

The Scottish Parliament Pàrlamaid na h-Alba

Official Report

PUBLIC PETITIONS COMMITTEE

Tuesday 15 June 2010

Session 3

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PUBLIC PETITIONS COMMITTEE 10th Meeting 2010, Session 3

CONVENER

*Mr Frank McAveety (Glasgow Shettleston) (Lab)

DEPUTY CONVENER

John Farquhar Munro (Ross, Skye and Inverness West) (LD)

COMMITTEE MEMBERS

- *Rhona Brankin (Midlothian) (Lab)
- *Bill Butler (Glasgow Anniesland) (Lab)
- *Nigel Don (North East Scotland) (SNP)
- *Robin Harper (Lothians) (Green)
- *Anne McLaughlin (Glasgow) (SNP)
- *Nanette Milne (North East Scotland) (Con)

*John Wilson (Central Scotland) (SNP)

COMMITTEE SUBSTITUTES

Claire Baker (Mid Scotland and Fife) (Lab) Jamie Hepburn (Central Scotland) (SNP) Jamie McGrigor (Highlands and Islands) (Con) Nicol Stephen (Aberdeen South) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Gary Hattie (Parkinson's UK) Gerry McCann (Parkinson's UK) Tanith Muller (Parkinson's UK)

CLERK TO THE COMMITTEE

Fergus Cochrane

LOCATION

Committee Room 1

Scottish Parliament

Public Petitions Committee

Tuesday 15 June 2010

[The Convener opened the meeting at 14:00]

New Petitions

Parkinson's (Medication) (PE1331)

The Convener (Mr Frank McAveety): Good afternoon, everyone, and welcome to the 10th meeting in 2010 of the Scottish Parliament's Public Petitions Committee. We have a long-standing apology from our deputy convener, John Farquhar Munro. No other apologies have been submitted so far. We will see how it goes for the rest of the meeting. I ask all members of the public and committee members to switch off all mobile phones and other electronic devices.

I welcome to this afternoon's session Waid academy students. For those who are not familiar with Waid academy, I should say that it was one of the high schools that we visited as part of our committee's tour of Scotland. We had a very successful session there and there is an item on today's agenda relating to the discussion that we had there. I wish the students well and wish them good luck for when the results come out in August. I hope that you will have done yourselves, your families and your school proud. Good luck to you when the time comes.

Item 1 is consideration of three new petitions. The first of those, on which we will take oral evidence, is PE1331, calling on the Scottish Parliament to urge the Scottish Government to take action to ensure that national health service boards support people with Parkinson's to get their medication on time, every time in hospital and at home. It was submitted by Tanith Muller on behalf of Parkinson's UK. I welcome Tanith Muller and Gary Hattie, who are here on behalf of Parkinson's UK, and Gerry McCann, who is from the support group of Parkinson's UK that is based in Lightburn, in the east end of Glasgow. I invite Tanith to make some opening comments.

Tanith Muller (Parkinson's UK): Thank you very much for inviting us to present evidence to the committee today. As members will have seen from the fairground in the garden lobby, the issue of people getting their medication on time is an enormous one for people with Parkinson's and their families. That is why 70 people who are affected by Parkinson's are here today to see the committee begin its consideration of our petition. They have come from far afield, from the north-

east right the way down to Dumfriesshire. It is also why our people have collected more than 7,500 signatures in just four weeks.

This is a big issue because it affects so many people with Parkinson's. The figures are in our petition, but they bear repeating. More than a quarter of the 10,000 Scots with Parkinson's are admitted to hospital each year, many of them on more than one occasion, and we conservatively estimate that about 800 of them do not get their medication on time while they are there. We hear that consistently about every health board in Scotland.

People with Parkinson's who live alone sometimes need help to maintain their medication regime. If they cannot get their medication, people are admitted to care homes for the want of better symptom control. Once they get there, they may still struggle to get their medication on time.

I asked Jean Ballantyne, who appeared with her husband Mel in the film that we made to go with the petition, what the biggest impact was of people not getting their medication on time. She replied, "Fear." It is hard for those of us who do not have Parkinson's to imagine the terror of not being able to control our movements, our speech, our swallowing or our thoughts, but many of the people who have come here today have experienced that. That is why they are so committed to preventing it from happening to other people and their families.

As policy makers, you know that the financial cost must be counted as well as the human cost. We must ask whether it is a good use of resources—of money, staff and beds—to keep people with Parkinson's in hospital longer than they need to be there for want of a selfadministration policy that people know about or nurses carrying pill timers for people who cannot administer their own medication. We need to ask whether local authority budgets are really best spent in funding a care home place for someone who would be well enough to stay at home if they had the support that they needed to maintain their medication regime.

There has been progress, which has been welcome. There have been great commitments from the Scottish Government and the NHS to support people with Parkinson's to get their medication on time, every time. There is also brilliant work happening in individual wards and hospitals, which shows that it can be done. However, there is still a gap between the good intentions at the top and the hard work at the bottom. We need the committee's help to bridge that gap. **The Convener:** Thank you. I invite questions from members, to which any of the three witnesses may respond.

Bill Butler (Glasgow Anniesland) (Lab): Good afternoon. Tanith Muller has explained the problem and the terror that can ensue. What is the one thing—or the main thing—that absolutely needs to be done to address the concerns that have been raised in the petition?

Tanith Muller: We discussed the issue and we came up with subtly different answers.

Gary Hattie (Parkinson's UK): The main issue for me is education, so that there is an understanding of Parkinson's disease and awareness of the importance of the drugs regime among medical staff.

Gerry McCann (Parkinson's UK): If we truly want to appreciate the importance of the drugs regime for Parkinson's sufferers, we need to go back to 1967, when the main drug for Parkinson's was developed and used. Before that, people with Parkinson's had a bleak future. They became totally disabled. Their prognosis was a future lifespan of seven years, then death.

Since 1967, lots of drugs have been brought out. Levodopa is still the gold standard, because it enables us to go from a state of disability to one in which we can function normally. Our biggest concern is that everyone should have the right to take their drugs on time, whether they are at home or in hospital. That is crucial. The drugs are the nearest thing that we have to a cure just now, because there is no cure for Parkinson's, but the drugs that are available help us to have some quality of life. That is important for us.

Bill Butler: Does Tanith Muller want to respond?

Tanith Muller: Your question was about what we want to happen. In the petition we mention several steps. I think that if members are to take one thing away from the meeting, it is that health boards must get their self-administration policies sorted out. That is not a golden bullet that will solve the problem for everybody, but selfadministration would help a huge number of people to get it right. If the policies were in place it would be easier for general hospital staff to understand why people who cannot selfadminister need additional support to get their medication when they need it.

Lots of stuff needs to happen, but if you are asking me to name one thing, I will say that health boards need to sort that out.

Anne McLaughlin (Glasgow) (SNP): I welcome everyone to the Scottish Parliament. I think that I have met some of you in the Parliament before—I was not an MSP at the time but I worked for an MSP. I spotted that there were a lot of people in the garden lobby when I came in and I would have been happy to come and welcome you—I was not being rude, but I did not know that you were coming in early.

I am really pleased that you have brought the petition and that you have been invited to give evidence, because I have experience of Parkinson's disease in my family. I have experienced the specific issue about someone being in hospital for something else, which could not be tackled because the Parkinson's medication times had been changed to suit the medicine round—we all understand about the medicine round, but you just cannot do that with Parkinson's disease. I am 100 per cent behind the petitioners. It is vital that people are allowed to self-administer or, if they are not able to do so, that we find a way of enabling medical staff to administer the drugs.

That is why I agree with Gary Hattie that educating medical staff is probably the most important issue. Whenever the person I mentioned had hospital visits and the family told the medical staff that there was a problem, there seemed to be a real lack of understanding about why their Parkinson's symptoms had deteriorated. It did not matter how many times the medical staff were told; a basic level of education was needed. Educating medical staff is therefore probably the single most important issue. Any nurse who is aware of the need will do whatever they can to meet that need.

NHS Quality Improvement Scotland's neurological guidelines acknowledge the needs of people with Parkinson's. What is the main barrier to what you want happening? What is stopping it? Is there one thing that needs to change? Is change simply not happening quickly enough? Is it not accepted that things need to change?

Tanith Muller: The neurological standards are great, and we worked quite hard to ensure that the need for patients to get their medication on time was included in them. I suppose that the problem is that most people who go into hospital with Parkinson's do not do so because of it. They do not go into wards in which staff are necessarily aware of the standards. That causes problems. The staff in a cardiac or orthopaedic ward will not necessarily know the standards. I suppose that that means that we need boards to understand that such policies are needed not simply because of neurological issues in tiny units in a few tertiary centres; rather, policies need to be rolled out across whole hospitals, as the issue is crucial.

As Gerry McCann said clearly, people being denied their freedom to move, express themselves and do any number of other things that are enshrined as things that we ought to be able to do is essentially a human rights issue. The issue arises because of bureaucracy, not because of a lack of staff good will. Often, there is a lack of education and systems to support staff to be able to ensure that people are kept right.

Anne McLaughlin: As Gary Hattie said, it comes down to education. Tanith Muller said that the majority of people with Parkinson's do not go into hospital because of it. If people read medical notes and see that the patient has Parkinson's, they must understand its relevance and the importance of getting the timing right.

Nanette Milne (North East Scotland) (Con): I have a basic question that is similar to but different from Anne McLaughlin's question. If education is an issue, at what level is it needed? Are we talking about education as part of nurse or doctor training or at health board management level? Should there be a combination of all those types of education? Where would you get in to get the message across effectively?

Tanith Muller: We are already tackling the matter at a number of levels. For example, since 2007, we have covered a huge number of care homes in Scotland and have got in and spoken directly to staff at the grass-roots level. I know that our Parkinson's disease nurse specialist colleagues do a lot of work in individual wards on grass-roots community building.

It seems to me that we are being let down in the areas that you identify. The problem is not widely known about in the general medical profession and in the nursing and health professions. We need to get it in there.

It seems to me that training is one issue. Health boards must take the matter seriously and see people not getting their medication on time as a serious issue that needs to be addressed. In Parkinson's UK, we try to encourage people who have had a bad experience to make a formal complaint so that the matter is followed up. We know how hard it is for people to feel that they can complain. Often, they do not do so, so people have bad experiences and things do not go anywhere. There is no comeback on those bad experiences. We need leadership in health boards and in ward management to ensure that bad experiences do not happen, the matter is treated with the seriousness that it deserves, and the people who have come here today and those who could not make it today are afforded their medication.

14:15

Gary Hattie: Basically, I think everybody is sitting on the fence on this one. To get it fixed quickly, you start at the top with the person who actually deals with drugs in the ward. That would

give a short-term fix, but training is needed for the longer term.

Nanette Milne: Yes. You are basically saying that that should be done at hospital pharmacy level.

Gary Hattie: Yes.

Nanette Milne: And even beyond that at health board management level.

Gary Hattie: Yes, so that the training covers everybody.

Nanette Milne: You say that specialist nurses are going into individual wards, but are they tackling the issue higher up than that at the health board management level? Is the message being put across there? It seems to me that it could be dealt with at that level, and come down from there to ward level.

Tanith Muller: I would have to defer to my Parkinson's nurse specialist colleagues on that to double-check whether that is being done. My understanding is that the majority of their influencing work on this happens at grass-roots level, and it often involves their tracking people who they know are going into hospital and following up on them.

Gerry McCann: Unfortunately, I was going to hospital quite a bit with other things, and was refused my drugs. By the next day, I was unable to move or communicate very well. My wife was so concerned that she phoned my nurse specialist, who came in and spoke to the sister on the ward and the consultant. From that moment on, I was able to get my drugs. When I am in any other ward, she needs to come and double-check that I get my drugs. I know that nurses on wards change and you are not always in the same ward and can be in another part of the hospital. Fortunately, my specialist nurse is a good fighter for me, so if there is any bother, we lift the phone and she can sort things right away, which means I am not left totally disabled.

Nanette Milne: Convener, when we come to decide what to do on the petition, we should perhaps look at a more strategic level.

Rhona Brankin (Midlothian) (Lab): I apologise, as I was held up and missed the start of the meeting.

When I do work with constituents on issues around Parkinson's, the issue of the Parkinson's nurse specialist comes up time and again, because some health board areas in Scotland have good provision in that regard but provision in others is less good. Where are we on specialist nurse provision across health boards? It seems to me that the nurse specialists play an absolutely key role in all sorts of ways, whether it is ensuring that someone has the correct drugs when in hospital or when they go into a care home. I am pleased to hear that you have been doing a lot of work with care homes. I think that training for staff in care homes is an issue, not just for Parkinson's but for other conditions as well. Obviously, though, Parkinson's is particularly critical because of the specific nature and timing of the drugs. I wonder how you see that work being taken forward. For example, I would be interested to find out from the Scottish Commission for the Regulation of Care where this sort of work fits in with care standards in care homes.

Tanith Muller: Your first question was on where we are with nurse specialists. The answer is that we are better placed than we were, but we are still not there in terms of the amount of provision. When I hear people like Gerry McCann talking about how important his nurse is and his relationship with her, I find myself thinking about the people who do not have a nurse. Huge numbers of people in Scotland with Parkinson's have never spoken to a nurse specialist. The Royal College of Nursing has a current campaign on specialist nurses, but a huge concern of ours is that specialist nurse posts may be under threat in the current financial climate.

We have seen real progress in many health boards recently, including in Rhona Brankin's health board—NHS Lothian—which now has three nurses where previously there was only one. That provides a much more realistic work load, although there are still not as many such nurses as the ideal National Institute for Health and Clinical Excellence-recommended patient load suggests there should be.

There are some other health boards in Scotland that are really problematic, in which protracted negotiations with managers are still leaving existing nurse specialist staff overstretched to the point that there are hundreds of people with Parkinson's who are not getting the support that they need or even meeting the nurses.

So, yes, I totally agree with you on that. I am afraid that I have forgotten what you moved on to.

Rhona Brankin: It was training in care homes and the role of the care commission.

Tanith Muller: We are doing some work with the care commission. My colleague, the national training manager for Parkinson's UK, is based in Scotland. She is currently meeting the care commission to discuss what we can do formally to move things forward in addition to the work that is already being done on training sessions for care home staff. It is an area that we are expanding into, but it is enormous and we need the care commission's commitment to help us to sort the issue out if we are to make a change. **The Convener:** All committee members are very supportive of trying to find ways to address the issues that you have raised in the petition. A number of comments have been made and we are now at the stage of formalising what to do next with the petition. I invite members to suggest how we might progress. Nanette Milne mentioned something specific.

Nanette Milne: Yes. I think that we should ask the Government what it is doing with health boards to get the importance of the issue across at the strategic level and to highlight the fact that health boards should be taking action in the hospitals in their areas to ensure that staff know the importance of giving Parkinson's medication on time.

Rhona Brankin: We need an up-to-date figure for the number of Parkinson's nurse specialists in each health board area. Parkinson's UK may have it—it is probably relatively easy to get. It would also be interesting to find out where health boards are in implementing the guidelines on Parkinson's. There are a range of actions that they should be taking. In addition, it would be useful to get some feedback from Parkinson's UK and the care commission on the work that is being done on care homes and care standards.

Bill Butler: We should write to the Royal Pharmaceutical Society of Great Britain, the RCN and the Association of British Neurologists, asking for their responses to the many important and serious issues that the petitioners have raised relating to the need for education, awareness and a uniformly applied self-administration policy both within and outwith hospitals. Those are issues that we should take up.

Robin Harper (Lothians) (Green): I do not know what our witnesses will think of this idea, but perhaps we could move things on a bit faster by inviting a cross-section of boards to come and answer questions here. We have done that before on another issue.

Anne McLaughlin: I apologise if somebody has already covered this, but we could write to whoever provides training courses for nurses. I am sure that doctors are aware of the issues, but it is nurses who provide the day-to-day care in the hospitals. We could write to a selection of nurse training providers, making the point that people with Parkinson's are often in hospital for something completely different and so all nurses need to be aware of the issue. We could ask whether they incorporate awareness raising in their training and, if they do not, whether they will.

The Convener: Do other members have any comments on the suitability of Robin Harper's suggestion?

John Wilson (Central Scotland) (SNP): Robin Harper's suggestion is a useful one. It might be useful for us to write to health boards, asking what the local situation is. A difficulty that the committee has come across in the past is that different health boards operate slightly differently, so it would be useful if we initially asked a cross-section of boards how they deal with the issue when people are admitted to hospital, so that we can get a clear understanding of the instructions that come from health boards. We might then follow up Robin Harper's suggestion about inviting boards to give evidence.

The Convener: I have been talking to the clerk about timetabling. It looks like the appropriate meeting to aim for is our first one in October, if that is okay with members. The idea is worth while in principle, but there is a practical issue about getting it together.

Robin Harper: For clarification, would we write to health boards to ask for information and at the same time ask selected boards to present themselves in October? I think that Tanith Muller mentioned that there are problem health boards.

Tanith Muller: There are problem health boards with regard to nurse specialist cover—I might not want to go on the record about that.

The Convener: We will move swiftly on.

Rhona Brankin: It would not be a bad idea to decide which health boards to invite after considering the responses that we get. We might want to hear from a health board whose provision is good and contrast the board's approach with that of other boards. We might want to hear from rural and urban boards, for example.

The Convener: We will sort that out. I think that the clerk can step up to the plate—that is a euphemistic way of describing it. In our letters to health boards we will say that we might want to invite boards to give evidence in due course, when we have had their responses. We will alert boards to that. Is that okay?

Rhona Brankin: We do not want to put the witnesses in a difficult position. I am sure that some Parkinson's UK members will think that it might be useful to contact the clerk about provision in their areas.

Tanith Muller: They might do.

The Convener: I encourage them to contact their local elected members, too. We do not like to shove work off—unless it is to the clerk.

In the Public Petitions Committee we often hear about things that should be getting done, and we are always shocked that the reality on the ground is that things are not happening to the extent that we would expect them to happen. We hope that we can move forward on the issue and make a genuine difference.

An incredible number of folk from throughout Scotland came to lobby the Parliament today in support of the petition—I know that some people are watching the meeting from an overspill room. I want to put on record our appreciation of your being here, because we know how challenging it can be to find the time to get to the Parliament. I encourage everyone who is here to raise the matter directly with the elected members in your constituency and region, if you have not already done so, so that elected members, too, can try to address your concerns. Thank you all for your time—and thanks to Gerry McCann and Gary Hattie for their evidence.

Wind Farm Developments (PE1328)

The Convener: PE1328, which was brought by Jack Farnham, calls on the Parliament to urge the Scottish Government to guarantee a minimum separation distance of 2km between a wind turbine development and any residential property or building, regardless of whether they are single dwellings or part of a settlement, to minimise potential health, safety and environmental risks.

We have received a submission and we have a briefing paper on the petition. I invite comments from members on how to handle the petition.

14:30

Bill Butler: There is an issue here that we should pursue on behalf of the petitioner. We could write to the Scottish Government to ask whether it would guarantee a minimum separation distance of 2km between a wind turbine development and any residential property or building, regardless of whether it is a single dwelling or part of a larger community or settlement. The petitioner says that that is what is necessary to minimise potential health and safety risks, and environmental risks.

Rhona Brankin: I think that we also need to write to bodies such as Scottish Renewables to find out its view on the issue. We should also find out what the difficulties are. From reading the information on the petition, it seems to me that there are differences in the interpretation of guidance and that the matter has become complex. I suggest that it would be useful to contact local authorities to ask how they interpret the guidance.

Nanette Milne: On Rhona Brankin's last point, I have certainly had people in Aberdeenshire coming to me on the issue, and the distances that are being quoted are a lot less than 2km. Like Rhona, I would be interested to know how councils interpret the guidance. If we select certain

councils, I would be interested in hearing what Aberdeenshire Council has to say, because I have a constituency interest in the issue.

John Wilson: Likewise, I would be interested in finding out the views of local authorities such as South Lanarkshire Council, because issues have been raised about wind farm developments in its area, in particular about distances and noise mitigation. It is difficult to mitigate the noise of a large wind turbine, even if it is some distance away. There is also the issue of how local authorities view or handle any mitigation work that may be requested in a planning application. As we all know, the countryside is filling up with wind turbines, so we need to ensure that people are protected and that aspects of Scottish planning policy 6 are taken on board when local authorities consider whether to grant permission for developments.

The Convener: So we want to continue the petition and keep it open, because we need to get further information and clarity on a number of areas, primarily from the Scottish Government and Scottish Renewables.

Adults with Incapacity (Scotland) Act 2000 (Role of Public Guardian) (PE1329)

The Convener: Our third and final new petition today is PE1329, by Robert Adamson, which calls on the Scottish Government to put in place a review of the Adults with Incapacity (Scotland) Act 2000, with a remit to bring it up to date, specifically by introducing legislation in relation to deceased adults and in particular the role of the public guardian in such cases. We have a briefing paper on the petition. Do members have any comments?

Bill Butler: It seems possible that there is a gap in the 2000 act, which was one of the first pieces of legislation that the Parliament passed. From what the petitioner says, it appears that if a person who is given power of attorney abuses that power, the public guardian can investigate only when the person whose estate was allegedly abused is alive, so there seems to be a gap in the legislation. We should pursue the petition with the Scottish Government in the first instance. We can ask whether it will put in place a review of the Adults with Incapacity (Scotland) Act 2000, specifically in relation to the possible gap that the petitioner has highlighted. That would be a good start.

The Convener: Are there any other comments on this one?

Rhona Brankin: I have read the briefing paper, but I am keen to find out the practical implications of the suggested gap and what situations have arisen as a result of it. That information would help me to clarify the implications. John Wilson: I suggest that we write to the office of the public guardian to find out the number of complaints that have been made under the legislation. If complaints are being made or issues are being raised about the way in which the legislation is being used, the office of the public guardian should be aware of them and the complaints process. If the petitioner is saying that there is an issue relating to people passing away then no action being taken, that must be looked into. We could ask the office of the public guardian whether it intends to recommend that the Government review the legislation.

Bill Butler: We should write to the Scottish Law Commission about the issues that colleagues have raised. I believe that a review is under way, and it would be useful to find out the SLC's view on the petition and the issues that it raises.

Rhona Brankin: As the briefing paper suggests, we might also write to organisations that represent adults with incapacity and their families, such as Age Scotland and Alzheimer Scotland.

Bill Butler: Just to complete the circle, this is a particular problem that relates to legislation and to post-legislative scrutiny and review, so we should ask the Law Society of Scotland for its view.

The Convener: Okay. We will write to a range of people and organisations. We will keep the petition open as we pursue those inquiries and bring it back to the committee in due course. Is that agreed?

Members indicated agreement.

Current Petitions

School Bus Safety (PE1098 and PE1223)

14:37

The Convener: Item 2 is consideration of current petitions. With the committee's permission, we will group together PE1098 and PE1223. PE1098 is by Lynn Merrifield, and seeks to ensure the provision of three-point seat belts for every school child passenger on school buses and to ensure that, as part of a best-value regime, local authorities have proper regard to such safety requirements. PE1223 is by Ron Beaty, and calls on the Scottish Parliament to urge the Government to take all appropriate action, whether through amending guidance, contracts. agreements or legislation, to require local authorities to install proper safety signage and lights on school buses for use only when school children are on the bus, and to make overtaking a stationary school bus a criminal offence.

We have had substantive discussions on both petitions in the past. Ron Beaty and his wife are in the public gallery today. He has been committed to his petition and has spoken directly to the committee. He has been in correspondence with all members of the committee in the recent past about the accidents that have happened recently elsewhere—I am thinking of the children from Lanark grammar school and the youngsters from Keswick school in Cumbria.

I invite comments from committee members. I know that Nigel Don wants to express some views on the petition.

Nigel Don (North East Scotland) (SNP): I recognise that this is a difficult subject on which to make progress, but it will not simply go away. It would be appropriate for the committee to express our sadness at the continuing loss of life and to offer our condolences to the family of Natasha Paton, from Lanark grammar school, who died in a bus crash on 31 March, and to the families of Kieran Goulding and Chloe Walker, from Keswick school, who were killed on 24 May. It is just horrible to reflect on how their parents and the rest of their families must be feeling. We owe it to them to try to make some progress on the issue.

We know that wearing a seat belt can make a difference, although we do not know whether it would have done in those particular cases. That is why we have seat belts in cars. We also know, from our discussions over the period, that responsibility for the issue is shared between the Westminster Government, the Scottish Government and our local authorities, which makes things difficult. I am sure that other members will have comments to make about how we might pursue the matter, but I express my utter frustration perhaps it is unparliamentary to do so—that, despite our best efforts, those of the petitioners and probably of all concerned, we have changed nothing at all two and a half years after Lynn Merrifield's petition got to us.

Rhona Brankin: I associate myself with Nigel Don's comments. In light of the awful accidents that have happened, it is incumbent on the committee to keep pushing and to find out what actions the Scottish Government, local authorities and the United Kingdom Government propose to take to make our schoolchildren safer.

John Wilson: I, too, offer my condolences to the families of the children who were tragically killed in the bus accidents.

The situation has been discussed on several occasions, but instead of it getting better it was recently reported to me that, in one local authority, children are being bussed to school while standing in the aisles. We are talking about fitting compulsory three-point seat belts for children who are transported in school transport, but local authorities do not seem to be taking any cognisance of the guidance that the UK Government and the Scottish Government have issued.

I would like the committee to write to the Scottish Government to ask it what discussions it is having with local authorities on the provision of school transport. If what was reported to me about children standing in the bus aisles going to school in the morning and coming home at night is true, it is clear that the message on school transport safety for children is not getting out to local authorities. It is only by some miracle that more incidents have not taken place when children-in particular, young children-are expected to stand in the aisles of buses. We need to work out what discussions are taking place. We also need to write to the road safety working group of the Society of Chief Officers of Transportation in Scotland to find out what discussions it is having on school bus safety.

The provision of school buses across local authorities is so disparate that we do not have an overall picture of how local authorities apply the regulations that are supposed to be applied. Until we get that sorted and move on to consider seat belt safety on buses, we will continue to struggle to get the message across.

As other members have said, two and a half years on, we do not seem to be any further forward. I would like the issue to be moved forward speedily, because some of the buses that are being used to transport schoolchildren are deplorable. That is the only way to describe them. In my area, children are being transported in double-decker buses that are 20 years old, if not older, without seat belts or consideration being given to safety. That is clearly not the way to move forward in this day and age, when incidents happen such as those that Nigel Don cited and the petitioners have brought before us. We seem to be regressing rather than taking the issue seriously.

Nanette Milne: I agree with everything that has been said so far. We are all horrified every time we hear of another accident, particularly a fatal accident, involving school buses.

As Ron Beaty said in his response, there has been a change in Aberdeenshire Council, which is doing a lot to ensure bus safety. However, as John Wilson said, we do not know what other local authorities are doing. I would like an evaluation of what Aberdeenshire Council is doing. We can ask the Government for an update on the school bus sign pilot that the council has run and on any other initiatives that the council has taken. If those initiatives are the way ahead, we can find out how the Government intends to roll them out to local authorities that are doing nothing. It is not right to have such variation throughout the country in how school pupils are treated on their way to and from school.

14:45

Rhona Brankin: I am relatively new to the committee, so I wonder about bringing people to the committee to question. I am interested to find out Strathclyde partnership for transport's views. SPT covers a large area and involves many local authorities: Biggar is in SPT's area, for example. If a local authority such as Aberdeenshire Council is doing innovative work on school transport, it might be interesting to hear what SPT is doing, too.

Robin Harper: I hope that my point will not be too sideways. Bus services in rural areas differ from those in cities. In rural areas, buses necessarily travel at top speed—at 50mph—when that is permissible, to take children to school on time over relatively long distances. In cities, buses necessarily travel at 30mph or slower. In cities, where passengers are allowed to stand when on the bus and are encouraged to do so to get enough people on buses to make them efficient, the simple expedient of reducing the speed limit to 20mph might result in traffic travelling faster and buses being safer. More than one answer to the problem could be considered in our cities.

Bill Butler: I express my sincere condolences to the families of the three young people who were tragically killed. I agree with everything that my colleagues have suggested. It would also help to write to Strathclyde Police and Cumbria Constabulary asking them to convey to us the results of their investigations into the two tragic incidents, the lessons that have been learned and the actions that it is proposed will be taken.

Nanette Milne: I am thinking about possible ways ahead. Does the issue merit a big debate along the lines of that which we had on knife crime? School buses are hugely important. Do we have the means to do something such as bringing together representatives from all the local authorities?

The Convener: That is certainly possible. We will consider whether the suggestion is practical. The new spirit of collaboration and co-operation among UK politicians and the fact that there is a new Secretary of State for Transport provides the opportunity to obtain another perspective. I suggest that the clerk should produce suggestions for us and that we should make a final recommendation on what is practical in due course. Not unlike the Parkinson's medication situation, people assume that in this case certain measures are in place when youngsters travel to school. Parents are always shocked when they see the bus-they say, "I cannae believe the insecurity"-never mind the other safety aspects that are part of the wider debate about the petitions. We will follow up the suggestion.

Anne McLaughlin: To the parents, families, friends and teachers of the three young people whom we have named, I echo everything that Nigel Don and others have said.

Nanette Milne made a good suggestion. I know that we cannot do what she suggests for everything, but we have heard today that nothing has changed in two and a half years. The issue is complex, because it crosses over different local authorities, but we should get them in the committee room and not let them leave until we have sorted it out. How much longer can it take?

The Convener: We could threaten them with that if they did not make their contribution, then they would cough up straight away.

Anne McLaughlin: I think that they would.

The Convener: The frustration that I am hearing from the committee—I know that some of the petitioners are here—is that we do not feel that we have done the petitions justice because of the delay. The decisions that have to be made are way beyond our remit, but we need to push the issue much further up the agenda and see whether we can change the situation, especially since there has been a change of Government. If we cannot be seen to respond positively to the tragedy of the incidents and the human cost, and to find some hope rather than despair, what is the point?

We will continue with the petition and ask the clerk to identify a course of action and communicate it to us by e-mail. [*Interruption.*] The clerk wants to be safe with the clerks' union, so he will bring a paper to the committee for public scrutiny and understanding. This is such a freedom of information society, and the way of the world is not the one that I was used to.

Myoclonic Dystonia (Care Standards) (PE1299)

The Convener: The next petition is by Geraldine MacDonald, and it calls on the Parliament to urge the Government to set national standards of care for all myoclonic dystonia sufferers, and to issue guidance to all local authority social work and housing departments to ensure that they provide adapted services and environmental adaptations to sufferers, based on a fair assessment of their condition.

Rhona Brankin: As with today's first petition, this petition raises implications for the dissemination of information and the training of health professionals. We might need to look down a level at how information is disseminated in each health board area and what the implications are for local authorities. What level of awareness of the condition is there at those levels? We also need to decide how to proceed on training.

The Convener: I get the feeling that there is not much disagreement that the committee needs to continue with the petition, but we have to get into some of the detail around it. I am certainly not familiar with the condition, even from my caseload, so perhaps we need to get some more knowledge about it. We will continue the petition and seek the Government's views on the points that the committee has raised.

Nanette Milne: I am interested to know how the roll-out of the clinical standards from NHS Quality Improvement Scotland is going.

The Convener: Okay. We accept the continuation of that petition.

Scottish Water (Executive Bonuses) (PE1300)

The Convener: We are now on to PE1300, by Drew Cochrane, which calls on the Parliament to urge the Government to issue a direction to Scottish Water under the Water Industry (Scotland) Act 2002 to discontinue the practice of paying bonuses to its senior executives. The petition has been before the committee previously and members have expressed views on it. Are there any comments on how to handle it today?

John Wilson: Although I would like to close the petition today, the petitioner raised an important

issue in his response to the Scottish Government's response. In the response that he sent to the committee, the Cabinet Secretary for Finance and Sustainable Growth was not clear about whether the Scottish Government will seek to end the payment of bonuses and other enhancements to members of the board of Scottish Water, or to members of the boards of other quangos in Scotland at an appropriate time.

The cabinet secretary made it clear in his letter that communications have taken place with the boards of various bodies, particularly in light of the harsh financial times that we face. However, the petitioner has raised a wider issue, which is whether the Government will seek to end, when appropriate, bonuses and other payments to people who are employed in the public sector. Scottish Water is a good example of the salaries and bonuses that are paid in public bodies. The standard seems to be to compare the Prime Minister's salary with that of civil servants. However, taking our First Minister's salary, we find that what is paid to Scottish Water board members is well above, if not double, what is paid to our First Minister.

It might be appropriate for the committee to write to the Government to seek clarification as to whether it will recommend that the future payment of bonuses will cease to be part of the negotiations on salaries and other payments.

Bill Butler: There are situations in which bonuses are set at a level that people find acceptable. When people meet targets, we can thole bonuses, especially for those who work in the banking sector. I do not mean those who receive exorbitant bonuses for work that they do not carry out or that they carry out unsuccessfully; I mean workers in the banking industry who depend on bonuses to supplement their salary. Perhaps they should have a bigger salary-maybe that is a better way-but nobody says that bonuses for such people should end. However, we are talking about bonuses for people at the top end in bodies such as Scottish Water. Mr Ackroyd received a bonus of £101,000. Frankly, people find such bonuses unacceptable.

John Wilson makes a fair point. I accept that the Government has stated that the existing arrangements require bonuses to be paid, but John Wilson is asking us to continue the petition and to ask the Government whether it will seek to end the bonus culture at an appropriate time, so that those at the top, who are already well recompensed for what they do, are not given bonuses that most of us find quite obscene. I have tried to moderate my language, convener, and I think that I have succeeded. It is unacceptable that such bonuses are paid to those who are well able to afford a good life with the salary that they already receive.

The Convener: We will need to keep the petition open if we want to raise those further matters. The phrasing of the letter to the cabinet secretary is important, although there is not a big difference between what Bill Butler and John Wilson have said. We will try to ask for a proper examination of the bonus and reward culture that takes into account fairness and equity for staff. Clearly, some staff in banks-which, when you think about it, are now half public and half private-and in public bodies are paid low levels of bonus, which is part of the reasonable reward mechanism. However, the issue relates to the very top of public bodies, where there does not seem to be hard work for the bonus. I want to get the language right in the letter.

Bill Butler: Our question would fit well with the fact that Governments of all colours tell us that everything is constantly under review. If that is the case, let us ask that question on that basis.

The Convener: We will frame a question and circulate it to members to get broad agreement before we send it.

Rhona Brankin: We should also take into consideration the submission from Waterwatch Scotland.

The Convener: Okay. After hearing about those reward mechanisms in Scottish Water, the six students from Waid academy who are in the public gallery are making decisions on their future careers. The water industry can be quite rewarding if you get the right qualifications.

John Wilson: If some members have their way, in future, it will not be as rewarding as it is currently. I want to get that on the record.

The Convener: Fair enough. We will keep the petition open and explore those issues.

Honest Politicians (PE1316)

15:00

The Convener: PE1316 is by Matthew Goundry. We have seen it before. The petition calls on the Parliament to urge the Government to ensure that all individuals who seek election to local or national public office are subject to enhanced disclosure. Our information is that the political parties that we represent have not covered themselves in glory, as they have not responded to us. Do we unanimously agree to send a really cheeky letter to all the party secretaries to ask what is happening? **Bill Butler:** I do not think that we should do that. The reason for what has happened is the general election.

The Convener: That is a minor matter.

Bill Butler: Some people might disagree. Now that the parties have had time to draw breath, we should simply write to them again and see whether we can get answers for the petitioner. We can then consider the matter in detail.

Anne McLaughlin: Assuming that people in our respective party headquarters are not watching the committee's proceedings, each of us should send an e-mail to our party headquarters in which we say, "I was horrified to discover that our party was the only party that did not respond. Please do so quickly."

The Convener: That would encourage them that is, if there are any party officers left after all the money has been spent on the election. We will continue the petition and endeavour to get responses to the points that the petitioner has raised.

School-age Workers (PE1317)

The Convener: PE1317 is by Paul Dryburgh and Ellen Cummings, youngsters from Waid academy who are with us this afternoon. The petition calls on the Parliament to urge the Government to take the necessary action to ensure that the rights of school-age workers in part-time employment are protected so that employers cannot impose excessive working hours to the detriment of the workers' academic studies, and to bring about greater transparency in the distribution of tips to young workers in the hospitality trade.

We had a chance to discuss the petition in detail at Waid academy. Issues have been raised as a result of our inquiries. I invite comments from members.

Bill Butler: I pay tribute to the young people who lodged the petition. I believe that they have completed their surveys to collect more information and evidence to back up the petition's general thrust. We all look forward to receiving that information from the petitioners; I do not think that we have it yet.

We should continue the petition and write to the Scottish Government to seek answers to a number of questions. For instance, following the Scottish Government's letter of 21 April 2010, Scotland's Commissioner for Children and Young People stated that clarity and awareness of the law in the area "could be clearer". We should ask the Government whether it will review the information fact sheet that it provides to local authorities and, in doing so, whether it will work with the petitioners, who are producing their own presentation and information handout, to produce an improved, clearer fact sheet. That would be a good starting point. I am sure that colleagues will make other points. There are many aspects of the petition that we must pursue.

Rhona Brankin: I do not want to repeat what has been said. I agree with Bill Butler. A huge amount of valuable work has been done. Might the petitioners be interested in doing a presentation in the Parliament for other parliamentarians? I am sure that they would be interested in finding out about the issue.

John Wilson: As Bill Butler said, the students at Waid academy must be congratulated on how they have progressed the petition and on the research that has been carried out among their peer group. It is clear that the issue of how employers tend to use young people and the related legislation arises in that school; indeed, I am sure that it arises throughout Scotland.

The Scottish Government has indicated that the current legislation imposes no duties on it to monitor how local authorities are implementing the legislation. I would like the committee to write to the Scottish Government to find out whether it would be interested in reviewing the legislation to ensure that monitoring is taking place. The Government's role is to set guidelines for local authorities, but it would be useful for us to find out how it monitors implementation.

As I have indicated to the committee previously, before entering the Parliament in 2007 I worked with the Scottish Low Pay Unit. As part of that job, I carried out research into the type of working practices that local authorities were advising employers to engage in with young people. At that time, just prior to the legislation coming into force, we found out that there was a lack of understanding of the role of the 32 local authorities and the regulations that apply to them and others, especially employers, when young people are employed.

Once again, we are dealing with legislation that is administered on a day-to-day basis by local authorities. The Scottish Government should monitor what is happening, but the UK Government is still responsible for employment legislation across the UK. Although a number of European Union laws have been introduced in the UK, there are clearly areas in which young people are not covered or represented.

Robin Harper: I would be interested to know whether any of the ideas on monitoring or the model byelaw that the Government provided to local authorities were included in outcome agreements. If not, why not? **Rhona Brankin:** I understand that, in the case of children under the age of 16, we are dealing with a welfare issue. Local authorities have a role to play there. Have we received information from local authorities about how often the byelaws have been invoked? I do not remember reading that. It would be interesting to explore that issue, if we have not received such information.

The Convener: We can explore that.

Anne McLaughlin: I congratulate the students who lodged the petition, who are sitting in the back row of the public gallery. When we considered the petition previously, I said that they frightened me. Perhaps we are frightening them now-I hope so. It has been suggested that we ask the Government to consider issuing a new fact sheet. It would be a good idea for it to look at the fact sheet that the students are producing. We all think that we can talk to young people, but they do not think so. I am younger than the rest of the committee, so perhaps I am an exception. Younger people know how to talk to one another better than the Government does. It would be a great idea if the Government could look at what the students have produced and base its fact sheet on that.

The Convener: As I often say, with age comes wisdom.

Anne McLaughlin: Not in all cases.

The Convener: The committee wants to be helpful on the petition. Members have made a couple of suggestions that the students may want to pursue. They have a final year at school, so there may be time for them to do that before they move on to the next stage of education or work. A number of issues have been raised, so we will continue the petition and bring it back to the committee. If the petitioners want to discuss with the clerks the option of making a presentation to elected members, we will see whether we can do something about that.

Leisure Facilities (Free Access) (PE1318)

The Convener: PE1318 is from Ronan Buist, Megan Lumsden and Daniel Swaddle, who are also students at Waid academy. It calls on the Parliament to urge the Government to provide free access to all publicly funded leisure centres, including swimming pools, for all school-age children across Scotland.

Again, we had a thorough discussion of the issues around the petition when we were at the academy, and a number of responses have come back to us, including one from the Scottish Youth Parliament.

Bill Butler: The issue of standardised admission fees has been raised by the petitioners

and the Scottish Youth Parliament. Obviously, the level of fees is a matter for individual local authorities, but we could write to the Scottish Government to ask whether it has discussed that issue with local authorities and whether it can do something to get a degree of consistency across Scotland with regard to the level of admission fees. The matter is for local government, but I do not think that that would be going too far.

Nigel Don: I congratulate the youngsters on bringing this important issue forward. However, I contrast this petition with the previous petition that we discussed, which hit the nail on the head in a way that resulted in our wanting to pursue everything that the petitioners suggested.

The submissions from Culture and Sport Glasgow and Highland Council contain quite a lot of professional evidence to suggest that price is not the only issue. Obviously, price is important for those who think that it is the main issue, but I draw members' attention to the evidence, which is that there are other issues and that, although dropping the price results in more people showing up initially, they go away quite quickly, and attendance levels do not change over a longer period of years—that seems to be what the evidence suggests, if I may reduce it all to one line.

I note Highland Council's comments about its approach to tickets for families. That seems to be making a significant difference, and we should draw that to the attention of either the Government or all the other councils and suggest that it be replicated elsewhere.

We need to get the Government's view on the issues that have been raised in general and on price on particular, but we should also draw its attention to the information that we have received and ask it to review it, because it might be able to produce some guidelines, perhaps working with the Convention of Scottish Local Authorities, which might improve a lot of things.

The Convener: We will continue the petition and try to get some more responses. Nigel Don has identified at least two nuances within the debate on which it would be helpful to hear the views of the Government and other agencies.

I thank the students from Waid academy for their attendance. I know that you have a prearranged tour of the Parliament, so we will allow you time to slip out at this point. Thanks for coming down, and good luck over the next few months. Remember, the rules are that, if you do well in your exams, you give a reward to your family. I have tried that one in my house, but it has not been very successful.

Israel (Scottish Parliament Exhibition) (PE1324)

The Convener: PE1324 is our final current petition today. It is from Sofiah MacLeod of the Scottish Palestine Solidarity Campaign, and calls on the Scottish Parliament to cancel the Israel's contribution to medicine, science and technology exhibition, which was scheduled to run in the Scottish Parliament from 27 to 29 April.

Since our previous meeting, we have received a response from the Scottish Parliamentary Corporate Body on the procedures for exhibitions.

Rhona Brankin: We should close the petition, based on the information that we have received on the SPCB's policy on events and exhibitions, which gives MSPs responsibility for the content of exhibitions that they initiate.

15:15

Bill Butler: I think that the committee has taken the matter as far as it can—although I am always open to positive suggestions, should someone want to make one. The letter from Mr Grice makes it clear that the corporate body viewed this as an issue with two distinct aspects: policy versus the ability of MSPs to raise awareness of areas that they regard as being of legitimate interest. We may disagree with that view, but I do not know whether there is anything that we can do now to further the petition. However, I am always willing to listen to what colleagues have to say.

John Wilson: I reluctantly agree that we should close the petition. The corporate body has made its view on the exhibition clear, but my difficulty is that its view of the rules for exhibitions is slightly intransigent. It may well be up to an individual to raise a matter with the member who is hosting an event, but I think that that negates some of the responsibility that the corporate body may have in the future. Current MSPs are, in the main, fairly reasonable and fairly sensible individuals. However, if someone was elected who did not hold what the majority saw as responsible or meaningful views of political issues that they wished to promote, we could end up with exhibitions that the majority would not agree with. As far as I understand it, the corporate body represents the majority view of the Parliament.

As the petitioner indicated, at First Minister's question time the First Minister raised concerns he indicated that he hoped he was raising them on behalf of the whole Parliament— about the Israeli Government's intervention in relation to the aid convoys for Gaza. Issues continue to come forward but, as I said, I reluctantly agree to close the petition now. However, I am sure that there will be other ways to raise the issue with the corporate body in future. Anne McLaughlin: Do we have any options? The corporate body says that it

"believes that changing the rules on exhibitions would not be in Members' interests nor that of the Parliament as a whole."

What if we disagree with that and think that changing the rules would be in the Parliament's interest because the issue reflects on the Parliament? Is there anywhere else that the Public Petitions Committee can go with the matter? If not, is there anywhere that anyone else can go with it?

Bill Butler: I will listen carefully to what the clerk has to say but, for what it is worth, my view is that there is no further locus for the committee. I can think of only one other way of exploring the issue, if I may put it that way. If members wish to pursue the issue, they should take it up with their party's member of the corporate body—each major party has a member on the corporate body—because the issue is one for the corporate body. I think that that is where we are, but I wait to hear what the convener or the clerk—or both—has to say.

Robin Harper: I do not think that we have any option other than to close the petition. However, there are other opportunities for MSPs to make their feelings known, such as through the Parliament's motions system and by approaching the corporate body. It is important for us to separate the issue that occasioned the dispute with the SPCB and the broader issue, which is much bigger than our quarrel with the SPCB. MSPs have made their views on that issue very clear in a number of ways, especially through the cross-party group on Palestine. I am content to close the petition.

The Convener: I do not think that there is any simple course of action. I have a specific concern about the letter that we received from the corporate body, which states that it

"firmly believes that it would be to the detriment of Members in carrying out their Parliamentary duties, were it to sit in judgement on what issues a Member could or could not raise through exhibitions."

All I can say is that there will be a set of circumstances—the example that we are talking about was very close to this, if not already there—where members will be troubled if such judgment is not exercised. The procedural reason that has been given is problematic for us as committee members and as individual MSPs. I am concerned about how the rules are interpreted and how they operate in practice. There might well be issues in future that are equally powerful and sensitive, and the corporate body might well change its view, if appropriate.

I urge members who feel strongly about the issue to continue to pursue it through the avenues that have been identified and to test it on the basis of the letter. I say with great reluctance that we have to close the petition, because of the procedural formalities under which we operate. Is that agreed?

Members indicated agreement.

New Petitions (Notification)

Meeting closed at 15:23.

15:22

The Convener: We have received a paper notifying us of new petitions that have been submitted. A number of new petitions will come to the committee in due course. The last meeting before the recess will be quite substantial—the clerk has described it as "back to normal". We have had two short meetings, which was incredibly generous, but he says enough. We also have stage 3 consideration of bills on the Wednesday and Thursday of the last week. Sorry about that we should stock up with provisions. Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

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