



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Wednesday 12 January 2011

Session 3

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Wednesday 12 January 2011

CONTENTS

	Col.
TIME FOR REFLECTION	31997
BUSINESS MOTION	31999
<i>Motion moved—[Bruce Crawford]—and agreed to.</i>	
The Minister for Parliamentary Business (Bruce Crawford)	31999
REFORM OF THE POLICE AND FIRE AND RESCUE SERVICES	32000
<i>Statement—[Kenny MacAskill].</i>	
The Cabinet Secretary for Justice (Kenny MacAskill)	32000
AUTISM (SCOTLAND) BILL: STAGE 1	32012
<i>Motion moved—[Hugh O'Donnell].</i>	
Hugh O'Donnell (Central Scotland) (LD)	32012
Karen Whitefield (Airdrie and Shotts) (Lab).....	32014
The Minister for Public Health and Sport (Shona Robison)	32016
Claire Baker (Mid Scotland and Fife) (Lab)	32018
Elizabeth Smith (Mid Scotland and Fife) (Con)	32020
Margaret Smith (Edinburgh West) (LD)	32022
Christina McKelvie (Central Scotland) (SNP)	32024
Elaine Smith (Coatbridge and Chryston) (Lab)	32026
Christopher Harvie (Mid Scotland and Fife) (SNP)	32027
Robert Brown (Glasgow) (LD)	32029
Nanette Milne (North East Scotland) (Con)	32031
Ken Macintosh (Eastwood) (Lab)	32032
Shona Robison	32034
Hugh O'Donnell	32036
“REPORT ON LOW CARBON SCOTLAND: THE DRAFT REPORT ON PROPOSALS AND POLICIES”	32038
<i>Motion moved—[Patrick Harvie].</i>	
Patrick Harvie (Glasgow) (Green)	32038
The Minister for the Environment and Climate Change (Roseanna Cunningham)	32041
Iain Smith (North East Fife) (LD)	32045
Charlie Gordon (Glasgow Cathcart) (Lab).....	32048
Jackson Carlaw (West of Scotland) (Con)	32050
Alison McInnes (North East Scotland) (LD).....	32052
Rob Gibson (Highlands and Islands) (SNP)	32055
Marlyn Glen (North East Scotland) (Lab)	32057
Christopher Harvie (Mid Scotland and Fife) (SNP)	32059
Liam McArthur (Orkney) (LD)	32061
John Scott (Ayr) (Con)	32063
Elaine Murray (Dumfries) (Lab)	32065
Roseanna Cunningham	32068
Patrick Harvie	32071
PROPOSED SCHOOL CLOSURES (ARGYLL)	32075
<i>Statement—[Michael Russell].</i>	
The Cabinet Secretary for Education and Lifelong Learning (Michael Russell)	32075
BUSINESS MOTION	32088
<i>Motion moved—[Bruce Crawford]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTIONS	32090
<i>Motions moved—[Bruce Crawford].</i>	
DECISION TIME	32091
SCOTLAND'S IRISH DIASPORA	32096
<i>Motion debated—[Bob Doris].</i>	
Bob Doris (Glasgow) (SNP).....	32096
Hugh Henry (Paisley South) (Lab).....	32099
Anne McLaughlin (Glasgow) (SNP).....	32100
Mary Scanlon (Highlands and Islands) (Con).....	32101
Pauline McNeill (Glasgow Kelvin) (Lab)	32103
Joe FitzPatrick (Dundee West) (SNP)	32105
Elaine Smith (Coatbridge and Chryston) (Lab)	32106

Mr Frank McAveety (Glasgow Shettleston) (Lab)	32108
The Minister for Culture and External Affairs (Fiona Hyslop)	32110

Scottish Parliament

Wednesday 12 January 2011

[The Presiding Officer *opened the meeting at 14:00*]

Time for Reflection

The Presiding Officer (Alex Fergusson): Good afternoon and welcome back. The first item of business is time for reflection. Our time for reflection leader today is Larry Blance, of the Kagyu Samye Dzong.

Larry Blance (Kagyu Samye Dzong): Good afternoon. I would like to share with you what for Buddhists is the most important thing: altruism based on love and compassion. That is expressed in a short prayer, which we use a lot and which goes like this:

May all beings have happiness and the causes of happiness.
May they all be free from suffering and the causes of suffering.
May they all enjoy true happiness which is free from even the slightest suffering,
And may they all develop equanimity without preference for loved ones and aversion towards others.

Actually, the feeling of compassion is important whether you are a believer or a non-believer, because everyone shares or feels the value of love and compassion, and if we are able to practise compassion we feel much happier internally—more calm and more peaceful—and other people reciprocate that feeling.

If we are angry, real peace, friendship and trust are impossible, but through love we can develop understanding, unity, friendship and harmony. Showing kindness to others, we can learn to be less selfish; sharing the sufferings of others, we will develop more concern for the welfare of everyone.

However, we need to balance compassion with wisdom; a good brain and a good heart should work together. The two must be developed in balance. When they are, the result is material progress accompanied by good spiritual development. Heart and mind working in harmony will yield a truly peaceful and friendly human society.

We human beings have a sophisticated brain, as a result of which we have developed much material progress. We certainly are not lacking in terms of the development of science and technology, but we still lack something here in the heart: a real inner warm feeling—a good heart.

Deep down we must have real affection for each other. Since we all live together, why not do it with

a positive attitude, with a good mind? Why is it that instead we often feel hatred for each other and bring more trouble to the world?

If we have a real sense of appreciation of humanity, compassion and love and if we develop a good heart, then whether our field is science, agriculture or politics, since the motivation is so very important, these will all improve.

I would like to leave you with another very short prayer that sums up the feeling of openness and willingness to take on anything, no matter how difficult, if it will help our fellow human beings:

As long as space endures,
As long as sentient beings remain,
Until then, may I too remain,
To dispel the miseries of the world.

Business Motion

The Presiding Officer (Alex Fergusson): The next item of business is consideration of business motion S3M-7683, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a revision to the business programme for today.

14:03

The Minister for Parliamentary Business (Bruce Crawford): The purpose of the motion is to insert an additional statement this afternoon on proposed school closures in Argyll.

I wish everyone a happy new year.

I move,

That the Parliament agrees the following revision to the programme of business for Wednesday 12 January 2011—

delete

followed by Business Motion

followed by Parliamentary Bureau Motions

5.30 pm Decision Time

followed by Members' Business

and insert

followed by Ministerial Statement: Proposed School Closures in Argyll

followed by Business Motion

followed by Parliamentary Bureau Motions

6.00 pm Decision Time

followed by Members' Business

Motion agreed to.

Reform of the Police and Fire and Rescue Services

The Presiding Officer (Alex Fergusson): The next item of business is a statement by Kenny MacAskill on the reform of the police and fire and rescue services. The cabinet secretary will take questions at the end of his 10-minute statement and therefore there should be no interventions or interruptions during it.

14:04

The Cabinet Secretary for Justice (Kenny MacAskill): I want to set out for Parliament the Government's ambitions for improving the performance, local accountability and financial sustainability of Scotland's police and fire and rescue services.

Once again, I pay tribute to the outstanding contribution made by our police and fire services to our communities on a daily basis. We have delivered 1,000 additional police officers in our communities, which has helped to achieve the result of a 32-year low in recorded crime. We have also seen fire deaths in Scotland continue to fall over the long term. Those are real successes of which we should all be proud. However, in order to maintain those successes in the face of unprecedented budget cuts from Westminster, the status quo is no longer tenable.

The current configuration dates back to the 1970s. Structures need to be able to cope with the challenges of the 21st century. Accordingly, we need to look at how we structure effectively our police and fire and rescue services to protect the front-line delivery that is essential to our communities. It is not simply about financial challenges; it is also about providing appropriate accountability and enhancement of service. All three criteria require to be met and addressed. Change is demanding. It is not without cost or challenges. We require to take time to get it right, but change we must. Police and fire services are not alone; the challenges go across the public sector. It is for that reason that the Christie commission was established, and the results of the consultations that I set out today will be submitted to the commission to inform its wider work.

I will recap what has been done to date. Last year, the Government formed two representative sub-groups of the Scottish policing board and the ministerial advisory group on fire and rescue. Drawing directly on input from senior police and fire and rescue officers, that early work confirmed that the status quo in both police and fire services was not tenable and provided some options for change.

Policing and fire services in Scotland have, historically and correctly, happened by consent. That is how we want the position to remain and is why we are consulting. There has been some limited public comment, but it is appropriate that we should widen the debate. We wish to see whether we can reach a consensus as a country on the structures for our fire and police services for the 21st century. Therefore, I am announcing plans for consultations on the future options for both the police and fire and rescue services. The consultations will commence early next month. The consultations will be separate for each service, but run in conjunction with each other. In both there will be three options: eight services, but with enhanced collaboration; a regional structure with fewer boards; and a single service.

First, I will deal with fire and rescue. The Government believes that there are compelling arguments for having one service. The options of an enhancement to eight boards or a regional service with fewer boards appear not to meet the criteria of appropriate financial savings, improved accountability or an enhanced service. Collaboration to date has proved challenging and has not delivered the scale of efficiencies required. In reality, the current structure of eight fire boards simply does not lend itself to the most effective collaboration across boundaries. Although a model with fewer regional boards will deliver some returns, it is unlikely to achieve all the desired outcomes. Unnecessary duplication will still exist and local accountability will be further diminished.

In our view, a single fire and rescue service with a national framework and standards will be best at reducing unnecessary duplication and cost and making sure that maximum funding is channelled to the front line. Having one service provides the opportunity for greater accountability locally and improved service in our communities.

We need to reduce headquarters bureaucracy and provide more autonomy to the front line. There are fears about centralisation, but having one service provides an opportunity to give more power to local stations and local authorities rather than joint boards, one of which can cover up to 12 local authorities. All our communities, irrespective of their postcode, would have access to the full range of Scotland's fire and rescue capability and all our firefighters, wherever they are based, would have appropriate access to the training and equipment that they require.

In the 21st century we face a variety of complex and difficult challenges, not all of which are financial, and all areas must be resourced to meet them. Some have argued for a blue-light service incorporating the fire, police and ambulance services. In my view, that case has not been made and there is significant opposition from within

those services to such a scheme. We will seek greater co-operation where appropriate but we are not persuaded of the case for a single blue-light service.

That said, we wish to reach as wide a consensus as possible and the consultation provides an opportunity for those otherwise minded to try and persuade us. However, let me be quite clear: any alternative option would require to make those financial savings, meet the need for accountability and provide an enhanced and improved service.

With regard to policing, the debate is different and distinct. Again, we will consult on three options—after all, many of the arguments made in respect of the fire service apply to the police—but it is quite clear to us as a Government that the option of the current eight forces with enhanced collaboration will not provide the savings necessary or the enhanced service required to meet the challenges of the 21st century.

That leaves the options of a single force or a regional model. Significant arguments have been made for a single force but questions remain over accountability in the absence of local boards and the centralisation of services. Some have argued for a regional model but many questions remain unanswered, in particular whether there would be any significant savings or service enhancement and how accountability would be improved with fewer and more remote boards. That is why we wish to consult: which model meets the criteria of financial savings, improved accountability and an enhanced service?

In a single force model, the savings can be significant, which is necessary in these financial times. Such a model can also provide a better service locally, devolving more decision-making control to local commanders who know and account to their local communities. However, there are understandable concerns about accountability and centralisation that have to be answered.

There have already been suggestions by, for example, the deputy chief constable of Lothian and Borders Police, who has proposed a model in which local authorities attain more accountability than that which exists through joint boards. It is also argued that having one service in fact provides more autonomy for local areas. However, those arguments have to be made and won.

A regional model with three or four forces has some legitimacy. However, those who favour that model will need to demonstrate that, with the retention of so many back offices, the required savings can be made; that, with even more remote joint boards, accountability can be provided; and that improved service can be provided across all forces.

The consultation provides the opportunity for those who support a particular option to make their case and address their doubters. They have to demonstrate that the option in question will make the savings, provide the accountability and enhance the service.

The status quo is no longer tenable in both the fire service and the police. The Government believes that there is a compelling case for a single fire service but we will strive to reach a consensus. As for the police, a strong case has been made for a single service but concerns about accountability need to be allayed. There is an argument for a regional model but significant efficiency challenges have to be overcome. In a country where we pride ourselves on policing by consent, we hope that the consultation provides us with an opportunity to reach a consensus. Let us decide as a country on the structures of our police and fire and rescue services to meet the challenges of the 21st century.

The Presiding Officer: The cabinet secretary will now take questions on issues that were raised in his statement. I have exactly 20 minutes for questions, after which I must move to the next item of business.

Richard Baker (North East Scotland) (Lab): We believe that change is essential in our police and fire services to ensure that they are fit for Scotland in the 21st century and to maximise investment in front-line services in every part of Scotland. That is why Iain Gray announced in October our support for a single national police service and a single fire and rescue service.

Why are we still waiting for the same clarity from the cabinet secretary on the issue? We know that he and his officials have researched and discussed the matter for months. Consultation is needed on the detail of how we move forward, but surely our police and fire services need more clarity now on their future structure, given the budget pressures to which the cabinet secretary referred and the urgent need to protect investment in the front line.

Today, the cabinet secretary has—rightly—made clear his preference for a single fire and rescue service. Why cannot he do the same for our police service? He appears to be consulting on continuing with eight forces while ruling out that option.

When will the consultation process end? Will the cabinet secretary make clear before the election in May whether he supports a single police force for Scotland? Surely to fail to make clear his position would be to fail to provide the leadership that we need on this crucial issue for our communities' safety.

Kenny MacAskill: I welcome Richard Baker's support for our position on a single fire and rescue service. The consultation will last for the normal period of three months. As for the Scottish National Party's position at the election, that will be decided by those who are in charge of that.

The police and fire services are distinctly different—we have seen that in the arguments that a variety of officers have made in public. Scotland has always prided itself—correctly—on policing by consent and not by diktat. We do not wish to go down the Labour route of dictating to the police; we will try to reach a consensus.

I would have thought that Mr Baker would welcome the opportunity for a consultation, so that we could reach a consensus—as a Parliament, I hope, and perhaps even in the Labour Party. On the airwaves today, Eric Milligan—a Labour councillor—denounced the one force option. I have received letters on the matter and, in the *Dundee Courier*, the Labour MP Tom Docherty opposed the abolition of Fife Constabulary. I would have thought that Labour would welcome a consultation, so that it could perhaps even achieve a consensus itself, before we sought a consensus in the country.

John Lamont (Roxburgh and Berwickshire) (Con): I thank the cabinet secretary for an advance copy of his statement.

The Scottish Conservatives agree that it is appropriate to review the structure of fire and police services. I will certainly not defend historical police force structures if that means sacrificing more police officers who could fight crime on the streets. One police force and one fire service are preferable, if we can protect or enhance local accountability. We would achieve that by establishing directly elected local police commissioners. Operational matters would be for the police, but they would be accountable to those locally elected commissioners. Does the cabinet secretary support the establishment of locally elected police commissioners to ensure accountability? If not, how will he protect local accountability?

Kenny MacAskill: We do not support the proposed elected commissioners, which all ranks of the police service uniformly oppose. We do not seek to replicate that proposal.

That said, I welcome and agree with John Lamont's point that the nub of the debate on the police is accountability and fears of centralisation. How do we ensure that areas do not lose services? How do we prevent power from going to the centre and retain it at the grass roots? The deputy chief constable whom I mentioned has contributed significantly to the debate. As has been mentioned, opportunities exist in relation to

the fire service, which could be replicated, as the deputy chief constable has said. Local authorities could have their own police and fire boards, of which every councillor could be a member. That would allow every councillor to have an influence, unlike the current position, in which seven out of eight of our councillors are not members of such boards.

John Lamont is correct to flag up that the issue is accountability. We accept that there is a strong case for one force and that the understandable doubts that remain will have to be overcome. We know that legitimacy would otherwise be given to other options.

Robert Brown (Glasgow) (LD): The cabinet secretary's statement today was notable in not providing even the vestige of a figure on which to base the Government's principal assertion that establishing a single fire and rescue service and a single police service is the wizard wheeze way in which to save money. That is not particularly surprising given that the earlier claim, reported in the press, that £194 million would be saved by setting up a single police force was widely rubbished, and the Government had to undergo the humiliation of being forced to remove the figure from the interim report that went to the recent Scottish policing board meeting. The idea of a single Scottish police service is bad in democratic principle; bad for local communities and local policing; and bad in general terms for Scotland. Today, we do not even have a consultation paper; we have just a promise to publish consultation papers next month. Was there ever such an admission of a shambles in the making?

Does the cabinet secretary agree that policing is in essence a locally delivered service? Will he—these are his words—demonstrate savings and provide the Parliament with a detailed breakdown of where the claimed savings will come from, explain their effect on police and civilian staff numbers, and say whether he has any independent validation? Can he give the chamber the figures for the cost of change? If not, why not? Will he outline to whom the proposed new police service and fire and rescue service will be responsible, what input there will be from local authorities and other partners, and how a service that is essentially local in nature can possibly be delivered by one centralised service?

Kenny MacAskill: A variety of matters are involved. I will try to deal with them all.

Robert Brown asks whether policing is local or national. The answer is the same as the answer to the question whether policing is about rapid response or the bobby pounding the beat: it is both. The police have to be local because that is fundamental to the safety and security of our

communities. In the 21st century, we face significant challenges. Even in this country and this chamber, we know the threat of terrorism. That cannot be dealt with locally; we have to ensure that we deal with it collectively, just as we do with serious and organised crime. We know that crime does not respect local boundaries or local communities. As I said, policing is both local and national.

The fundamental point that Robert Brown and John Lamont raised is accountability. That remains an issue. There has to be validation. We will embark on pursuing that in parallel with on-going matters in terms of the consultation. We will undertake further drilling down into the figures. The figure of £200 million that was released has been disputed. I will not say that the figure is pound perfect in any way, but I can say that significant savings can be made by a move to one force. We can argue about the amount, but significant savings can be made.

The status quo is not tenable. If we were to follow the Liberal Democrat line and the status quo were to remain, we would end up in the position of people south of the border. I remind the chamber of the position of Greater Manchester Police under the Liberal coalition south of the border. It is to lose a quarter of its 12,000 staff, including front-line officers. A total of 1,387 officers and 1,557 civilian posts could go. On Monday 15 November, the chief constable announced that 750 civilian employees and 309 officers would go by 2012, with more to follow, and that, by the financial year 2014-15, there would be a 23 per cent reduction in employee numbers.

The status quo is not tenable. We can argue over whether there should be a single force or a regional model. Arguments about accountability have to be made in terms of centralisation, financing and performance across the remaining forces in relation to the regional model, as well as the accountability of remote boards—

The Presiding Officer: Quickly, please.

Kenny MacAskill: We cannot stay as we are. If we do, we will end up with the redundancies that are happening south of the border.

The Presiding Officer: We come to open questions. Many members wish to ask a question of the cabinet secretary. If questions and answers are kept succinct, I will do my best to get everyone in.

Stewart Maxwell (West of Scotland) (SNP): The cabinet secretary will be aware that I was employed by Strathclyde Fire Brigade for more than 10 years. That experience leads me very much to support the proposal for a single fire and rescue service. However, although it may be technically feasible to establish a single

emergency fire control room, I do not believe that that would be desirable, particularly given the lack of resilience that comes with such a model. Does the cabinet secretary agree that the need for local knowledge and resilience across the country overrides any argument in favour of a single control room?

Kenny MacAskill: Yes, I do. Local knowledge remains fundamentally important. That applies in the fire service especially but it also applies in the police. A move to a single fire service does not mean that there has to be a single control room. As we have said, there have been difficulties with the firelink scheme. However, that matter will be reviewed, and whether we move to one control room is a separate issue. Many people have made good arguments that we need to consider sharing across services.

On Stewart Maxwell's fundamental point, a single service does not mean that everything has to be centralised. We are conscious that the issue must be about decentralisation of powers to local commanders and local stations, and about ensuring that there is accountability locally. We have taken those points on board and they will be fundamental to the consultation.

James Kelly (Glasgow Rutherglen) (Lab): In considering new structures for the police and the fire and rescue service, it is of paramount importance that we ensure the delivery of effective front-line services. We have seen the evidence for that in the past 24 hours with the firefighters who have put their lives at risk in Edinburgh and Dundee.

How will the consultation assess what is the right mix of support staff and front-line staff to ensure that we deliver safety throughout Scotland's communities?

Kenny MacAskill: The consultation is to decide on the structure. Some of the aspects that James Kelly mentioned will be viewed as operational. It would not occur to me, nor to my colleague the Minister for Community Safety—nor, indeed, to any of our predecessors—to interfere with those matters. We have the ministerial advisory group. We have to go forward to a consultation on the structure.

On the issue of how fire officers do their work, we correctly leave that to those who are empowered in that area and who represent those on the front line. We will work in collaboration with fire officers and the Fire Brigades Union on those matters as we seek to reach a consensus about how we build on the excellent service in every rank.

Bill Kidd (Glasgow) (SNP): On the back of the very sad fire deaths over Christmas and the new year—many, unfortunately, due to excess alcohol

consumption—will the minister say how many more rescues were carried out over the festive period by our fire and rescue services?

Kenny MacAskill: I do not have that information to hand but I am happy to try to obtain it from the relevant sources and provide it to the member.

The Government echoes the comments of the chief fire officer of Strathclyde—perhaps it is a pity that other members did not heed them—about the problems of alcohol and the consequences not simply for the health service but throughout society.

The Presiding Officer: I ask members to ask questions that relate directly to the cabinet secretary's statement.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I am glad that the cabinet secretary has belatedly come to the chamber to allow Parliament some discussion on this important matter. The truth is that where Labour goes, the Scottish National Party follows.

The Scottish policing board and the ministerial advisory group have been discussing the possibility of reform for a considerable time. Despite asking, we have been unable to get hold of the papers that are being considered by those groups. Will the cabinet secretary now publish in full all papers considered by the two groups, and the papers that he considered, including all financial considerations and projections?

Kenny MacAskill: Cathie Craigie's comments seem to be in direct opposition to the comments made by Richard Baker, but there we go—some things do not change.

We have already put the various minutes on the ministerial action group and Scottish policing board web pages. When we go to consultation we will be happy to make available any further information. There are groups working in collaboration, and we will be as open and supportive as we can be. We have taken on officials seconded from the Fire Brigades Union and staff from Lothian and Borders, Strathclyde and other forces. This is a matter on which we are striving to reach a consensus. It is a pity that Cathie Craigie cannot change the habits of a lifetime.

Bill Aitken (Glasgow) (Con): On the basis that there is at least a majority consensus that the status quo is not an option, will the cabinet secretary give support to the theory—which I know he supports—that the effectiveness of the front-line police service very much depends on the back-office functions that must be fulfilled? Will he carefully consider how those back-office functions can be sharpened up with respect to the impact

that they have, and can some consideration be given to sharing the back-office functions of the police with other Scottish Government agencies and departments?

Kenny MacAskill: That is a sensible point. As I mentioned in the statement, we considered co-operation across services. Although we are opposed to having one blue-light service as such, we recognise that co-operation between services is essential. There has been a great deal of co-operation to date, but there can be a great deal more.

We accept the point that Bill Aitken makes about back-office services. Much of that is a matter of operational balance, and it is important to get it right. We will be more than happy to take the issue on board and to try and ensure that those who are now building on the situation and who are dealing with the consultation also take it on board.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Grampian's chief constable, Colin McKerracher, has said that merging the police forces into one would be a huge mistake, and, to use his word, that this debate is "dangerous". Will the justice minister listen carefully to the concerns that are being expressed about policing by my constituents in Aberdeenshire, who say that the area would be ill served if what has been a long-held principle right across the United Kingdom—that policing should be local, not national—were to be wrecked?

Kenny MacAskill: I listen to all police officers, irrespective of their rank. I listen to the deputy chief constable of Lothian and Borders Police, to the chief constable of Grampian Police, to the chief constable of Strathclyde Police and to the chair of the Association of Scottish Police Superintendents, which has made it clear that the fundamental argument is about what works—although the association is minded to support having one force.

The point that Mr Rumbles correctly makes is that local factors are important. We accept that accountability—which was raised by John Lamont—is fundamental, and we must deal with that. Those who support the option of having one force must allay fears that it will mean a negation of local matters. I do not necessarily think that it will, but that argument has to be won.

My interaction is not, in the main, with chief constables—except when I am doing my day job as cabinet secretary. As a constituency MSP, my interaction is with rank-and-file beat officers and inspectors, whether that is in Portobello, Leith, Musselburgh or Craigmillar. That is where power must go—as well as there being sharing of back-office services.

Dave Thompson (Highlands and Islands) (SNP): I have real concerns about centralisation. The Highlands and Islands are different, and our needs are different. The cabinet secretary has given assurances that the changes will not lead to centralisation and to loss of local control. Can he elaborate on the safeguards for local accountability that may be built into the new structures?

The Presiding Officer: Cabinet secretary, I must ask you to keep it as brief as possible, please.

Kenny MacAskill: That is a valid point. Those matters have to be expanded on by those who promote the argument for a single service. We have to ensure that the structure provides more power at grass-roots level, especially to local commanders, who know their areas. If there is to be a single service, centralisation must be shown to mean that not everything is on one site; the fruits that come from centralisation must be shared around communities, wherever they may be.

Bill Butler (Glasgow Anniesland) (Lab): Will the cabinet secretary outline for the Parliament his plans, or initial thoughts at least, as to how local accountability will be maintained if the SNP finally nerves itself to go to the electorate with either Labour's radical policy of a single police service, which was announced last October, or with the more conservative option of a regional model?

Kenny MacAskill: As I said in response to Richard Baker, we are not trying to obtain consensus by diktat—although that may be the Labour position. There is a considerable argument for, and a lot of merit in, what has been put forward by the deputy chief constable of Lothian and Borders Police, which provides an answer to Mr Butler's point. Other suggestions or points might be made by other officers, whether they are in Strathclyde or in the north. That is why we are having a consultation. The arguments have to be won, because of people's legitimate concerns about accountability and centralisation. We have to strive for consensus.

The Presiding Officer: Margo MacDonald—very briefly.

Margo MacDonald (Lothians) (Ind): Thank you, Presiding Officer, and happy new year.

Will the cabinet secretary say who will hire the chief of police, and who will fire the chief of police? Will the cabinet secretary take responsibility for that?

Kenny MacAskill: No. That is not the approach that operates in most other matters. I think that Deputy Chief Constable Steve Allen, of Lothian and Borders Police, whom Margo MacDonald will know, referred to the possibility of there being a

board, predicated on the boards that will be based at local authority level.

The issue is another fundamental point that must be answered by the people who support the idea of a single force. If such points, whether in relation to protection from political interference or local accountability, cannot be answered by those people, I would have thought that the argument that aims to build consensus will fail, leaving another option. However, if people can succeed in answering those points, and given the position in relation to savings, I think that there will be success. That is why we are having a consultation. There is an answer, but it must be given and people must be persuaded.

The Presiding Officer: That concludes the statement and questions on reform of the police and fire and rescue services. I apologise to the two members whom I was unable to call.

Autism (Scotland) Bill: Stage 1

The Presiding Officer (Alex Fergusson): The next item of business is a debate on motion S3M-7676, in the name of Hugh O'Donnell, on the Autism (Scotland) Bill. We are very tight for time, so I ask that times be adhered to.

14:36

Hugh O'Donnell (Central Scotland) (LD): I welcome the opportunity to open the debate on the Autism (Scotland) Bill at stage 1.

This is a simple bill with a simple objective. The intention from the outset has been to provide, in a legislative framework, a level playing field for the more than 50,000 people in the country who have autism and to give them the same opportunities to access appropriate support, education and employment as every other citizen of our country has. On the basis of the research that I have been able to carry out, the overwhelming concerns that have been expressed to me during the bill's passage and my professional experience, I can say that many of those 50,000 people have been and continue to be let down by the systems that are in place.

It is unfortunate that time prevents me from addressing all the points that were made in the Education, Lifelong Learning and Culture Committee's report. I thank the people who helped me to bring the proposal thus far in the Parliament. In particular, I thank members who supported my proposal, including members who said that they were supportive but could not sign up to the bill in the first instance, such as Bob Doris, Ian McKee and Chris Harvie. I hope that those members will be able to show their support at decision time.

Without the support of the non-Executive bills unit and many Parliament officials it would have been impossible to progress the bill. I particularly thank members of the committee, who undertook their scrutiny with due diligence and carried out their duties objectively. They have produced a comprehensive report which, notwithstanding my disagreement with its conclusions, highlights some of the issues that I sought to bring to the Parliament's attention.

I reserve my strongest words of thanks for the more than 140 respondents to the consultation. I thank the autism organisations, local authorities, health boards, professional bodies, voluntary sector organisations—which would be relevant stakeholders if the bill were to progress—and, in particular, the hundreds of people with autism and their families and carers who took the time to contact me with words of support.

Members know that trying to make life better for the people of Scotland is—or at least should be—our reason for seeking election to the Scottish Parliament, regardless of our political affiliation. We must remember that the people of Scotland put us here, and we must do right by them, particularly those who are weak and vulnerable. Many members who are present, as well as those who are not, will know from their casework and phone calls that there are serious implications for thousands of people with disabilities in these times of financial restraint and cutback. There is an easy hit on vulnerable sections of our community, and we all have a moral obligation to speak up when we see injustice. We might all be in it together, but some are definitely in it more than others are.

Autism is a unique condition. It does not sit within learning disability or sit easily within the mental health sector and, consequently, those with autistic spectrum disorder all too often slip off the radar when it comes to the services that many others take for granted. Although it has been argued that autistic spectrums covered by other laws, we all know from our casework just how inadequate and patchy those services are. The bill was intended to try to fill those gaps and ensure that that level of discrimination was massaged out, but it has been suggested that it might be discriminatory to enact it. However, we must reflect on the fact that, although the Disability Discrimination Act 1995 was itself discriminatory, it was acceptable because it reflected the needs of a sector of society that was being discriminated against. The same is true for the race relations legislation and various other pieces of legislation.

The bill does not create a two-tier system; we already have one. I ask members to look at the evidence and the consultation and tell me that there is not already a two-tier system for people with autism. The bill seeks to address that inequality in a small way by ensuring that those who are responsible for the delivery of services do it appropriately. What is so bad about that?

To address another challenge, what would be so terrible about other disability groups seeking legislation for strategies? Surely, especially where the most disadvantaged are concerned, if the Parliament exists for more than rhetoric, we should take seriously our responsibility and not simply make noises. We have seen the approach before: we addressed sectarianism in a bill, so why not address autism?

It has also been argued that the proposals would change nothing because a duty to “have regard to” guidance is not strong enough. Perhaps not. We all know that, throughout the country, there are people who seek to circumvent legislation if they think that it will save them responsibilities and save their purse a little bit of

money, so why not make the bill stronger by amending it at stage 2? Even better, why does the Government not give an undertaking right now that it will adopt my bill, amend it and enshrine in law its own recommendations after its consultation on an autism strategy has taken place? I would happily give way to the Government if it was prepared to make that commitment, even at this late stage.

I recognise that the bill is not perfect. The committee made 27 recommendations in total, many of which could be addressed by amendments. However, at decision time, perhaps members will consider the people for whom the bill is intended to provide equal status and equal access to services. Perhaps the power of the whips will be ignored. I ask members to support the bill at stage 1.

I move,

That the Parliament agrees to the general principles of the Autism (Scotland) Bill.

14:43

Karen Whitefield (Airdrie and Shotts) (Lab): I thank Hugh O'Donnell for introducing the Autism (Scotland) Bill, which has ensured that the Parliament is considering the needs of the autistic community. I hope that we all agree that, without the bill and the commitment and determination of the autistic community, the Scottish Government would not have published a consultation on an autism strategy. I also thank all the individuals and organisations that provided written and oral evidence to the committee, including the Minister for Public Health and Sport and her officials. All the evidence was helpful, but the oral evidence from the autistic individuals who recounted their own experiences was invaluable. Finally, I thank the Scottish Parliament information centre and the committee clerks who, as ever, provided great help and support.

We approached stage 1 scrutiny with an open mind and in the hope and expectation that the bill had the potential greatly to enhance access to public services for autistic people in Scotland. We were aware that many in the autistic community shared our expectations and, because of that weight of expectation, the committee was determined to examine the bill's proposals with the utmost care.

Concerns about the problems of language and content were raised with the committee in the course of considering the proposals in the bill and taking evidence. Section 1 of the bill places an obligation on the Government to publish an autism strategy and requires local authorities and national health service boards to respond to consultation on that strategy. The committee heard evidence

that any autism strategy must be supported by enabling legislation in order to be effective. That argument appeared to be predicated on the belief that existing legislation already provides access to services for people with autism but is often not properly implemented. We agree that such problems exist, but we are not convinced that the correct response to ineffectual or poorly implemented legislation is to pass more legislation. Before we consider passing further legislation, resources should be directed towards ensuring that the current legislation is being adhered to by local authorities and health boards.

The committee strongly recommends that the Scottish Government amend its draft strategy to include mechanisms to monitor the impact and effectiveness of legislation in the area. Certain pieces of existing legislation, such as the Education (Additional Support for Learning) (Scotland) Act 2004, the Education (Additional Support for Learning) (Scotland) Act 2009 and the Equality Act 2010 could conceivably underpin an autism strategy. The prevailing view of committee members is that that legislation provides for most children and young people with autism to access public services. Despite that, some parents still struggle to access services and considerable concern remains about the quality and scope of the services that are available to adults. However, given that the ASL legislation has been in place for only a short time and the Equality Act 2010 has not yet come into force, more time is needed for their impact to be evaluated. It is therefore not clear that additional legislation is necessary at this time.

The committee was also concerned about promoting the belief that only a strategy that is underpinned by legislation can be effective. We are wary of the potential risk of creating a two-tier system of strategies, in which strategies that are not underpinned by legislation are devalued.

The bill provides for the publication of an autism strategy, but it does not indicate what that strategy should contain. Some stakeholders have expressed doubts about the style and content of the Government's draft strategy. There is nothing in the bill that would prevent the development of another strategy with similar deficiencies.

The committee was concerned that the language of the bill does not address the fundamental problem of ineffective implementation. Section 2 requires the Scottish Government to provide guidance to local authorities and NHS boards to implement the strategy, and section 3 requires local authorities and NHS boards to "have regard to" that guidance. During stage 1, views were sought on the interpretation of the phrase "have regard to". We concluded that it meant that, although

organisations would have to take reasonable account of the guidance in the strategy, they would not be required to follow it. The committee's view was that that would critically undermine the bill. If new legislation is to have an impact on the provision of autism services, it is vital that providers are placed under a greater obligation than simply to "have regard to" the guidance that is contained in the strategy.

Hugh O'Donnell: Will Karen Whitefield acknowledge that there is an opportunity with the phrase "have regard to" for a judicial review and that that would have been the focal point for that aspect of the bill?

Karen Whitefield: The committee is keen to see that we keep autistic people out of the courts. People should not be challenging for services; they should have a right to access them, and that simply does not happen at the moment. That is one reason why we considered that very carefully.

It is important that we highlight that the bill's financial memorandum states that the bill would impose minimal costs on local authorities and NHS bodies because there is no legal requirement for them to adhere to it. That gave the committee concerns. What would we actually be doing for the autistic community?

I reiterate my thanks to Hugh O'Donnell for facilitating a much-needed examination of the provision of and access to services for autistic people. The committee recognises the importance of these issues and will continue to scrutinise the Government's autism strategy and hold the Government to account. It will recommend to its successor committee that it should continue to monitor the work of the future Scottish Government on the implementation of existing legislation.

The bill has successfully highlighted the barriers that people with autism face and has helped to focus attention on the crucial role of the Scottish Government in providing leadership across the public sector on surmounting those barriers, but the committee does not believe that the bill is sufficient to achieve that aim, so we recommend that the Parliament should not agree to its general principles.

The Presiding Officer: All speeches should now be of four minutes' duration.

14:50

The Minister for Public Health and Sport (Shona Robison): I welcome the opportunity to debate the member's bill on autism that Hugh O'Donnell has brought before Parliament. Like others, I thank him and the Education, Lifelong Learning and Culture Committee for their efforts.

I am confident that all of us in the chamber share the common goal of wanting the lives of people with autism and their families to be improved and to be the best that they can be. A great deal has been achieved in Scotland, but we agree that the time is right for a national strategy for autism, and I acknowledge Hugh O'Donnell's role in bringing that about.

I believe that the Government's draft autism strategy, on which a period of public consultation has just concluded, will deliver what the bill sets out to do, but I am not complacent. Respondents to that consultation have made it clear that services need to improve. I accept that that is the case, which is why I am strengthening its content to include the development of service standards so that those with autism and their families will know what they can expect to be offered.

We do not need legislation to get there, particularly as we can start the process now. Following the legislative route would result in delays while the bill undertook its passage and would mean that a strategy would probably not be published until early next year, with associated guidance being delayed until the summer of 2012. I want to act now by developing a clear implementation plan, coupled with arrangements for monitoring progress.

We should recognise that the work of the national ASD reference group in implementing the recommendations of the Public Health Institute of Scotland's needs assessment report, which was supported by £4 million of funding, was a world first, but it is important that we stay ahead, and I believe that the strategy has come at the right time to ensure that we do.

Mr O'Donnell argues that a strategy that is underpinned by legislation is appropriate. My concern about adopting such an approach is that, in doing so, we would set a precedent whereby a strategy would not be viewed as a strategy unless it was underpinned by legislation. Karen Whitefield made a similar point. Furthermore, I do not believe that the evidence for the statutory legislation in England and the concerns that are being expressed by stakeholders about their expectations not being met support a legislative approach.

To that end, I support the view of the committee that ineffective legislation would disappoint people with autism and their families, who have high expectations that the bill would make meaningful changes to the services that are available to them. Legislation needs to add value and make a real difference to the lives of people with autism. I do not believe that the bill would do that, and that view is shared by the committee, which states in its report that the bill and the subsequent strategy would

"neither overcome the barriers to service delivery nor satisfy the expectations of people with autism."

However, I strongly agree that more needs to be done to ensure that existing legislation is implemented and monitored effectively. As I stated at the committee's meeting on 17 November, I will develop mechanisms to monitor and evaluate existing legislation.

Robin Harper (Lothians) (Green): The minister will be aware of the reservations that exist about some of the content of "The Autism Toolbox: An Autism Resource for Scottish Schools". Can she give us any comfort as regards arrangements for continuous monitoring of the toolbox and its updating as time progresses?

Shona Robison: I am certainly happy to give the member the reassurance that he seeks.

Much needs to be done to address the continuing concerns about waiting for diagnosis and assessment, and to improve people's experience of the transition from children's to adult services. I think that one important way of doing that is to increase the uptake of self-directed support.

The Presiding Officer: You must close, please.

Shona Robison: Okay.

I have laid out why I do not believe that legislation is required, but that is not to say that Hugh O'Donnell's bill has not raised some important issues. I am keen to reassure people that, as a Government, we take those issues extremely seriously and act accordingly.

14:55

Claire Baker (Mid Scotland and Fife) (Lab): I am happy to open the debate on behalf of Labour. As a member of the Education, Lifelong Learning and Culture Committee and as an MSP who signed the bill proposal, I very much wish to see action taken on the issues that Hugh O'Donnell has raised.

I know that many people who have lobbied for the bill and have provided evidence to the committee are disappointed by the committee's recommendations, but it is the responsibility of committee members to scrutinise proposals for legislation on the strength of the evidence and arguments that are presented to them. In this case, it is regrettable that the committee could not support the bill beyond stage 1, but I believe that that is the right decision.

However, I recognise the significance of the bill and what it has already achieved. When Hugh O'Donnell sought support for his bill, Scotland was the only part of the United Kingdom not to have an autism strategy. The Scottish Government at that

time stated that it had no intention of introducing a strategy and that it did not believe it necessary. The clear demand for action that is concentrated in the bill has resulted in the Scottish Government bringing forward a strategy. Hugh O'Donnell's work has changed the direction of the Government; that is to be welcomed and his efforts should be acknowledged.

Adults and children on the autism spectrum often face a daily struggle for access to services that many of us take for granted. There is a postcode lottery of services across Scotland, there is a real need to address transitions to adulthood, there must be improved communication and involvement in decision making for parents and young people, there needs to be more access to employment support services, and there must be an increased awareness of the often simple steps that can make many everyday services more accessible.

Since being elected, I have worked closely with autism groups in my region and have tried to support them in any way I can. Last year, I met a group of parents of children and young people who are on the autism spectrum. That meeting highlighted to me the key issue of transition to adulthood services, which came up time and again in the evidence that was presented to the committee. For those young people, services seem to drop off just at the point when they are faced with new challenges of further education or employment. The Parliament must take the lead in dramatically improving the services that are available to young people. We are selling the young people short, and we are selling ourselves short as we miss out on the talents that such young people can bring to our communities and economy.

As proposed, the bill would place an obligation on the Scottish Government to produce a strategy but it does not detail what a strategy should include. The bill's proposal to place the Scottish Government under an obligation to publish guidance that local authorities and the NHS must "have regard to" in delivering services led to questions about whether that would make a meaningful difference to service delivery. The lack of financial commitment to improve services raised the concern that there was a danger that, although the bill would be perceived as achieving change and giving status to the strategy, the lightness of the term "have regard to" would make it ineffectual and largely disregarded.

Labour firmly agrees with the proposer of the bill that there needs to be change. I know that there are still concerns with the strategy that is under consultation. It is important that the Scottish Government listens to those concerns and that we have a robust strategy that will bring positive

change to people's lives. Whether or not we have a bill that says that the Scottish Government must produce a strategy will not make a difference to the significant challenge of producing a properly resourced strategy that will deliver improvements. The production of the strategy is not an end in itself. It is only the beginning of implementation and that is where the greater challenge lies. I welcomed the commitment that the minister gave the committee that there would be evaluation and monitoring of the introduction of the strategy, and I believe that the committee report is clear that we are not satisfied that the Parliament's work in the area is complete. There is every intention to include work on autism in the committee's legacy paper.

At the heart of moving forward on the strategy, and in delivering the change that we all want to see is the need for meaningful engagement. Labour welcomes the reinstatement of the reference group, but we believe that it should include key stakeholders, including carers and service users. The group could play a valuable role in monitoring the implementation of any strategy into the future and could have a relationship with Parliament that ensures that we all work together to make life better for service users and their families.

14:59

Elizabeth Smith (Mid Scotland and Fife)
(Con): It has been very important to have the debate, and I pay tribute to the professional manner in which Hugh O'Donnell has set about representing the best interests of the autistic population and to the assistance that he provided to the committee in flagging up what he saw as the deficiencies with the status quo. No one doubts that we need to do more. We need to ensure that there is no postcode lottery when it comes to support; we need better information and earlier detection in nurseries and in schools; and we need to ensure that those with autism are given as much help in adulthood as they are in childhood.

It is the duty of any committee in the Parliament to scrutinise fully the evidence before it, to weigh up the arguments on all sides of the debate, and to ensure that no stone is left unturned when it comes to seeking the best possible outcome for those whose best interests are at stake.

Quite naturally, the debate has at times been emotive, passionate and challenging, but that is a good thing as it has allowed all of us to tease out every aspect of the main concerns brought out by the proponents of the bill. I pay tribute to all those who provided us with evidence and to all those who have written in to highlight their own concerns. Almost without exception, those representations have been sincere, articulate,

highly informed and exceedingly useful in helping us as members of the committee to make up our minds about what we should recommend to the Parliament.

Let me be clear: there has been no disagreement across the chamber that we have to support people with autism—a point acknowledged by the health minister. Rather, the debate is specifically about whether we need legislation to make that possible. To make that assessment, we were required to make a level-headed judgment about what benefits legislation could bring that a non-legislative process could not.

Let me deal with the three most important concerns. First, there is concern among many autistic groups and their support services that they face significant challenges, especially when it comes to accessing public services. Secondly, the strong point was made that, unless a strategy is backed by legislation, it will not be implemented, because there is no compulsion on local authorities to do so. In other words, a postcode lottery could remain in how well local authorities make provision. Thirdly, there was the overriding concern that many adults with autism suffer undetected and in social and economic isolation.

None of the concerns is inconsiderable but, at the end of the day, we needed to question whether the existing legislation is satisfactory in addressing the concerns of people with autism and, if the answer was no, what examples could be found to show how new legislation could improve the outcomes.

In each case, I, like my committee colleagues, was persuaded by much of the evidence. I was not, however, persuaded about the need for legislation. Let me explain why. First, it could easily be argued—indeed, it has been argued—by other groups that autism is not alone in requiring better support. Exactly the same demands about a strategy could be made for sufferers of Alzheimer's, Parkinson's, motor neurone disease and many other conditions. They, too, have a good cause and, from both a practical as well as legal position—not to mention the cost factor—it would prove exceedingly difficult to avoid a discriminatory situation that would set a precedent for extensive and costly legislation across the board.

Secondly, the committee found it difficult to find specific examples of legislative changes that would bring additional benefits that would not already be available if the existing legislation were working properly. I suggest that perhaps one difficulty in measuring all of this is the relatively embryonic stages of the Education (Additional Support for Learning) (Scotland) Act 2009, which has not yet had sufficient time to bear fruit,

including in the ability to provide the extra support that can be given to all people with additional support needs, especially in the practice of earlier detection, which the Conservatives successfully fought to include in the act.

I know only too well that Hugh O'Donnell and many people who provided evidence are likely to feel bitterly disappointed and perhaps badly let down by the committee. I understand that, but I want them to know that we have gone through the proposal with a fine-tooth comb and I think that we have made the right judgment.

15:03

Margaret Smith (Edinburgh West) (LD): I welcome the opportunity to speak in the debate. I begin by adding my thanks to all those who gave evidence to the committee and the clerks for their work in the preparation of the report. Those who gave informal evidence deserve special mention. The personal and compelling accounts that they gave of their experiences formed a strong component not only of the committee's discussions but of the report.

I also thank my colleague Hugh O'Donnell for bringing forward the bill. When he introduced it, there was no Government strategy and none was planned. As Claire Baker said, Scotland was the only part of the United Kingdom without such a strategy. It is clear to me—and, I believe, to committee colleagues—that the pressure that Hugh O'Donnell placed on the Government resulted in its bringing forward a strategy that effectively delivers the first half of the bill. That is a significant victory, and Hugh deserves praise for his determination and hard work on this most important issue. It should also be seen as a victory for the process that the Government has been receptive to the approach. Indeed, the committee has played its part, too.

Each and every one of us comes across individuals and families who are struggling to cope because of the impact that autism has on their lives. That is why I and many colleagues throughout the chamber supported the bill when it was introduced. We wanted to ensure that the issue was properly discussed and that a strategy was put in place that would make a difference to people's lives.

The decision whether to support the bill at stage 1 was a difficult one for the committee. In fact, it was an agonising one—one of the hardest in my 12 years as a member of the Parliament. We are all aware of the strength of feeling behind the bill and of the fact that our stage 1 report has been disappointing to many people. We are in no doubt that too many families who are affected by autism face a battle to gain access to the help and

support that they need and that steps must be taken to address the shortfall in service provision and support.

The minister has said that she, within the Government, believes that services need to improve, and we all agree with her. I am pleased that, since the introduction of the bill, the Government has produced a draft autism strategy for consultation. However, the Government must ensure that it is a robust strategy that will result in on-the-ground improvements for people with autism, their families and their carers.

Although the committee is wholly supportive of an increase in support for those with autism, we had concerns about the bill. We had concerns about whether the changes and improvements that we all want to see, which I will come to in due course, need to come about through legislation. Nevertheless, the committee has not ruled out the possibility that legislation may be needed if progress is not made in other ways. A legacy paper will be put to our successors in the next session to ensure that, if sufficient improvement is not made as a result of the strategy, that committee should consider producing legislation at that time. The committee has also requested a meeting with the minister before the end of the current session to discuss the strategy. Whichever political party or parties form the next Government need to know that the Parliament is watching and monitoring progress on the strategy and that it must deliver improvements.

During the passage of the bill so far, I have found the differing positions held by the two principal organisations that represent people with autism challenging. The National Autistic Society Scotland supports the bill, but the Scottish Society for Autism does not. It is fair to say that that difference of opinion made some of the committee's considerations and the private deliberations of its members more difficult and thought provoking.

Although it is clear that some people in the autism community are not happy with the committee's decision, others support the approach on which we have agreed. It was not an easy decision to reach, and I am aware that many people who are living with autism will feel that they have not been listened to. I assure them that that is not the case. We have listened carefully to all the arguments and evidence that have been put before us. However, at this point, we are minded to agree with those individuals and families who are represented by the Scottish Society for Autism, which is calling for a strategy that is not underpinned by legislation.

The second aspect of the bill is that it would place a duty on NHS bodies and local authorities to "have regard to" any guidance that was issued.

The committee was concerned that that would not be strong enough to ensure that the bill had a real impact on the lives of those who need effective support and efficient services.

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

Margaret Smith: Although, for those reasons and others that I have not had the chance to cover because I have run out of time, we will not support the bill today, I emphasise our continuing commitment to raise the standard of support for people with autism and I put on record my admiration for the work that has been carried out by Hugh O'Donnell. That work has led directly to a Government strategy on autism, a continuing interest being taken by the Health and Sport Committee in the effects of that strategy and a clear challenge for the next Government and the next Parliament of Scotland.

15:08

Christina McKelvie (Central Scotland) (SNP): I echo the comments of all those who have spoken about how well intentioned the bill is. It has certainly put the issues that people with autism face back up the agenda. The consultation on the bill encouraged the minister to reconvene the ASD reference group, which included all the stakeholders, and that group developed a draft strategy that is currently being consulted on. The committee noted that since the bill was introduced, the Scottish Government has consulted on the draft autism strategy, which is entitled, "Towards an Autism Strategy for Scotland".

The bill has two main aspects: to develop a strategy and to give local authorities and NHS bodies a duty to "have regard to" that strategy. I pursued the issue of the duty to have regard to the strategy with numerous witnesses during committee evidence sessions, but it was difficult for the committee to take a position on the matter because the witnesses did not seem to know how that would work in practice. The main point is what happens in practice to develop services and to address people's needs. In my opinion, a duty to "have regard to" the strategy would be so open to interpretation that it would not deliver the improvements to service delivery that people with autism need and want.

We spoke a lot in the committee about the Education (Additional Support for Learning) (Scotland) Act 2009. One of the best aspects of that act was that it tidied up the legislative landscape of support for children. The act has not been in place long and, in my opinion, it is too early to determine whether it has made any real improvements. I urge the committee that will be given responsibility for education after the election

to undertake a thorough examination of ASL to ascertain whether it is doing what it is supposed to do and making progress in the relevant areas. It is important that we recognise certain symptoms when children are young so that we can identify the children with whom we are concerned as early as possible.

One of the other big issues that we face concerns the adults of today who have autism. Legislation that is relevant in that regard includes the Equality Act 2010, which needs time to bed in and to be used effectively by people with autism to ensure that they get access to the services that they need.

Nothing would do a bigger disservice to people with autism and to the parents of children with autism who need access to the necessary services than would the creation of new and overlapping legislation through which they would have to find their way before they could claim the support to which they are entitled. Even with the support of those who have been through the system, the process is never easy, so we should not make it any harder.

My concern is that the bill would disappoint the very people whom it seeks to support. Members of the committee did a lot of soul-searching and discussed the matter publicly and in private in an attempt to work out what the bill would deliver. We heard powerful evidence from adults with autism who bravely and eloquently told us their stories, which were of raised expectations, of continued disappointments, of misdiagnosis, of being pigeonholed in the learning disability category or in the category of people with mental disabilities, and of being given treatments that in some cases did more harm than good. In all honesty, I could not support a bill that would continue to inflict that kind of disappointment on the people who gave us that evidence.

I believe that the Government's strategy will help to move the issue forward. I have spoken to the minister on the matter and I urge the Government to monitor the strategy. I also urge the committee that will have responsibility for education after the election to monitor the strategy as well, because that dual scrutiny is important.

I congratulate Hugh O'Donnell on bringing the issue to the fore and I encourage everyone who has an interest in the matter to do what they can to keep us politicians on the right track. We must all work together: the stakeholders, the parliamentarians and the service users, who can tell us what they need. If we scrutinise properly what is being done and ensure that it develops in the right way, we can improve services for people with autism through the strategy, without the need for legislation.

15:12

Elaine Smith (Coatbridge and Chryston)

(Lab): As others have done, I commend Hugh O'Donnell for bringing to the Parliament the issues of autism and gaps in autism services and support. It is enormously to his credit that he has done so, and his work ought to be applauded by all of us.

I signed the original bill proposal for several reasons. First, I know the personal commitment of Hugh O'Donnell to the subject, so I was keen to allow him the opportunity to explore legislation. Secondly, like others, I have dealt with many issues involving constituents who are on the autistic spectrum or who are parents of children with autism, so I know the problems and frustrations that they face. Thirdly, I spent many years on the cross-party group on autistic spectrum disorder, so I am aware of the many failures in our system with regard to supporting and assisting people with autism.

In a debate in the chamber in 2002, Lloyd Quinan, the then convener of the cross-party group, said:

"the range of services that are delivered must be seamlessly delivered and planned and developed in a multi-agency way. I have frequently talked about the necessity for a national strategy that is focused on the individual and that uses multi-agency methods and many members have agreed with me."—[*Official Report*, 15 May 2002; c 8913.]

He was right. A strategy is not a new idea, but it is clearly much needed and long overdue. I am pleased that the Government has made a commitment to taking that forward.

After undertaking its scrutiny, the committee did not agree that the bill is supportable. I feel that the Parliament needs to heed its findings at this time, but that does not mean that it should do nothing. The committee agreed that the strategy needs to enable public bodies to focus their policies and services better on the needs and requirements of people with autism; it just does not believe that legislation is needed to achieve that. It thinks—as Christina McKelvie outlined—that the bill is not strong enough, and that in terms of specifying needs the bill simply expects the NHS and local government to "have regard to" the guidance, and therefore lacks teeth.

As we know, autism is a lifelong developmental disability that affects how a person communicates with and relates to other people and the world around them. People with autism have difficulty with social communication, social interaction and social imagination. The condition is a spectrum, so everyone who has it will share certain traits and difficulties, but it must be stressed that each person is an individual with their own unique needs. Services that are appropriate to specific

needs cannot just be offered in a one-size-fits-all solution; that is not acceptable.

There is a definite need for continuity and person-centred planning throughout a person's life, so I make a plea for that to be at the heart of the Government's strategy. The Parliament passed the 2004 act, which should help in education situations. Parents encounter many issues—including getting a diagnosis, finding appropriate help and getting the right school or nursery place—with which they need assistance, and they seem to be battling all the time. Nonetheless, services that are supplied by councils, particularly in education, are improving, although other services are still lacking. We need a directory of good practice; that would be really helpful.

Specialist support for children, such as sensory rooms, activities such as horse riding and other provisions, are not commonplace, and if those have to be sourced privately they can be beyond the financial reach of ordinary people. That is something else that should be considered.

There is a lack of provision for adults, and a need for further research and information, particularly with regard to employment issues. As the National Autistic Society has highlighted, only 15 per cent of adults with autism in the UK are in full-time paid employment, in comparison with around 50 per cent of disabled people overall. It is bad not only for individuals not to be working, in terms of their prospects and self-confidence, but bad for society more generally, so that must be addressed.

We must commend the work of the Scottish Society for Autism, and local groups, such as HOPE for Autism in my area. I am sorry that it does not appear that Hugh O'Donnell's bill will make it past the initial scrutiny stage, but that does not mean that members are against the idea—far from it. I am pleased that the Labour Party is taking the issue seriously; we would be committed to a national strategy, but one that is very much backed by resources.

Although I do not intend to support the bill in its current form today—which has nothing to do with whips, and everything to do with the committee report—I expect action on the issues that have been raised, and I commend Hugh O'Donnell.

15:17

Christopher Harvie (Mid Scotland and Fife) (SNP): I greatly appreciate the concerns that inspired Hugh O'Donnell's Autism (Scotland) Bill. However, I am also aware of the concerns that the Education, Lifelong Learning and Culture Committee raised in its stage 1 report, including the question whether, if legislation has so far not

managed to improve the situation of people with ASDs, the bill will necessarily improve that situation.

I want to highlight two aspects. The first is the need to establish proper census data instead of using the numbers that we have at present, which are overall projections that are modified on a population percentage basis and may therefore bear no real relation to the actual figures.

The second aspect is the need to distinguish those who are affected by high-level autism, or Asperger's syndrome, which the Germans call *Gelehrtenkrankheit*—the disease of the wise. I must make a personal statement at this point, because my wife Virginia, who died of cancer in 2005, suffered from a mild element of that. She could be socially impossible at times; on the other hand, she took a first in logic, and she could read an entire Tolstoy novel in a day and answer the most detailed questions on it, which is one aspect of the intensified and almost intuitive ability that comes from that particular condition. I have her in mind when I talk about it.

As a historian, I also have in mind the importance of the *lads o' pairts*—the gifted—in Scottish economic development. I am thinking of people such as Hugh Miller, who had the Bible and Shakespeare off by heart; Walter Scott, who could write without realising that he was writing; and Charles Rennie Mackintosh, who obsessively designed his houses right down to the knives and forks. That is part of a particular mental structure, but it can, if it is conserved and protected, bring enormous value to our society, as it has done in the past. The French social anthropologist Emmanuel Todd has studied Scottish 18th century society and the protection that it gave to the gifted within its extended families.

I would like to look in much greater detail at the ways in which we can provide pulling and shoving assistance to people who have an autistic condition that means that they must receive lifetime support. I see the matter in the context of a younger generation in Scotland who are not themselves fully confident about their own futures. A recent report drew attention to the fact that a quarter of our teenage children have depressive conditions when they see the society in which they are placed. I would like to see strong encouragement of people to volunteer to do such work. In Germany, many of my students benefited greatly from the experience of doing such social work before they came up to university. It contributed to their articulacy and to their social commitment.

What I would like to see coming from the debate—I appreciate the caveats that can be made about the bill itself—is a commitment to establishing real statistics about the incidence of

autistic conditions, to collecting biographical evidence of the experience of people and, of course, to finding out whether, in particular contexts and once we establish the numbers on a local basis, the prevalence of conditions is increasing or decreasing. Regardless of whether we go ahead with legislation, those factors are terribly important. I would like to see promises that such research will be undertaken.

The Deputy Presiding Officer: We now move to wind-up speeches.

15:22

Robert Brown (Glasgow) (LD): It is interesting that Christopher Harvie, in his usual idiosyncratic and very personal style, made the observations that he did about people who are gifted. That was quite a good way in which to end the open debate, because it seems to me that people with autism can range from people with considerable gifts to people who face quite significant challenges for themselves and, sometimes, for their families. I have knowledge of quite a few constituency cases and situations in groups that I have dealt with over the years in this context, which gives me a degree of understanding of some of the issues.

I congratulate my friend and colleague Hugh O'Donnell on pioneering and taking this member's bill forward to this stage. It is very clear—it has been acknowledged around the chamber—that the pressure that has been exerted by the bill has been instrumental in pushing the Scottish Government into developing a draft strategy on autism, which was perhaps otherwise not going to happen. As Margaret Smith rightly said, that is a victory for Hugh and a victory and a success for the process.

It has been said in the debate and in other contexts that there cannot be a strategy, far less a member's bill, on every ailment, disease or condition. That is undoubtedly true and is the central reason why the committee recommended that the bill not proceed. However, I have to say that—as Hugh O'Donnell mentioned—people with autism are often ill-served by the current uneasy place that the condition holds somewhere between mental health and learning support. It is a long-term health condition in certain respects and a developmental issue in others. Autism is not a mental health problem but, as we know, it can lead to mental health difficulties. I know from my constituency case load that people with autism can sometimes come into the reach of mental health services as a result of actions or attitudes to their autism and their circumstances. I know, too, that when that happens people are sometimes treated appallingly and are perhaps left with little or no support. There is often little

understanding of the condition by key services, which should have greater knowledge.

Similarly, it has often proved to be a battle to ensure that services that understand and accommodate the needs of children with autism are not just lumped in under additional support needs generally: their requirements and support needs are often different. That is currently, to an extent, being exacerbated as some local authorities review—or “rationalise”, as it is often described—their additional support needs provision. It is vital that autism has specific and separate recognition as part of that process, although, of course, there are also links across a number of other areas.

Considerable strides have been made in recent years in identifying young people with autism and assessing their needs. The Education (Additional Support for Learning) (Scotland) Act 2004, which Karen Whitefield mentioned, went through Parliament when I was in the position that she now holds of convener of what was then the Education Committee. The act provided a major stimulus to better support with, I have to say, some finance going with it.

However, it can still be a battle for many parents and young people and there are undoubted problems with the transition to college, university or work. The figures, as mentioned by others, are compelling: 50,000 people who live with autism claim costs across the UK of £27.5 billion a year. Much of the costs could be avoided were the right support in place locally and readily, but one in three families has to resort to tribunal, and a quarter of them seek support from services outside their local area.

We have heard discussion about the “have regard to” wording in the bill and the judicial review issue. I instantly agreed with Karen Whitefield's comment that the last thing on earth that we want is to have people in court over such issues. The committee was right to take the view that it took on that point. The bill would not change services, but as the lead-in to the strategy, I hope that it will provide the stimulus to put in place a better understanding and better resources. It is not always about resources; it is often about understanding and the links that will help people. Elaine Smith talked about taking a more person-centred approach, which ties in exactly with that.

Hugh O'Donnell has done a sterling job and has served well the cause of people with autism. The bill has done its job and the necessary prod has been administered to the Government. The task is now to bring the strategy to life in as relevant and viable a form as possible.

15:26

Nanette Milne (North East Scotland) (Con):

Among the first constituents whom I encountered in my role as an MSP were the parents and carers of a group of autistic Aberdeenshire children who felt that those children's needs were not being met adequately by the services that were available to them. I doubt that that has changed significantly in the past few years.

As we know, people on the autistic spectrum vary enormously, from those who have minor communication difficulties, as cited by Christopher Harvie, right through to those who are severely affected, have extremely complex needs and require highly specialist care, peaceful surroundings and a well-established routine if they are to have any hope of achieving their potential, however limited it might be.

Autism does not end with childhood; it is a lifelong condition. It is, therefore, important that people on the spectrum are identified early and provided for into adult life so that they do not miss out on life's opportunities because they are disregarded by society.

Currently, there are undoubtedly gaps in provision. As well as coping with the significant daily problems of caring for an autistic child, many parents have a battle on their hands to secure appropriate therapies and schooling for their offspring. Many adults are living isolated lives, unable to integrate into society and make full use of the talents that they possess.

I am in no doubt that much more needs to be done to help those who suffer from autism. When Hugh O'Donnell presented his proposals for an autism bill, I was happy to give him my support so that they could be scrutinised by Parliament. I congratulate the Education, Lifelong Learning and Culture Committee on doing that so professionally and thoroughly. It is clear from reading the committee report and from discussions with my colleague Liz Smith, who is a member of the committee, that the debate has polarised not around whether help is needed for people with autism, but whether new legislation is the best way to achieve that. Contributions have been informed and passionate, and opinions have been varied, with even specialist organisations such as the National Autistic Society Scotland and the Scottish Society for Autism having differing opinions on whether the legislative route is the best way forward.

There is general agreement that if individuals with autism are to receive the support that they need, a robust autism strategy is required to enable public bodies to focus on more effective delivery of services to those people. As we know, the Scottish Government is in the process of

drafting an autism strategy for Scotland, following public consultation. Hugh O'Donnell is to be congratulated on enabling that to happen.

The consensus of the committee was that to be effective, such a strategy does not need to be set in statute, particularly when legislation exists that would, if properly implemented, result in better support, not only for people with ASD but for people with other conditions, such as Alzheimer's and Parkinson's, who also find it difficult to access services consistently across Scotland. That seems to me to be the responsible approach. If the enforcement of existing law, coupled with an autism strategy for Scotland, does not result in the desired improvement in service availability, then the legislative route can be looked at again, as the committee flagged up.

I fully understand the concerns of the many people who have urged us to support Hugh O'Donnell's bill and who will feel their disappointment keenly if Parliament does not agree to its general principles. However, I have to accept the view of the committee, which has examined the proposals with an open mind and in very great detail so, like my colleague Elizabeth Smith, I will vote against the bill at decision time.

That said, if the bill is defeated today, all of us as responsible members of this Parliament have a clear duty to ensure that the Government's proposed autism strategy is indeed robust and properly implemented, so that all those who suffer from autism will in the future receive the help and support that many people currently cannot access but to which, in a modern and caring society, they are entitled.

15:30

Ken Macintosh (Eastwood) (Lab): I am sure that all of us in the chamber agree that it is a real privilege to be an MSP—indeed, the voters will be reminding us of that in three months—and that that privilege lies in the way in which we are invited into people's lives to share their dreams and aspirations and to stand by, stand with and stand up for them in the struggles and challenges that they face. That privilege has never been brought home to me more forcefully than it has in my dealings and conversations with constituents who are struggling with autism.

When I became an MSP, I knew very little about autism and, like Nanette Milne, I remember how moved I was when I first met families who came to me for support and help, told me about the stresses and strains in their lives and enlightened me about the battles that they were wrestling with. Nearly all the cases centred on the needs of children or young people with autism and focused on their battles with local education authorities

and, in some cases, health boards. Like, I suspect, most members, I was very proud of our communal response to the expression of need from those families, which led directly to the ASL acts.

However, Hugh O'Donnell's bill has opened my eyes once again—this time to the on-going difficulties and the different levels of frustration that are experienced by adults with autism. I am certainly not saying that the ASL acts have resolved the many challenges that families face—far from it. The minister, Karen Whitefield and Liz Smith all alluded to the need for more time to evaluate the impact of that legislation. I am still shocked to hear how many families split up as a result of the strain of fighting for services and support for their children.

Some of the most powerful evidence that the committee heard was provided by young autistic adults who simply want to contribute, to work, to have a job and to be seen as individuals but who instead felt and continue to feel marginalised, stigmatised, unsupported and treated as outsiders. Like Margaret Smith, I found their arguments to be not only emotionally compelling, but financially and economically persuasive. For example, they pointed out that most adults with autism remain unproductive when they could be profitably employed and be far more economically active members of our society. As Elaine Smith pointed out, only 15 per cent of adults with ASD are in full-time employment.

As we reach the end of stage 1, my feelings about the bill include both hope and disappointment: hope, because we have helped to put autism back at the top of the political agenda, and disappointment that as a Parliament we have not been able to support the bill. In that regard, I thank Liz Smith and Claire Baker for their speeches, which captured the committee's regret.

As many members will know, I did not agree with my committee colleagues on all the report's conclusions, but I have to recognise that the evidence that we received was not overwhelming. It was particularly difficult to unite around the bill when the two major societies, the National Autistic Society Scotland and the Scottish Society for Autism, expressed different views, and when there are clearly differences of opinion within the autistic community over whether we need legislation at all.

However, to strike a more helpful, hopeful and encouraging note, I think that it is quite clear that simply by introducing the bill Hugh O'Donnell has provoked the Scottish Government into further action, so I congratulate the minister on the publication of the consultation on an autism strategy. From the speeches that have been made by members on all sides of the chamber and from comments that were made in committee, I believe that all parties agree that we need to move to the

next stage of developing support for adults and children with autism. On that very point, the evidence that was given to the committee flagged up major concerns including, for example, the need for further stakeholder involvement in the reference group. The previous reference group was abolished, and service users and the national societies must be involved if we are to restore confidence both in national policy and in the strategy that emerges.

Despite my mixed feelings in this debate and about this bill, I congratulate the National Autistic Society Scotland in particular on promoting the bill, Hugh O'Donnell on introducing it and all members on re-engaging with autism in Scotland. Elaine Smith put it very nicely: heeding the Education, Lifelong Learning and Culture Committee's findings does not mean that nothing should be done, but that other avenues must be pursued in order—one hopes—to move us forward to the next stage of improving support for people with autism.

15:35

Shona Robison: It is clear from the debate that members across the chamber are very keen to see improvement in service provision for people with autism and their families. The debate has been consensual and I have been heartened by members' genuine commitment to do more to build on the foundations that are in place and to ensure that further improvements can be made to services and to people's lives.

I have noted throughout the debate that members have raised several concerns about whether the member's bill would deliver what it set out to do. I will not rehearse all the points, but I will refer to some of them. Claire Baker said that the committee's legacy paper would be important in keeping the issue on the boil. That suggestion is sensible. She and Ken Macintosh called for an extension to the reference group's membership, which I am sure we can consider further.

Margaret Smith talked about the need for a robust strategy that would deliver change. That is absolutely the challenge and is most important. However, it is worth saying that it is not all about the autism strategy. The strategy will have to make links to other really important initiatives, which are in some ways equally important and which can—and, I believe, will—make a fundamental difference to the lives of people with autism.

In appearing before the committee, I talked extensively about the self-directed support strategy and the bill that is to follow. The information and evidence from the test sites that have operated tell us that one group that benefits most from the change to self-directed support—

whether through a direct payment or through more control and influence over the package of care and services—is adults with autism, and particularly young adults with autism. That relates to points that Ken Macintosh made about people's aspiration to have better quality lives, whether through accessing employment—if that is a possibility—through accessing education and training, or through being able to engage in activities that other people perhaps take for granted, but which people with autism require support to undertake. Self-directed support is a good answer to many of the questions. The debate has—rightly—focused on the autism strategy, but the strategy must make the clear links to other important developments, such as self-directed support.

Christina McKelvie talked about monitoring of the strategy by the Government and the committee, which I welcome. That dual approach to ensure that we continue to ask questions and to monitor the strategy, its development and delivery is critical.

As other members said, Chris Harvie made several important points. What he said boiled down to the benefits to society of encouraging and allowing the blossoming of people's lives. It is clear to me and to other members that many people do not realise their potential, because services are not responsive enough and they do not have the life chances that many of us take for granted. Chris Harvie hit the nail on the head—the issue is about opening up opportunities to people.

As Nanette Milne said, people with autism differ hugely across the spectrum. I have no doubt that, with the right support, even people with autism who have profound difficulties would be able to do many things in their lives—things that would enrich the quality of their lives.

We have to ensure that services are responsive. That does not necessarily mean that services have to be more expensive or complicated; it means freeing up things, thinking differently about the type of services that people want and delivering them differently.

The Deputy Presiding Officer: Wind up, please.

Shona Robison: Some of the work that is being done around self-directed support tells us that that can be achieved, not necessarily for more cost but by listening to what people's priorities are and what is important in their lives.

I have one final point to make, Presiding Officer. During the course of the debate, I have not been able to furnish Parliament with the figures on future resources for autism. I have made a commitment to go back to the Education, Lifelong Learning and Culture Committee with that

information once the outcome of the budget bill is known. I am happy to confirm that again today.

15:41

Hugh O'Donnell: First, I thank colleagues for their support and comments. However, I think that I will be disappointed at six o'clock this evening. That is the nature of taking forward a member's bill.

Much as I would like to, I cannot let my contribution ignore Governments—I use that word advisedly to try to avoid making what I am about to say a dig at the current Government. Governments and ministers come and go, but the one constant in the 12 or so years of the Parliament has been the departments, however they are rejigged. Ministers have big responsibilities and, never having been a minister or part of a party that has a minister, I am not quite sure how things get to the top of a minister's list. However, it is pretty certain that had it not been for the publication of the bill proposal, the strategy would never have seen the light of day. It is also pretty certain that had it not been for the proposal, the reference group would never have been reconvened. It is also pretty certain—this may run contrary to normal protocols in this place—that, notwithstanding the support that the current minister has given me in some ways, serious attempts were made behind the scenes to undermine the bill from the start. That is very regrettable.

It is very regrettable that a former member of the Scottish Parliament had to defend my motivation within the autism reference group. That is not acceptable. It is also not appropriate for Government officials to provide a private briefing to a committee on a member's bill. For officials not to give that evidence on the record—they did so subsequently—is regrettable. They did not even discuss the bill; in fact, they discussed the Government's proposed strategy. I ask the Standards, Procedures and Public Appointments Committee to look closely at the matter. In my view—and using perhaps a west of Scotland description—what they did was nothing short of sleekit. Regardless of which Government is in office, that is not acceptable. I want to make it clear: I am not making a party-political point. I was unfamiliar with the process for a member's bill and I was puzzled by what went on.

I got the sense that what happened was founded entirely on embarrassment that nothing had been done for people with autism since the Parliament's establishment in 1999. The issue had been left to sit on the back burner, taking second place. I know that we have autism toolkits, but local authorities were having to be freedom of information requested so that parents could get

access to the toolkits—certainly, I know of one such instance.

Shona Robison: I will not dwell on all of Hugh O'Donnell's points, because that would not be terribly helpful. However, I pay a bit of a tribute to the previous Administration by saying that he must recognise that a lot of work was done by the reference group—£4 million was a significant investment in autism.

I have conceded that Hugh O'Donnell's actions have convinced us all that more work has to be done. Surely, at this point, it would be better to agree on that and to move forward in the spirit of co-operation.

Hugh O'Donnell: I am happy to acknowledge the work that was done by previous Administrations. What still concerns me is that that work was laid to one side until this bill was proposed. If things are worth doing, they are worth doing; they are not worth putting on the back burner, and the 50,000 or so people with autism, their carers and their families deserve the bill to go forward.

I welcome the minister's commitment today to the strategy. If I am successful in being re-elected to Parliament, I—and, I have heard, the committee—will monitor what progress is made on the strategy to ensure that we do not have to have the same debate in another 12 years' time.

“Report on Low Carbon Scotland: The Draft Report on Proposals and Policies”

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-7677, in the name of Patrick Harvie, on the Transport, Infrastructure and Climate Change Committee's “Report on Low Carbon Scotland: The Draft Report on Proposals and Policies”.

15:47

Patrick Harvie (Glasgow) (Green): I am happy to open the debate on behalf of the Transport, Infrastructure and Climate Change Committee and to discuss the report that the committee has published on the Government's draft report on proposals and policies to reach the targets outlined in the Climate Change (Scotland) Act 2009. The draft RPP is one of a suite of documents published under the low-carbon Scotland heading. The documents are fundamentally interconnected, and I am sure that we will be able to discuss aspects relating to many of them and not just the draft RPP. Many of the points that members raise during the debate, as well as the recommendations in the committee's report, will form the basis of Parliament's response to the Government's draft RPP. I hope that that will be reflected in the final version that the Government publishes in the near future.

I thank everyone who gave evidence to the committee in person and in writing. I thank my fellow committee members for their contributions, and our clerking team for their work in producing a report in a short timescale. I thank the Economy, Energy and Tourism Committee for its valuable contribution on the energy section of the draft RPP.

The draft RPP sets out proposals as well as policies that the Government believes will help it to meet the annual carbon emissions reduction targets to 2022 and beyond, from the 42 per cent target by 2020, consistent with the long-term 80 per cent target. We can recall the ambition that was talked of when Parliament set what the Government rightly calls world-leading targets. We did so not just constructively but broadly consensually. There are few parliamentary chambers around the world in which the issue of climate change has led to all political parties in an elected assembly seeking to strengthen legislation rather than undermine it. We can take some pride in ourselves for that.

We can also welcome the Government's publication of the draft RPP and acknowledge the great deal of work that has been put into the

document over the past 18 months, and the engagement with external stakeholders.

I have a couple of concerns to raise that are reflected in the committee's recommendations. The first of those concerns is on the timing of the publication, which proved to be a problem in that not only did the 60-day statutory period for parliamentary scrutiny include a parliamentary recess, which made the timescale tight, but it took place at the same time as scrutiny of the Scottish budget. When RPPs are published in the future, it is therefore important that that is done at a time that allows for the highest possible level of parliamentary scrutiny within the statutory period.

As we make progress towards the emissions reduction that we have all signed up for, we will come to find that scrutiny of progress on the RPP is every bit as important as scrutiny on any other indicators of progress in our economy. A Finance Committee would not accept only limited scrutiny of a Scottish budget. Future Scottish climate change committees should not expect such a shortened, constrained process either. We will be happy to discuss the practicalities of that with ministers, if they are willing.

So much for the timing; what of the content of the draft report? Some witnesses expressed concern over the scope of and balance between existing, adopted policies and proposals for new policies that have not yet been adopted. A range of views was expressed. Many witnesses argued that the policies that the draft report contains are, broadly speaking, a summary of existing policy, not anything radically new or unexpected. They suggested that the proposals that are included in the draft report, which might at some future point be adopted as policies, were less radical than the proposals that were included in some earlier drafts of the RPP.

It is clear that the emissions reduction targets will be met only if both the proposals and the policies that are contained in the document are adopted and successfully implemented. The RPP specifically states that the proposals do not reflect current Government policy. My view, and that of many witnesses, is that a clear step forward would have been preferable, with a sense of direction rather than a summary of where we are now.

The committee recommended that the Scottish Government must, as a matter of urgency, assess and evaluate each of the proposals and decide which of them will become Government policy. When we see the final RPP, the committee expects it to contain an indicative timescale for carrying out that work. We further expect that the subsequent RPP, which is due to be published towards the end of this calendar year, will provide clear evidence of that analysis.

Other improvements could be made, and the committee has called for those to take place—with, I have to acknowledge, two members dissenting. The committee agreed by majority that failure criteria should be included for the voluntary measures in the RPP. That reflects concern over the balance between voluntary and mandatory or regulatory approaches. The idea of relying on voluntary measures is not inherently a bad one. We want the measures to be something in which the whole of Scotland chooses to participate, because they will lead to a better quality of life and because people see an incentive and a desire for that. We must be clear about what would represent the failure of a voluntary approach—if we achieve only 50, 60 or 70 per cent of the emissions reduction that is hoped for under a voluntary approach, we must be clear what the failure criteria would be. How could we move to a more assertive approach?

As I have pointed out, the timescale for scrutinising the document was tight, and we did not have time to look in great detail at the cost estimate for specific proposals and policies. That was compounded by the fact that we were scrutinising the draft budget at the same time, which meant that both the Transport, Infrastructure and Climate Change Committee and the Economy, Energy and Tourism Committee had to deal with major pieces of scrutiny concurrently. Both committees have argued that, as a result, the scrutiny of the documents was not as comprehensive as it might have been. Both Government and Parliament need to co-operate to do better in future.

Yearly budgets, as well as longer-term spending plans, must be consistent with our approach on reducing carbon emissions. I cite some of the evidence from Stop Climate Chaos Scotland, which has repeated its evidence in a briefing for all members today. It discusses

“funded support for the introduction of road traffic demand management measures”,

as well as funded proposals on active travel—walking and cycling—which has been long neglected, and which, during scrutiny of previous Scottish budgets, our committee has repeatedly argued needs a clearer focus, with more consistent funding. The Stop Climate Chaos briefing also mentions

“Greater funding for home energy efficiency”.

It says:

“SCCS is calling for a commitment of £100 million per year for a universal home insulation scheme and ‘soft’ loans package”.

Those are not new ideas, but it is clear that we will not achieve the emissions reductions unless our budgets and long-term spending plans are

consistent. Other witnesses argued that there is insufficient alignment between the draft budget for the coming year and the RPP. The freight facilities grant, which will be debated later this week, is an example that members might want to raise.

There is little benefit in setting challenging objectives and making ambitious estimates of the reductions that we can achieve if Government budgets, not just under the current Administration but long into the future—up to the 2020 and 2050 targets and beyond—do not contain sufficient financial provision to allow delivery.

There is a further challenge to the Government. The committee agreed that the final version of the RPP must include a clear statement of what the Government will do if the European Union does not adopt a 30 per cent target, as we hope that it will do. If that happens, there will be greater challenges for Scotland in meeting our legally binding targets, but that will not be an excuse to abandon the targets.

The RPP is part of a suite of low-carbon-Scotland documents, the weight of which is burdening my desk—I am holding up only a sample. One of the most important documents that we will consider is the public engagement strategy. It will be vital that we move the debate on from the cosy language of consensus. On climate change, we have had centuries of ignorance of the damage that human economic activity was causing our environment, followed by generations of denial of the damage. Denial still exists in some quarters but is less strong in Scotland. We have had decades of inaction, even after the science became clear, and years of debate. The years of debate have led to a measure of consensus, but we need to move on, through public engagement, to convince Scotland that we need a radically different approach to reducing our emissions. An 80 per cent cut is not a few trimmings and does not require small, incremental measures. We must convince Scotland that a radically different approach is in people's interests, so that all Scotland will sign up to it.

I move,

That the Parliament endorses the recommendations contained in the Transport, Infrastructure and Climate Change Committee's 9th Report, 2010 (Session 3): *Report on Low Carbon Scotland: The Draft Report on Proposals and Policies* (SP Paper 554) and agrees that this report, together with the *Official Report* of the Parliament's debate on the report, should form the Parliament's response to the Scottish Government on the Draft Report on Proposals and Policies.

15:57

The Minister for the Environment and Climate Change (Roseanna Cunningham): I thank Patrick Harvie for his comments. I hope that

we will have a constructive debate and that we will be able to build on the unanimous support that the Parliament gave to the Climate Change (Scotland) Act 2009.

I am grateful to the two committees for their scrutiny of the draft report on proposals and policies. I thank committee members, who had to work hard to absorb all the information, and the committee clerks, who worked hard to support the committees' work.

This is my first opportunity to speak to members about climate change since it became part of my portfolio. I acknowledge the great work that my predecessor, Stewart Stevenson, did in developing the RPP—I will use the acronym for the rest of the debate. I am also grateful to the Cabinet Secretary for Finance and Sustainable Growth for his attendance at the committee sessions during the handover period—I cannot begin to tell members how grateful I was for that help.

In our draft RPP we set out our vision for a low-carbon Scotland. A low-carbon society will make the most of our energy and resources, consuming less and using cleaner and renewable energy sources. Building a low-carbon, sustainable future will benefit Scotland economically, through our natural advantage in renewable energy sources and through cost savings from using energy efficiently. Of course, it will also benefit us socially, improving our health, welfare and natural environment. Our energy efficiency action plan and our low-carbon economic strategy showed how we can harness those benefits.

The draft RPP shows how our actions will affect Scotland's emissions. Current policies can achieve a 42 per cent reduction in emissions by 2020, compared with the 1990 baseline. The policies would allow us to meet some of the annual targets between now and 2022, but not all of them. Therefore, we have considered additional proposals which, taken together, would allow us to exceed the annual targets in all years. That provides some flexibility to decide which proposals should be adopted in future.

We need such flexibility for several reasons. First, a number of the proposals come from work that was undertaken by third parties such as the Committee on Climate Change or research commissioned by ministers. It would not be appropriate to introduce those as policies without discussing them further with stakeholders.

Secondly, several of the committee's recommendations call for extra funding for various proposals. I would love to have more money to spend—I look appealingly to the Conservative members for them to ask the chancellor whether we could please have some more money to

spend—but the reality is that Scotland's budget has been cut. That limits the funds that are available for expanding programmes or launching new initiatives.

Thirdly, we are constrained in what we can deliver by the limited powers that are at our disposal. The United Kingdom's comprehensive spending review has thrown into sharp relief the limitations of the existing constitutional arrangements, particularly with continuing uncertainties around the green investment bank and the fossil fuel levy.

Furthermore, reducing emissions relies on everyone—Government, business and individuals—playing their part. We cannot predict the extent to which people will get on board with the agenda, so we need to have new policies ready to introduce if more action is needed.

Both committees have made recommendations about the timing of the draft report and how it aligns with funding in the draft budget. Indeed, Patrick Harvie mentioned that point in his opening remarks. The final outcome of the budget will determine which proposals can be implemented as policies in 2011-12 while leaving flexibility as to which proposals are adopted in future years. That is why it makes sense for consideration of the draft report to run in parallel with consideration of the draft budget.

I am happy to consider any suggestions from members for alternative or additional proposals. However, if members want additional measures to be supported in the budget, they must also be clear how they would fund them.

It is important that the progress that we have already made on climate change is not overlooked. For instance, last month, new statistics showed that, in 2009, Scotland met 27 per cent of its gross electricity consumption from renewable sources. The amount of electricity that is generated by renewables in Scotland has more than doubled since 2000, so we are well on track to meet our target of 80 per cent of Scottish electricity consumption coming from renewables by 2020.

We are continuing our flagship energy assistance package and home insulation scheme in 2011-12. They are designed to tackle our emissions and fuel poverty and are supported by a budget of £48 million.

The committee is right to flag up the risk that our fuel poverty target—to end fuel poverty, so far as is reasonably practicable, by 2016—will not be achieved. I will not run away from that. Given escalating energy prices and the impact on income of increased unemployment and lower benefit levels, the target is very challenging, but we have not given up on it. We are doing, and will

continue to do, everything in our power to achieve it.

Our focus is on improving house conditions and providing energy, benefits and tariff advice. The most recent data show that early phases of our area-based insulation programmes have already provided nearly 87,000 home energy checks, with more than 13,000 households receiving insulation measures and many thousands more being offered further assistance. Those numbers will only go up.

We also continue to access carbon emissions reduction target investment worth around £100 million per year in Scotland, focused on low-income households.

Patrick Harvie mentioned the issue with the EU move to a 30 per cent target, and the committee report calls on the Government to make clear its intentions should the EU not strengthen its 2020 target to 30 per cent. We have always been clear that, as part of achieving our 42 per cent target in 2020, we require the EU to strengthen its target. We will continue to lobby the UK and the EU on that but, if it becomes clear that there is no prospect of the EU moving, we will obviously have to consider other options.

Achieving the 42 per cent target is already a big challenge. Trying to achieve it without the EU compelling the heavy emitters in the emissions trading system to do more would make it even more difficult and costly for ordinary people. If we are to maintain the enthusiasm and commitment of the people of Scotland to reduce emissions, we need to ensure that the effort that we expect of them is fair.

We believe that a move to a global low-carbon economy is inevitable. Last month, the Minister for Enterprise, Energy and Tourism attended the Cancún conference as part of the United Kingdom delegation. That conference laid the groundwork for a long-term binding global agreement on emissions. A lot more work will be needed to secure that, but the Cancún result is a clear sign that the vast majority of countries want the United Nations multilateral process to succeed.

The committee report asks whether the voluntary approach that we have favoured in our draft report will deliver the necessary emissions reductions. I understand that there is a bit of a philosophical debate about the voluntary approach as opposed to the regulatory approach and when one or the other is most appropriate. We strongly believe that the public and businesses want to reduce their emissions, and we want to support and help them to do that, but we recognise the need to use every tool available to achieve emissions reductions, including regulation where voluntary approaches do not prove successful. In

the Climate Change (Scotland) Act 2009, we introduced enabling powers in many areas, including in relation to domestic and non-domestic buildings, microgeneration and waste. We will use those powers if and when we need to.

The committee asked how we would determine the success of voluntary measures. To help us to make those decisions, we are putting in place a low-carbon monitoring and management framework that will indicate whether we are making progress with our policies before emissions data for each year become available.

It is not, of course, for Government alone to take action on climate change. Meeting our targets depends critically on actions that ordinary members of the public take to reduce their emissions and energy use. Our public engagement strategy, which was published on 30 December, sets out our approach to encouraging that contribution and recognises that the most effective engagement comes not from the centre, but from more local routes—whether local communities, employers or local authorities.

The committee asked us how we would engage with the Convention of Scottish Local Authorities and local authorities on the proposals and policies that we expect them to deliver. We believe that central Government should not dictate to local authorities what they should be doing—we established that principle in the concordat. We will continue to work with COSLA and other public bodies to help them to identify the most cost-effective way to reduce emissions and to help them to meet their climate change duties as established in the 2009 act.

In conclusion, the draft report on proposals and policies sets out a clear path for meeting our climate change targets and gives us flexibility to respond to future events. I believe that that flexibility will become incredibly important as the years go by.

The Deputy Presiding Officer: I call Iain Smith to speak on behalf of the Economy, Energy and Tourism Committee.

16:07

Iain Smith (North East Fife) (LD): I thank the Presiding Officers for giving me, as the convener of the Economy, Energy and Tourism Committee, the opportunity to open on its behalf.

The Economy, Energy and Tourism Committee was designated as a secondary committee to consider specifically the energy aspects of the draft report on proposals and policies. We reported to the lead committee with a list of recommendations. I thank the Transport, Infrastructure and Climate Change Committee for

carefully considering our report, and particularly for endorsing our recommendations, which are contained in annex A of its report. I also thank those who gave evidence to the Economy, Energy and Tourism Committee, its members and, of course, the clerks, who turned round the report in a very short timescale. We had a short timescale for completion, so we decided to combine consideration of the report with scrutiny of the energy expenditure levels proposed in the draft budget as well as consideration of the carbon assessment of the 2011-12 draft budget and the draft electricity generation policy statement for 2010.

One of the committee's first recommendations was that future annual reports on proposals and policies should not be published simultaneously with draft budgets and that the Scottish Government should consider publishing all the energy and climate change information at least six months prior to the draft budget. I say to the minister that it is important that policies and proposals inform the budget-making process rather than the budget-making process informing the policies and proposals. We need to get that right in the future. The committee heard evidence from a number of people who were concerned about the publication of proposals and policies not being at the right time in the cycle. In particular, it was suggested that, in a spending review period, publishing policies in advance so that they could be part of the spending review process is extremely important.

Roseanna Cunningham: I appreciate what the member is saying, but members should accept that the first publication created difficulties. Publication was delayed for reasons that were completely outwith the Government's control, and some of the timescales are laid down in the 2009 act. I am happy to speak to people about how we can do things better in the future.

Iain Smith: The point of the committee's recommendation was to ensure that we get better at that in the future. We accept that there are difficulties but think that, in future, we need to improve the process.

We were also concerned about the lack of financial information in the RPP and felt that there was a need to include information on medium and longer-term trends and to develop more of the proposals into policies so that we are clear about where we are going.

The committee considered whether the proposals and policies that are outlined in the report, as well as the allocated draft budgets, would enable the relevant targets, as well as others under the Climate Change (Scotland) Act 2009, to be met.

A significant area of interest to the committee was investment in renewable energy. The committee welcomed the targets that the Scottish Government has set, the most notable of which is a 42 per cent reduction in emissions by 2020 and an 80 per cent reduction by 2050, but there seemed to be a disparity in the statements that the Scottish Government and the enterprise agencies have made about energy and renewable energy, in particular, being a top priority, given that the energy budget faces a proposed cut of 22 per cent in real terms.

The committee heard that investment in renewable energy is needed now so that we can take advantage of the opportunities that are available in Scotland, so we would like the funds from the fossil fuel levy to be made available to the Scottish Government to help with that. I am pleased to say that in evidence to the Economy, Energy and Tourism Committee this morning, the Secretary of State for Energy and Climate Change, Chris Huhne, again stressed that that money was available and urged the Scottish Government to engage constructively with the UK Government on how we can start to release those funds as part of the green investment bank proposals. It is incumbent on all of us to look for innovative ways of taking advantage of that offer, rather than simply to block it by saying that it does not do exactly what we want it to do. We must take the opportunity that exists.

The committee welcomed the employment opportunities that are available in the low-carbon sector and heard evidence on the challenges in training and retraining that are faced in providing the skills that are required for those opportunities to be taken. It therefore recommended that the Scottish Government should provide the education and training sector with the necessary funds to enable the Scottish population to take full advantage of the employment opportunities in the renewable energy sector by providing the right skills at the right time.

In our 2009 energy report, we called for a rise of between £100 million and £170 million per year to fund energy efficiency schemes such as the home insulation scheme and energy efficiency packages, so I am disappointed by the budget of £48 million that has been allocated to the home insulation scheme and the energy efficiency package for 2011-12 and the proposed reduction of £20.7 million to £83.9 million for the supporting sustainability budget line. The committee is of the view that the proposed budget for 2011-12 would not be enough to meet the energy efficiency targets that the Climate Change (Scotland) Act 2009 set.

We heard that consumers would find it difficult to fund energy efficiency measures in their homes,

as they would have less disposable income. One of the reasons for that is the increase in the number of households in fuel poverty in Scotland, which has increased year on year since 2002 and now stands at 32.7 per cent of households. The committee found it regrettable that we appear to be in severe danger of failing to meet the target of eliminating fuel poverty by 2016.

The Energy Bill that has been introduced in the UK Parliament contains details on the UK-wide green deal funding, which was raised with Chris Huhne at the committee's meeting this morning, and I welcome his comments on the issue. However, the committee considered that there was a gap in funding for energy efficiency measures prior to the green deal's implementation, and I ask the minister whether she can provide any information on what finance options will be in place for Scottish consumers while we wait for the green deal to be implemented.

I am running out of time, so I will have to draw my remarks to a close. One final comment is that I welcome the comments that Chris Huhne made this morning, in which he indicated that he thought that there was a very strong case for the green investment bank to be based in Scotland. All members of the Economy, Energy and Tourism Committee would endorse that.

It is essential that the RPP provides costed proposals and policies that parliamentary committees can monitor year on year if we are to have any chance of achieving the medium and long-term targets that have been set. I hope that we can build on this year's report to improve on that process as time goes on.

16:14

Charlie Gordon (Glasgow Cathcart) (Lab): I congratulate the Transport, Infrastructure and Climate Change Committee on the thoroughness of its inquiry into "Low Carbon Scotland: The Draft Report on Proposals and Policies"—which from here on in, like the minister, I will refer to as the RPP—and on the clarity of its report. Labour endorses the committee's report and the report of the Economy, Energy and Tourism Committee, which formed an appendix to the lead committee's report.

I am a member of the Transport, Infrastructure and Climate Change Committee, but the pat on the back is particularly merited on this occasion, especially because the work coincided with our scrutiny of the Scottish Government's draft budget for 2011-12. That fact, and the fact that the Scottish Government's climate change targets for 2020 are projected to be undershot by 4 per cent, leave us open to doubts about the degree of the

Government's commitment to achieving those targets. The Scottish Government seeks to close that 4 per cent gap mainly by persuading the European Union that its emission trading scheme should be tightened by increasing emissions reduction targets for 2020 from 20 to 30 per cent. In the absence of that arguably rather optimistic scenario, we do not know what the Scottish Government will do. I thought that the minister was about to give us a plan B earlier, but it turned out that her plan B is to appeal to the Tories.

As the Transport, Infrastructure and Climate Change Committee report makes clear, the area of EU emissions targets is not the only one in which scenario planning would be welcome. For example, it would be useful if early and successful private sector activity could be used to stimulate other private sector investment in low-carbon technology. Frankly, we need to know about the early wins that are taking place in the real economy that are to do with low-carbon technology, and we need to see if they can be encouraged and replicated in other sectors of the economy.

Scottish Government funding, such as the £48 million for area-based home insulation schemes and energy assistance packages, which the minister referred to as being in the 2011-12 draft budget, is welcome as far as it goes, although I am sure that a case will be made for a larger budget for those areas before we are finished today. However, targets will not be met simply through Government expenditure. There will have to be significant private sector investment in low-carbon technology, which was a point that I made to the Cabinet Secretary for Finance and Sustainable Growth when he substituted for the new minister at the committee's meeting of 14 December last year. I talked to Mr Swinney about leveraging in private finance, and he was relatively informative about what he and other ministers had been up to and how they had been beavering away trying to stimulate the private sector economy in this area. However, we do not know what the Government has in mind and at what point it will start to form a judgment about how achievable targets will be if early wins through private sector investment in low-carbon technology are not forthcoming.

Staying with scenario planning, if I was being generous, I might say that the jury is still out on the overall scenario. Some of the evidence that has emerged during the parallel budget process could lead us to a harsher verdict. For example, the proposals for the freight facilities grant for next year do not just send out the wrong signal; they create a danger of strangling private sector projects in the real economy that address the climate change agenda tangibly and practically. Surely that cannot be right. It illustrates that it is

one thing to set targets, but it is quite another to identify the means of achieving them in the real world. It is stating the obvious, rather mildly, to say that this is a new process and very much a work in progress. It certainly needs greater scrutiny in future and comprehensive monitoring.

16:20

Jackson Carlaw (West of Scotland) (Con):

First, I apologise for the late arrival of myself and my colleague. No discourtesy was intended to Mr Harvie or the chamber.

We debate committee reports regularly. Few have the capacity to educate, inform, direct, terrorise or prove as far reaching as the one that is before us today, for it addresses Government policy and issues of public commitment and engagement not just in the coming session of Parliament but for the next 40 years.

I wish to concentrate my remarks on four areas, beginning with the issue of public engagement and the balance thereafter between voluntary and regulatory action. Undoubtedly, the public at large and certain sections in particular are committed to the task ahead. Others are less convinced, and I suspect that a significant majority, including many of those who notionally are engaged, are unaware of the enormity of the proposed task.

For public engagement to be sustained throughout the next 40 years—not just in 2049—politicians would be wise to accept that the support of the public can be fickle. For instance, do the public actually accept that the emissions priority, which is set out like no other in legislative terms, should be the supreme point of reference? Will they accept all deeds exercised in its name, however blunt the instruments proposed? I suspect not. If, as we progress, we impose because we have failed to persuade, that will be our failure, not a failure of the public. Were it to come down to a choice between achieving the emissions targets of the 2009 act or regenerating Scotland's economy and the wealth and prosperity of Scots, I suspect that the latter would prevail with the overwhelming majority. It is important, therefore, that it does not come down to a choice. Already, business is suspicious that certain politicians would rather bite off their carbon nose to spite their economic face. For that reason, I have dissented from the committee report on the question of the balance between a voluntary and a regulatory approach.

The rush by the committee to embrace new measures and criteria for the imposition of a regulatory framework is a depressing admission of a failure that is yet to materialise. By definition, an admission that the voluntary approach will fail and will need to be supported by a regulatory

framework implies a failure by the public to be sufficiently engaged and committed, but it will not be their failure, it will be ours as politicians.

I caution now that if we cannot persuade the public, any regulatory framework that imposes policies and views on them unwillingly and in the face of all the circumstances of the moment will lead to bitter resentment and perhaps fundamental disengagement and an alteration in the public mood.

Patrick Harvie: Will Jackson Carlaw give way?

Jackson Carlaw: I think that it is going to get worse from Mr Harvie's point of view, so I will let him get really rattled and then come in later. *[Laughter.]*

Failed politicians all too easily resort to regulation, legislation and compulsion. That surely flies in the face of the good will that has underpinned the 2009 act, and Scottish Conservatives will oppose such calls. I think that now is maybe Mr Harvie's moment.

Patrick Harvie: I am grateful to Jackson Carlaw, but his general argument that regulation is undesirable because it implies a failure to convince seems to apply to any area of regulation. Does he not accept that there are examples of voluntary approaches to reducing other forms of pollution that failed and that the country is a much cleaner place because regulation was brought in when it was necessary?

Jackson Carlaw: My concern is that we are seeking now to admit to a failure of the voluntary approach and to build in the requirement to establish a regulatory framework. That is the wrong approach at this time.

We must encourage science and hope for practical results. Success will assist us in meeting the challenge of the 2009 act in ways as yet unforeseen or unpredicted. We live in a global community, and in the environmental framework within which progress is measured not every route is within the unilateral control of politicians in this Parliament. Transport largely is, and it is therefore inevitably becoming the focus of unrealistic and unacceptable ambition.

We can encourage but we must not instruct. There is much more to be done in opening the minds of car users to alternating use of their vehicles with travel by public transport, which they may not have even considered as a more efficient way of accomplishing a particular journey. There is more to be done to encourage the development of city car clubs, but dictating to people—irrespective of their circumstances or needs—that they cannot use their vehicles is unacceptable.

The Scotland Bill proposes the transfer of road speed limits to the Scottish Parliament. Already,

that has excited many of the e-mail lobby fraternity, who are campaigning for—and expecting—the imposition of a new national speed limit in Scotland of 50mph to achieve emissions targets. I confirm that the Scottish Conservatives will not support that policy and that it will not feature in our manifesto. Indeed, were such powers delegated to the Scottish Parliament, we might well seek to increase the speed limit to 80mph on certain highways.

The motor vehicle has a clear role to play, but we should not dismiss the role and contributions of the manufacturers. The motor vehicle that is sold and driven on our roads today is technically unrecognisable from the one that was sold a generation ago. Last week, the Ford Motor Company unveiled an electric Ford Focus. The development of such mainstream best-selling models in electric form is significant, as is their availability. We should not underestimate the investment that is being made in more efficient vehicles by manufacturers. The market will adjust and the motor vehicle of the future will prove just as unrecognisable technically a generation hence, and an imposed 50mph speed limit in such a world would be wholly irrelevant.

Finally, I throw my weight behind the long-standing efforts of my committee colleague, Rob Gibson, regarding the potential for the restoration of peatland through rewetting. That offers a big environmental return for a relatively tame public investment, and we can be more ambitious still.

Regrettably, because of the wording of the motion in Mr Harvie's name and the unique invitation not merely to welcome or note the content of the report but to endorse the report, to which we have, in part, dissented, the Scottish Conservatives have no choice but to abstain in the division tonight.

16:26

Alison McInnes (North East Scotland) (LD): I welcome Roseanna Cunningham to the climate change brief.

I join committee colleagues in thanking all those who responded to the call for evidence. As others have said, the timing of the report, which was a knock-on effect of the Government's disappointing attitude when it originally set the targets last year, was unfortunate at best. I hope that the Government takes note of the committee's comments on how the process might be better handled in the future.

The minister has joined us at what we could call stage 3 of the Parliament's climate change process. Stage 1 was the passing of the Climate Change (Scotland) Act 2009, which laid out the important framework for us to work within. Stage 2

was our agreeing the first batch of annual targets, thereby plotting the path that we need to take to fulfil our new long-term emissions obligations. Now, we have come to probably the most important part of the process—setting out how we intend to make the changes to our homes, businesses and lifestyles that will be necessary if we are to succeed in taking that path and achieving our climate change targets.

As a starting point for that, the draft report on proposals and policies is to be welcomed. Indeed, I commend the Government for the comprehensive coverage that it has given to the measures in the draft RPP. There are a number of proposals that I am particularly pleased to see included. For example, the extension of eco-driving training and promotion is an ideal measure for us to take, as it not only helps to reduce emissions but can lead to people saving money.

That particular example, however, leads me to the first of a few problems with the RPP as it stands. Although many proposals are included, a large proportion of them foresee action being taken on a voluntary basis. I agree absolutely that voluntary measures that require personal behaviour change must play a part in the move to a low-carbon Scotland, but I am not convinced that we can be sure that they will be enough in every situation. I suggest that the Government needs to consider carefully how it intends to monitor whether those voluntary measures will make the progress that is needed if the proposals are to be successful in reaching their maximum forecast emissions abatement potential.

That, in turn, brings me to another concern with the draft RPP. As things stand, meeting our 2020 target will require every existing policy to reach its maximum abatement potential and relies on the EU making the move to a 30 per cent target. It is also dependent on action in a number of policy areas being taken by, and future funding from, the UK Government. Of course, we all hope for the best-case scenario, but it is essential to make allowances for things being otherwise. I emphasise to the minister the importance of continuing to develop new proposals and of not assuming that every measure in the RPP will succeed. I also underline the committee's call on the Government to outline its intended plans if the EU does not move to a 30 per cent target.

In addition, it is vital that the Government properly reconciles its budget with the RPP. Our committee report underlines concerns that have already been highlighted with regard to whether the 2011-12 budget contains adequate provision for measures on active travel and modal shift within the freight industry, for example. Publishing policies and proposals is worthless unless they are properly budgeted for, so I strongly associate

myself with the committee's calls for budget decisions and the monitoring of the progress of the RPP to be closely linked and mutually informed.

In the brief time that I have left, I would like to touch on a few of the issues from the draft RPP in various sectors.

On energy measures, I echo the Transport, Infrastructure and Climate Change Committee's conclusions on the overreliance on UK policies and funding. Working jointly on measures at a UK level is necessary—and desirable, to some extent—but the Government must ensure that Scotland is able to meet its energy efficiency goals from within its own resources if necessary.

In terms of the public sector's role, the committee heard from several people on the need for greater clarity from central Government about what is expected from councils. Concerns were also raised about the level of resources, capacity and skills that are available to local government in order for those expectations to be met. There are many areas—the transport sector being a good example—where the most effective action to reduce emissions can be taken at a local level. It is crucial, therefore, that the Government sets out clearly what role it expects local authorities to play and that it provides the proper support to allow them to deliver.

Finally, on transport, I have already mentioned the apparent disconnect between the transport proposals and the draft budget, but I would also like to highlight the point that was raised by many who gave evidence to the Transport, Infrastructure and Climate Change Committee on the sustainable transport hierarchy. I strongly agree that the first consideration in reducing emissions from transport is, and ought to be, reducing the need to travel in the first place. I ask the Government to think again about how it can underline the importance of reducing the need to travel as the vital first step. Without that emphasis, the current proposals on transport in the draft RPP fall well short of achieving the step change in policy direction that is needed to meet our climate change targets.

As I said earlier, the draft RPP is to be welcomed, but as a starting point for our journey to a low-carbon Scotland, not as a finished route map. It contains good proposals, but equally more options must be considered. I trust that the minister will take full account of the points that have been raised today, the committee reports and the views of the many who have responded to us, and I look forward to her returning to Parliament with a suitably revised report.

16:32

Rob Gibson (Highlands and Islands) (SNP):

As a member of the Transport, Infrastructure and Climate Change Committee and the Economy, Energy and Tourism Committee, I was involved in discussions about both parts of the report. Much of the report is common sense and represents an important contribution to this first attempt by any Government to match the ambitious low-carbon targets that have been set. Given that that is the case, the question that we must address in this debate is whether there are too many proposals and not enough policies. At this stage, it would be difficult for us to say that we would have many more policies in place, for reasons that I will come to. The proposals that should be able to be turned into policies are many and listed.

Because of the nature of the debate, I would like to home in on one particular element of the committee's conclusions from which Jackson Carlaw and I dissented. The report says:

"the Scottish Government should define failure criteria for voluntary measures and introduce an appropriate mechanism to provide a realistic assessment of all policies and proposals where a voluntary approach is proposed to determine whether these are likely to be sufficient to deliver the necessary changes".

At the end of that paragraph—which features a grammatical error that almost tripped me up when I read it out—the report notes that that recommendation was agreed by a majority of the committee.

Let us examine some of the transport initiatives. The Energy Saving Trust helps people with eco-driving advice and information, and I and some other MSPs tried its test. Let us suggest that we put down measurements to say how successful a driver has been in a year. How complex would it be to measure that accurately? Of course we want people to get involved in that kind of activity voluntarily. That is the kind of activity that will show public buy-in to the low-carbon future and buy-in by the businesses that produce cars and will ensure that they have much lower carbon footprints. There is a list of other transport initiatives that would be similarly difficult to measure.

Patrick Harvie: Will the member give way?

Rob Gibson: If Mr Harvie is brief.

Patrick Harvie: Briefly, will Rob Gibson agree or acknowledge that that is one of the reasons why the committee's comments on demand reduction are important? It is much easier to measure demand reduction than eco-driving.

Rob Gibson: Of course that is possibly easier to measure. The important point is that this first attempt, in the middle of the biggest constraint on public spending that we have had, puts us in the

position of trying to achieve many more radical changes at a time when we have fewer mechanisms to achieve them.

The committee's report must be tempered with the facts in relation to the people who wish to see rapid changes and the non-governmental organisations that urge us to progress all matters as quickly as possible. We must throw that back at the NGOs and the other parties in the Parliament and say, "If we had the money from the fossil fuel levy, for example, which we have been denied for three years, would that allow us to invest in lower-carbon activity?" If people are in a policy bubble in which they think that they can quickly take things forward in the direction of low carbon without having the money to do it, they are in Alice in Wonderland territory. That is why we must temper our remarks about many things in this debate.

We should also consider one or two aspects with regard to relationships and what COSLA should be doing. Local authorities are also under the cosh as far as money is concerned, but their attitude is important. A more fundamental use of the single outcome agreements would involve measuring local authorities' activities to see that they measure up in carrying out the actions that we wish them to. Local authorities must develop that over time. In Germany, for example, the buy-in to a lower-carbon economy has taken place over a period of 20 years. We have to catch up, but we must recognise that, although people start to behave differently when they begin to buy in, it does not happen overnight. We have made a start with the draft RPP, but we recognise that we need to create the conditions for that buy-in.

The land use strategy, which has been mentioned, is perhaps the very first attempt to have such a strategy. It is not as strong as I would like it to be, but I recognise the difficulties, and the work that our civil service—which is, again, constrained by time and numbers—has put into it.

As a result of campaigning by us and the Government, along with many others, the Kyoto protocol on national accounting for land management, which now includes the rewetting of peatlands, was agreed at Cancún. The measurement will be voluntary over the next couple of years, but it could add to the potential for reducing our carbon output. Unlike Jackson Carlaw, I do not view that as an alternative. It is not an either/or—we have to do it. We have to find the money from somewhere to dam the drains in peatland areas and restore the peat. If we find a budget for it, the huge return that was identified in the International Union for Conservation of Nature report on Cancún and the peatland programme could be a big win-win.

There may be difficulties in certain areas, but this is a work in progress, and we have to respect the fact that we are at a very early stage.

16:38

Marlyn Glen (North East Scotland) (Lab): I am pleased to take part in this debate, especially as it is such an important opportunity to ensure that the Scottish Government's plans to tackle climate change are improved.

We are all rightly proud of the Climate Change (Scotland) Act 2009, but we need to ensure that Scotland is, in the language of the e-mails that we have all been getting, firmly on track to meet its annual emissions reduction targets. We cannot just assume that wider society, including the business community, has bought into the 2009 act, and we must work to ensure that, like everyone else, local authorities are brought on board.

I thought for a moment that I was in danger of agreeing totally with Jackson Carlaw's assessment of the draft RPP. As a parent and a former teacher, I believe in encouragement, but I also know the place of instruction.

Maf Smith, the Scottish director of the Sustainable Development Commission, talked to the Transport, Infrastructure and Climate Change Committee yesterday about the difficult choices that have to be made. Even in the run-up to an election, it is up to members to ensure that the Government makes these difficult choices. There is no point in watering down proposals when we know what has to be done. Constituents are asking, in particular, for a stronger commitment to greening our houses, a real alternative to allow us to reduce our reliance on the car and proactive work to tackle traffic levels.

Some of that might be controversial to some people, but it fits well with the committee's response to the draft RPP. There is also great interest in the report from bodies, such as the Royal Society for the Protection of Birds, that are lobbying for action on peatland restoration, which is one issue that we seem to be able to agree on. The RSPB also lobbies for compulsory measures for the agriculture sector, in particular.

I welcome the very recent publication of the "Low Carbon Scotland: Public Engagement Strategy". There is, of course, a need to consider it and its results carefully. That is especially important given that the cabinet secretary and the minister place so much emphasis on voluntary measures.

The draft RPP is part of a set of publications, which are variously referred to as a suite or a raft, and the committee considers that, in general

terms, it meets its expectations in terms of structure and format. As we have heard, the RPP is a mix of adopted policies and proposals, but the final version must set out all the proposals that are to be adopted and implemented to contribute to meeting emissions reduction targets and it must also have an indicative timetable. The convener of the Transport, Infrastructure and Climate Change Committee picked out that point in his speech, and I repeat it because of its importance.

The RPP is described as a good first attempt and a useful starting point that meets the benchmarks of credibility, transparency and ambition, but there is a lengthy list of committee recommendations, including on its timing. There is no time to go through all of the committee's report in this debate, but there is serious criticism of the lack of time that was available—for whatever reason—for committees to consider the RPP. I know that it is a work in progress, but to be effective the timing is all-important.

Future RPPs must give optimum opportunity for parliamentary scrutiny. We are always advised to follow the money to see where priorities really lie. The committee was, of course, examining the budget at the same time as it was looking at the RPP, and I agree with Iain Smith and with Friends of the Earth Scotland's comment that there is a need to ensure that parliamentary scrutiny of the RPP helps to inform budget considerations, not the other way round. I look forward to the process being improved in the future.

We must also be clear about the costs to the public sector, the private sector and individuals. Is everything being pushed downwards, as one witness suggested, to local authorities, which we agree already have restricted budgets as well as increasing targets?

The committee's scrutiny of the draft budget suggests that financial provision is not adequate to drive forward the initiatives on, for example, active travel or, as Charlie Gordon said, modal shift for freight.

There is a lack of financial information in the draft budget on energy efficiency packages and the home insulation scheme, so I welcome the recent clarification of the budget line on area-based home insulation schemes and the energy assistance package, because there are real difficulties that must be addressed, particularly with tenement properties and solid wall insulation.

There is also a need, with the greatest urgency, to assist people who are living in fuel poverty—something that we cannot ignore given the severe weather conditions that we have experienced this year. Witnesses to the committee expressed serious concerns and urged clarity about the level of investment for home insulation and dealing with

fuel poverty. Estimates seem to show a decline in the programme, despite its obvious benefits of eradicating fuel poverty, creating and maintaining green jobs, and creating greater wellbeing. Such cross-cutting work is fundamental if we are to meet targets, not only on climate change but on health and wellbeing, the environment, housing and so on.

The lack of a regulatory approach in housing, waste, transport and agriculture could cause delays in reaching targets, and I press the committee's recommendation that failure criteria for voluntary measures should be defined. There needs to be a realistic assessment of voluntary measures, so that action is taken to introduce regulation where that is shown to be necessary. That is much more basic than a philosophical debating point. We need to transform Scotland into a fairer and healthier low-carbon society. I look forward to hearing the minister's reply so that I can reassure my constituents that the Parliament will continue to be bold in meeting its obligations.

16:45

Christopher Harvie (Mid Scotland and Fife) (SNP): I will deal with two themes: first, where we live; and, secondly, how we move. Housing construction has propelled our economy, keeping our bankers happy, but the United Kingdom's average new house struggles to reach grade C on the EU's thermal efficiency level and consumes twice as much fuel as the average German or Austrian new build. Today, our buildings consume five times more electricity than they did in the 1970s. That is because of the march of the computers and the supermarkets that must be heated and cooled simultaneously and which generate more road traffic.

I support the plans for insulation, but I also support pragmatically improving what we have. Many of our old houses still have wooden shutters or can get them back. It has been the fashion recently to have bare wooden floors, thus putting the people who wove carpets out of business, but a carpet is a form of insulation on the floor. We could have bathrooms with linoleum, which has the great advantage of keeping the bugs away as well—that is a deliberate plug for Kirkcaldy. In fact, we must live more collectively in Burns's sense—in the kirk, the howff and the village hall and in that society of sympathy of Burns and Adam Smith.

My second theme is how we move. The \$100 barrel of oil is nearly with us, but it was supposed to turn up in the 2030s. This winter, we have had snow-buried cars and jack-knifed lorries. The wise realise that the age of Henry Ford is over, but apparently they do not include the staff of Stirling Council, 82 per cent of whom go to work by car, or so the energy efficiency action plan tells us. Two

per cent cycle, 5 per cent go by bus or train and 11 per cent walk or run, the plan suggests helpfully. Compared with Copenhagen, where 39 per cent walk or cycle, central Scotland looks like Europe's greater Springfield. However, the old rival, London, from the city to the docklands, can now run almost totally on sophisticated non-oil transport, with public transport such as the Eurostar and private transport such as the Boris bike. Mind you, London gets £170 for every £113 in subsidy that finds its way to Scotland.

Targets are everywhere. Schemes with even the most ambitious targets can be sent haywire as climate disruption hits home. An example is flooding. Without even touching on inland flooding such as that in Queensland, we find that 10 per cent of the world's population live 60 miles from a coast and within the surge-flood danger area. By 2050, the figure will be 50 per cent. It is a high-carbon business to restore the setbacks of flooding. I have had dehumidifiers working in my house in Wales after a burst water main. Such costs could well smash the most optimistic of our targets. If the Arctic melts, we will have a sea level of 5m more to contend with around our coasts. If the Antarctic melts, we will have 65m more to contend with.

What is going for us? We have Europe's greatest single reserve of natural energy at a time of radical improvement, perhaps sixfold, in generation and turbine technology. Marine turbines are where the steam engine was when Watt and Trevithick got their hands on it after 1760. However, we know relatively little about the way forward, as I found out myself when I wrote "Fool's Gold", which is on North Sea oil. We have lost our industrial advantage and the heavy industries that existed here in the 1970s. Moreover, politically, our management of the issue is diffused over several Cabinet portfolios. It would be a useful step to unify those powers in an energy, infrastructure and efficiency powerhouse ministry to tackle the changes collectively and as soon as possible.

Am I optimistic in the long term? I am afraid that I am not. Like Rupert Soames, I believe that "holding hands singing 'Kumbaya'" feels nice, but that is it. I do not follow Mr Soames on the issue of nuclear power—which Germany, for example, is running down without losing its industrial lead—but I appreciate that Churchills can be both dead wrong and on the ball, and sometimes simultaneously. We need that full-scale entrepreneurial flair if we are to turn renewables into the sort of marketable proposition that has a real chance of getting through.

We face a challenge here. To dramatise it, I must go back to someone from a family of engineers, Robert Louis Stevenson, and Alan

Breck's great challenge to David Balfour in "Kidnapped":

"ye shall taigle many a weary foot, or we get clear! ... But if ye ask what other choice ye have, I answer: Nane. Either take to the heather with me, or else hang!"

16:51

Liam McArthur (Orkney) (LD): Like Alison McInnes, I welcome the minister to her extended portfolio and wish her well in this and the many other important issues for which she is now responsible. I offer that olive branch at the outset in recognition of the fact that she is almost certainly sick of the sight of me, Elaine Murray and John Scott, having spent an uncomfortable amount of quality time this morning with the Rural Affairs and Environment Committee.

I also congratulate the Transport, Infrastructure and Climate Change Committee on its report and the Economy, Energy and Tourism Committee on its contribution. Given the limited time available, with the draft report's publication coinciding with the publication of the Government's draft budget, the report is an impressively thorough piece of work.

As my colleague Alison McInnes has rightly pointed out, this is in effect stage 3 of a process that began with the strong framework established under the Climate Change (Scotland) Act 2009. In that respect, Patrick Harvie made some interesting points about the cross-party determination to strengthen that legislation's provisions. That was followed, eventually, by the setting of stretching targets plotting the course towards the achievement of our emissions reduction obligations.

Finally, we reach the point at which we must decide how we intend to make these changes happen in our homes, our communities, our businesses, our towns, our countryside and the way we live our lives. Despite the faults that have been identified by the committee, the report sets all that out in some detail, although, as Rob Gibson conceded, what it contains are still perhaps more proposals than policies. However, as the committee and many who gave evidence rightly observed, the supporting documentation gives some confidence about not only how we might achieve our ambitions, but the real benefits that are to be gained economically, socially—for example, through better health—and, of course, environmentally.

That point is important. The many difficult decisions and choices that lie ahead cannot be ducked, and Jackson Carlaw and other members were right to highlight the importance of the public engagement strategy in that regard. All the more reason, therefore, for us to take care to accentuate

the positives where we can and to not simply allow ourselves to be lured into a bidding war to see whose hairshirt is the hairiest. There are numerous examples of the health benefits to be gained from more energy-efficient homes, improved air quality and access to green spaces. Like Rob Gibson, I took part in the eco-driving test and was appalled to find that I had been outdriven by my colleague Tavish Scott, who I had always considered to be a bit of a boy racer. In these times of rising fuel costs, the benefits arising from reduced household expenditure really have to be accentuated.

As a number of members have noted, the committee has criticised the Government's apparent reliance on voluntary measures to achieve the emission abatement objectives that have been set. I entirely recognise that a delicate balance has to be struck here; we will need carrots as well as sticks, and regulation should certainly not be the first resort. Indeed, in many cases, such a move could prove counterproductive. However, given the backdrop of the challenging targets that have been set and the changes that the Government has conceded will need to be made, there are serious questions about how achievable these objectives are through a predominantly voluntary approach.

Although care needs to be taken, many businesses will confirm that there are opportunities to be had from sensible and properly signposted regulation that also benefits and protects customers and the wider public. The minister accepted that principle in her opening remarks, perhaps in a vain attempt to persuade Jackson Carlaw, who might challenge my colleague Tavish Scott as Holyrood's boy racer. One example is the particulate trap regulations that applied to diesel vehicles a number of years ago.

Linked to that is the concern that, to meet our 2020 target, every existing policy that is outlined would require to reach its maximum abatement potential. The Government has not allowed itself much—if any—margin for error. That might reflect a desire to set the most stretching targets possible, but that is credible only if it is backed by a commitment from ministers to work with the Parliament and wider stakeholders to develop new proposals. As the Economy, Energy and Tourism Committee noted, the Government should as a feature of the final RPP make a clear statement on its intended course of action if the EU does not agree to strengthen the EU ETS to 30 per cent.

In the brief time that is left, I will touch on a few specific issues in the report. On energy, I note the Transport, Infrastructure and Climate Change Committee's view about an overreliance on UK policies and funding. Joint working will of course be necessary and desirable in many instances, but

it cannot be used as an excuse for delay and inaction. My colleague Iain Smith gave several useful examples on energy efficiency, on which timely warnings have been given. Likewise, Charlie Gordon made interesting points about the need to lever in other sources of investment. The warm deal is perhaps an example of that.

RSPB Scotland pointed up in its briefing for the debate the importance of the land use strategy, on which the Government is consulting. The minister will be aware of the criticisms of the draft strategy. Much work must be done on it before it is laid before the Parliament in March if it is to guide effectively the implementation of the policies in the RPP. However, I share Rob Gibson's confidence that that can be done in the time that is left. In relation to the briefing, like Jackson Carlaw, I acknowledge Rob Gibson's work on peatlands restoration. The benefits from that in return for the investment that is made are worth while pursuing.

It is generally agreed that the report has provided a useful starting point. The debate has raised a range of improvements that could be made for the future in a constructive and well-informed tone. I congratulate both committees again on their thorough work in somewhat challenging circumstances. I look forward to the minister's response in winding up the debate.

16:57

John Scott (Ayr) (Con): I begin by declaring an interest as a farmer, by apologising to Patrick Harvie and the chamber for missing his opening speech and by welcoming the minister to her new post. After today's debate, she might wish that she was once again dealing with the Reservoirs (Scotland) Bill rather than responsible for climate change on the Scottish Government's behalf—had she been listening, she might have heard that.

The debate has been interesting and informative, particularly for me, as I am a member not of the Transport, Infrastructure and Climate Change Committee but of the Rural Affairs and Environment Committee. One always ventures cautiously on to another committee's subject area, and I acknowledge the huge amount of work that members put into the Climate Change (Scotland) Bill and the report on proposals and policies for a low-carbon Scotland.

Our committee—the Rural Affairs and Environment Committee—has played only a small part in the Transport, Infrastructure and Climate Change Committee's deliberations on the subject, but I will begin by addressing the land use strategy and by raising with the minister my concerns about the lack of definition and focus that are associated with the strategy. The debate provides an

appropriate opportunity to do that, as the cabinet secretary is here.

Of course I and others support the three strategic directions of establishing a low-carbon economy, better consideration of the natural environment and connecting people with the land, but the detailed questions remain, such as where trees should be planted, how prime agricultural land can be protected, how land can be conserved and accessed for tourism, how carbon emissions can continue to be reduced, how biodiversity can be enhanced and protected and how—in all that mix—land-based businesses can prosper and contribute to a thriving rural economy.

If the cabinet secretary has the answers to those problems, I and other land users would certainly like to hear them. If we assume that he has the answers, a big communication job must be undertaken, because many people—and, indeed, witnesses to our committee—are still unclear about the strategy's purpose.

The strategy should at least start to reconcile competing land uses and deal with how those competing interests will be prioritised across the country—for example, how do we reconcile a target of 35,000 new houses per year with protecting prime agricultural land? How do we sustain a planting target of 25 per cent cover by 2050 and yet maintain our ability to produce food from our land? It will come as no surprise to the cabinet secretary to hear again my view that food production should be the primary—the fundamental—use of land in Scotland, particularly given that food price inflation is running at 4 per cent. The figure is for the month of December. A hierarchy of other uses should be established thereafter. If the land use strategy is not to be a spatial strategy, national priorities must at least be clearly established with the reasons for choices being made and explained clearly to a currently expectant public. In addition, the strategy should provide incentives as well as the regulation that has been much talked about in today's debate.

That takes me to a key theme in today's debate: how will the promised land be reached, given the reduced funding that is available? Obviously, a 42 per cent reduction in greenhouse gas emission by 2020 is both laudable and headline grabbing. The more important question is whether it can be achieved and afforded. Charlie Gordon referred to that. It was surprising—to me, at any rate—to hear him say that private funding needs to be levered in, too. There is also the question whether the reduction can be achieved and afforded without damaging or destroying existing businesses and jobs. Of course, I want these objectives and targets as much as anyone else in the Parliament, but I also need and want to be shown the route map of how we will get there. Patrick Harvie

referred to that in his opening remarks, as did the minister in her appeal to the UK Government for funding. In fairness, it should be noted that the 42 per cent figure was set by the Scottish Parliament. The minister is now asking the UK Government to fund it.

In addition, there is the missed opportunity of the Government providing not a three-year spending review but a one-year election budget. The Economy, Energy and Tourism Committee pointed that out and Iain Smith referred to it in his speech. It gives further grounds for concern about how these and other targets will be met and monitored. In our rightful enthusiasm for delivering these emissions targets, in addition to appealing to the UK Government, perhaps we should also refer the matter to John Swinney with a view to sourcing future funding.

Like Jackson Carlaw, I believe in a voluntary approach that is incentivised by Government. That is essential for the successful delivery of the RPP. I remain to be convinced that this Government is prepared—or, to be fair, able—to finance the aspiration to which the Parliament signed up in 2009.

As Iain Smith said, investment in education and training will be necessary to fill the emerging skills gaps in the renewables industries and other low-carbon employment industries. Will there also be funding to provide that in the future?

Unsurprisingly, like Rob Gibson and Jackson Carlaw, I support peat wetting. I hope that funding can be found for that, albeit that I might find another way of describing it.

I must stop posing questions to the minister that she may be unable to answer, particularly given that this is her first public day in her new role. I do, however, largely support the report. In the main, the Scottish Conservatives will support the proposals in the report and, where possible, the delivery of its reasonable aims and objectives.

17:03

Elaine Murray (Dumfries) (Lab): I welcome the addition of climate change to the minister's brief. As the chamber can see, climate change has also been added to my brief—I think it is for one day only. I, too, am an interloper from the Rural Affairs and Environment Committee. Although I was not involved in the production of the report, I have read its conclusions with considerable interest.

Extreme weather events across the world should focus our minds on climate change. The extremely low temperatures in Scotland caused chaos on the roads last month and resulted in many of my constituents lacking the basic services of running water and sanitation, some for as long

as two weeks. Now, on the other side of the world, appalling flooding in Queensland, Australia has resulted in loss of life and livelihood with possibly as many as 40,000 homes in Brisbane affected and damage to the economy that could run into billions of dollars. Of course, during the summer, severe flooding affected many parts of Asia. At one point, a fifth of the land mass of Pakistan was under water.

It cannot be proved that those events are directly caused by climate change, although we know that global warming will result in more extreme and chaotic weather patterns. We also know that the temperature of the planet has been rising over the past decade. If there is anyone out there who still thinks that the interests of the environment and the economy are diametrically opposed, they need only consider the economic damage that is done to individuals, communities and countries when the environment turns nasty. Reducing climate change and its consequences must be a priority for economic and social reasons as well as for environmental reasons.

It is not good enough to pass good legislation and collectively pat ourselves on the back at how groundbreaking we have been. Priorities for expenditure have to be set and choices—sometimes difficult ones—have to be made. Labour shares the committee's concerns about publishing the draft RPP at the same time as the draft budget. That meant that it attracted little attention and, as Patrick Harvie described, that the committee had only a short period in which to take evidence and report on the proposals. We hope that, in future, changes can be made that will allow a better span of time for consideration.

Policy should inform budget decisions. It is difficult for committees to interrogate the draft budget with regard to whether proposed expenditure is appropriate to deliver targets, such as the 42 per cent reduction in emissions by 2020, when the draft RPP comes out at the same time as the draft budget. Labour agrees that RPPs should be published in advance of the draft budget and that this and future RPPs need to be comprehensively monitored to determine whether sufficient progress is being made to deliver the 2020 and 2050 targets. The final version of the RPP should outline ministers' intentions on assessment and evaluation.

There are many factors that will determine whether the aspirations of the Climate Change (Scotland) Act 2009 are delivered. As other members have said, public engagement and involvement will be crucial. There are many incentives: with sky-high energy prices there has probably never been a better opportunity to engage people in energy efficiency measures. However, such measures tend to have up-front

costs that many people cannot easily afford, so we need to consider how those capital costs can be addressed so that we all benefit from the resulting energy savings.

Alison McInnes, Rob Gibson and Liam McArthur all mentioned eco-driving. I, too, took the one-hour driving lesson. I have been quite surprised at how much fuel can be saved when I remember to follow what I learned. Again, the current high fuel prices will be a big incentive for people to find out how to save money by driving more efficiently.

I have been interested in the discussion on the voluntary approach. The draft RPP suggests that regulation should be a last resort. Jackson Carlaw seemed to go even further when he suggested that failed politicians introduce regulation. In that case, we collectively failed in passing the Climate Change (Scotland) Act 2009 in the first place. Presumably, in Jackson Carlaw's ideal world, everyone would be following the act's provisions voluntarily and we would not need any laws on the subject. I cannot follow that line of argument. It is obvious that unnecessary regulation should be avoided, but to assume that the default position in all cases should be voluntary agreement is likely to result in delays in implementation. Regulation should be considered particularly where the voluntary approach has been tried without success. Labour agrees that criteria must be established regarding how we assess whether such an approach has failed.

The way in which future UK and EU decisions impact on our targets must also be taken into account. There already appears to have been some retreat from zero waste south of the border and there is dubiety about whether UK policies and funding for reducing emissions will be sufficient. If they are not, there is uncertainty about what alternative funding might be available in Scotland and how we will access that funding. Ministers should not rely on the EU to deliver emissions targets through the emission trading scheme. The final RPP should state what ministers will do if the EU does not agree to increase the ETS to 30 per cent and how we will ensure that we meet our targets.

John Scott referred to the Scottish Government's land use strategy, which arose from the 2009 act. There has been some disappointment that the draft strategy fails to address how some of the fundamental conflicts in land use should be addressed. I hope that the final document will take those concerns on board. The next RPP, in common with a host of other policies, will need to be informed by the land use strategy.

New technologies will play a vital role in reducing carbon emissions, providing the opportunities for new skills and green jobs. However, such opportunities have infrastructure and training

implications and require policy direction and priority. Alison McInnes referred to reducing the need to travel; there is the issue of people being able to work from home. One of the key aspects of that is the availability of fast broadband throughout Scotland, which is a major investment requirement. It could deliver climate change targets, too, but we have to understand how to deliver that in order to be able to do it.

The final RPP needs to be more detailed and ambitious. However, the Transport, Infrastructure and Climate Change Committee and the Economy, Energy and Tourism Committee—especially the former—should be congratulated on the work that they have done. The Transport, Infrastructure and Climate Change Committee has done an excellent job in a limited timescale in evaluating the draft RPP and suggesting improvements. I hope that the Scottish Government takes on board those suggestions when it produces the final RPP.

17:10

Roseanna Cunningham: The draft RPP is our first attempt to quantify in detail the effect of the action that we are taking across the board. Members' comments during the debate have reflected the breadth and complexity of the issues that face us as we seek to cut greenhouse gas emissions. I cannot hope to address every specific question that has been raised, so I will pick up on a number of the key themes that have been touched on by more than one member.

There has been some discussion about the publication of the draft RPP at the same time as the draft budget. This has been the first such process, and we were driven by the timescales that have been laid down by the Climate Change (Scotland) Act 2009. I remind members that the delays in finalising the emissions targets meant that our initial intended publication date of September had to be considerably delayed. It was really not within our gift. When we discuss things in the chamber, it is worth remembering to consider the consequences of the decisions that are made.

Future RPPs will be for periods many years in the future. The next RPP, in autumn 2011, will be for 2023 to 2027, which is far beyond the periods that are covered by parallel budgets or spending reviews. I will speak about other aspects relating to funding later.

There has been a considerable amount of comment about the adoption of a voluntary approach, as opposed to regulation. I was trying to be polite when I said earlier that there was a philosophical difference on this. There is a view in some sections of the chamber that regulation is

the automatic first response, rather than proceeding in a voluntary way. It is that qualitatively slightly different approach to things that I was trying to be as polite as possible about. I appreciate that each of us will bring our different attitudes towards that, but it is strongly the Government's view that we have to be able to bring people with us as much as we can, only reverting to regulation when we can clearly no longer do that.

Elaine Murray: The point that some of us have been trying to make is that we have to assess at what point a voluntary approach has failed and we have to bring in regulation. The minister gave an excellent example of that in relation to the Wildlife and Natural Environment (Scotland) Bill at the Rural Affairs and Environment Committee this morning; she said that the Government had to introduce vicarious liability because the assessment had been made that the voluntary approach to wildlife crime had failed and it was now necessary to introduce regulation. There is a point at which we have to be able to assess where the voluntary approach is failing.

Roseanna Cunningham: I appreciate what Elaine Murray is saying and I understand her point, but I was speaking at the committee this morning with the knowledge and hindsight of the failure of the voluntary approach. It would have been extraordinary for me to have sat in a committee room two years ago and said that, in that timescale, I would be introducing that particular legislative change because of the failure of the voluntary approach.

Jackson Carlaw: Does the minister accept that Elaine Murray's argument is about looking forward 40 years? The logic of the argument is that we should have set regulatory criteria in 1971 to deal with the environmental challenges that we face today. It is preposterous—we have to see the reality before we introduce the regulation.

Roseanna Cunningham: In fairness, let us all acknowledge that we are developing a framework for monitoring progress. It is not as if we are unaware of the problem that will arise if the voluntary approach clearly fails.

The public engagement strategy is equally important. It has also just been published, and there will no doubt be some discussion about it. A number of actions are contained in that strategy that involve engaging directly with the public, which will have an impact on the extent to which the voluntary approach is successful or otherwise.

There has been much discussion about how not all the measures in the draft RPP are financed in the draft budget. Much can be said about that. If the Parliament considers provision in an area to be insufficient, we will welcome the Parliament's

views on where further provision might be found from elsewhere in the budget. We have a finite sum of money and decisions that are taken in one area will have an impact on decisions elsewhere.

I think that Alison McInnes said that we should not be overreliant on the UK and must fully fund all the proposals ourselves. Whether she likes it or not, we rely on the UK for funding. That is the reality of the devolved settlement. There is something that we can do about that, and I am always happy to welcome new recruits to the Scottish National Party's cause, if Alison McInnes is beginning to think about the issue.

I think that Iain Smith asked what we will do while we wait for the green deal. That is precisely what the various domestic energy efficiency measures are about. We are running them until 2012, when the green deal will come on board. That is important.

Iain Smith and, I think, Charlie Gordon said that they were disappointed with the £48 million for energy assistance and home insulation, but the point about the programmes is that they are designed to draw in UK CERT investment worth £100 million per year. They do not stand completely on their own.

I have made a number of comments on funding. I did not do so glibly. There is little point in our debating matters in the absence of the reality against which all Government expenditure is set. It behoves us all to consider that carefully.

A number of members commented on the need for alignment between the RPP and the budget. I agree, which is why we brought the RPP forward in the timescale in which we did so. However, the same members also suggested that they would want to scrutinise the RPP in advance of the budget. There perhaps needs to be a little refinement of how we progress the matter in future. That is a debate that the whole Parliament must have, because we will need to resolve the issue. There is only a single year in which we must produce an RPP and a budget, so we need to think about how to time publication for best effect. I appreciate that the timing did not work out as well as might have been hoped for this year.

Iain Smith: Will the minister take an intervention?

Roseanna Cunningham: No, I am sorry. I am running out of time.

I am happy to talk to any members who have additional policy proposals to put forward in the event that the EU fails to agree a 30 per cent target. We have said that we will look at alternative proposals, from wherever and whomever they come.

The 60-day scrutiny period for the draft RPP continues until 16 January—that is a Sunday, so in practice it will be 17 January if members want to do something at the last minute. For reasons that are connected to the requirement in the 2009 act for ministers to have regard to representations during the whole of the 60-day period, the Government will abstain from voting on the motion at decision time.

Making the transition to a low-carbon economy during the next decade will be a huge challenge for every one of us. We must ensure that we act in a transparent and accountable manner. What we do must be set against the backdrop of the reality of the circumstances in which we find ourselves. There is little point in constructing a fantastic, wonderful model that is utterly unachievable. The achievableness of what we do must be tested carefully.

I am proud of the Climate Change (Scotland) Act 2009 and I am proud of how members of the Scottish Parliament worked together to make it such strong legislation. I hope that the political consensus on the issue is not over and that we can continue to deal with matters on the consensual basis that there has been up to now.

17:19

Patrick Harvie: I am sorry that I will not have time to respond to all the members who made points in the debate.

The minister began her opening speech by emphasising the social and economic benefits that can be achieved as we reduce our emissions. She was quite right about that, and what she said gives me hope that we will have constructive discussions with her when she comes to the Transport, Infrastructure and Climate Change Committee. However, we should acknowledge that not everyone is yet convinced of that. For example, reducing transport demand and increasing the proportion of journeys that are taken by foot and by bike will have health, safety and economic benefits and just make our communities nicer places to be in, but many people still perceive that agenda as a threat, not an opportunity. That reinforces the importance of the public engagement strategy.

The minister and Rob Gibson were at pains to emphasise the spending constraints that the Scottish Government is under. The minister asked members to say how they would fund additional proposals if they sought them. I am happy to say—as I suspect the minister is—that I am opposed to the cuts agenda. I do not support the UK Government's decision to reduce the Scottish Government's grant and I want progressive taxation to play a bigger role. However, even if it

does not play a bigger role and we have to accept the UK Government's agenda, and even if other parties in the Parliament do not support increasing taxation, it is about not only the amount of money that we spend but the priorities. For example, budget after budget, the Transport, Infrastructure and Climate Change Committee has agreed unanimous recommendations that we should increase the proportion of the transport budget—not only the size of the cake but the share of it—that goes to sustainable and active travel as well as public transport.

The same argument is made on energy efficiency. Around a third of the energy efficiency budget has been cut—£48 million for the energy assistance package and the home insulation scheme is around a third down on last year—but it is one of the best-value and most effective ways of bringing social, economic and environmental benefits together. It simply has not had the priority that it needs, as not only the Transport, Infrastructure and Climate Change Committee but the Economy, Energy and Tourism Committee has repeatedly said.

The minister says that we require the stronger EU target of 30 per cent and, if it is not forthcoming, we will have to consider other options. I am afraid that that is worryingly ambiguous. Many thousands of Scots campaigned hard for the targets in the 2009 act because the science required them. I suspect that those Scots will accept a weaker target only if the science justifies it.

I will spend most of my closing speech talking about the issue of the voluntary versus the regulatory approach, to which many members referred.

Jackson Carlaw rarely fails to engage full frontal with the substance of the debate before us. Even if we often find ourselves on the opposite sides of the debate when he does so, I appreciate his engagement. He says that some people are still not convinced about climate science. I happily acknowledge that that is a statement of reality. There are still some people who deny the science of evolution but, by doing so, they make themselves irrelevant to a discussion of biology. The Delingpoles and Plimers of the world make themselves irrelevant to a debate about climate change by denying the science.

There are also many people—many of us—who are convinced of the science but, as Jackson Carlaw says, do not yet fully understand the consequences of reaching our targets. I hold up my hands and say that I cannot tell anybody here what a zero-carbon or low-carbon world is like. No economies in the history of humanity have ever achieved it. We know that we will get some things

wrong along the way, but the science dictates that we must make every effort.

Jackson Carlaw suggested that a regulatory approach implies that a voluntary approach will fail, but sometimes voluntary approaches do fail. Voluntary approaches on reducing smog, reducing acid rain, cutting out chlorofluorocarbons and a wide range of other environmental improvements over the decades had to be accompanied by regulation. The market did provide more efficient cars, but it did not provide lower fuel consumption because, when cars became more efficient, we started to use them more, so fuel consumption went up.

Markets are very good at meeting demands but, when environmental costs can be externalised, they are bad at living within environmental limits. If, one day, a fully functional, robust and meaningfully valued carbon price operated, encompassing the whole economy, perhaps a market approach might achieve the emissions cuts. However, I suspect that it would do so with an incalculable and unacceptable social cost and even a non-carbon environmental cost that most of us, I think, would not be willing to tolerate.

Beyond the environmental sphere, much of the social progress that has been made over the generations has happened only with both public engagement—the hearts-and-minds approach—and regulation. In the workplace, whether we are talking about holiday pay, sick leave, equal pay for men and women, ending discrimination and sexual harassment in the workplace, the minimum wage or a host of other issues, we would have got nowhere without a regulatory approach as well. The truth is that we won the public argument on those issues by achieving progress, and we needed regulation to get us there.

Sarah Boyack (Edinburgh Central) (Lab): The other point is that there is an economic argument for regulation. Does the member agree that companies should have the certainty to be able to make investment to achieve better standards that have public support?

Patrick Harvie: That is absolutely right. Many in the business community consistently tell us in Transport, Infrastructure and Climate Change Committee meetings—I am sure that they make the same point in other committees—that they need certainty if they are going to bring in the private sector investment that Charlie Gordon, for example, talked about in his speech.

I make no apology for dwelling for so long on the balance between voluntary and regulatory approaches. The committee's report goes into the issue at some length, but I suspect that it will also come to characterise many of the debates that we will have down the years towards 2020 and 2050

and way beyond. Jackson Carlaw was perfectly right to say that we must achieve our environmental objectives—which I regard as vital to the future of humanity—at the same time as we achieve our social and economic objectives. We can do that. We can use the transformation that climate change demands of us to become at the same time a healthier, safer, happier and more equal society in which the quality of life for everybody is our priority. I hope that Jackson Carlaw and every member of every party that is represented in the Parliament and members of no party are committed and will remain committed in subsequent sessions to being an advocate of that vision. We have the capacity to help to achieve that vision or to undermine it as we see fit. If any of us chooses the latter, that will guarantee the failure of the voluntary approach and leave us with a much harder and less pleasant choice.

It is crucial that, as it goes down the years and decades ahead, the debate must not become sterile and technical. It must remain fertile and visionary and inspire the positive reaction, creativity and enthusiasm that we will need if we are going to achieve the objectives that we have set ourselves.

Proposed School Closures (Argyll)

The Presiding Officer (Alex Fergusson): The next item of business is a 10-minute statement by Michael Russell on proposed school closures in Argyll. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

17:28

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): I am grateful for the opportunity to make a statement on proposed school closures in Argyll and Bute.

Long before I was an MSP, I was involved in campaigning for rural schools and I have championed the cause of rural schools for almost my entire political career. Rural schools are critical to fragile communities: they anchor the future of such places because young people are the future.

The continued health of rural schools is about much more than education. It might even be said that the cause of rural schools goes to the heart of why the Parliament exists, because we are here to serve the interests of all the communities of Scotland, no matter how small, and to do so without fear or favour. I know that many other members share that view. For example, in the first session, Cathy Peattie was the rapporteur for an inquiry that not only saved some schools, but presaged the Schools (Consultation) (Scotland) Bill. Murdo Fraser introduced a bill on the topic, and Jamie McGrigor and Jackie Baillie have been working effectively to oppose local closures.

Let me make two points clear at the outset. First, this statement has been requested by the Opposition parties and is therefore a ministerial statement, but any and all of the actions that I took in relation to the proposed school closures in Argyll and Bute were not taken as a minister. Moreover, that point was made clear at every stage of the events that I shall describe.

Secondly, the moment that there was the prospect of school closures in Argyll and Bute, I took the correct steps to insulate myself as a minister and, in keeping with official advice—which I had sought—put in place arrangements for another minister to take decisions on and to act in all capacities concerning the matter. Those arrangements were announced on the very day on which a formal process was started.

I will now give the details of the Argyll and Bute school closure proposals. In late October 2010, Argyll and Bute Council released a list of 26 schools that it proposed should be closed. That list was met with consternation locally—it represented

almost one third of local schools. Many people believed that it would be a significant—perhaps fatal—blow to the entire diverse and disparate area. The final decision on the proposals was due to be made at a council executive meeting on 2 November, but that meeting demurred and instead asked officials to bring back revised proposals to the full council on 25 November. Instantly, the school closure plan became the single biggest local issue. I received numerous requests to meet councillors and parents, but from the outset I made it explicit that I could do so only as the prospective parliamentary candidate for the area, and in that role alone.

In that capacity, on 5 November, at the request of the local councillor and during a visit to Kintyre, I met parents of pupils of Glenbarr and Southend primary schools. On 13 November, again at the request of the local councillor, as well as of the parent council, I met the community on the island of Luing, whose school had been raised with me five days earlier in this chamber by Des McNulty. On 20 November, while I was undertaking local campaigning in Rothesay, I met parents from North Bute primary school who were running a street stall. On 27 November, while I was campaigning in Dunoon with a local councillor, I visited a coffee morning in Strone where, yet again, the school issue was on everyone's lips. On 13 December, when I visited Ulva and Lochdon on Mull, I was accompanied by no fewer than four councillors, including one independent Liberal and one independent. Later that evening, I was at Barcaldine with two councillors. In addition, I had the issue raised with me in shops, in pubs, at events and in the streets across the area. I even had it raised with me in neighbours' houses because, of course, I live in the constituency and in a community that was threatened with the closure of its primary school.

In every one of those meetings and in every conversation, I made three things clear: first, that I could speak only in my capacity as a prospective parliamentary candidate; secondly, that given my governmental office, I could not and would not take a position on the closure of any individual school; and finally, that the only help I could give was to ensure that everyone was fully familiar with the rights of parents and communities under the Schools (Consultation) (Scotland) Act 2010.

That is what I said—or to put it another way, let me quote one of the parents I met, Mr Robert Millar of Southend, who last weekend told *Scotland on Sunday*:

"He made that quite clear before he started. He said I can't comment about the school and say anything with the job I've got."

I was very touched to be contacted yesterday morning by another member of one of the affected

communities, who made it clear that the parent council on the island of Luing would be willing to say exactly the same thing.

When I entered schools, those visits were arranged by and were at the invitation of local councillors, the local teachers or the parents themselves, and I did so as a local candidate. As members know, I am not exactly a shrinking violet. Consequently, I was accompanied on a number of visits by local journalists who covered the discussions. Their reporting, for example in the *Campbeltown Courier* and in *The Oban Times*, confirms what Mr Millar said. As a local candidate, I met local people to discuss local issues that were of concern to them.

At the meeting on 25 November, the Scottish National Party group in Argyll and Bute Council refused to back a list of closures that had only one change and consequently withdrew from the council administration. That was a decision for the council group and one that it reached after listening to its constituents.

However, other councillors had not listened to their constituents. The six Liberal Democrats immediately joined the administration, backed by the two Tories, and voted through the list of 25 school closures at that very meeting, by 19 to 17. If they had not, the closures would have fallen. *[Interruption.]*

The Presiding Officer: Order. There should be no interruptions or interventions.

Michael Russell: As December dawned, it became obvious to many people that the unprecedentedly long list of formal closure proposals was deeply flawed. Forensic work by the Scottish rural schools network, by the new Argyll rural schools network and by the local media, including *The Oban Times*, the *Campbeltown Courier*, the *Dunoon Observer* and Argyll Online, increasingly exposed the new council administration and the entire process to censure. The national press joined in, with a particularly effective contribution from Ruth Wishart in *The Herald*.

As a result, the council clearly felt under some pressure. On 17 December, the chief executive of Argyll and Bute Council raised concerns about the process with the permanent secretary, who responded to her on 23 December emphasising the clear separation, that had already been publicly announced, to ensure that I would take no role in any governmental decision on call-in or closure. In the same week, an extraordinary attack on critics of the proposals was made on the official council website by one of the council's staff.

On 5 January—just one week ago—a special council meeting took place, which was requisitioned by the SNP council group that was

working with the Argyll first group and some non-aligned independent councillors. Its purpose was to hear an authoritative presentation from the Scottish rural schools network on the flaws in the closure proposals, and to persuade councillors to withdraw them because of those errors. A summary of the information was circulated prior to the meeting.

That was enough. Faced with the facts and likely humiliation, the Liberal Democrat and independent administration caved in suddenly and without prior notice. It proposed a motion to withdraw the entire closure package, having been forced to recognise public anger and the mess that it had created.

However, two days before the meeting, an e-mail that I had sent in mid-November in reply to one from an SNP councillor from his official council e-mail address was leaked to a range of newspapers. In a piece that was published last week, the *Dunoon Observer* revealed that my e-mail was sent to it from an e-mail address purporting to belong to a John Mackinnon. The journalist on the paper recounts how he e-mailed the sender back, asking how he had obtained it and whether he was a member of, or worked for, any political party. He got no response.

How that e-mail came to be in the hands of the media is a question for others. In what way it might have been linked to the special meeting also needs to be examined, but given the fact that I had already decided that I would play no role in any possible Scottish Government decision on the closures, it was entirely appropriate to share my view as the local candidate with my local party colleagues. Indeed, it would have been inconceivable not to do so.

I am also clear that under the MSP code of conduct, it is entirely permissible to take an active role in an issue in another constituency when the member has the agreement of the relevant constituency MSP. I had that clear agreement from the relevant local constituency MSP, Jim Mather.

The Government introduced the Schools (Consultation) (Scotland) Bill to improve the way in which communities are consulted on closure plans and to insist that closures can occur only when they are of educational benefit to the pupils. That is the standard that we have set; we will apply it in every community in Scotland. We are not saying that a rural school will never close, but that full consultation and consideration of viable alternatives is mandatory. A fair and robust process that is informed by accurate and verifiable data is the key to the matter.

Members across the chamber regularly talk to me about school closure issues in their

constituencies and regions. I am always happy to explain to them that the legislation is not about second-guessing decisions but about ensuring fairness. If I can be helpful to members on such a thing, surely I should also be helpful to those who ask me elsewhere.

The SNP Government will go on being fair to communities across Scotland. I can update the chamber this evening about further progress. Today we have rejected proposals from Comhairle nan Eilean Siar to close four schools—Shelibost primary school, Carlaway primary school, secondary 1 and S2 at Shawbost and S1 and S2 at Lionel. I have also decided to call in the decision by Shetland Islands Council to close one school—Scalloway—for further consideration. However, I have granted consent to Moray Council to go ahead with the closure of Cabrach primary school because the council has adhered to the process that is set out within the legislation.

We should all be proud of the legislation that we have passed to give better protection to vulnerable schools. However, more might usefully be done. I have been reflecting on how the legislation works in practice and whether it should take in issues such as calculation of capacity and the verification of information. I shall now consider what is needed to improve the process further.

Since this SNP Government took office, when a ministerial decision has been required on a school closure, half have been refused consent or called in for further investigation by SNP ministers. However, under the previous Labour-Liberal Administration, every time a ministerial decision was required on a proposal to close a school—every single time—those Labour and Liberal ministers closed the school. Let that fact speak for itself.

I, for one, am glad to be known as a defender of our rural schools in Argyll and Bute and across Scotland who, I believe, has acted with propriety throughout.

The Presiding Officer: The cabinet secretary will now take questions on issues that were raised in the statement. We have until 6 o'clock, when we will move to decision time. It would be helpful if members who would like to ask questions would press their request-to-speak buttons.

Des McNulty (Clydebank and Milngavie) (Lab): I thank the cabinet secretary for advance sight of his statement. I have three specific questions and a number of requests for further information.

Will the cabinet secretary name the eight or nine schools in Argyll and Bute that he apparently considers could have been closed with minimal difficulty?

In his statement, the minister said that the moment there was the prospect of school closures, he took steps to insulate himself. Was that when the council's proposals were published or the date on which the formal process was started?

On what date did the cabinet secretary first direct the SNP councillors, who were the architects of the closure proposal, to withdraw from the administration?

Will the Government publish, through the Scottish Parliament information centre or via the internet, all written and e-mail correspondence with Argyll and Bute Council on the handling of school closures, including the letter that was sent by the chief executive of the council to the permanent secretary, which was referred to in the statement, and the permanent secretary's reply? Will the cabinet secretary publish a list of all e-mail and written correspondence received from members of the public on school closures since his appointment as cabinet secretary, together with an indication for each communication of whether a response was sent by the cabinet secretary or by an official?

Will the cabinet secretary list the dates of all visits he has made to Argyll and Bute schools since his appointment and publish details of all phone calls, e-mails and letters sent to those schools or parents representatives connected with those schools? *[Interruption.]*

The Presiding Officer: Order.

Des McNulty: Finally, will the cabinet secretary provide details of ministerial and parliamentary resources used to arrange and deliver the meetings?

Michael Russell: Perhaps I could wish Des McNulty a happy new year, as this is the first time I have had an opportunity to communicate with him across the chamber.

I make it absolutely clear that I have never listed a group of schools. There is always the possibility of school closures—my statement makes it entirely clear that no school exists for ever—but it is for others to list those possibilities and for full consultation to take place.

I will move on to the second question—there were a large number of questions, not all of which, I am afraid, I was able to get in the time available. My statement made it clear that I sought advice the moment that there was any prospect of the closures, when I first heard about them towards the end of October. My statement gave a clear timeline thereafter.

As for the question of direction, I do not direct councillors. No SNP members direct councillors.

Control freakery lies on the Labour benches, not on the SNP benches.

Elizabeth Smith (Mid Scotland and Fife) (Con): I thank the cabinet secretary for prior sight of what is a very robust statement.

If the cabinet secretary is absolutely convinced, as he seems to be, that he has acted with propriety throughout the period, will he say why he chose not to publish some of the communication, which would have been immensely helpful last week when we asked for that to happen? It would have cleared up the issue with parents and his constituents.

Secondly, will the cabinet secretary confirm for the record that he has not had any correspondence with SNP councillors in other parts of the country, making directions to them about school closures?

Thirdly, will he confirm why the Cabinet Secretary for Education and Lifelong Learning was giving some direction to SNP councillors and telling them what should be happening in their areas? Is that a cabinet secretary who is running away from very difficult decisions?

Michael Russell: The answer to the final question is no.

I do not give directions to any group. As a candidate, it would have been extraordinary if I had not had conversations with a wide range of party members and others about the issue in Argyll. I have given a very full account of the chronology and the contacts. I had hoped that that might have been enough for a fair-minded person. I am somewhat upset that Liz Smith proves herself to be not a fair-minded person.

Margaret Smith (Edinburgh West) (LD): Parliament recently passed schools consultation legislation—a new system that Fiona Hyslop said would be “open and transparent” for parents. Like others, I have had painful experience of school closures in my constituency, in particular when Drumbrae primary school closed down. This week, the chair of one of the local receiving schools—East Craigs—contacted me and is deeply concerned about the cabinet secretary’s actions. It is perfectly reasonable to think that parents across Scotland are concerned about what they have heard.

The chair of East Craigs told me that in December 2009 the parent councils in my constituency contacted the First Minister and ministers to ask them to intervene and to talk to their SNP councillors about their manifesto commitments on school closures. When Mike Russell responded weeks later—after the decision was taken—he was clear:

“I want to assert from the outset that I would not at any point have had locus to intervene in the City of Edinburgh Council’s consultation or decision ... as distinct corporate bodies, local authorities are responsible for their own actions”.

Given that that was the cabinet secretary’s response to parents in Edinburgh, and that he has told us today that the issue should be about fairness to parents all over Scotland, why did he consider it acceptable to meet parents where he had no electoral locus? [*Interruption.*]

The Presiding Officer: Order.

Margaret Smith: The cabinet secretary was not an elected member for the area in which the schools were being closed. Why did he risk a breach of the Parliament’s code of conduct to deal with a matter relating to a constituency issue outwith his region?

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): That is a smear.

Margaret Smith: Did the cabinet secretary seek permission in any way from regional MSPs? When he was asked by parent councils to attend meetings, was he asked to attend those meetings along with other candidates or was he asked because he was the candidate who happened to be the Cabinet Secretary for Education and Lifelong Learning?

The Presiding Officer: You must finish, please.

Margaret Smith: Why did the cabinet secretary compromise his ministerial position by telling SNP councillors what to do? That is not a fair and transparent way in which to deal with school closures.

Michael Russell: I understand the embarrassment of the Liberal Democrats on the matter—I want to be very clear about that.

I, too, am grateful for advance notice of the Drumbrae issue, which came to me from *The Scotsman* this afternoon, so one knows to whom it was given before it came to the chamber.

I behaved in exactly the same way in Drumbrae as I did in Argyll and Bute. As I said in my statement, I immediately insulated myself ministerially from the decisions in Argyll and Bute. In all those circumstances, as my statement indicated, I acted with absolute propriety and absolutely openly. All the rest—as I heard my friend, the Cabinet Secretary for Finance and Sustainable Growth, say from a sedentary position—appears to have been an attempt at a smear, which I regret.

Rob Gibson (Highlands and Islands) (SNP): The cabinet secretary mentioned that, under the previous Labour-Liberal Administration, every time

a ministerial decision was required on a proposal to close a school the Labour and Liberal ministers closed the school. Can he tell us about the SNP's record on saving rural schools compared with the Labour-Lib Dem record?

Michael Russell: I am happy to repeat that part of the statement. Since this SNP Government took office, when a ministerial decision was required on a school closure, half have been refused consent or called in for further investigation by SNP ministers. In other words, we are active and vigorous. We have always said that the position of rural schools throughout the country is important. They are vital to rural health, but not all schools stay open. That is why we introduced the Schools (Consultation) (Scotland) Bill, and I am glad that the whole chamber supported it. It is another SNP policy that has been delivered successfully.

Rhoda Grant (Highlands and Islands) (Lab): I am sure that the cabinet secretary will agree that the schools need to be saved. However, what appears to be missing from his rhetoric is recognition of the fact that there are good educational arguments for that. Instead, he has turned the whole issue into a political football with the intention of furthering his own political career rather than of saving the schools. [*Interruption.*]

The Presiding Officer: Order.

Rhoda Grant: His behaviour is jeopardising those schools. Will he now apologise for that behaviour?

Michael Russell: I find myself in some difficulty with the nature of that question, given that the politics of the situation have been fuelled by Rhoda Grant on every single one of the past seven days. I hope that the chamber might come together in a positive way and welcome the announcements that I made at the end of my statement. This is the first occasion on which effective legislation has been used to ensure that a number of schools will remain open. I am sure that Rhoda Grant will welcome that.

It has also given us the opportunity to consider another proposed closure. That should be welcomed. Perhaps we should also welcome the fact that Moray Council has followed the procedure well and, therefore, has permission to close the school. I think that the 2010 act is working well, so I am sorry that Rhoda Grant did not spend at least a moment in her question welcoming those announcements.

Jamie McGrigor (Highlands and Islands) (Con): We know, from the cabinet secretary's e-mail correspondence and from what we have already heard, about the eight or nine primary schools that he suggests could be closed without any difficulty. First, can he name those schools and explain how he reconciles his suggestions

with the legislation that he says he supports, which states that each school should be considered individually on its educational merits?

Secondly, the minister stated that the SNP withdrew from the council administration on 25 November, but did it not do that on 6 December?

Thirdly, he stated that six Lib Dems and two Tories voted through the list of 25 closures, but did they not vote for consultation?

Michael Russell: I will start with the member's last question. Those councillors voted to consult on closure. That was a decision that they wished to close the schools. I do not think that the member can get round that. I commend Jamie McGrigor for going to Southend and helping the parents there by arguing for the retention of that school. Unfortunately, he was not backed by the two Tory councillors, who vigorously voted for the closures. Indeed, one of them indulged in a speech that insulted those who were protesting against the closure.

I hope that Jamie McGrigor would join me in welcoming the change of heart that has taken place in the council and the new opportunity that has been given. I have often backed Jamie McGrigor's views on this matter and I think that he and I are at one in this regard. Indeed, at the start of the process, he urged me to be more active on this matter. Clearly, one cannot please all the people all the time.

Ross Finnie (West of Scotland) (LD): Returning to the cabinet secretary's e-mail reply to Councillor Macdonald on 19 November, which was sent from Mr Russell's Scottish Parliament account as an MSP, which he justified in his statement as being entirely appropriate as it was done with the permission of Jim Mather, I ask not whether Mr Russell had the permission of the local constituency MSP, Jim Mather, to make that reply; instead, I ask what was the cabinet secretary's locus for sending such detailed comment and advice for schools in Argyll and Bute in his capacity as an MSP for the South of Scotland.

Michael Russell: As I made clear in my statement, under the MSP code of conduct it is entirely permissible to take an active role in an issue in another constituency where one has the agreement of the relevant constituency MSP. I had that agreement from Jim Mather. That is absolutely clear.

Alasdair Allan (Western Isles) (SNP): Does the cabinet secretary agree that, judging by the tone of some of the Opposition contributions, anyone could be forgiven for thinking that a candidate defending rural schools was doing a bad thing, which stands in sharp contrast to the welcome decision of the cabinet secretary to save

two primaries and two secondaries in the Western Isles?

Michael Russell: It is curious that those who have been, quite properly, vociferous in their support of rural schools should endeavour to make this issue a “political football”—to quote an earlier questioner. That is unfortunate, and it is also politically very silly. I would have thought that those who have stood up for rural schools in that way would want to be commended by the population. Instead, they appear to be against the idea of saving rural schools, even though, previously, they must have voted for the legislation. I would have hoped that the chamber would have welcomed the climb-down by the Liberal Democrat-independent administration and the decision on the Western Isles schools—Alasdair Allan is the first to do so—and would agree that the legislation is working well.

Jackie Baillie (Dumbarton) (Lab): I thank the cabinet secretary for his statement and for acknowledging my efforts to oppose the closure of local schools in Helensburgh and Lomond. I confess that the cabinet secretary has not yet been to a school in my area, but I will happily arrange for a coffee morning or a stall, should he wish to drop by.

Although it is the case that the proposals were developed by an SNP-independent administration—indeed, the education convener was an SNP member—I have worked on a cross-party basis to protect schools and will continue to do so.

I repeat my request to the cabinet secretary that Angela Constance, the Minister for Skills and Lifelong Learning, agree to a meeting to discuss the proposals, because we know that the proposals will come back with a short space of time for consultation.

Michael Russell: That was a helpful question. It was, of course, a question that needs to be addressed to Angela Constance, but I am sure that as she is a reasonable person, she will be delighted to meet Jackie Baillie. I welcome the opportunity to attend a coffee morning in Helensburgh or any other part of Jackie Baillie's constituency.

Bob Doris (Glasgow) (SNP): In relation to the aborted mass school-closure proposals in Argyll, does the cabinet secretary agree that it would have been ridiculous and untenable for any candidate in the forthcoming election in Argyll to stay quiet on such a matter, apart from the candidate from the Labour Party, who might not have wanted to draw attention to the fact that their party was responsible for the savage closure of 20 primary schools in Glasgow?

Michael Russell: Of course, the Labour Party had no chance to vote on the matter in Argyll and Bute Council because it has no councillors in Argyll and Bute Council. However, I would have thought that its candidate would have wanted to place himself on the right side of the issue rather than getting involved on the wrong side.

It is for others to say why they have acted as they have done. I do not pretend to understand why candidates of any sort would go against such a clear worry in the community about rural schools.

For me, rural schools are at the heart of rebuilding rural communities. Not every rural school can stay open—I am absolutely clear about that—but rural schools make a vital contribution, and we should value and build on that rather than allow them to be cut off all the time.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I listened very carefully to the education secretary's timeline in his statement. He failed—inadvertently, I am sure—to mention that the original proposal to close 26 schools in Argyll and Bute came from the SNP administration. Will he confirm that that is the case, and that he inadvertently left it out of his statement?

Michael Russell: No, I did not inadvertently leave it out of my statement at all. The timeline started in October, and the information that I gave indicated that the original administration proposed 26 closures. However, there is no greater joy than the joy over a sinner who repenteth.

The SNP councillors, who bothered to go and talk to the local communities and who discussed the matter in full, recognised that the original list of proposals was deeply flawed. Moreover, freedom of information material that has been sought and gained by Argyll Online indicates that Isobel Strong, the convener of the education committee in Argyll and Bute Council at that stage, was not fully involved in all the key meetings and was excluded from some of the decision-making processes.

I suspect that that was one of the reasons why the group decided that it was well shot of its independent partners. The new Liberal Democrat partners in the council may shortly find that they are not in bed with the happiest or most forthcoming group of people.

The Presiding Officer: That concludes the ministerial statement and questions on the proposed school closures in Argyll and Bute, and I have no choice other than to suspend until 6 o'clock.

17:56

Meeting suspended.

18:00

On resuming—

Business Motion

The Presiding Officer (Alex Fergusson): The next item of business is consideration of business motion S3M-7684, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 19 January 2011

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 1 Debate: Domestic Abuse (Scotland) Bill

followed by Economy, Energy and Tourism Committee Debate: The public sector's support for exporters, international trade and the attraction of inward investment.

followed by SPCB Motion on membership of the Scottish Commission for Public Audit

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 20 January 2011

9.15 am Parliamentary Bureau Motions

followed by Scottish Green Party Business

11.40 am General Question Time

12.00 pm First Minister's Question Time

2.15 pm Themed Question Time
Rural Affairs and the Environment;
Justice and Law Officers

2.55 pm Stage 3 Proceedings: Historic Environment (Amendment) (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 26 January 2011

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Scottish Government Business

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 27 January 2011

9.15 am Parliamentary Bureau Motions

followed by Scottish Government Business

11.40 am General Question Time

12.00 pm First Minister's Question Time

2.15 pm Themed Question Time
Finance and Sustainable Growth

2.55 pm Scottish Government Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business—[Bruce Crawford.]

Motion agreed to.

Parliamentary Bureau Motions

18:00

The Presiding Officer (Alex Fergusson): The next item of business is consideration of five Parliamentary Bureau motions. I ask Bruce Crawford to move en bloc motions S3M-7685 to S3M-7689, on approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2011 be approved.

That the Parliament agrees that the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) Order 2011 be approved.

That the Parliament agrees that the Criminal Justice and Licensing (Scotland) Act 2010 (Consequential and Supplementary Provisions) Order 2011 be approved.

That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2011 be approved.

That the Parliament agrees that the Scottish Public Services Ombudsman draft Statement of Complaints Handling Principles be approved.—[*Bruce Crawford.*]

The Presiding Officer: The questions on the motions will be put at decision time.

Decision Time

18:00

The Presiding Officer (Alex Fergusson): There are three questions to be put as a result of today's business. The first question is, that motion S3M-7676, in the name of Hugh O'Donnell, on the Autism (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Ferguson, Patricia (Glasgow Maryhill) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Harper, Robin (Lothians) (Green)
Harvie, Patrick (Glasgow) (Green)
O'Donnell, Hugh (Central Scotland) (LD)

Against

Adam, Brian (Aberdeen North) (SNP)
Aitken, Bill (Glasgow) (Con)
Alexander, Ms Wendy (Paisley North) (Lab)
Allan, Alasdair (Western Isles) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brocklebank, Ted (Mid Scotland and Fife) (Con)
Brown, Gavin (Lothians) (Con)
Brown, Keith (Ochil) (SNP)
Brown, Robert (Glasgow) (LD)
Brownlee, Derek (South of Scotland) (Con)
Butler, Bill (Glasgow Anniesland) (Lab)
Carlaw, Jackson (West of Scotland) (Con)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Coffey, Willie (Kilmarnock and Loudoun) (SNP)
Constance, Angela (Livingston) (SNP)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Don, Nigel (North East Scotland) (SNP)
Doris, Bob (Glasgow) (SNP)
Eadie, Helen (Dunfermline East) (Lab)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Finnie, Ross (West of Scotland) (LD)
FitzPatrick, Joe (Dundee West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Highlands and Islands) (SNP)
Gillon, Karen (Clydesdale) (Lab)
Glen, Marlyn (North East Scotland) (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)
Harvie, Christopher (Mid Scotland and Fife) (SNP)
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)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McMillan, Stuart (West of Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Paterson, Gil (West of Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 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)
 Smith, Margaret (Edinburgh West) (LD)
 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)
 Tolson, Jim (Dunfermline West) (LD)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

Abstentions

MacDonald, Margo (Lothians) (Ind)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)

The Presiding Officer: The result of the division is: For 5, Against 109, Abstentions 2.

Motion disagreed to.

The Presiding Officer: The next question is, that motion S3M-7677, in the name of Patrick Harvie, on the Transport, Infrastructure and Climate Change Committee's "Report on Low Carbon Scotland: The Draft Report on Proposals and Policies", be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 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)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Abstentions

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)
 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)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 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)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 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)

The Presiding Officer: The result of the division is: For 56, Against 0, Abstentions 61.

Motion agreed to,

That the Parliament endorses the recommendations contained in the Transport, Infrastructure and Climate Change Committee's 9th Report, 2010 (Session 3): *Report on Low Carbon Scotland: The Draft Report on Proposals*

and Policies (SP Paper 554) and agrees that this report, together with the *Official Report* of the Parliament's debate on the report, should form the Parliament's response to the Scottish Government on the Draft Report on Proposals and Policies.

The Presiding Officer: The final question is, that motions S3M-7685 to S3M-7689, in the name of Bruce Crawford, on approval of Scottish statutory instruments, be agreed to.

Motions agreed to,

That the Parliament agrees that the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2011 be approved.

That the Parliament agrees that the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) Order 2011 be approved.

That the Parliament agrees that the Criminal Justice and Licensing (Scotland) Act 2010 (Consequential and Supplementary Provisions) Order 2011 be approved.

That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2011 be approved.

That the Parliament agrees that the Scottish Public Services Ombudsman draft Statement of Complaints Handling Principles be approved.

Scotland's Irish Diaspora

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S3M-7353, in the name of Bob Doris, on paying tribute to Scotland's Irish diaspora. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that Scotland celebrated the Year of Homecoming in 2009, welcoming the Scottish diaspora back from around the world to celebrate Scottish connections; notes that many European nations have experienced similar demographic movements, both inward and outward; celebrates the contribution from inward migration to Scotland both historical and present, such as it considers is seen in the thriving Irish music, sporting and cultural scene in the city of Glasgow; congratulates Scotland's Irish community on what it considers the dedication and commitment that it has shown in keeping Irish culture thriving and in the good work that Irish groups do in the wider community, and believes that a confident, outward-looking, modern Scotland must have at its heart the appreciation and celebration of the multiple cultures that contribute to Scotland's national life.

18:04

Bob Doris (Glasgow) (SNP): I welcome to the public gallery my constituents from Glasgow's Irish community, as well as Susan Conlon, head of the Irish consulate in Edinburgh.

Scotland is rightly proud of how migration has shaped our nation, as it has shaped that of other countries, for the better. Scotland has been enriched by immigration, just as its people have enriched other countries across the globe. Indeed, homecoming Scotland in 2009 welcomed our Scottish diaspora back to our shores to celebrate that cultural heritage and identity.

It is only right that Scotland pays tribute to the many races and nationalities from across the world that have made that similar contribution to Scotland. My members' business debate pays tribute to one such group, which is Scotland's Irish community. There is no typical Irish immigrant, but it would be remiss not to mention the mass immigration from Ireland during an gorta mór or the great hunger, which is better known today as the potato famine. For instance, in just 10 days in August 1847, more than 11,000 new immigrants arrived in Scotland fleeing the great famine. However, the Irish came to Scotland's shores to settle for many years before that and they still do so in modern times for a variety of reasons.

Irish immigrants often provided blood, sweat and toil to help fuel the industrial revolution here. In Garngad in Glasgow, which has been renamed Royston, the area was transformed by Irish immigration. Whether it was digging the Monkland canal basin at Garngad Hill in 1790 or building the

St Roch's to Stepps railway in 1831, the impact was massive. Indeed, the area became known as little Ireland.

Scots know something about culture and identity forged in adversity from our experiences in history. We all know about the thirst that Scots the world over have to preserve our culture and traditions. From Burns nights to St Andrew's days and from highland games to music and dance, there is a strong positive national identity that has been undiluted by passing generations and distance from the homeland. The Irish in Scotland are, rightly, no different.

As a teenager, I played Gaelic football with a club that was formed by a proud Irish immigrant. I thank all those who were involved with the club, as that experience benefited me as a child. In the city of Glasgow, Tir Conaill Harps provides similar opportunities for youngsters today to play sports such as Gaelic football, hurling and camogie. I pay tribute to the club's work and to the work of others who do good jobs with young people, sometimes in the most deprived parts of my city.

I often attend Scottish National Party meetings at St Columbkille's church hall in Rutherglen, where at the same time the David Smith School of Irish Dancing is training. I have to say that the Irish dance is often far more enjoyable than the meetings that I attend. The passion, commitment and enthusiasm of the dancers are clear. I congratulate them on their high rankings at the world championships, which were held in Glasgow last year. Such dance classes thrive across Glasgow and beyond.

The thriving music scene in Scotland is also hugely enriched by our Irish communities. Many of us will enjoy this month's Celtic Connections festival in Glasgow. Irish musicians are well represented at the festival and Glasgow's Irish musicians tell me that they are keen to perform at future Celtic Connections with their distinct flavour of Irish music. I am sure that the festival organisers will want to promote that in future years. Whether it is traditional Irish sports, music, dance or important community work, Glasgow and Scotland are more vibrant, colourful and better places because of our Irish communities.

We have no idea of just how many Scots of Irish descent there are in Scotland. At the last census, just under 50,000 people living in Scotland were identified as white Irish. However, Scots with an Irish heritage had no way of expressing their ethnic identity. As Scots, we should be proud of and embrace our multiple layers of identity. I am pleased to say that, for this year's census, we will have that option for the first time. For the first time ever, people will be able to express their Scottish and Irish identity in an ethnicity section, which has an Irish category. Irish groups in Scotland will

rightly campaign to raise awareness of the Irish ethnicity census question. They want to urge people to tick that box. I support that campaign and I encourage all Scots of Irish descent to tick that box with pride.

I touched earlier on the history of immigrants to Scotland. History is important, but people in Scotland's Irish community are very much looking forward, as active citizens within Scotland, proud of their commitment to our nation of Scotland, but rightly unflinchingly proud of their Irish ethnicity and their roots. They are proud of their multiple layers of identity, which is as it should be.

The Irish Government, even in the current financially challenging times, continues to invest in and support its diaspora right here in Scotland. It has four development officers who support projects in sport, music and dance. I thank Danny Boyle, Ciaran Kearney, Evin Downey and Patrick Callaghan for their hard work in serving the community. They are all based in Glasgow and paid for by the Irish Government. I pay tribute to the Irish Government for providing that support.

I support plans by Glasgow's Irish community to establish an Irish centre in the city that would act as a hub not only for the city's Irish communities but for Scotland's Irish communities. Such a hub could have facilities for Irish sports, music, dance and a variety of other cultural activities; serve the wider community; provide real educational benefit to our schoolchildren; and be at the forefront of wider efforts to integrate the various migrant groups that now call Scotland their home. It could also be a force for good in tackling bigotry and sectarianism. Plans are at an early stage but I ask the Scottish Government to provide what support it can. I assure the minister that this is not an early bid for cash in the face of United Kingdom cuts—at least not at the moment; it might be at some point in future—but it is a genuine appeal for the Scottish Government and Glasgow City Council to meet representatives of the Irish community to find out what support can realistically be provided.

In welcoming the Scottish Government's plans for a diaspora strategy, I ask that it contact the Irish Government in order to create a distinct strategy for working in partnership to support Scotland's Irish diaspora. The plans for an Irish centre could be core to such a strategy and I would be keen to be involved in that work.

I could have focused in my speech on specific health needs in the Irish community, given that it has one of the highest levels of certain types of cancer of any minority ethnic group in Britain, or on the poverty that has endured over generations in some Irish communities in Scotland and, indeed, in Britain. However, those are matters for another day. Today is all about welcoming the contributions that Scotland's Irish diaspora has

made not only to Glasgow, the city that I represent, but right across Scotland, and I am proud to sponsor this evening's debate.

The Deputy Presiding Officer: We move to the debate. I ask for four-minute speeches.

18:11

Hugh Henry (Paisley South) (Lab): First of all, I must apologise: I cannot stay for the full debate as I have another meeting to attend. Nevertheless, I thank Bob Doris for giving us this opportunity to put on record the sterling contribution that the Irish in Scotland have made in many fields and across many generations. Like Mr Doris, I welcome to the Parliament Danny Boyle and his sister Katie who with their other sister, Roisin, make a tremendous contribution to Irish traditional music and culture in Scotland. I remember them in their early days going to learn their skills at the Comhaltas at St Roch's on a Tuesday night—unfortunately, my children did not have their staying power—and they have gone on to make a very significant contribution to Irish culture in Scotland.

Like many others, not just in this Parliament but in Scotland, I come from an Irish background; all my grandparents are Irish and my mother is Irish. Unlike, I suppose, most of the Irish in Scotland, I have no Donegal connection; my mother came from Cavan and my father's parents were from Sligo. Much of the history that was talked about in Scottish education meant little to me or the generation that I grew up in. Indeed, the famine that Bob Doris mentioned was more of a historical issue for my family than many of the events from Bannockburn onwards and we often felt that our role in society was overlooked and that very little attention was paid to our history and culture. Similarly, with music, the Clancy brothers and Tommy Makem probably contributed more to my musical development as a child than many of the Scottish musicians that are familiar to others.

There have been tremendous changes even in my lifetime. When the troubles started, people of an Irish background became nervous about talking about their identity and expressing their musical tradition, but I welcome the fact that my children do not have to face the same kind of discrimination or antipathy that I or my parents' generation faced.

It is fantastic that Irish people in Scotland are asserting their proud heritage and culture through Irish music and sporting traditions. That is to be celebrated. Scotland has many fine musicians who have drawn their talents and inspiration from their Irish background. Gerry Rafferty, whose sad and untimely death was reported last week and who went to the same school as me, was from such a background and contributed not just to

contemporary Scottish music and life but to British and international music and life.

Tonight's debate should celebrate what can be achieved by an inclusive Scotland that recognises the distinct skills and traditions that many people from the Irish community in Scotland have. It allows us to say proudly in the Parliament what many of our forefathers could not say, even in their own community—that we are proud of who we are, of our Irish background and of our contribution to Scottish life. I am delighted that several people will make that positive statement tonight.

18:15

Anne McLaughlin (Glasgow) (SNP): As the descendant of Irish immigrants, I am delighted to speak in the debate, which I congratulate Bob Doris on securing. I was pleased to read today that my name—McLaughlin—is listed as the eighth most common Irish name in Scotland, although I prefer the term “popular” to “common”. I am—obviously—Scottish, but I always think that my Donegal spelling is the correct spelling of my name.

Glasgow has been shaped by its immigrant communities from all over the globe. One of the earliest and largest migrations was by Irish men and women, who have arrived over the centuries. The horrific events of the famine, which led to an estimated 1 million Irish men and women dying of starvation, increased the numbers who came to Glasgow. Many decided to settle permanently and have left Scotland the richer for it.

I hail from Donegal on one side of my family and County Offaly on the other. Until two years ago, I had not had the pleasure of visiting Ireland, although I worked for a time in a wee Irish bar in the Gorbals called the Corner bar, which was in itself an education.

Two years ago, I was invited to stay with a friend in a tiny wee place called Gortahork in Donegal. It was tiny, but I discovered that I could get a bus practically door to door there seven days a week. Much of the Early and O'Brien clan were in Donegal when I visited, but many were visiting from far-flung parts of the world. The hallmark of the Irish family seems to be that, no matter how far they travel, they always return to Ireland and to their family.

Today, we continue to welcome Irish immigrants to Scotland and to celebrate Irish culture here, although I do not deny that problems remain with a bigoted and knuckle-dragging minority. For instance, in the past year, a Catholic church has been vandalised and a minibus that belonged to a Gaelic athletics team has been destroyed. Motions

were lodged in the Parliament to condemn those incidents.

Last year, I attended the St Patrick's day concert in Glasgow. The energy was incredible and the audience—most of whom were of Irish origin—were rightly proud to say, “This is who we are and this is what we can do.” As a Scot, I could only stand back and admire—rather enviously—that national confidence. We in Scotland could take a leaf out of Ireland's book.

However, not everyone in the Parliament seems to agree with that statement. It is only right for me to take the opportunity to condemn comments that I have been ashamed to hear in the Parliament about Ireland's current economic situation. For example, on 23 December, to applause from members of one party, an MSP—whom I will not name—read from the Scottish National Party's website that

“Independence has given Ireland the freedom to compete with others on a level playing field, and win.”

To laughter from members of his party, he asked:

“The First Minister does not really still believe this stuff, does he?”—[*Official Report*, 23 December 2010; c 31978.]

I must tell the members whose behaviour that day and on other days has been shameful that independence allowed and continues to allow Ireland to choose its own destiny and gives her the opportunity to succeed. Independence aside, cheering the economic misfortune of a neighbour shows a lack of respect and of solidarity. I ask myself whether the member whom I quoted really argues for Ireland to be ruled again from Dublin castle or whether he is merely using a close neighbour's temporary economic misfortune for cheap political point scoring. If the former applies, he should be honest about it; if the latter applies, I urge the party involved to desist and to remember that we have a close relationship with Ireland, which we would like to continue.

Bob Doris mentioned the Garngad Irish, one of the most famous of whom was my fellow clansman, Mick Garngad McLaughlin, which is spelled the right way. He wrote the ballad of James Connolly, who, perhaps ironically, was born just up the road from here, in the Cowgate.

It is only right that we continue to reflect on the values of social justice and self-determination that have united many of our politicians on both sides of the Irish Sea. Let us continue to celebrate those and all other ties that bind our two nations closely together and which are embodied in Scotland's Irish diaspora, which we celebrate today.

18:20

Mary Scanlon (Highlands and Islands) (Con): I thank Bob Doris for securing this debate to pay

tribute to Scotland's Irish diaspora. Although the motion relates to Glasgow, there is no doubt that the Irish, and Irish descendants such as me, can be found in every part of Scotland, from the mainland to all the islands.

My father was a Campbell from Morayshire and my mother an O'Donnell from Dungloe in County Donegal. They came not only from different countries but from very different religions. I am sorry that Margaret Curran is not in the chamber tonight; her mother and my mother lived very close to each other in Donegal.

I will say a quick word on the census. I looked up today the census question and found that one option lumps together English, Welsh, Scottish, Northern Irish and British. Another option is Irish, but there is no option for Scottish Irish, which would be the most accurate in my case. It would also be the most accurate for many people in Scotland. I am not only Irish, but neither am I only English, Welsh, Scottish, Northern Irish or British. It is a bit late to be making a point on the 2011 census, but it is worth mentioning nonetheless.

On a recent visit to Dublin for a family wedding, I was struck by just how close Scotland and, indeed, the United Kingdom, is to Ireland in social, economic, historical and cultural terms. Their news is almost as much BBC as it is Irish. They watch all our soaps and many other UK programmes. My mother was brought up speaking not Gaelic but Irish. My family still does. I have many family connections in County Donegal: in Dungloe, Ranafast and Annagry—the last the home of Aiden McGeady. In fact, my family helped to set up the summer school in Ranafast where school children from all over Ireland come to learn their own language.

While I was researching for the debate, I found information about the British-Irish Council on its website—information of which I was unaware. The council was set up only six months after the establishment of the Scottish Parliament. Its formal purpose is

“to promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands”.

The Scottish Government is one of eight council members. It would be helpful to have more parliamentary or appropriate committee updates on what is happening in that forum, given that we have so much in common and there would be many benefits in working together. It is also surprising that we discuss so little about Ireland in the Parliament. The areas of mutual interest that were discussed at the British-Irish Council summit that was held on the Isle of Man just last month included digital inclusion, demography issues, early years policy, energy including the electricity grid, marine renewables, the environment, misuse

of drugs, social inclusion and transport issues that relate to disability and concessionary travel. It would be very helpful to have more of that information in our debates; they are all areas of mutual interest and benefit and of collaborative working and yet I have not heard many updates from successive Governments on the issues.

Ireland is respected on economic issues. The Chancellor of the Exchequer, George Osborne, recognised that only last month when, as he said, the Treasury team was working with the International Monetary Fund, G7, the European Union and the Irish Government

“to provide the necessary financial resources for Ireland to implement its fiscal reform plans and stabilise its banking system.”

The reasons that the chancellor gave for providing the £3.25 billion loan to Ireland to implement those plans were more than economic—he said that there is no doubt that it is in our interests to have a stable Irish economy and banking system. Ireland accounts for 5 per cent of Britain's total exports. In fact, Ireland buys more of our goods and services than Brazil, Russia, India and China put together and two fifths of Northern Ireland's exports go to the Republic.

I am proud of my mother's links with Donegal and the links between Scotland and Ireland, but more could be done to cultivate the links between and knowledge and understanding of our Parliaments.

The fact that so many members of this Parliament, from almost all sides of the chamber, can proudly state their Irish heritage is proof—if proof were needed—of the Irish-Scots, influence and seamless integration in this country.

I am sure that when my mother arrived at the Broomielaw in the Derry boat in the 1930s she never dreamed that I would stand here and talk about the Scottish-Irish diaspora. I thank Bob Doris again and hope that we can look forward to improving our relations with and links between this Parliament, Stormont and the Dáil.

18:25

Pauline McNeill (Glasgow Kelvin) (Lab): I thank Bob Doris for providing an opportunity for people like me to sign the motion. The subject is an excellent choice for debate and I apologise for not signing the motion sooner. In many ways, the motion speaks for itself. Many of us with Irish connections want to use the chance to celebrate Irish culture and what it has brought to Scottish society.

Anne McLaughlin's contribution was a little out of tune with the other contributions this evening. I hope that she is not suggesting that a critique of

the Irish economy is in any sense anti-Irish. However, there are areas on which I agree with Anne. As she, Bob Doris and other members have said, there is hardly a person in Scotland without Irish roots or an Irish connection. There are also distinct and important issues for the Irish population living in Scotland and for the Irish Catholic population in particular. History records the tensions in that part of the world, which accounts for some of the trends that we see today. For example, Tom Devine, a well-known historian on the subject, remarks that it has only been since the census in 2001 that occupational parity for Irish Catholics has been introduced. It has taken quite a long time for such trends to come to the fore. Although, as Bob Doris said, it is still a live issue, Hugh Henry was right to say that it is less so than it was.

My family connections with Ireland are strong. My father's favourite haunt in my constituency is Paddy's market. As the name suggests, the market was set up by poor Irish immigrants who came to Glasgow looking for a way to make an income. In fact, when my father worked in the city of Glasgow, he spent many of his lunch times in Paddy's market buying up what people did not realise were quite expensive items, such as pens and antiques. My great-grandfather is a founder member of St Mungo's church in Townhead, a well-known and loved church, which is also in my constituency. It was built because of the influence of the Irish population. Bob Doris talked about the Garngad of Royston. The priest would march up from Townhead to the Garngad to conduct the children's masses.

On my visits to see my family in Ireland, I have to brace myself because I know that they have boundless energy. Their sense of family is heart-warming. Two members of my staff are from the north of Ireland, which demonstrates that the close geographical proximity of the two countries has led to a brilliant dynamic cultural mix—a mix from which I have benefited.

As every member so far has said, Glasgow would not have the same character if it were not for the influx of the Irish immigrant population. We should celebrate that fact. The motion talks about the important parallel with other ethnic groups coming to Scotland and to Glasgow. The way in which we embraced the Irish community is the way in which we should embrace every ethnic culture.

Celtic Football Club—the first British team to win the European cup—was set up by the Irish Marist, Brother Walfred. Bob Doris may know this, but I did not know it until I read up in preparation for the debate: John Glass, who was one of the main founders of Celtic, signed up eight Hibernian players before their first match in 1880. I wonder

what the Scottish Football Association would say about that. Fiona Hyslop may have something to say about it later. I mentioned that because Glasgow football would not be the same without Celtic Football Club. That is not to demonstrate my colours but to make the point that Glasgow football is the better for having two great, strong, Glasgow teams—or three if we include Partick Thistle.

Bob Doris talked about the music and the contribution of Celtic Connections. It is a world-renowned festival, which was established in 1994 and has gone beyond its traditional roots. I used to do Highland dancing. I have tried Irish dancing and I would say that it is much harder. “Riverdance” is a phenomenon throughout the world. It demonstrates how good the Irish are at all sorts of things.

This has been a great opportunity to celebrate Irish culture. I welcome the Irish ambassador for culture to the debate and I look forward to the celebration this evening.

18:30

Joe FitzPatrick (Dundee West) (SNP): I add my congratulations to Bob Doris on securing today's members' business debate. We have heard from a number of MSPs who share a similar heritage—although we often do not share the same political views. As people will guess from my surname, I am of Irish descent.

Irish immigration to the east coast is not as well known about as that to the west coast, but it was just as significant in the development of our shared culture. My great-great-grandfather, Thomas FitzPatrick, was an Irish immigrant who came to Scotland with his mother as a boy some time between the early 1860s and the early 1870s. My great-great-grandmother, Mary-Anne McKelvie, arrived in Dundee with both her parents from County Cavan. She met Thomas, and they were married in the city's St Andrew's Roman Catholic chapel in 1879.

Many families in Dundee share a similar story, as can be seen in the way that parts of the Lochee area of the city are affectionately known as Little Tipperary. My ancestors did not move to Lochee, however. After getting married, Thomas and Mary-Anne are reported in the 1881 census as living in West Henderson's Wynd, which is the location of Dundee's Verdant Works, the last working jute mill in Scotland. Jute mills such as the Verdant Works drew large numbers of Irish families to Dundee.

Irish immigrants started arriving in Dundee around 1825, with workers skilled in textiles arriving from Donegal, Monaghan, Sligo and Tyrone. By 1855, before my ancestors had arrived, there were already 14,000 Irish people residing in Dundee. About 71 per cent of Dundee's

Irish-born workforce was female, and it was those skilled textile workers who helped to establish Dundee as an industrial powerhouse. Close examination of the census data for 1881 and 1891 shows that that was the case with my ancestors, with Mary-Anne described first as a jute preparer and then as a jute spinner, and Thomas described as a stone-breaker. Many men in Dundee would have been described as stone-breakers; the affectionate term that a lot of women had for them was “kettle bilers”—in Dundee, it was the women who made the money for families, in the main.

Irish immigrants in Dundee, like in Glasgow, made a significant contribution to our city and to our country over the years. William McGonagall, Scotland’s second-best-known poet, was the son of Irish parents who worked in the jute mills of Dundee. James Connolly, that great proponent of self-determination, lived in the city during 1898, and became involved in the local political scene.

The city’s sports have been heavily influenced by the Irish population, Dundee United having played originally as Dundee Hibernian until 1923. My ancestors followed a different team with an Irish past, however. The local paper of Saturday 21 May 1938 records that my great-great-grandfather died aged 80, perhaps overexcited at seeing his team, the Lochee Harp, take the lead in the Telegraph cup semi-final.

The number of new Irish immigrants to Dundee has perhaps declined over the years, but Dundee is experiencing a new wave of Irish visitors, as many students from all parts of Ireland choose our city to study in. Many of them decide to stay in our city after their studies are complete.

Like many cities in Scotland, Dundee enjoys a richer culture as a result of the contribution of Irish immigrants. We are rightly proud of our heritage, and I thank Bob Doris for giving us the opportunity to put that on record tonight.

18:34

Elaine Smith (Coatbridge and Chryston) (Lab): Like other members, I congratulate Bob Doris on securing the debate. His motion

“congratulates Scotland’s Irish community on ... the dedication and commitment that it has shown in keeping Irish culture thriving and in the good work that Irish groups do in the wider community”.

I contend that nowhere is that more evident than in my constituency, Coatbridge and Chryston. By the middle of the 19th century, more than a third of the population of Coatbridge was Irish born. People were attracted to the town by employment opportunities, as they were to Dundee, as Joe FitzPatrick said, but in Coatbridge the opportunities were in the heavy industries, for which the town became famous.

It was partly the large influx of labour that enabled the industrial revolution to continue so rapidly in my part of the world. The large coalfields in the constituency, such as Cardowan and Auchengeich, were mined by the working-class people of Coatbridge and the wider area, and the coal fuelled the masses of blast furnaces that produced the steel that gave the town the name “the iron burgh”. Robert Baird described Coatbridge in 1845 and was amazed by the flames that the furnaces cast into the night sky. Coatbridge is proud of its industrial and cultural heritage, which is celebrated at the fantastic museum of Scottish industrial life at Summerlee.

Like other members, I am proud of my Irish heritage. My own name is Dornan, and I have Irish heritage on both sides of my family. My great-grandfather, Paddy McKeown, worked at the Gartsherrie steelworks in Coatbridge, and the museum of Scottish industrial life features a painting of the steelworks from the mid-1800s. I urge members to visit Summerlee, if they have not already done so.

The fruits of the workers’ labour were exported via the Monkland canal, which I think that Bob Doris mentioned, into Glasgow and beyond. Coatbridge was, in effect, the workhorse of Scotland, and the nation should remember the pivotal role that working-class Irish labour played in the development of modern Scotland. In his fantastic new book “Stramash: Tackling Scotland’s Towns and Teams”, the historian Daniel Gray describes in colourful detail the impact of Irish immigration on Coatbridge. He says:

“Irish arrivals undertook jobs often spurned by the indigenous population. They worked hard where the danger was greatest and played hard to find solace.”

Coatbridge is very different today from the town of flames and industry that is depicted at the Summerlee museum, but its people are keen to celebrate the town’s Irish heritage. Members might know that every year, thousands of people descend on the town centre to join in the St Patrick’s day celebrations, and over the years the Coatbridge festival has grown into a major event that spans a week and culminates in the Saturday family fun day in the town centre, which is attended by thousands of people. The event is organised by a group of committed local people, to celebrate the town’s Irish heritage. The hard-working organising committee deserves recognition for its dedicated efforts in making the festival bigger and better every year. The festival attracts about 15,000 people from Scotland and abroad, and provides a good boost to the local economy and small independent traders, in particular.

Coatbridge is a great town, and it is unfortunate that it has been on the receiving end of unwanted

awards and criticism in the past. The reality is that it has many fantastic attractions and a heritage of which it can be proud. North Lanarkshire Council has worked for many years to regenerate the area. We have Drumpellier country park, the museum of Scottish industrial life and the newly renovated Time Capsule. The bridges in Coatbridge have just been repainted, which has made a massive difference to the environment in the town. The canal basin has been redeveloped and is now a good space for people to use. Such things must be remembered.

We must be proud of and celebrate our heritage. The debate is important, and I concur with the motion when it says:

“modern Scotland must have at its heart the appreciation and celebration of the multiple cultures that contribute to Scotland’s national life.”

My son has Irish heritage on both sides of the family. His father has Irish heritage and lived and went to school in Ireland. In Scotland, we still encounter racism, which must be challenged, as members have said. We cannot have intolerance. Working-class Irish men and women who settled in communities such as Coatbridge played a pivotal role in the development of Scotland, and it is important that we continue to recognise and celebrate their contribution, as well as contributions that people are currently making. I commend Bob Doris for his motion.

18:39

Mr Frank McAveety (Glasgow Shettleston)

(Lab): I had not intended to speak in the debate—Anne McLaughlin prompted me to do so this morning, during a committee meeting—although I wanted to stay and hear the speeches.

I want to reflect on some critically important themes. Joe FitzPatrick talked about the journeys of Irish people to Scotland, whether they came from the Republic of Ireland or the north of Ireland—after it was created in 1920, of course. In the constituency that I represent, in the heart of what people regard as the football-celebrating part of the east end of Glasgow, in East Campbell Street, off the Gallowgate, there is the Lodging House Mission. Up the stairs inside is a fantastic little church, where, in the late 19th century and early 20th century, 1,500 Presbyterians worshipped. They were part of the Calton community because they were the original Irish who came over through the weaving tradition in the decades before the mass immigrations of Irish people after the terrible famine.

I initially wrote down that there seemed to be a holy trinity of Hugh Henry, whose family is from Killeshandra, me—my father’s family is from Killeshandra—and Professor Tom Devine.

However, if I picked him up correctly, Joe FitzPatrick’s family is also from Cavan. An interesting halfback line is available, should any of us be any good at football.

I will touch on important things. I will say something that I remember saying a few years back at the prize giving for Holyrood secondary school. It is one of the largest and most successful secondary schools in Scotland and was formed in the late 1930s. I was asked to speak at the prize giving and wanted to tell the youngsters about the journey that people can make. I told the story that the year that my grandfather, John, arrived from County Cavan to settle in the Gorbals was the difficult time when there was a major report for the General Assembly of the Church of Scotland on the Mound, which accused the ways of the Irish community—particularly the Irish Catholic community—of being responsible for many of the ills of our society at the time. In fact, it recommended that those people be sent home.

Echoes of that are heard in some of the language that we hear today, but the reason that I tell the story is that my constituency office is right opposite the church of the minister who put that report together and placed it before the Church of Scotland for debate at the assembly. Seventy three years later, the grandson of an individual who was told to go home had the chance to become the first member of the Scottish Parliament representing the area that that individual had settled in and the area of the church minister who said those things in the early 1920s. That is a positive journey, rather than a negative one.

The second thing to stress is the contribution that we make. We have differences of opinion about the role of Ireland and its present economic situation. I have never argued that Scotland and Ireland are directly comparable. Most serious economic historians would not argue that either. The concern is that thousands of citizens in Dublin right now are very unhappy with the conduct of their politicians, political class and leadership because of what happened with the finances. However, the issue that unites us has always been there, whether in relation to James Connolly 500yd up the road or my constituency or the big fights that John Wheatley had in his community about the compatibility between socialism and faith. Those issues have never been resolved even in mainland Europe, never mind Scotland.

Tonight, we have a chance to celebrate positive messages about the contribution that we make. We cannot deny that there have been problematic periods in the past and the present—I use my words carefully in case people try to misunderstand them. They are problematic because we are not totally accepting. We are not

totally accepting if a young man who happens to be of Irish descent chooses another country to be his national football team. He gets abused at every away ground in Scotland. That is unacceptable. It is no accident that he is criticised for that, but it is wrong. It is also not acceptable if, in any debate on the pernicious experience of sectarianism in Scottish society, responsibility is laid on denominational education. Sectarianism predates that, and we need to be much more mature about that.

We have a duality of identity in the debate. Other members have mentioned their family backgrounds, so I will mention mine. My mother's side is from Tharsis Street in the Garngad and originally from Donegal; my father's side is from Sandiefield Street in the Gorbals area. Each succeeding generation has made a contribution. Irrespective of what we think the constitutional arrangement should be—whether we have a devolved Scotland for the long term or an independent Scotland—we will not be a good country if we do not accept the fact that we should celebrate who we are rather than what we are not and celebrate the fact that we can each make a contribution.

To be fair to Bob Doris, his speech was about trying to celebrate that, as is the motion. I welcome that and hope that we can do that for years ahead, so that future generations can get the benefit that I and others like me have had because somebody made a sacrifice 70, 80 or 90 years ago.

18:44

The Minister for Culture and External Affairs (Fiona Hyslop): I, too, thank Bob Doris for lodging the motion and highlighting the importance of the Irish community in Scotland. We have heard about the impact on Scotland of the Irish diaspora, which is part of the story of Scotland for members. The debate has been a great opportunity to reflect on that.

People have migrated between Scotland and Ireland for centuries, and our histories are entwined for ever. I recognise the Irish diaspora's contribution in shaping Scotland. Arthur Conan Doyle, Sean Connery, Brian Cox and Susan Boyle are just a few in the ranks of the Irish Scots. The connections work both ways. Many members have referred to James Connolly, who was one of the most important figures in the struggle for Irish independence. He was born to Irish parents in the Cowgate in Edinburgh.

As with most mass migrations, the Irish came to Scotland in the hope of a better life. That is a familiar tale that is echoed in the experiences of diaspora communities down the ages and across

continents. Migration continues to benefit Scotland economically and culturally. The contribution of the Irish and other diaspora communities over the centuries has a direct economic value, which can be quantified for recent immigrant communities. Between 1999-2000 and 2003-04, the total revenue from immigrants increased by 22 per cent.

The Irish were one of the earliest groups to settle, and they made a strong contribution. They worked on farms and down mines, as we heard from Elaine Smith, and in Dundee's jute factories, as we heard from Joe FitzPatrick. They built industrial Scotland alongside native Scots and other immigrants—mainly English. They constructed railways and canals and brought with them their own culture, religion, language and a legacy as a living part of Scotland. Irish artists and performers participate in festivals throughout Scotland—in the Edinburgh festivals, at Celtic Connections, and in the StAnza poetry festival, the word festival and the Wigtown book festival. Celtic Connections, which begins in Glasgow tomorrow, continues the tradition with some of Ireland's biggest names in traditional music performing, including Paul Brady, Brian Kennedy, Sharon Shannon and Shane MacGowan. I wish all the performers and everyone else involved all the best for this year's festival.

The strength of the Irish cultural community in Scotland directly contributes to our economy throughout Scotland. Thousands of children learn Irish dancing. As we have heard, Glasgow has hosted the world Irish dancing championships three times in the past 10 years, including in 2010. That contributed £9.4 million to Glasgow's economy. I was pleased to write to support the visit last year.

No assessment of the contribution that the Irish have made can be complete without mentioning sport. The Gaelic Athletic Association, which promotes sports such as hurling and Gaelic football, has a number of clubs in Glasgow, Edinburgh and Dundee and adds to the richness and diversity of sport in Scotland. Of course, the role of the Irish diaspora in founding Celtic and Hibs is well known. As an MSP who represents the city of Edinburgh, I am delighted to have heard Pauline McNeill acknowledging that Celtic would not be Celtic if it were not for Hibs.

Gaelic has been an important cultural and linguistic bridge between Scotland and Ireland for the past 1,500 years. Scots also has a long and important history in Scotland and gives Ireland and Scotland a shared cultural heritage. Our languages are often fragile, and speakers of them are sometimes few in number, but they are a key aspect of our history, heritage and identity, and they have the potential to enrich our current

cultural life. In both Scotland and Ireland, we need to find the most effective strategies for promoting our minority and lesser-used languages. We have taken steps to raise the status and appeal of the Irish and Gaelic languages through the arts and by making them more visible. That is a key area in which we can learn from each other. I see that as a shared challenge and an opportunity to learn from each other's strategies and initiatives. Close co-operation and partnership will help to ensure that we can create a secure future for languages that have been an important part of our cultural background for many years.

Mary Scanlon mentioned the British-Irish Council. I led the Scottish delegation in the Isle of Man. I report to the European and External Relations Committee, but would be delighted to write to her or answer questions about what has been happening with the council's current role and connections.

In reflecting on the contribution that the Irish in Scotland have made to the preservation and development of Irish culture, I cannot help but draw parallels with our own diaspora. Last year, the Scottish Government published a diaspora strategy, with a view to learning from the successes of the Irish, in particular, in working with their diaspora. I was interested in the comments that Bob Doris made in that regard.

Both Ireland and Scotland have a diaspora that is measured in tens of millions. Around 20 per cent of the people who were born in Scotland or Ireland live outside their country of birth. I pay tribute to the many Scottish societies and members of Scotland's diaspora around the world who play a key part in the continuing health of Scottish culture, just as I pay tribute to the Irish community in Scotland for the additional richness and diversity that it has brought to Scotland.

It is important to be proud of and confident about one's identity. As others, including Hugh Henry and Frank McAveety have said, that often involves a journey, which is changing for each generation. Perhaps the children of the Scots-Irish people of today will have a different relationship with their roots from the one that members have spoken about in the debate but, nevertheless, that Celtic thread that connects us will be strong and will bind us together for many years. It is a thread of diversity, but it is also very much part and parcel of the fabric that makes Scotland what it is.

I am delighted to have been able to respond for the Scottish Government in what has been an important debate.

Meeting closed at 18:51.

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