moment we withdraw our fingers from the letter box.

While there are occasionally injuries among our campaign teams, other stories are not frivolous or funny. The Communication Workers Union's written submission detailed an attack on one of its members—a postman with 30 years' experience—as he went about his duties. As he walked up a garden path in Glasgow, two Japanese Akita dogs ran from the back garden of the house, through an insecure fence, and attacked him as he made his way to the front door. Despite the very serious injuries he sustained, Strathclyde Police were unable to prosecute, because the attack happened on private property. Although the bill will not prevent such incidents, I hope that it will at least ensure that action can be taken against the dog owner.

I do not have a dog. My job and that of my husband involves us being out of the house for long periods, which would not lead to sensible dog ownership. However, I have often felt that, for the sake of the dog and that of the surrounding community, it is the owner who needs training, not the dog. The effect on the community ranges from the kind of serious attack on that postman to the incredible nuisance these days of dog fouling on our streets, which we see as we are out campaigning.

I hope that we never get to the stage at which a bill has to come before Parliament that seeks to license or train dog owners. I very much look forward to seeing the guidance from the minister, which I am sure will be comprehensive. It is important that Parliament, which takes a great interest in these matters, has the opportunity to scrutinise such information. Again, I sincerely thank Christine Grahame and Alex Neil for bringing this important issue to Parliament and for giving some reassurance to people who fear dogs or who, because of the nature of their work, have to experience dogs—good and bad—as they go about their business.

15:50

Jim Tolson: This afternoon's debate has been interesting, if brief. Members have touched on a number of key issues. The dog control notices that I mentioned in my opening speech will be the key level of enforcement. However, there may need to be other levels of enforcement if, as Patricia Ferguson said, a dog control notice is not enough to bring the owner, far less the dog, under control. The cabinet secretary highlighted that issue and mentioned that the enforcement officers who will

serve notices must be accountable and properly trained to do that.

David McLetchie mentioned dog control notices and the early amendment that he lodged on working dogs. I believe in all sincerity that the bill as it stands covers that issue. However, the member made an important and welcome point about some professional dog walkers and the issues that they face.

The monitoring of dog control notices is key to taking forward the bill and ensuring that it is an effective measure. I am glad that the minister has indicated that the Government will continue to monitor the situation. If any changes are needed, I am sure that we will discuss those in the chamber and in committee. Patricia Ferguson, too, said that monitoring of the bill is an essential outcome. I welcome that.

A few individuals may fail to comply with dog control notices. I welcome the fact that the bill contains measures to ensure that further action can be taken. As I mentioned earlier, the ultimate sanction is to destroy a dog, where it is deemed to be absolutely dangerous and out of control.

The proposal for a Scottish dog control database was not touched on in the debate but was discussed extensively in committee. I understand the Government's concern about advancing that proposal, especially given the cost implications. However, it is important that the Government keeps it under consideration as a means of measuring what I hope will be the success of the bill, so that we can see how the use of dog control notices, first and foremost, and anything that comes from them is developing across Scotland and ensure that they are an effective measure for controlling out-of-control dogs.

The danger of unresponsive dogs, if we have any, must be properly dealt with. I am glad that the minister, among others, highlighted the fact that the bill's aims will ensure that we focus on the deed, not the breed, as the previous legislation did. That will be crucial. Michael McMahon mentioned that change in focus. Other members know the previous legislation better than I do, as they were parliamentarians when it was passed, but I agree with them in welcoming the change of emphasis and direction that the bill brings, to ensure that we have better control over irresponsible dog owners in Scotland.

I am sure that, when they wind up, other members will indicate that they intend to support the bill. Liberal Democrat members will support it as amended today.

15:53

David McLetchie: Like Jim Tolson, I have enjoyed this short debate and the contributions that this small band of dedicated dog lovers have made to the bill that is before us. As all members of the Parliament are aware, legislation relating to animals and animal welfare can generate large postbags, strong passions and fierce controversy. In my 11 years in the Parliament, we have covered salmon fishing, fox hunting, fur farming, dog fouling, animal health and welfare, aquaculture and, most recently, snaring. Given that history, any member who voluntarily ventures into the field with a legislative proposal that deals with animals must do so with a degree of apprehension. Against that backcloth of our experience in the Parliament, we should commend the efforts of Alex Neil and, latterly, Christine Grahame in steering the member's bill through the Parliament to its conclusion today.

Concerns have been expressed in a number of quarters about different aspects of the bill, the resources to operate the new system of dog control notices, the exact wording of the provisions, and how the new law will be applied in practice. Some of those concerns were expressed by Michael McMahon and my committee colleagues Jim Tolson and Patricia Ferguson. Concerns are, of course, expressed about virtually every new bill that we consider, but the widespread support for the bill's key principles has been refreshing. I congratulate the promoters of the bill—Christine Grahame and Alex Neil—and everyone who has worked with them on the initial consultation and the drafting of the bill and in the various stages of the legislative process. As a member of the Local Government and Communities Committee, which considered the bill, I can say that it made a welcome and interesting diversion from our staple diet of councils, housing and planning.

There is a great deal more to be done to make the bill that is passed effective in helping to control the behaviour of dogs and irresponsible owners and making our communities safer. I think that we all recognise that passing a bill is only the start of a process, not the end of it. A great deal of interest will undoubtedly centre on the guidance that is to be issued by the Scottish Government, which Mr MacAskill's amendment flagged up. As I said in my opening speech, the content of that guidance will certainly be of considerable interest to me and my constituents. Passing the bill will be a good start, and I hope that it will be passed with the unanimous support of members. It certainly has my support and blessing.

15:51

Michael McMahon: We can legislate for aspects of many issues that we debate in the Parliament, such as problems with alcohol, diet or antisocial behaviour, but resolution of the problem will mostly lie with the degree of responsibility that we as individuals take. The same can be said for the behaviour of dogs. It is self-evident that some dogs are more dangerous than others, but all dogs can be potentially dangerous. Various breeds can be considerably stronger and larger than a person of average size, and some breeds are more aggressive because of years of breeding. However, whatever type of dog we are discussing, we know that effective training, socialisation and proper care can make a significant impact.

Owners who do not properly socialise their dogs and individuals who are engaged in criminal or risk-taking activities and who keep powerful dogs as a status symbol or an accessory to their own aggressive behaviour are more often the problem than the type of dog that is being considered. We should never lose sight of that, even if we think that some breeds are problematic in themselves.

There is evidence of a growing trend for gangs to have aggressive dogs as weapons, and genuine concerns exist among some dog owners that the bill will do nothing to affect the criminal element that is most likely to keep dangerous dogs. They are concerned that we are in danger of criminalising law-abiding dog owners. I think that there are good enough safeguards in the bill to ensure that dog owners will not be subjected to unwarranted action against them, and hope that concerns that some people might have will ultimately prove to be unfounded when the bill's provisions begin to take effect.

There is some justification for arguing that the current law on possession of banned breeds is not being enforced, but that could be down to flaws in the Dangerous Dogs Act 1991, which we expect to be addressed by passing the bill. There is no doubt that the current legislation on banned breeds is ineffective and difficult to enforce, but I am confident that the new legislation will create the potential for a better system. Moving away from breed-centred legislation will help us to move towards improving public safety, provided that financial resources are provided to make the provisions work.

Throughout the passage of the bill, it has been clear that the real issue is responsible ownership. While people remain too lazy to give their dogs the tender loving care that they deserve, we will continue to have a problem with out-of-control dogs. I doubt that the bill will be a magic wand that is capable of dealing with all the issues relating to dangerous dogs—indeed, I am not sure that it was

ever intended to be that—but it is entitled to our support nonetheless, and it will have it at 5 o'clock.

15:59

Kenny MacAskill: Given the backdrop of the general election with its hustings and argy-bargy, it is probably good for the people of Scotland to realise that debates on subjects such as the Control of Dogs (Scotland) Bill see members of whatever political colour come together in the chamber.

The tenor of the debate has been one of acceptance that there is a problem that we must address, whether for individuals on the campaign trail—we heard anecdotes about that from Christine Grahame—or, as in Patricia Ferguson's story, for the postman who was assaulted but unable to get any satisfaction or take any action.

Patricia Ferguson and Michael McMahon made the appropriate point that this is a focused bill. It will not be a solution to all incidents out there; no Administration and no legislation could ensure that no child or adult will face being bitten by a dog. We must control loopholes in legislation that, through no one's fault, has been proven not to be fully fit for the purpose of dealing with changing circumstances, as Mr McLetchie mentioned in his speech. However, the bill will provide some salvation following incidents such as the nasty attack on the postman by Japanese dogs. Equally, the bill will help to drive home the message that there has been a specific change in powers and that dog owners have to act responsibly.

Michael McMahon raised the question of cost. As I said in my opening remarks, COSLA seems divided on the matter. Some local authorities see the situation as one that can be dealt with by existing dog wardens. Our view is that the financial impact on local authorities of the new dog control notice regime will depend to a large extent on how they make use of it. We tend to think that those powers should be used sparingly and that the very existence of dog wardens' powers should act as a powerful deterrent. However, we recognise that these are tough financial times and that local authorities' ability to improve services or react to increasing needs is restricted. That said, there is the fallback position that if a clear problem is being faced by local authorities, this Administration has mechanisms by which we can discuss matters with COSLA. I give the chamber the guarantee that if there are problems, we will continue to discuss and debate with COSLA.

As David McLetchie and Patricia Ferguson mentioned, we are moving towards emphasising deed not breed. We are happy to accept Patricia Ferguson's position—it is not a matter of semantics to say that we accept and welcome the

will of the Parliament. David McLetchie's point about dog walkers has come from left field and perhaps shows why the legislation might need to be amended in due course. We could argue that the dog walker situation might be better dealt with by the Civic Government (Scotland) Act 1982, but that is not the case. It is clear that we live in a world where people walk other people's dogs and they have to accept responsibility for them. We must make sure that that situation is addressed in the guidance.

The guidance is meant to deal with those in both rural and urban areas who have an interest because of their professional standing, whether they are gamekeepers or from the British Veterinary Association. I give an assurance to both Mr McLetchie and Patricia Ferguson that we will liaise with parliamentarians but, equally, that we will take on board the needs and wants of stakeholders. The kind of guidance that we want to issue is based not on the ideology of any Administration, whatever colour it might be, but on the specialised advice of those who are best placed to provide it. We also take on board the will of the Parliament.

Jim Tolson raised the issue of a database. Obviously, we already have an enabling power and we are not persuaded that a database is either needed or wanted—nor is the committee. However, if the situation should change, the bill gives us the ability to act.

We believe that the bill strikes the correct balance. Although I am not a dog owner, I recognise that owners are entitled to exercise their ability to deal with their dogs. We recognise the benefits that dogs bring to people, not just as a comfort or solace to the elderly or by what they provide to those who work with them, but as part of the fabric of our society. People must recognise, however, that as well as the right to own a dog and the right to roam with it, there is the responsibility to ensure that that dog is under control.

We welcome the bill, which takes on board the need to address specific problems that we face. We have to recognise that if we are to minimise the dangers that dogs can pose to children, postmen, adults or whoever else, individual owners have to take responsibility. The bill is a welcome improvement on existing legislation and we are delighted to support it.

16:05

Christine Grahame: I start by applauding the member's bill mechanism. After 11 years in the Parliament, it is delightful to have the chance to have a bill of my own—this is the closest that I will ever get.

I thank NEBU, which is very much unheralded and does a great deal of work. It is rare that it gets a bill to this stage—often members' bills do not get beyond proposals. NEBU is hugely supportive, as we all know, and I applaud its work.

I will pick up some of the points that members have made in the debate. Michael McMahon expressed some concerns, which were undermined to some extent by his colleague Patricia Ferguson's contribution, about the cost to local authorities. At stage 1, Dundee City Council told the Local Government and Communities Committee that it agreed with the figures in the financial memorandum and believed that the bill could be implemented using existing resources. It also highlighted the point that the threat of a dog control notice might reduce the number of notices needed—as the cabinet secretary said, the notices are a preventive measure. In any event, all local authorities already carry out dog-related duties under the Dog Fouling (Scotland) Act 2003, the Civic Government (Scotland) Act 1982 and animal health and welfare legislation. I believe that councils must already be staffed appropriately to deliver those duties and that they can subsume the duties of issuing dog control notices within that. However, I am sure that the cabinet secretary will agree that if I am proved wrong it will be for COSLA to negotiate that with the Scottish Government in line with the procedures under the concordat.

Further to Michael McMahon's point about dog control notices and criminalising people, I make it clear that a dog control notice is a civil order, not a criminal matter. The order has to be breached in order to transmogrify, as it were, into a criminal matter, so we are not criminalising people.

Michael McMahon: I thank Christine Grahame for making that point, but the point that I was making was that people expressed concern throughout the bill's progress that the bill could criminalise them. I was saying not that that would be the impact of the bill but that that concern had been expressed.

Christine Grahame: I apologise for misunderstanding. I am glad that that is now on the record. I make it plain that the bill is about early intervention before a dog becomes dangerous. We are talking about dealing with dogs that are out of control and preventing them from getting to the dangerous stage.

I want to pick up the points that David McLetchie made. He was quite honest about the licensing issue, which came in very late in the day. I submit that a member's bill is not really the place to start putting in complexities, which can probably go in some local government legislation. However, there is cover in the bill. In the event of a dog being out of control while in the care of a dog walker—they

define themselves as professionals; I do not think that they have to meet any standards—it would have to be established who the proper person was. That is likely to be the owner and, therefore, the dog control notice would be served on them, rather than on the dog walker. An authorised officer would have to consider the appropriate measures to include in the dog control notice to bring the dog back under control. The notice could specify that the dog could not be walked with more than two other dogs at the same time, for example. The proper person would also have to consider whether there was a likelihood of the dog control notice being breached by the dog walker—the entrusted person—as a breach could result in a fine of up to the current maximum of £1,000. David McLetchie's constituent has been in touch with me about that matter. I hope that what I have said will allay those genuine fears.

I hope that what I said about working dogs in my opening speech provided some comfort. There is a test under section 2(8)(d), which states that a dog control notice must include

“the reason for the authorised officer concluding that the dog has been out of control (including a description of the circumstances on the basis of which the officer has come to that conclusion)”.

So, an innocent from urban life wandering about the countryside thinking that a sheep dog is harassing the sheep too much might find that it would not be reasonable to issue a dog control notice in those circumstances. It would certainly not stand up to scrutiny if that was put down as one of the reasons for issuing a dog control notice. At the end of the day, if such a circumstance arose, there would be a right of appeal, as there should be to comply with the European convention on human rights. I hope that that provides some comfort.

I thank Patricia Ferguson for her contribution. I am now quite relaxed about her amendment. It was important to put the debate about it on the record. I absolutely support her view that the care, training and socialising of dogs is the key. I was once a dog owner myself, but I no longer have a lifestyle that would support my owning a dog. I wish that more people took that view before they bought a dog.

The bill is about early intervention, but I found what Patricia Ferguson said about serious attacks on postmen extremely interesting. Although the bill is about out-of-control dogs, it does amend the Dangerous Dogs Act 1991 so that it will apply to a private place where the dog is permitted to be. That will not be the case elsewhere in the United Kingdom, but it will be the case in Scotland. The postmen and women of Scotland may rejoice because they can now do something about the problem.

I have dealt with Jim Tolson's points, including his points about working dogs and places where dogs are permitted to be. I am grateful for his support.

I conclude by thanking all those who contributed to the development and scrutiny of the bill and all members who have been in the chamber to discuss it today.

As a postscript, I remind canvassers that, even if the legislation is passed at 5 o'clock today, it will not be in force until next year, so they should watch out for those fingers, particularly if, as Patricia Ferguson tells me, there are sneaky, silent dogs lurking at the letterbox.

I commend the bill to the Parliament.

The Presiding Officer: That concludes the stage 3 debate on the Control of Dogs (Scotland) Bill. As it is not yet time to move to the next item of business, I suspend the meeting until 15 minutes past 4.

16:11

Meeting suspended.

16:14

On resuming—

Volcanic Ash Cloud

The Presiding Officer (Alex Fergusson): The next item of business is a statement by John Swinney on the volcanic ash cloud. The cabinet secretary will of course take questions at the end of his statement, so there should be no interventions or interruptions during it.

16:15

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Last week, I set out in a statement to Parliament the implications of the ash plume from a volcanic eruption in Iceland entering United Kingdom and European airspace on the night of Wednesday 14 April. Because of the ash plume, much of UK airspace was closed for significant periods from then until Tuesday night.

The closure resulted in significant disruption for members of the public in Scotland and further afield. The Civil Aviation Authority's decision to reopen all UK airports, which was taken at 9.41 pm on Tuesday 20 April, is very welcome. The decision was based on lengthy discussions between regulators, airlines, National Air Traffic Services and the UK Government, which included consideration of the newly defined European Union low-concentration zone. On 20 April, the CAA issued revised guidance that allowed the opening of UK airspace, subject to additional safety restrictions. The CAA will continue to monitor the situation with tests in the air and on the ground.

Most airports are now open and operational, but considerable disruption remains. Currently, no flights can take place into or out of Stornoway. We expect all Scottish airports to be open tomorrow, subject to weather conditions and any further issues that arise from the assessment of the ash situation.

The position will continue to improve in the coming days. More than 1,300 flights have taken place into and out of Scottish airports since restrictions were lifted on Tuesday. Throughout the period of disruption, Scottish airports have been primed and ready to allow airlines to maximise any windows of opportunity as the airspace over Scotland has become available.

In the days ahead, some disruption of air services is still likely as a result of the continuing volcanic activity in Iceland and the consequent concentration of volcanic ash. That is unpredictable and unavoidable and could result in the cancellation of some services at short notice.

Information from the Met Office this morning suggests that the wind flow over the volcano in Iceland will weaken significantly tonight and early tomorrow morning. That means that any new ash material from the volcano should be less likely to reach the airspace above Scotland. Forecasters also give a high degree of probability for a southerly wind flow from later on Saturday and well into next week, which will further reduce the likelihood of large quantities of ash in Scottish airspace. On Met Office test flights this morning, several layers were observed under the aircraft, but discriminating between cloud and ash is not easy. Such test flights will continue to provide information to help to inform the decision-making process.

From the outset, we have worked closely with the UK Government to monitor the situation and to mitigate the impact. At ministerial and official levels, we have been in daily contact with counterparts in Whitehall, and that close liaison continues.

As Parliament knows, the UK scientific advisory group committee was established earlier this week. The chief scientific adviser for Scotland, Professor Anne Glover, has spoken to Professor John Beddington, and the committee now includes two experts on volcanic eruptions who are based in Scotland—Dr Sue Loughlin and Professor David Kerridge, who are from the British Geological Survey in Edinburgh.

Our response to the presence of volcanic ash in our airspace from the Icelandic eruption has been based entirely on available evidence, with the primary objective of addressing safety issues.

Officials have worked with embassy colleagues and the Foreign and Commonwealth Office to ensure the safe repatriation of vulnerable individuals when possible. When we have been made aware of individuals who have required medical support overseas, we have worked with our international networks to provide assistance.

Our purpose throughout the incident has been to ensure the safety of passengers and their safe repatriation as quickly and effectively as possible. The Cabinet sub-committee started to meet on day one of the event—15 April—and has met daily throughout. That ministerial-level focus has allowed us to prioritise efforts and to ensure that the actions that we have taken have reflected the latest Met Office and air traffic information. Our focus is now on the recovery phase and on ensuring the successful repatriation of travellers, while monitoring any medium to longer-term consequences.

On Tuesday this week, we opened the homecoming helpline to complement the Foreign and Commonwealth Office helpline. It has taken

more than 2,000 calls. About one third of calls have been handled by advisers; other callers have taken advantage of the automated voice message service, which gives advice on health, travel, visa, insurance and money issues. Of the calls that helpline staff have handled, 75 per cent have come from travellers who were abroad. The helpline can be contacted from the UK on 0800 027 0504 and from overseas on country code 44, followed by 141 272 1333.

Transport colleagues have worked tirelessly with all the major transport companies, and capacity on the transport network across the United Kingdom is being monitored and maximised. Train companies have been putting on extra services to and from cities near Scottish and UK airports and ferry ports to help passengers who have been stranded by the Icelandic volcanic eruption. Ferry operators have made significant efforts to maximise the number of passengers that they can accommodate.

First ScotRail has provided an additional 2,850 seats on existing services between Glasgow and Stranraer all week, and it will continue to do so, according to demand. Cross-border rail services have increased the number of seats by 3,000 northbound and 3,500 southbound per day. The additional services will continue throughout the weekend. Virgin west coast is now providing a total of 6,700 seats northbound and 7,100 seats southbound per day. East Coast is providing a total of 11,200 seats northbound and 11,700 seats southbound per day. Both east coast and west coast lines are busy, but both are coping with the additional demand. There is still some capacity on East Coast services. Demand for train journeys to and from stations near passenger ferry ports has risen sharply, as Britons travel by sea to get back home, with many stations seeing at least triple the normal number of passengers. Some of them are experiencing 10 times the usual demand.

Eurostar and Eurotunnel have increased capacity. Eurostar has put on its maximum Friday timetable every day, plus eight additional services. On a busy day the service carries 35,000 passengers; it is now carrying 45,000 people each day. Eurostar has also reduced its standard fare. Eurotunnel has doubled its capacity by operating shuttles every 15 minutes and carrying 85 per cent more coaches than normal.

Transport officials have been in close contact with bus companies since last week. National Express, Megabus and other operators have reacted very well to the emerging situation, and they have been adding additional cross-border services on a daily basis, as demand has required. National Express has carried more than 6,000 passengers over the past week. Megabus laid on

an additional 49 vehicles and has so far carried 2,100 more passengers than usual.

On Tuesday, the Scottish Government agreed with NorthLink Ferries to dispatch the MV Hamnavoe to Norway to collect stranded British nationals. The ferry returned to Aberdeen today at noon with 157 passengers, including 17 children and four infants. Feedback from the passengers has been very positive on both the action taken by the Government and the service provided by the ferry operator. Given the 18-hour sail time, the decision to send the ship had to be made on Tuesday. She will be back in service on the Pentland Firth tomorrow, and will provide a full sailing from Aberdeen to Stromness in Orkney tonight. Freight calls will continue to be made to the Orkney Islands. Pentland Ferries has continued to provide a regular ferry service between Orkney and Caithness. With the situation now improving and the MV Hjaltland due out of dry dock tonight, NorthLink expects to have services back to normal at the weekend on the Aberdeen-Kirkwall-Shetland route.

I take this opportunity to thank publicly the people of Orkney and Orkney Islands Council for helping us to provide that service to repatriate people who were stranded in Norway. I thank the NorthLink crew and shore staff for the assistance that they gave in supervising embarkation and liaising directly with the authorities in Bergen. I record our thanks to the British embassy in Oslo, to the honorary consul in Bergen and to the UK Border Agency staff in Aberdeen for their co-operation.

The Scottish Ambulance Service, supported by the Ministry of Defence and the coastguard, continues to be able to undertake emergency missions when the patient's condition is life threatening. The service has utilised every opportunity to move non-emergency patients when it is safe and appropriate to do so, and it will continue to manage demand in that way until operations return to normal.

Aberdeen airport has agreed with Aberdeen City Council that rotary flights will continue to operate on a needs-must basis, with the airport operator advising the local authority of any flights outwith the current planning limits.

Following the considerable disruption that has been experienced over the past six days, and the challenges that it has presented for the airline industry and travellers around the world, early indications are that the medium to longer-term consequences will be minimal, due to the reopening of airspace early this week. Officials continue to work with colleagues and organisations across Scotland and beyond to monitor the situation and, where possible, to mitigate any consequences.

The most obvious and immediate consequence is the implication for transport. I reiterate that we are doing all that we can to repatriate passengers who are still stranded. We will continue to monitor the situation and to work with the travel industry to ensure that the increased capacity on rail and bus services between Scotland and England is maintained and maximised.

We are also keen to reduce the financial impact on travellers who have been stranded and we urge airlines and insurance companies to be sympathetic towards travellers who are out of pocket following additional expenditure. I sent a letter to the Association of British Insurers yesterday, to which I received a response today suggesting that that will be the case.

Recent events have had a significant impact on Scottish tourism. VisitScotland has launched a short-term plan to help businesses that have lost business or future bookings because of the current situation. The plan includes free advertising opportunities, radio and press campaigns and increased public relations activity. VisitScotland has also helped travellers stranded in Scotland by contacting tourism businesses throughout the country asking them to send in offers or other information to keep such passengers occupied and well looked after at a reduced price, and by helping visitors at airport visitor information centres.

In relation to the longer term, VisitScotland reports cancellations for the next month or so because of uncertainty about the situation. A survey of a sample of business tourism providers in Scotland has indicated that a total of 60 events have been cancelled or postponed, with a direct value of more than £700,000 to the providers. However, taking into account the additional spend of delegates while they are here, the total value lost will be well in excess of £2 million. In addition, several leisure tourism and accommodation providers have already reported cancellations and lost revenue from visitors who can no longer reach Scotland. In the short term, some of that may be offset by visitors not being able to travel home, but at this stage it is not possible to estimate the overall impact of the cancellations.

One of the key drivers throughout our handling of the incident has been the need to minimise the impact on front-line services, such as the national health service, particularly in the more remote and rural areas. As members will be well aware, the island health boards are heavily reliant on air and ferry networks for the delivery of essential supplies and the transfer of patients to and from the mainland. The island boards quickly activated their tried and tested contingency plans and, as a result, the impact on health services in island communities has been minimal.

The number of NHS employees who are stranded off the islands has been small and has not had an impact on service delivery. Over the past week, steps have been taken to ensure that supplies of blood and essential chemotherapy drugs have been shipped to the islands, and mainland-based clinicians have altered their travel arrangements to ensure that there has been little disruption to specialist clinics.

There has been no impact on medical supplies more generally. Contingency plans to ensure the essential supplies of blood and medicines have also been activated.

All schools are open. The number of known stranded teachers peaked yesterday at around 3,500, which represents 6.7 per cent of the total teacher complement. That number will start to fall as the travel situation improves. So far, we know of 200 more teachers who returned to work this morning.

The current exam diet starts on 28 April and it is anticipated that the vast majority of teachers and students will have returned by then. The Scottish Qualifications Authority and other examining boards have procedures in place to deal with candidates who are unable to sit exams due to absence.

The school-trip groups that are stranded abroad are all accounted for and repatriation arrangements are being progressed.

If the volcanic cloud clears within the next few days the short-term impact on the UK economy will be negligible. The aviation industry will bear the brunt of the cost, with estimates putting airline losses in Europe at around £130 million per day. Loganair, the airline that provides the bulk of Scotland's internal air services, has a strong balance sheet but has lost some £1 million in revenue since the start of disruption. The airline is counting on a quick return to normality and is geared up for that.

Total Scottish air freight by volume is equivalent to 0.1 per cent of Scottish sea freight. Information from business representatives suggests that disruption is variable across sectors. We will continue to monitor the impact on employment and the economy. However, any adverse affect on tourism due to the cancellation of incoming flights will be offset to some extent by spending by tourists who are stranded in the UK and by UK residents who cancel or postpone their trips abroad.

We hope that the events of the past week will not be repeated. However, there is limited ability to predict accurately the impact of natural disasters. It is possible that, if the volcano continues to erupt and the wind direction changes from south-westerly, the high-concentration ash cloud may

return to the airspace above Scotland and the rest of the United Kingdom. Therefore, we will continue to work closely with colleagues across the Scottish Government and counterparts in the United Kingdom Government to monitor the situation and undertake contingency planning for any future challenges.

The Presiding Officer: The cabinet secretary will now take questions on issues raised in his statement. We have until exactly 5 o'clock.

Andy Kerr (East Kilbride) (Lab): First, I thank the cabinet secretary for an advance copy of his statement. I welcome the statement, which gave us an update on the current position and some projections on the way forward, albeit that it recognises that challenges remain.

Labour members also record our thanks to the many public servants who have been involved and to the many private companies that have stretched every sinew to ensure that we have responded to the current crisis. As I was last week, I remain pleased that the precautionary principle is applied on all occasions and that decisions are taken following advice, with safety as the priority.

The cabinet secretary advised us in his statement of the impact on teachers in our education system. Can he advise us of the impact on the civil service, in relation to civil servants—particularly senior civil servants—who may be stranded? How have those matters been dealt with in the civil service? I seek his reassurance that, in employment terms, civil servants will be treated the same as any other employee as and when they return to work.

Secondly, albeit that it is early days, what plans has the cabinet secretary made for reviewing the process of working with the UK Government and the many different agencies across the public and private sectors? What process exists to review the whole situation so that we can learn to deliver crisis management more effectively?

Finally, I appreciate the cabinet secretary's points about the economic impact. The figures for tourism appear to be particularly severe. While I appreciate what he said in his statement, what plans does he have to re-engage with VisitScotland to see what other measures can be implemented both to ensure that Scots who may choose not to travel abroad take advantage of the opportunities to holiday in Scotland and to attract others to our shores?

John Swinney: There will undoubtedly be civil servants who have been unable to return to the country or whose return has been delayed. Obviously, we are able keep in contact with senior civil servants on relevant issues if they are absent.

On learning lessons, the Government undertakes a review of the process after each incident that we deal with in an emergency or resilience capacity. Last Wednesday, I think, we discussed the salt and winter maintenance issues, just before we reconvened to deal with this issue. We will undoubtedly come back to review the process so that we can understand some of the key lessons that will arise as a consequence.

On Mr Kerr's final point about the tourism sector, I have highlighted our concern. An opportunity undoubtedly exists because, just as many people may be anxious about planning a trip to come here, there will be people who may have planned trips elsewhere and have holiday time booked but who may well decide to stay at home. We can certainly provide ample opportunities for people to spend quality leisure time in Scotland. There may be compensating factors and, as I highlighted in the statement, VisitScotland is already engaged with the tourism sector to look for ways in which we can intervene to mitigate any difficulties. The Government will continue that open dialogue with VisitScotland. Of course, we will be delighted to take forward any suggestions that may be made by the Opposition into the bargain.

John Scott (Ayr) (Con): I thank the cabinet secretary for the advance copy of his statement.

The cabinet secretary is all too aware of the cost and confusion to industry and the travelling public that have been caused by the volcanic eruption, for example the cost to Prestwick airport, which is in my constituency, and other Scottish airports. He will also be aware that those costs and inconveniences might not have been incurred to such an extent if the Met Office had been better able to monitor the air quality in which our commercial aircraft fly—in other words, the quality of the air between 5ft and 50,000ft. As I understand it, the Met Office, particularly in relation to Scottish airspace, relied almost entirely on computer modelling to predict whether it was safe to fly, but was unable physically to measure or monitor the amount or nature of dust and gas in the atmosphere.

Can the cabinet secretary tell us what process was used to measure the amount and type of dust in our Scottish airspace, whether the dust was checked for radioactivity and whether the gas was checked to establish whether it was poisonous? If no such checking or measurement was carried out, or if the capability does not exist to carry out such physical tests, what measures will be put in place immediately, in the medium term and in the long term to plug what appears to be—to me, at any rate—a gap in our strategic military defences and in our ability to meet the absolute need to

ensure that civilian aircraft can fly safely and in a known environment?

Furthermore, can the cabinet secretary tell us what is meant by the newly defined EU low-concentration zone, and what the difference is between the new definition and the previous definition of that zone?

John Swinney: Before we embark on any comprehensive review of the incident in question, it is apparent that we need to have a more sophisticated understanding of the potential implications of ash clouds in the atmosphere. The computer modelling demonstrates the potential presence of such ash. Other methods that have been deployed through a combination of initiatives include flights to test what was present in the airspace and the use of light detection and ranging technology, which can detect what is in the atmosphere from land. That process identified empirical evidence that required to be factored into the modelling. As far as lessons to be learned are concerned, it is apparent that computer modelling is not sufficient. The results of such modelling need to be assessed and reflected on in the light of empirical data. The fact that we have had such data latterly has allowed the CAA to move to a different position on low-concentration zones.

With regard to how the new EU position on what a low-concentration zone is can be distinguished from the previous position, agreement was reached across the EU with the Commission, the regulators and, crucially, aircraft manufacturers that a more sophisticated view could be taken of the level of ash in the atmosphere that would enable safe flying to be undertaken. As a consequence of that agreement, the CAA was able to open airspace on Tuesday evening.

My final point to Mr Scott is that throughout the incident, we have received extensive quantities of data from the Scottish Environment Protection Agency, which has sampled air quality in many locations—75, I think—around Scotland. That information has enabled us to provide reassurance that there has been nothing to cause concern to members of the public about air quality.

Liam McArthur (Orkney) (LD): I, too, thank the cabinet secretary for advance sight of his statement, and I echo the thanks that have been expressed to all those who have helped to mitigate the impacts of the ash cloud over recent days.

The extent of the disruption that has been caused by the volcanic eruption is not in doubt. Although I accept that all parts of the country have been affected, I contend that Orkney has suffered particularly acutely. As other island communities do, we rely on our lifeline air and ferry services to an extent that is not always recognised by people on the mainland.

Given that Orkney air services were badly affected and did not become operational again until earlier this afternoon, does the cabinet secretary accept that it was legitimate for my constituents to expect ministers to take steps to bolster lifeline ferry options and certainly not to cut them? If he does not, would he at least concede that the decision to, in effect, remove state-funded lifeline ferry services to Orkney over a 48-hour period sets a dangerous precedent? Can he further explain what legal protection exists for lifeline services such as those that are provided by NorthLink Ferries, or what their legal status is? Is it the case, as it appears to be, that such services are open to ministerial decree?

With regard to the specific decision to send the Hamnavoe to pick up 157 passengers from Bergen, the cabinet secretary confirmed that UK airspace reopened at 9.41 pm on Tuesday evening, which I presume was around the time that the Hamnavoe set off for Orkney. Flights from Norway to Scottish airports were operating on Wednesday morning. On Tuesday evening, what consideration—if any—did ministers give to reversing the earlier decision to commandeer the Hamnavoe?

From his conversations over recent days with me and the leader of Orkney Islands Council, the cabinet secretary is aware of the deep anger that is felt by my constituents at decisions that were taken by Scottish ministers. He has generously offered his thanks to the people of Orkney. Will he go further by offering them an apology?

John Swinney: I am certainly prepared to reiterate my thanks to the people of Orkney for, I hope, their understanding of the decisions that have been taken. Let me take some care to address the issues that Liam McArthur has raised as the member for the constituency.

I took a decision on Tuesday afternoon to ask NorthLink to send the Hamnavoe to Bergen because, after discussion with the Foreign and Commonwealth Office, we became aware of a substantial number of British citizens in Norway for whom there was no immediate plan to repatriate them. As Mr McArthur will know, ferries cannot sail at the drop of a hat, and the Hamnavoe was dispatched at 9 o'clock on Tuesday evening from Stromness to Bergen for an expected 18-hour crossing. The boat has returned to Aberdeen today, and one of the people who came off the ferry was quoted on the lunch-time news. Let me share with Parliament what the gentleman said:

"They've actually done something positive, proactive, and they've not exploited us. It was an excellent service."

I understand that there has been some inconvenience to members of the public in Orkney, but a ferry service has operated between Orkney

and the mainland throughout the incident. I concede that it has been operated not by NorthLink but by Pentland Ferries, but throughout the two days there has always been capacity on the Pentland Ferries service for passengers and vehicles. There has been no occasion on which capacity has not been delivered.

We have put extra freight vessels into Orkney, and I have asked NorthLink to send the Hamnavoe as a commercial sailing from Aberdeen to Stromness—an unprecedented sailing—to ensure that people can get access to Orkney from Aberdeen this evening. The Hamnavoe will leave Aberdeen for Orkney at 5 o'clock.

The other point that I should make about ferry services to Orkney is that the Kirkwall NorthLink connection was removed to enable us to operate a daily service to Shetland. We had concerns that there were capacity issues in getting people off the Shetland Islands. We had a request from one oil and gas company for 200 personnel to be sent to Aberdeen, and we did not think that we had the capacity to deal with that unless we put the Shetland ferry on to a daily service.

With the return of the Hjaltland from annual maintenance, the Kirkwall connection will be restored on Saturday. In total, Orkney will have lost two days of sailing on the Stromness-Scrabster route and two sailings from Kirkwall to Aberdeen, but it will have had an additional sailing from Aberdeen to Orkney, additional freight sailings, and a continuous service, which has had capacity, between St Margaret's Hope and Gills Bay.

On Mr McArthur's point about lifeline services, I hope that he will be generous enough to accept that the Government has acted in exceptional circumstances to repatriate British citizens from Norway to this country. We took that action after consultation with the Foreign and Commonwealth Office about the demand for a service, and it has absolutely no implications and sets absolutely no precedents for the operation of lifeline services to the Orkney or Shetland Islands.

The Presiding Officer: We come to open questions, and we have until exactly 5 o'clock to complete them. A large number of members wish to ask questions, so each member should be brief and ask only one question.

Rob Gibson (Highlands and Islands) (SNP): I associate myself with the cabinet secretary's full thanks to the travelling public from Orkney, and recognise that the availability of the Pentland Ferries service ensured that there was direct contact between Orkney and the mainland while the Hamnavoe was on a mercy mission.

The convention of the Highlands and Islands had to be postponed—it was one of the victims of

the incident—so I wonder whether it will be going back to Orkney. Can the cabinet secretary confirm that it will, as compensation for the hoteliers and others on the islands?

John Swinney: I confirm that I discussed the arrangements for the convention of the Highlands and Islands with the convener of Orkney Islands Council on Sunday. Regrettably, we came to the conclusion that it would be logistically impossible for us to have a satisfactory attendance at that important event in the dialogue between government at national and local levels in the Highlands and Islands, so we postponed it. The convention of the Highlands and Islands will take place later this year in Orkney, as I agreed with the convener of the council. In my discussions with him, I have also agreed to visit Orkney soon to discuss wider ferry questions with a broad range of stakeholders and Orkney Islands Council. I was delighted to agree that with Councillor Hagan when we spoke yesterday.

Charlie Gordon (Glasgow Cathcart) (Lab): Given the surge in demand for train services from stations near airports and ferry ports to which the cabinet secretary has referred, does he believe that there is merit in considering more strategic development of such services not just in case of emergency, but to help to meet climate change objectives?

John Swinney: There is always the opportunity to undertake that assessment, but there is also the requirement to find the resources to pay for such links. Some of the investments that the Government is making in the wider transport infrastructure and in improving journey times to Aberdeen and Inverness will ensure sustainable travel opportunities, and will give individuals connections to some of the ferry ports to the north into the bargain.

Alasdair Allan (Western Isles) (SNP): What contact has the cabinet secretary had with the offshore industry about the difficulties that workers in that sector currently face in leaving rigs? Why does the Norwegian sector seem to be getting people home by ship more successfully than the UK sector? In particular, people who are now over their specified 21 days offshore are anxious to know whether there are contingency plans to ensure that they are replaced soon.

John Swinney: The offshore industry is being serviced by helicopters today. There were some issues earlier today, but those were routine weather challenges and that work is now under way. As I said in my statement, Aberdeen City Council and the industry have had a helpful discussion about how to maximise capability to ensure that the North Sea oil and gas sector is properly serviced by the normal modes of transport when individuals need to be repatriated.

George Foulkes (Lothians) (Lab): Does the cabinet secretary recall the case of the constituent of mine that I raised with him and with the Foreign and Commonwealth Office yesterday afternoon concerning a teacher from Edinburgh who is stuck in Bangkok and has been told that she cannot get home for 10 days? What help can he and his department offer my constituent beyond that which is being provided by the Foreign and Commonwealth Office and the Department for Transport?

John Swinney: In the case of the teacher who is stranded in Bangkok, the helpline that we have made available would be delighted to provide assistance and advice. The first port of call in a foreign jurisdiction is the British embassy or the British consulate—that is what the arrangements require. Contact should also be made with the travel operator with which the individual booked, which has an obligation to support and assist individuals in such situations. We stand ready to assist any individuals in any way that we can, which is why we have taken the range of actions that we have taken over the past few days.

Alex Johnstone (North East Scotland) (Con): What knowledge does the cabinet secretary have of the particular problems that are faced by people who are awaiting charter flights from the mainland United States? This week, I have been contacted by several individuals, particularly from the West Aberdeenshire and Kincardine constituency, who have been quoted dates that are well into the month of May. What effort can he guarantee to ensure that those people will be safely back in this country by 6 May?

John Swinney: We will maintain a dialogue with the UK Government—I will have another discussion with the UK Government at 5 o'clock—on the arrangements for the repatriation of individuals. The timescale has been significantly assisted by the relaxation of the regulatory requirements around flights.

At the start of the week, individuals were facing very prolonged delays, but those are now likely to be severely curtailed with the opening of UK airspace. If Mr Johnstone knows of any particular cases, we will be delighted to provide any assistance that we can to bring those individuals home.

Maureen Watt (North East Scotland) (SNP): Given that, as the cabinet secretary pointed out, flights to and from the North Sea continue to be disrupted, I am sure that he will join me in welcoming the Maritime and Coastguard Agency's relaxation of restrictions that, for example, prevent stand-by and diving support vessels that might have capacity being used to transport crew to and from installations. However, the decision was not taken for a couple of days and, indeed, happened

only after oil companies had chartered and then cancelled suitable certified ships to carry passengers. Does the cabinet secretary believe that contingency plans should be put in place to ensure that such restrictions can be lifted swiftly and temporarily if helicopters are unable to fly?

John Swinney: One of my reflections on many of the incidents that ministers have to deal with is that there are often regulatory obstacles to putting in place pragmatic solutions. It takes time to secure such agreements. Indeed, such difficulties are illustrated by the timescale associated with this incident; it became significant last Thursday and airspace reopened only on Tuesday evening. However, part of me thinks that securing that agreement was quite an achievement, given the complexity and sensitivity of the issues involved. Maureen Watt has raised a significant point and if we are going to experience, as well we might, disruption as a result of ash over a sustained period of time, some of the immediate decisions that were taken to help the situation might need to be repeated at different points in the future to achieve an appropriate outcome.

Alison McInnes (North East Scotland) (LD): Aberdeen airport has said that it will waive any additional car parking costs that travellers delayed by ash have incurred, but the websites for Edinburgh and Glasgow airports make no mention of that. Indeed, when my researcher contacted Edinburgh airport this morning, he was told, "Although extra fees will be waived if requested, I don't think we're publicising that." Does the cabinet secretary agree that Scottish travellers should expect to be treated in the same way at all BAA airports and that BAA should not be trying to exploit the current situation in any way?

John Swinney: A number of operators are probably involved in the provision of car parking services at individual airports. Of course, this is a commercial matter for those companies, but Alison McInnes makes a pretty fair point about inadvertent delays and the additional costs that individuals will have incurred through no fault of their own.

Pauline McNeill (Glasgow Kelvin) (Lab): On the same point, many of my constituents who left the country by air are trying to get back by other means and are worried about having to pay excess car parking charges on their return. Given what he has said, will the cabinet secretary at least be prepared to use his influence and write to Scottish airports and operators of other car parks related to airports to ensure that fairness is shown to those who have already incurred significant costs in trying to return to Scotland?

John Swinney: I am happy to make those representations to the relevant airports.

Michael Matheson (Falkirk West) (SNP): A number of constituents who are stranded overseas with children who are due to start their exams next week have been in touch with me to say that their return flights are scheduled to leave just before the start of the exams or after they have taken place. The cabinet secretary said that the SQA has put in place contingency arrangements to deal with the issue, but will he give us a bit more detail about the provisions that will be put in place for children who might not have had enough time to revise for their exams, or who might miss them because of delays?

John Swinney: As I said in my statement, the SQA has put in place contingency plans. If candidates are for any legitimate reason unable to sit their examinations—what is defined as absentee consideration—or do not perform as expected due to external factors, an appeals mechanism can be invoked. Both procedures involve consideration of alternative evidence supplied by the examinations centre, or by the school or college that has been affected. The SQA will ensure that that is applied and has publicised reassurances on those points on its website. On Tuesday, my colleague the Cabinet Secretary for Education and Lifelong Learning wrote to the headteachers of all Scottish schools to set out guidance to ensure that all schools are aware of the conditions.

Ken Macintosh (Eastwood) (Lab): As many other members have, I have constituents who are stranded abroad. What assistance will the minister give to those who find themselves in financial difficulty in such circumstances? In his statement, he mentioned that he had received a reply from the insurance companies. Will he undertake to publish that or make it available to the Scottish Parliament information centre so that we might pass it on to our constituents?

Finally, I have a constituent who flew out from Glasgow with Viking Airlines, having booked through the UK booking agent Kiss Flights. My constituent has not been able to claim back any costs at all. What is the minister's advice about how to go about that and take advantage of the EU legislation?

John Swinney: On Mr Macintosh's final point, today we have seen the observance of EU directives by some travel operators, so Mr Macintosh's constituent will be able to pursue that issue legitimately with the tour operator.

For the benefit of members, I am happy to make available to the Scottish Parliament information centre the reply that I have received from the Association of British Insurers. Tour operators are primarily responsible for the arrangements for supporting individuals to get home, and the Foreign and Commonwealth Office can provide

assistance in different marketplaces. However, if we find ourselves in situations similar to the Norwegian one, we are able to assist with that.

If I could, Presiding Officer, I will refer to the questions that were asked by Pauline McNeill and Alison McInnes. I am advised that the BAA has said that travellers will not be charged for overstaying in airport car parks. I do not think that that has anything to do with my influence, but it is a welcome piece of news. We will ensure that it is applied by BAA.

Margo MacDonald (Lothians) (Ind): The cabinet secretary referred to the co-operation between his office and the Foreign and Commonwealth Office. Is he satisfied that a similar level of co-operation is in place at European Union level for the information monitoring and management system to cover the potential eruption of the second volcano? We have learned from the situation that we did not know enough beforehand. What about the second volcano?

John Swinney: I assure Margo MacDonald that there is a much more sophisticated recognition of the fact that, although a computer model might give us some information, when it is questioned or qualified by empirical evidence there has to be a mechanism to ensure that that evidence is properly acted upon. That is essentially the position that we agreed at Europe level on Tuesday evening. If, for example, the neighbouring volcano was to erupt into the bargain, the same architecture of agreement would be in place to ensure that conclusions can be drawn from the process.

Helen Eadie (Dunfermline East) (Lab): First, I thank the First Minister for having responded so swiftly to a letter that I wrote to him about a constituent in Syria.

Will the cabinet secretary write to ask Thomson and other airline operators whether they will ensure that appropriate training is given to ensure that all their representatives across the EU follow EU guidelines and regulations? Constituents are facing enormous costs because of the failure of Thomson and others to follow those guidelines because of their representatives.

John Swinney: I am glad to hear that the First Minister is attending to his correspondence. That is always reassuring.

On Helen Eadie's second point, the position is clear. There is an obligation on companies, under EU directives. If there is evidence that companies are not complying with that, the Government will be happy to reinforce compliance. However, the position that exists under EU directives could not be clearer. As I said to Kenneth Macintosh earlier, we have seen some welcome developments in

that respect, with companies making it clear that they will observe the detail of the EU directives.

The Presiding Officer: I apologise to the two members whom I was unable to call.

Decision Time

17:00

The Presiding Officer (Alex Fergusson):

There are five questions to be put as a result of today's business. In relation to the debate on the economy, if the amendment in the name of Jim Mather is agreed to, the amendments in the name of Derek Brownlee and Jeremy Purvis fall. If the amendment in the name of Derek Brownlee is agreed to, the amendment in the name of Jeremy Purvis falls.

The first question is, that amendment S3M-6174.3, in the name of Jim Mather, which seeks to amend motion S3M-6174, in the name of Andy Kerr, on the economy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)

Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

Against

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 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)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)

Smith, Iain (North East Fife) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Abstentions

MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 44, Against 64, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The question is, that amendment S3M-6174.2, in the name of Derek Brownlee, which seeks to amend motion S3M-6174, in the name of Andy Kerr, on the economy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)

McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 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)
 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)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Abstentions

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)

Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 15, Against 49, Abstentions 45.

Amendment disagreed to.

The Presiding Officer: The question is, that amendment S3M-6174.1, in the name of Jeremy Purvis, which seeks to amend motion S3M-6174, in the name of Andy Kerr, on the economy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 Hume, Jim (South of Scotland) (LD)
 McArthur, Liam (Orkney) (LD)
 McInnes, Alison (North East Scotland) (LD)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 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)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)

Against

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 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)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Foulkes, George (Lothians) (Lab)

Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 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)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 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)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (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)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McMillan, Stuart (West of Scotland) (SNP)
 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)
 Peattie, Cathy (Falkirk East) (Lab)
 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)
 Whitton, David (Strathkelvin and Bearsden) (Lab)
 Wilson, Bill (West of Scotland) (SNP)

Wilson, John (Central Scotland) (SNP)

Abstentions

MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 14, Against 93, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The question is, that motion S3M-6174, in the name of Andy Kerr, on the economy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Foulkes, George (Lothians) (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)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 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)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)

Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)

Fabiani, Linda (Central Scotland) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 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)
 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)

Abstentions

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 Hume, Jim (South of Scotland) (LD)
 MacDonald, Margo (Lothians) (Ind)
 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)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)

The Presiding Officer: The result of the division is: For 34, Against 61, Abstentions 14.

Motion disagreed to.

The Presiding Officer: The question is, that motion S3M-6147, in the name of Christine Grahame, on the Control of Dogs (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees that the Control of Dogs (Scotland) Bill be passed.

Veterans (Criminal Justice System)

The Deputy Presiding Officer (Alasdair Morgan): The final item of business is a members' business debate on motion S3M-6024, in the name of Angela Constance, on veterans in the criminal justice system. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes with concern the recent survey and anecdotal evidence that suggests that a large number of veterans become involved in the criminal justice system; recognises that trauma, mental health problems and substance abuse related to combat can often be a root cause of veterans offending; believes that, while no person is above the law and some veteran crimes cannot be linked to their experiences in the forces, prison is not the best place to deal with such deep-seated personal issues; considers that the men and women from across Scotland, including Livingston, who serve in the armed services make great sacrifices on Scotland's behalf and that more assistance should be available for veterans who are at risk of offending or who become involved in the criminal justice system, and believes that, as a first step, a thorough study should be carried out to gain an accurate estimate of the number of veterans in prison, on probation or serving community sentences in Scotland.

17:06

Angela Constance (Livingston) (SNP): Men and women from throughout Scotland who serve in the armed forces make huge sacrifices on behalf of all of us. While no one is above the law, we nonetheless have a moral responsibility to those who risk everything for their country. To do the best by our troops, we need honestly to acknowledge the trauma of active combat and the personal cost for some in terms of physical and mental health, substance misuse, relationship problems and resettling into civilian life, all of which can be the root cause of offending by veterans. If we are to do the right thing by veterans whose front-line experience relates directly or indirectly to their offending behaviour, as with all offenders we need to know who they are, where they are and what works.

Of those leaving the forces, 15 per cent experience transitional and coping problems. As parliamentarians, we should be concerned about a recent survey and anecdotal evidence that suggests that there are a large number of veterans within the criminal justice system. That body of evidence exists in England and Wales, and we should seek the same information in Scotland. A recent joint study by the Ministry of Justice and the Ministry of Defence found that 3 per cent of the prison population in England and Wales had served in the armed forces. However, the National Association of Probation Officers estimated that the figure was 8 per cent; the Veterans in Prison

Association estimated that it was 9.1 per cent; and one study in HM Prison Dartmoor in 2007 estimated that it was 16.5 per cent.

What of Scotland, with her strong military traditions? According to the most recent figures from the Scottish Prison Service, there are 135 veterans in a prison population approaching 8,000. That is 1.7 per cent of the prison population who self-report if asked whether they have an armed forces history. As a former prison social worker, I instinctively think that those figures are an underestimate. Indeed, the SPS, to its credit, appears to acknowledge that. I am grateful to the Cabinet Secretary for Justice Kenny MacAskill and the United Kingdom defence minister Kevan Jones for giving me their assurance that they will work with the Scottish Prison Service to ascertain accurately how many veterans are in prison in Scotland.

The most thorough study in England and Wales involved the matching of MOD and Ministry of Justice databases. If the findings were similar in Scotland, the number of known veterans in our criminal justice system would at least double. However, the figure for the number of veterans who are serving community service and probation orders is unknown. I will reply to Kevan Jones's helpful letter and will seek the minister's support in encouraging a comprehensive study of veterans throughout the criminal justice system in Scotland.

We need to know the number of veterans in prison and elsewhere in our justice system to ensure that the appropriate spectrum of services for veterans at risk of offending is available, from arrest referral, diversion, alternatives to custody, and throughcare and aftercare provision for those for whom there is no option but custody. Of course, much harm could be prevented with the right support to veterans, pre and post release from service.

Whatever the statistics, veterans will make up a small part of the overall prison population. However, NAPO states that a significant number of veterans have seen combat and that most incarcerated veterans appear to suffer from a combination of post-traumatic stress disorder, depression and alcohol problems. Evidence suggests that armed services personnel are more likely than the general population to drink dangerously.

Combat Stress deals with a staggering 4,200 veterans with profound trauma across the United Kingdom. Our armed forces often have experiences of the most harrowing and disturbing nature, so it should be no surprise to us that ex-service personnel who commit crimes are usually struggling with trauma issues. Having worked in both the criminal justice system and the mental health system, I am not convinced that prison or

mainstream mental health services are always best equipped to care for and to rehabilitate veterans whose offending relates to combat trauma. Understandably, veterans would rather speak to other veterans about their experiences. More effective means of preventing and treating psychiatric service-related disorders are required, as it can be 13 years before a veteran is referred to an organisation such as Combat Stress. We know that combat-related mental health problems can be missed or misdiagnosed.

At a recent joint meeting of the mental health and veterans cross-party working group, I heard that more education is needed among general practitioners and that, in some instances, the use of benzodiazepines can lead to flashbacks and violence.

Some excellent work is undertaken. Recently I was blown away by a visit to Erskine; Veterans First Point is another hugely impressive organisation. The appointment of veterans champions in local authorities and the national health service is welcome, but criminal justice authorities may need to do likewise.

I thank the academics and the veteran, criminal justice and mental health organisations that recently gave up their time to participate in a summit that I held in Parliament. I am most grateful to those members who signed my motion and are participating in tonight's debate. I also appreciate the contributions of the many individuals who have contacted me on the matter, subsequent to an incisive article by a young freelance journalist, Rachel Money.

I firmly believe that we are only at the beginning of the journey on this matter. Sadly, given the nature of the conflict in Iraq and, in particular, the theatre of war in Afghanistan, if we do not take pre-emptive action we will see more traumatised veterans in our prisons in Scotland.

Sarah Boyack (Edinburgh Central) (Lab): Will the member take an intervention?

Angela Constance: I think that I am about to run out of time. I have been watching the clocks, but they are all over the place.

I end by quoting a Combat Stress poster:

"without our help—for some the battle will go on forever".

The Deputy Presiding Officer: A large number of members have indicated that they wish to speak, so I ask members to stick to four minutes.

17:13

James Kelly (Glasgow Rutherglen) (Lab): I welcome the opportunity to speak in the debate and congratulate my fellow Justice Committee member, Angela Constance, on bringing her

motion to the Parliament. In doing so, she highlights some important issues.

We can only begin to wonder at the trauma and stress that those who serve in armed combat face. It must be very stressful to those involved to see comrades close to them die or be injured in conflict. The intensity of that conflict on a day-to-day basis must make it tremendously difficult for them to reacclimatise when they leave the armed services and return home. It is little wonder that, unfortunately, there are instances of armed services personnel drifting into taking too much alcohol and going on to suffer mental health problems. As we know from many discussions in the Parliament, those issues can contribute to crime. As Angela Constance indicated, a number of veterans drift into the criminal justice system. It is therefore important that we address how we can best support armed services personnel to stop them drifting into that system.

It is clear that there are issues relating to introducing legislation and sentencing rules that would prevent armed services personnel from going into prison. The best way to address the matter is to ensure that problems are brought out in background and social work reports, so that those who are in charge of sentencing can take the appropriate decisions and ensure that people are sentenced in the proper manner.

There are a number of practical things that we can do to minimise the impact of the problem. I understand what Angela Constance said about counting the number of armed forces personnel who are in prison or on probation or have community sentences. We can learn to manage the problem only if we know the numbers involved.

Intervention is the key. As people are about to leave the services and come back into society, it is important that they are tracked to ensure that they receive the appropriate support and that we try to give them stability in their lives.

Sarah Boyack: I am the representative for Edinburgh city centre and Saughton prison. On preventive measures, we know the high number of people who have become homeless, and that being in the Army, having mental health problems or having been through the criminal justice system are indicators of the likelihood of becoming homeless. Does James Kelly agree that a preventive measure might be that, when people are leaving the Army, their potential housing situation could be considered so that problems are avoided?

James Kelly: As I said, intervention is the key. We need to give people stability and secure homes, and we need to address potential homelessness problems.

I am running out of time, so I will sum up. I welcome Angela Constance's raising of the issues and I am sure that we can have a constructive debate that can move the issue forward and help to support our armed forces personnel.

17:17

Bill Aitken (Glasgow) (Con): It is, indeed, useful that Angela Constance has raised the issue of veterans in the criminal justice system. I congratulate her on having done so.

Angela Constance referred to a recent survey. She was honest enough to suggest that some of the evidence may be anecdotal but, like her, I think that there is a real issue. From my observations, it appears that a number of veterans are getting themselves into trouble, sleeping rough and contributing to problems that we seek to combat. We must recognise that the problem is likely to grow.

From 1945, there was a period of seven years before the Korean conflict, and there was a considerable passage of time between that conflict and the Falklands conflict. Obviously, conflicts are becoming different in nature and are, sadly, becoming much more frequent and savage. As a result, a significant number of people are being discharged from the armed forces suffering from mental and physical trauma. It is important that we underline our debt to those individuals, who have done much to defend our country physically, and its interests. It is also clear that we have a duty to do as much as we can to combat some of the problems that they face.

Particularly in the west of Scotland, many young men have traditionally—over several generations—gone into the armed forces. The armed forces tend not to institutionalise people—I do not mean for a moment to suggest that they do—but they set up a fairly disciplined structure. People are accommodated, fed and their medical needs are cared for. I do not think that we have got things right in respect of what happens to people who are discharged.

It is all right if the soldier who is retiring is discharged into a fairly stable situation in which there is a family, a partner and children. However, we know that many single men leave the comparatively sheltered environment of the army to go into the world without having much idea about how they will house themselves and pay for their accommodation or find a job. There is a failure under that heading, which needs to be addressed, probably by the Ministry of Defence in connection with Government agencies.

We cannot have a two-tier approach to justice; a person who has offended must face the consequences of their criminality. Angela

Constance knows better than any member present that, in such cases, social inquiry reports highlight veterans' difficulties, whether they are to do with mental trauma, alcoholism or addiction that has been caused by the veteran's combat experience. The courts make due allowance for such difficulties.

However, there is considerable merit in the member's suggestion that a much fuller study be carried out, to enable us to quantify the extent of the difficulty. I encourage Government agencies in Scotland or at Westminster to carry out such a study, from which we could learn a great deal.

17:21

Robert Brown (Glasgow) (LD): I join in the congratulations to Angela Constance on her well-worded and appropriate motion, which comes, to some extent, from her professional experience.

The issue received publicity at United Kingdom level in September last year. At the time, I wrote to the Cabinet Secretary for Justice, because it was suggested that throughout the UK some 20,000 ex-servicepeople were in the criminal justice system, of whom 8,500 were in prison. My colleague Jeremy Purvis, who knows about such things, tells me that there was an issue to do with the figures that the Ministry of Defence issued. However, if the figures were anything like accurate, they would suggest that in Scotland about 2,000 veterans are in the criminal justice system, of whom 850 are in prison. Those are significant numbers.

The response that I received from the Scottish Prison Service on behalf of the Cabinet Secretary for Justice, said:

"on 15 October 2009 there were 141 ex-servicemen, all male, held in Scottish prisons of which 5 are Foreign Nationals."

That is curious. It also said that

"This figure represented less than 2% of the overall prison population."

There is clearly an issue. Angela Constance talked about the figures that have emerged from studies, and there might be merit in a more detailed study.

According to the letter that I received,

"As part of the reception process all prisoners are asked if they have served or are serving in the armed services. This information is recorded ... on a prisoner's initial reception into prison."

We need to know that the information is accurate. The comprehensiveness of such questioning sometimes leaves something to be desired. We need to know a bit more about that sort of thing.

When we have ascertained the numbers, we must consider the causes of and remedies for the

problem. Relevant comments have been made in that regard. Bill Aitken rightly talked about the nature of service in the armed forces. It is inevitable that a number of single men—perhaps single women, too—come out of the forces having lost contact with their home base. They might have been stationed for years in Germany, England or other parts of the world. In such a context it is not surprising that issues to do with unemployment, homelessness, mental ill health and a lack of support structures are prominent. We must look closely at that.

The motion identifies issues to do with criminal justice; ex-servicemen face similar issues to do with homelessness. Although Government guidance gives priority to the identification of veterans and liaison with the armed forces on the issues, we are aware that people tend to fall through the net. Issues to do with jobs, mental health, alcohol use and homelessness can be causative factors or play a significant role in criminal justice matters.

The issue is slightly broader than being about members of the armed forces who have suffered post-traumatic stress disorder. There are three levels: people with a diagnosis of the disorder; people with no diagnosis but who suffer from it; and people who suffer from the dislocation of lifestyle when they return to civilian life.

On remedies, the other point of concern that came out of the letter from the Scottish Prison Service was about the availability of proper staff to deal with the issues in prison. The letter made the comment, which I think was a bit unhelpful in some ways, that

"the availability of psychological intervention within the SPS mirrors that of the general community".

That is a bit of a concern, given the priorities that exist. It is an important issue.

17:25

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I join others in welcoming the debate and congratulating Angela Constance on securing it. The issue is important, because although the responsibility for veterans rests primarily with Westminster, the responsibility for many of their services is devolved. When our servicemen and women come home after a period of service, it is vital that we support them during what are often turbulent transitional times.

The Mental Health Foundation has said that the challenges that service personnel face in readjusting to home life can have a significant impact on their mental health. If we fail to take proactive care of our veterans, problems such as alcohol and drug misuse, suicide and being sent to prison, which is the subject of the debate, will be

more widespread. Although, as Angela Constance said, no crime is acceptable, we must do our best to understand the causes of crime committed by veterans and to treat them.

We have to remember that veterans now include many younger men and women who have served in the five conflicts since 1997: Kosovo, Bosnia, Sierra Leone, Iraq and Afghanistan. The number of veterans is significant, as is the variation in their experiences. Many of us would find it difficult to envisage some of the scenes that they have witnessed during their service.

The Mental Health Foundation has said that there is a need for veterans to receive a mental health assessment and the support that is required, which is welcome. Those good services should include housing, to which my colleague Sarah Boyack alluded, because homelessness is an important precursor to some of the prison admissions that we see.

We have to ensure that there is not just a good mental health and wellbeing service for our veterans but a good rehabilitative programme generally to ensure that military life, to which veterans have become accustomed, does not prevent them from re-entering their communities in Scotland.

As a first step, we need early and proactive assessment of veterans' health. The 13-year delay to which Combat Stress referred is unacceptable and is a measure of the fact that we fail veterans.

We also have to collect data on admissions to prison. It is not just about seeing the prison population and the percentage of the daily population that is in prison—that mistake is often made. The number of people in prison is around 7,500, but the number of admissions is 45,000. I have to say that that is not necessarily the number of individuals—again, that is not clear, because the statistics are muddled. We need much clearer data. I welcome Angela Constance's efforts in that area and hope that the Government, with the MOD and the SPS, will respond by endeavouring to provide a more accurate picture of what is happening. The criminal justice authorities need to keep much more accurate data, too.

I welcome the UK Government's new horizons mental health strategy, which has promised to review the needs of serving personnel and veterans. At Holyrood, we had a joint meeting between the cross-party group on mental health and the cross-party group on supporting veterans in Scotland, which was excellent. We heard about the development of networked services, supported by units such as that at Hollybush. The meeting was attended by Kevin Woods, who, as chief executive of the NHS in Scotland, is leading the

development of services for veterans, which is welcome.

We heard about the pilot project in Lothian between the NHS, the MOD and veterans organisations, which is welcome, and the work of specialists such as Dr Chris Freeman, who is taking a lead in this area. It would be wrong for us to sit back and let veterans charities such as Veterans Scotland be the mainstay of help—there must be a partnership. The partnership must include veterans, who will have views on how they would like to be supported.

I pay tribute to Angela Constance for her persistence on this issue and hope that it will be taken forward appropriately.

17:29

Christine Grahame (South of Scotland) (SNP): I, too, congratulate Angela Constance on securing this evening's debate. I raised the matter of criminal acts—particularly acts of violence—committed by former members of the armed forces some years ago, and I am disappointed that we do not have clear data on those with a forces background who are serving custodial sentences. I therefore support any measures to ensure that the data are up to date and accurate.

The member is right to emphasise that a forces background does not exonerate anyone from criminal activity, but specific difficulties are undoubtedly faced by some servicemen and women on discharge and, perhaps more particularly but not exclusively, by those who have been emotionally and psychologically scarred by warfare, which, I suggest, by its very nature might have desensitising and destabilising long-term consequences. The dignity of the funeral corteges that process through Wootton Bassett cannot hide the fact of the broken bodies under those flagged coffins, but at least the dead are given that last respect. What of our physically and psychologically wounded?

As Bill Aitken stated, many join up young. The roll call of the dead and injured is testimony to the age of our serving forces. For many, the forces have been their family. Life will have been disciplined and structured, the days and weeks and years mapped out for them, yet it has long been known that the MOD does not have sufficient support systems in place for those vulnerable returnees who may find that relationships are hard to sustain. As Richard Simpson did, I commend the many voluntary organisations that give that support.

Too often, refuge is taken in alcohol or other opiates because, for example, there is no home to come home to. Once the sustaining discipline and order of service life is withdrawn, returning men

and women can be, quite literally, on their own. The war that they fought for is far away and forgotten by the many. They do not even have public gratitude as returning war heroes. They are often anonymous except to loving family and friends. Is it any surprise that some find the challenges of adapting to civilian life so difficult or that some will fail and fall, eventually, into the criminal justice system?

Many years ago I suggested that local authorities, at the very least, should set up one point of contact for veterans to assist with directions for employment, housing, medical care and so on. I stress that they should assist—I am not calling for preferential treatment. They should at least plug the yawning gap that is left by the Ministry of Defence. That would at least be a bridge to help people to move from the support of the forces, through the support of the local authority, to adjustment to civilian life. In that way, there would be practical help for those veterans who might become criminalised for whatever reason.

I checked with Scottish Borders Council today and there is no such provision in place. I also checked with Midlothian Council, which hosts the barracks at Glencorse from where many are sent to the front line, and I commend its support for the drop-in centre for veterans at Dalkeith. However, when all is said and done, it is the Ministry of Defence that should shoulder the responsibility for volunteers and recruits, who deserve better both in and out of service.

I commend my colleague again for bringing this evening's debate to the chamber.

17:33

Trish Godman (West Renfrewshire) (Lab): I, too, congratulate Angela Constance on securing this evening's debate. As she said, anyone who is convicted of a crime must suffer the consequences, and that holds for both veterans and those who have never served in the armed forces. That said, it is a sad fact of life that, down the years, Governments have not shown much concern for the veterans who have given long and loyal service in the Army, the Royal Navy and the Royal Air Force. That indifference has been challenged in recent years and changes are taking place in assisting veterans to adjust to civilian life. Now we have to ensure that the Westminster and Scottish Governments, along with other appropriate interest groups, examine ways in which to take preventive measures that will dissuade that relatively small number of veterans who turn to crime or who subject people who are close to them to violence.

The national health services for treating people with post-traumatic stress disorder appear to be patchy. Local facilities may not offer the specialist services or be able to manage the veterans as required. For example, I am unaware of any specialist services to meet the treatment needs of veterans with PTSD. The Scottish Government should review local NHS provision in areas where we know a high proportion of veterans live. The Royal British Legion's Soldiers, Sailors, Airmen and Families Association provides welfare visits to veterans in prison and their families. It is important that offenders—particularly those who are close to their release date—have access to such visits if they need them so that they can be helped through what is often a difficult period either side of their release. We must recognise the special difficulties that veterans have during their sentence and on release.

To improve the ways in which we reach veterans in prison, the Scottish Government must work with the MOD, the Prison Service and voluntary sector organisations to survey the prison population and find out about the veterans in it. That should help us to focus our efforts better.

Advice and guidance must be available before people leave the armed forces and when veterans return home. It must be exceedingly difficult—for young veterans in particular—to adjust to civilian life after experiencing the violence and slaughter of war. What do we know of those who have been proceeded against in our courts? As Richard Simpson said, it is difficult to envisage their experiences and what they have witnessed. Are offenders mainly from the Army, because they have been face to face with the enemy? Is the incidence of criminal behaviour lower among Royal Navy and Royal Air Force veterans?

Veterans must be given a comprehensive reintroduction to life on civvy street. Do we just take back their uniforms and immediately forget about them? Information should lead to good practice in helping men and women of all ranks to come to terms with civilian life after a life of military violence.

George Orwell said:

"People sleep peaceably in their beds at night"

because there are hard men willing to commit

"violence on their behalf."

Those who protect us should be protected and assisted when their service on our behalf ends.

17:36

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I, too, commend Angela Constance for securing this important debate. As most members have said, on the basis of their

constituency casework and portfolio interests, it is vital for the Parliament to consider these issues.

Just this week, I spoke to the parent of a soldier who has just returned from Afghanistan and who is having considerable financial difficulties as a result of his holiday being cancelled due to the Icelandic ash cloud and banks charging to change money. The approach is inconsistent. I have also spoken to a parent who lost a son in conflict. It is humbling for MSPs to be involved in such issues, which highlight the fact that justice, health and all other devolved services owe a duty to servicemen and women who are serving their country and to veterans.

I declare an interest as the convener of the cross-party group on supporting veterans, the intention of which is to focus on the issues on which Angela Constance has challenged the Parliament. The picture is not clear, and I endorse absolutely the thrust of her argument. I will give a little bit of context, which is important.

There are about 5 million veterans throughout the United Kingdom, who represent about 9 per cent of the population. Members will know that the classification of a veteran in the UK differs from that in other countries. In the UK, anyone who has served one day in the armed forces is considered a veteran, whereas the definition in the United States and Holland, for example, requires active service in peacekeeping or in conflict. The classification means that the breadth of veterans is considerably greater in the UK than in other countries. That context is important, but it in no way diminishes the statistics on veterans who are in the criminal justice system or the mental health justice system.

Yesterday, I had the pleasure of attending in Edinburgh the conference of Veterans First Point, which takes the one-stop-shop approach that Christine Grahame described. That organisation has now been active for a year. It was fascinating to listen to Professor Ian Palmer, who is the director of the medical assessment programme in London, which operates a specialist centre for people with mental health difficulties and touches on all the different areas of trauma, mental health and criminal activity.

It is worth saying that about 0.1 per cent of regular service personnel are discharged annually for mental health reasons. However, as members have said, the number who present with mental health difficulties later is higher—on average, they will have had more than 10 years of difficulties—which creates difficulty with data capture.

The average length of time after which men present with mental health or other difficulties and seek help is 10 years. That is the same for men in relation to all services in Scotland, whether they

are veterans or not. Men, typically, do not present themselves to access help through mental health services. That is a fact.

Veterans First Point is a very good service, because it reduces stigma. It is more acceptable for younger veterans to approach that service, because it is co-ordinated by and run with the involvement of veterans. That is really important as far as the criminal justice system is concerned.

There are serious data capture issues around housing support, criminal justice and mental health. Provision is too patchy, and it needs to be improved. That is part of the responsibility of the Scottish Government.

17:40

Hugh Henry (Paisley South) (Lab): Angela Constance is to be commended for giving the Parliament the opportunity to debate an issue that has been overlooked for far too long. I do not have any direct experience of the negative side—of the criminal implications or of breakdown, which often face people who come from a veterans or services background—but I do have experience of the positive things that can be done to help people who have come through those circumstances.

Angela Constance referred to Erskine. I grew up in the grounds of what was then termed Erskine hospital. My father was a disabled ex-serviceman and obtained one of the cottages there. I lived in what I now realise was a wonderful environment. It was a close-knit community and a very supportive environment, where families flourished and were allowed to get on with their lives.

I saw some positive signs in Erskine hospital—it would now be regarded as a care home—concerning people whose family relationships had broken down. Sometimes people turned to taking a good drink, as it was described at the time—excessive alcohol consumption—and they ended up coming into Erskine hospital. They were supported and helped there.

I saw things that I did not understand as a child—the horrors that wars cause. My father spent nearly four years in a Japanese prisoner of war camp. When I was younger, he frequently suffered from malaria, and he relived all the horrors that he had experienced, through nightmares. In those days, there was no talk of post-traumatic stress or psychological support for those who had been through horrendous situations. However, my father benefited from a loving and supportive family and a close-knit community.

In those days, we lived in a totally different world. Even those who were not fortunate enough to benefit from places such as Erskine generally

lived in communities where the family was still strong and important, where the community was close and tight knit, and where people looked after their own. Unfortunately, that is often no longer the case. We lived at a time when, although drink might have been a problem, drugs were not, unlike today. Unfortunately, too many young ex-service personnel now succumb to problems with drugs.

I saw the nightmare and stresses that war can cause, and I began to realise the implications for those who try to get on with their lives with no support. As other members have said, we are duty bound to consider our debt and our responsibility to those who have put so much on the line for us.

The key to all this is not to deal with veterans when they get to prison; the key is early intervention to ensure that, when they come out of the armed forces—as Sarah Boyack and James Kelly said—a decent house is available for them, as well as social work and psychological support services. I commend ministers for taking a close interest in matters such as medical facilities.

There is a problem that, fortunately, we are now recognising more and more. It pays us all in the long run to deal with such problems early, in a mature, conscientious fashion, not just from a financial perspective but because we owe it to those who have given so much for us.

17:44

The Minister for Housing and Communities (Alex Neil): I, too, pay tribute to Angela Constance, not only for securing the debate but for pursuing the issue vigorously. Every speaker has made new and important points. We are small in number but the standard of debate has been extremely high.

I have had a detailed informal discussion with Kevan Jones, who is my counterpart as minister for veterans in the UK Government, about identifying accurately the number of prisoners in Scotland who are veterans. I shall explain what was done south of the border.

The first thing to understand is that the Ministry of Defence has a database that includes the name, address and details of every veteran who lives in the United Kingdom. That is an important start because it means that, through the Ministry of Defence, we can identify every veteran in the country. The Prison Service south of the border matched that MOD database with the database of people in prison and officials were able to identify—accurately, it appears—the percentage of people in prison at that time who were veterans and, if they so wished, the names and addresses of the veterans who were in the prison system.

I asked Kevan Jones whether it would be possible in principle for the Ministry of Defence to work with the Scottish Prison Service to carry out exactly the same exercise in Scotland, to allow us to get a much better handle on the numbers. He saw no difficulty in it and suggested that, once the election is over—whoever the Secretary of State for Defence and the minister for veterans in the new Government after 6 May are—we can take the matter forward. I have already asked my officials to fix up an early meeting with the new veterans minister to that effect and to put the exercise on the agenda.

The second point that needs to be stressed is the distinction between the number of veterans in prison and the number in the criminal justice system. Many veterans may not be in prison but are at some other stage in the criminal justice system. Therefore, although a good start can be made by identifying the number in prison through co-operation with the Ministry of Defence on its database, it would probably be much more difficult to identify all those who are in the criminal justice system.

My belief—based on my mailbag and on having been minister for veterans, as well as minister for housing, for more than a year—is that 1.7 per cent is probably an underestimate of the percentage of prisoners at any time in Scotland who are veterans. The figure is based on prisoners who declare themselves to be veterans, but for various reasons they often do not declare themselves. The important point, however, is that, at 1.7 per cent, the number is 134. Even if the figure is double that, it still means that fewer than 300 prisoners at any time in Scotland are veterans, so it should not be beyond our wit, working with the Scottish Prison Service, to identify the particular needs relating to a prisoner's status as a veteran that need to be catered for.

I agree absolutely with all the members—Hugh Henry, Christine Grahame and others—who said that we must take a wider view and consider prevention. The most difficult time for veterans is their transition from the armed services into civilian life. I have asked the Scottish Government's armed services adviser—Major General David McDowall, the former general officer commanding second division in Scotland—to pursue the agreement that I had with John Hutton when he was Secretary of State for Defence and subsequently renewed with Kevan Jones and Bob Ainsworth, under which we are establishing throughout Scotland a process whereby the resettlement officer for each member of the armed services who is about to leave the services has a contact in the local authority to which the member of the services will relocate.

The person in the local authority will act as the single point of contact Christine Grahame mentioned and will help to co-ordinate not only local authority services but contacts with the designated people in the health service, who are already designated in most hospitals in Scotland, with the Department for Work and Pensions, with housing associations and with other relevant bodies. I believe that that quality and level of support in the transitional phase is essential to minimising the transitional difficulty that veterans experience when they leave the armed services and move into civilian life.

Other issues need to be addressed, but I do not have time to address them all. I take the point that Jeremy Purvis and other members made: that it is often 10 or 13 years before mental health problems are identified and it is sometimes even longer before they are dealt with. One of the major causes of problems is housing. The Housing (Scotland) Bill, which is currently going through the Local Government and Communities Committee, deals with the disadvantage that veterans currently have under the allocation system. We will rectify that problem. I have also specifically asked Linda McTavish, who is chairing my working party on supported accommodation, to look at the particular needs of veterans, because at a later stage they often need not only a house but total support in a totally supported accommodation environment.

Unfortunately, I am unable to outline the whole range of services, but I will mention one other matter. On 7 March, the Big Lottery Fund announced a new £35 million trust, which is to help veterans across the UK who struggle with the transition to civilian life, especially those with psychological wellbeing problems. I intend to try to access as much of that money as I possibly can over the coming months and years to improve the services that are available to our veterans in Scotland. We owe it to them.

Meeting closed at 17:52.

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