



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 24 February 2011

Session 3

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The Deputy Presiding Officer (Trish Godman): Group 1 is on a charter of patient rights and responsibilities. Amendment 1, in the name of Richard Simpson, is grouped with amendments 1A, 2, 3, 5, 6, 9 to 11, 25 and 32.

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

Business Motion

The Presiding Officer (Alex Fergusson): Good morning. The first item of business this morning is consideration of business motion S3M-7990, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, which sets out a timetable for stage 3 of the Patient Rights (Scotland) Bill. If any member wishes to speak against the motion, they should press their request-to-speak button now.

Motion moved,

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

Groups 1 and 2: 20 minutes

Groups 3 to 6: 40 minutes

Groups 7 and 8: 1 hour 5 minutes.—[*Bruce Crawford.*]

The Presiding Officer: Mr Kelly has pressed his button, but I assume that he does not wish to speak against the motion.

James Kelly (Glasgow Rutherglen) (Lab): No.

The Presiding Officer: That was just pre-empting the next item of business, I think.

The question is, that motion S3M-7990, in the name of Bruce Crawford, be agreed to.

Motion agreed to.

Regeneration

The Presiding Officer (Alex Fergusson): The next item of business is a debate on motion S3M-7992, in the name of Johann Lamont, on regeneration. Mr Kelly and others who wish to speak in the debate are now welcome to press their request-to-speak buttons.

09:16

John Park (Mid Scotland and Fife) (Lab): I will explain my rather dishevelled look this morning and the stubble on my face: when I was playing football at the weekend, I took an elbow in my top lip. Fortunately, it was a constituent who did it, so I expect a bit of a sympathy vote in the election in May, that is for sure.

I take great pleasure in opening this debate on behalf of the Labour Party. Our debate focuses on the role of the Coalfields Regeneration Trust in transforming some of the most deprived communities in Scotland and on the priority that the Scottish Government gives to regeneration more widely. We seek clarity from the Scottish Government on the approach that it intends to take to regeneration more widely and the future funding arrangements for the Coalfields Regeneration Trust. I will say a bit more about that later. I will focus much of my speech on the trust and the work that it has done in various communities that are represented by various members. I will also talk about the many challenges that still exist in communities, even though we have been trying to tackle them for the best part of 12 or 13 years.

We need to be clear about the important role of Government—not just the Scottish Government, but the United Kingdom Government—in supporting the Coalfields Regeneration Trust. Support from Government is fundamental to its work. The trust was established in 1999 and, as I said, it is supported by the UK and Scottish Governments. It is independent, and much of its activity complements other work to tackle the challenges in coalfield communities.

The Coalfields Regeneration Trust website is a valuable place to visit. Members who did not do so before the debate should look at it to find out about the trust's activity in Scotland. The front page of the website contains a good quote from the former Minister for Communities and Sport, Stewart Maxwell, who said:

"I am confident that as a respected player in the regeneration field and among communities, the CRT will continue to play a valuable role in helping to regenerate some of Scotland's most deprived communities. In order to assist the trust to continue its work in Scotland, I am happy to confirm that the Scottish Government will continue to

support it and will invest £4.726 million in it over the next three years.”—[*Official Report*, 29 November 2007; c 4046.]

That funding was announced in a members' business debate. There was support from across the chamber for that, and there has been a lot of interest in the projects that have been taken forward over the past three years as a result of that funding. There is cross-party support for the trust's work, as well as support from outside the Parliament. I am sure that many members have visited projects in their communities to find out at first hand what is happening on a day-to-day basis.

The decline of the coal industry in the 1980s scarred communities—beyond recognition in some cases—and the effort to improve life chances in those communities is still a work in progress. The challenge of regenerating them has not gone away and will remain, particularly given the current economic issues that we have to deal with, the wider problems as part of the recent recession and the recovery that we hope we will enter into shortly.

The economic problems that the country has faced have had an even more significant impact on coalfield communities, but the Scottish Government amendment would remove our call for a commitment to sustain the funding for the Coalfields Regeneration Trust, which is a concern. The amendment intimates that regeneration funding should be

“focused on job-creation activities that can contribute to the economic revival of these communities.”

That is a fair point, but we need specifics on exactly what will happen to Coalfields Regeneration Trust funding in the next three years.

Levels of unemployment are increasing at an alarming rate. I have figures that compare the current situation that communities face with the situation pre-recession, specifically on the number of workers who have been out of work for six months or more. The figure has increased by 223 per cent in Clackmannanshire, 68 per cent in East Ayrshire, 352 per cent in East Lothian, 115 per cent in Fife, 230 per cent in Midlothian, 228 per cent in North Lanarkshire, 293 per cent in South Lanarkshire and 175 per cent in West Lothian. The figures are even worse when we look only at young people in the 18-to-24 age group. The increase among that age group is 110 per cent in Clackmannanshire, 400 per cent in East Lothian, 575 per cent in Midlothian, 307 per cent in North Lanarkshire and 422 per cent in West Lothian.

Those figures are worrying and say to me that the work that has been done in the past few years needs to gather pace and focus on employment opportunities in those particular communities,

because they are still suffering from the recessions of the 1980s and 1990s and they will continue to suffer from those recessions, and the more recent one, if work is not delivered specifically to them.

Alex Johnstone (North East Scotland) (Con):

John Park rightly argues for taking jobs into those key areas but, in the current difficult times, does workforce mobility also have a role? Given that a high proportion of young people go into further education, might it be more justifiable in some cases to encourage people to broaden their horizons?

John Park: Fundamentally, when we consider the opportunities that people in such communities need, we find that the issue initially is to provide them with skills. Some of those people are second or third generation economically inactive—their fathers and mothers and their grandparents have been out of work for some time. We cannot just grab them and move them somewhere else or say, “By the way, you can just go into another job, because we've given you specific skills.” Those people need help, which we cannot provide through a national project. They need specific local initiatives that are properly supported and which identify the real problems that those people and communities face. In many cases, that means giving people the basic skills to find employment in the first place. That has to be the focus, because funding for that, when properly directed, makes a difference.

I will come on to the figures that the Coalfields Regeneration Trust has published and reports that it has produced on its work in making a difference in coalfield communities. However, I will first say a little about a project in my community that was the subject of a members' business debate a few months ago: West Fife Enterprise. The project covers the coalfield communities of Oakley and Valleyfield in west Fife, which are surrounded by more affluent villages and towns. There is a challenge in integrating areas that need regeneration with other parts of Fife that are doing much better.

On Alex Johnstone's point, I have seen at first hand how we can help young people who are longer-term unemployed. West Fife Enterprise gives people the basic skills that they need to go for job interviews and helps them to recognise that they have to turn up for work on time and fulfil their commitment to their employer, but it also develops people's manual and technical skills to enable them to go on to employment. However, West Fife Enterprise is not just about helping individuals; it is about building a network of employers who are prepared to engage with the project and provide opportunities for young people to go into. It is all very well providing resources for a young person

and taking them through a course, but if, at the end of that, there is nowhere for them to go, we will only make them even less enthusiastic about any employment opportunities that might arise in future.

Those projects, which are embedded in communities and are supported by the Coalfields Regeneration Trust, are able to lever in funding from other bodies such as local authorities, as well as European funding. They are then able to support activity within communities that, it is hoped, allows young people over time to get into meaningful longer-term employment.

I am proud of West Fife Enterprise: anyone who has visited it will say exactly how wonderful it is. There will be real opportunities in future with regard to our aircraft carriers, the new Forth crossing and the potential developments in offshore wind in the Fife area. It will be a crying shame if we do not invest in young people to give them the opportunities and skills to benefit from the projects that are coming on stream. If we do not do that, we will just have skills shortages again, and a whole generation of people will miss out on filling those jobs in the future. That would be a real disaster not only for Fife, but for Scotland more generally.

The Coalfields Regeneration Trust undoubtedly provides value for money. Its mission is to return coalfield areas to a sustainable position, so that they can be prosperous, viable and cohesive without on-going Government intervention. The trust has gone some way towards achieving that, by directly channelling £15.3 million into improving economic and social life in Scottish coalfield communities.

The trust has achieved substantial results. It has helped more than 20,000 young people back into work, and it has improved 270 community facilities. Those facilities are the fabric of communities. It is not just about getting young people back into work; it is about improving facilities to help people in communities to take some pride in where they live and work. The trust also supports more than 3,000 community initiatives.

If we are looking for value for money, which is a huge question that we as parliamentarians need to answer, we should note that the Coalfields Regeneration Trust levers in £1.37 for every £1 that it invests. It more than doubles the amount of money that it gets directly from the Scottish Government, and it makes a huge difference with that.

The trust has built the capacity of local community groups, as I have seen at first hand. I have visited groups that want to take projects forward in their local areas but which do not know

what to do. They can turn to the trust. They can get funding for feasibility studies and they can engage with other communities outwith the coalfield community. They can then get on track developments that will make a difference, for example by developing community facilities.

Although employment is important, and we should focus on it, we need to ensure that we build institutions in our communities that will support the regeneration of those areas. I believe that members on all sides of the chamber share that view.

One of the best members' business debates that I have taken part in was on the Coalfields Regeneration Trust, as I mentioned earlier. It was brought to the chamber by my colleague Cathy Jamieson in November 2007. There was cross-party support for the motion, and Scottish National Party members such as Willie Coffey, John Wilson and Keith Brown, as well as Stewart Maxwell, who was the Minister for Communities and Sport at the time, spoke at length about the need to direct resources specifically into communities. There was a lot of support at the time not only for the employment initiatives, but for the wider work that could be taken forward.

There are no amendments today from the Conservative or Liberal parties, but I am interested to hear their views. Given the UK context, they may be able to shed some light on what is happening with the Coalfields Regeneration Trust at a UK level, because discussions on that will be running parallel to our discussions in Scotland. If they are not in a position to shed some light on those UK discussions, perhaps the minister can do so, through his officials,.

I know that the Conservatives in particular will feel that they have a responsibility to do something to help coalfield communities, but it is far too easy for us to look back when we need to look forward. I am concerned about the UK Government's hands-off approach to supporting economic development just now, which really needs to be addressed.

There is no doubt that the Coalfields Regeneration Trust has been a success. That view is shared by members on all sides of the chamber. I and my colleagues will highlight today the continuing challenge that coalfield communities face, but we need clarity from the minister and the SNP Government on whether the support for the trust will continue in its current form. If the Government commits to continue supporting the trust in its existing form, it will get support from us on the Labour side of the chamber. If it does not commit to doing so, we will have a serious issue, which we will be very concerned about and will take forward over the next few months.

I move,

That the Parliament recognises the importance of continued support from the Scottish Government for regeneration initiatives, particularly in the current economic climate; believes that it is essential for effective regeneration activity to be co-ordinated across the Scottish Government and local government and in communities; welcomes the many regeneration initiatives supporting local communities and sustained by local involvement across Scotland; recognises in particular the work of the Coalfields Regeneration Trust in Scotland as an organisation that has played a central role in supporting vital projects that have improved the quality of life for thousands of people living in former mining communities, has helped over 20,000 young people, supported over 2,000 people back into work and supported over 3,000 community initiatives and highlights the fact that every £1 spent by the Coalfields Regeneration Trust generates £1.37 of matched funding to support these important projects, and calls on the Scottish Government to ensure that funding for the Coalfields Regeneration Trust is sustained at existing levels during the next spending period.

09:29

The Minister for Housing and Communities (Alex Neil): I welcome the debate as the son-in-law and grandson of miners, and as a former director of Cumnock and Doon Enterprise Trust, which was the predecessor to British Coal Enterprise. The trust was set up to regenerate the Cumnock and Doon Valley area, and during my reign there George Foulkes MP—as he was at the time—declared us to be the best-run economic development agency in Britain.

I am particularly committed to the future not only of the Coalfields Regeneration Trust, but of the coalfield communities. It is critical that we consider the issue in terms of the communities and not just the trust, despite the fact that the trust is an excellent organisation.

George Foulkes (Lothians) (Lab): I confirm everything that Alex Neil said. Cumnock and Doon Enterprise Trust was a very well-run enterprise company, and he did the job very well. I am sorry that since then he has not progressed as much as we had all hoped.

Alex Neil: I certainly would not regard the House of Lords as progress.

In the first half of my speech I will deal with the general issue of regeneration in Scotland, and in the second half I will address the specifics of the Coalfields Regeneration Trust.

As members will know, last week I launched our discussion document on the future of regeneration policy in Scotland, "Building a Sustainable Future". It is as relevant to the coalfield communities as it is to any other community in Scotland that is facing difficulty, such as Clydebank, the east end of Glasgow, the Cowdenbeaths of this world, and

areas such as Kilmarnock and Moray that are facing major closures.

I hope that we can have a grown-up debate about the future of regeneration policies in Scotland for the 21st century. I believe that we need a step change in regeneration across the country, and I hope that, from the document and the discussion that it ignites, we will end up with an ambitious strategy.

Des McNulty (Clydebank and Milngavie) (Lab): I agree with the minister, and I look forward to reading the document and contributing to the discussion around it. Does the minister agree that regeneration is not something that can be done in an area for a year or two years, as it requires a sustained programme of investment? In Clydebank, which I represent, we are halfway through a process of regeneration. We are not at the end of it yet, and I hope that this Government and the next Government will take account of that.

Alex Neil: Indeed, and I have very good news for Clydebank this morning if the member will listen for a few more minutes.

I agree that regeneration is not something that can be done in a year or two. John Park mentioned in his speech that a number of pits closed during the 18 years when the Tories were in power. He did not mention, however, that the Labour Government closed 39 pits in Scotland, a third of which were in Fife. The reality is that pits have closed under both Tory and Labour Governments. The one thing that the SNP can say is that we have not closed any pits in Scotland.

In terms of regeneration in general, we are already committed to record levels of funding to improve the physical and economic fabric of our cities, towns and villages, including the coalfield communities. It is not just about the trust, although it plays an important role. To put things in perspective, the trust's budget from the Scottish Government is about £1.6 million this year. That is divided among 13 local authority areas, so the average is just over £100,000 per area. I do not think that any of us would argue that that is anywhere near enough to tackle the problems of the coalfield communities, which is why we have put into coalfield community areas more than £25 million through the town centre regeneration fund and another £1.3 million through our wider role fund. That is nearly £27 million that the Labour Party did not deliver.

John Park: First, the minister has just agreed with Des McNulty that funding is needed over a longer period. He said that funding is available just now. Will funding be available for the next two or three years?

Secondly, I pointed out in my speech that the Coalfields Regeneration Trust levers in funding, so

it is not just on its own. Everyone in the chamber has supported the work of the trust. The minister cannot suddenly say that it is not worth the money that he is putting into it.

Alex Neil: I am not saying that. I am saying that Labour lacks enough ambition for the coalfield communities. It is talking about £1.6 million, but including the coalfield money this year we are talking about £29 million for the coalfield communities. We are committed not only to the coalfield communities but, as I said, to regeneration to deal, apart from anything else, with the dire consequences of the banking and economic crisis that we inherited from the previous Government.

If members will listen, they will hear some news on the urban regeneration companies, including Clydebank Re-built. It will be very good news for Mr McNulty. He wrote in the *Clydebank Post* that a key litmus test of the SNP's commitment to Clydebank would be our commitment to the Scottish Enterprise element of the money for regeneration there. After I tell him the news, I look forward to his column next week saying that the SNP has passed the test because it has delivered for Clydebank as well as the other URC areas in Scotland.

I am delighted to announce that the final funding allocations for the urban regeneration companies in 2011-12 are as follows: £21.5 million for Clyde Gateway URC; £4 million for Riverside Inverclyde; £4 million for Irvine Bay Urban Regeneration Company; and £1.6 million for Clydebank Re-built.

On top of that, we will use the £50 million joint European support for sustainable investment in city areas holding fund that has been established in partnership with the European Investment Bank to invest in revenue-generating regeneration projects in key regeneration areas, including the URC areas and the coalfield community areas. The 13 local authority areas that qualify for that £50 million JESSICA fund coincide with the coalfield community areas.

On top of that, we will invest £10 million in vacant and derelict land in some of our most deprived communities, thereby refocusing the fund's objectives on stimulating economic growth and job creation in a small number of priority sites, as well as continuing to support the regeneration of our communities through registered social landlords by making available £6 million of funding.

On top of that, we will encourage local authorities, working with the Scottish Futures Trust, to bring forward tax increment finance proposals to kick-start economic development.

Helen Eadie (Dunfermline East) (Lab): Will the minister give way?

Alex Neil: No, not at the moment.

However, we are not only investing our and the taxpayer's money in those communities for physical and business regeneration. A key issue is ensuring that people are job ready. Employability is a key contributor to raising the employment levels in those areas. While physical regeneration is essential, it is not good enough by itself.

Employment rates in Scotland have risen again in recent months. It is good to be able to report that 71.1 per cent of Scots are in employment, which means that we have a higher rate of employment than any of the other home nations in the UK.

I am delighted that my colleague John Swinney was able to announce a raft of measures in his budget last week to ensure that young people are not left behind as a result of the recession. His announcements included support for 46,500 training opportunities, which included 25,000 modern apprenticeships next year against the Labour demand for 21,000—we exceeded it by 25 per cent.

Last week, John Swinney also announced community jobs Scotland, a new programme that will offer at least six months' work in the third sector for up to 2,000 young unemployed people who are struggling to get into the labour market.

I point out that at no point during the budget negotiations did the Labour Party ask for one penny for the coalfield communities. Indeed, Labour's record in those communities and in its dealings with the miners down the years is appalling. In particular, when in government, the Labour Party cheated nearly 2,000 miners out of compensation to which they were entitled as a result of lung and related diseases. Labour members should hang their heads in shame at what they have done to mining communities in Scotland.

Helen Eadie: Will the minister give way?

The Presiding Officer: No, the minister is winding up.

Alex Neil: As my father and grandfather used to say, we could always rely on the Labour Party being loyal to the miners when it was election time. In between elections, it sold them down the river. That is something that the Scottish Government will not do.

I move amendment S3M-7992.1, to leave out from second "sustained" to end and insert:

"focused on job-creation activities that can contribute to the economic revival of these communities."

09:40

Alex Johnstone (North East Scotland) (Con):

The Scottish Conservatives welcome this debate on regeneration. I congratulate Johann Lamont on lodging the motion so that we can have the debate. However, I am disappointed that Labour chose to take such a narrow view by concentrating on coalfield regeneration and the Coalfields Regeneration Trust when regeneration and the many alternative approaches to it remain subjects of debate in communities, local authorities, academic circles and, periodically, the Parliament.

Regeneration will be increasingly important as budgets become tighter, demographics change and housing stock becomes older and needs more investment. It is perhaps ironic that Labour has chosen to debate the subject when the party has left areas such as Glasgow—where its heartlands are traditionally to be found—with projects that have not resulted in the kind of community-led regeneration that the Scottish Conservatives would like and which has been so successful elsewhere outside the coalfields.

In Arbroath, for example, Angus Council has achieved a great deal by ensuring that communities lead regeneration. However, regeneration in some parts of Scotland has led to gentrification that has priced whole communities out of areas in which they have lived, sometimes for generations, and has replaced traditional businesses with upmarket cafes and wine bars. That is not, by any stretch of the imagination, the kind of regeneration that ordinary communities want to experience.

Labour stands here big on rhetoric and light on action. When the Scottish Conservatives entered into negotiations for the budget settlement this year, we secured £16 million of investment to, among other things, kick-start stalled projects and £10 million of help for business start-ups, job creation and exporting, which may be of use to the Coalfields Regeneration Trust. Our budget negotiations delivered for jobs, housing and communities.

John Park: Perhaps Alex Johnstone can explain the approach that the Conservative-led UK Government is taking to Coalfields Regeneration Trust funding. That would be helpful.

Alex Johnstone: It would be helpful, but all I can say is that, on inquiry, we were told that an announcement would be made soon.

The Conservatives made efforts during the budget negotiations to ensure that money was made available for projects. Having secured that money for Scotland's communities, we and other parties had to watch the Labour Party indulge in the worst kind of obstructive, negative politics by

contributing nothing but negativity to the budget process.

To those who look to the Coalfields Regeneration Trust to help to improve their communities, it will, no doubt, be a bitter irony that the Labour Party seeks to indulge in more than two hours of political grandstanding on potential funding cuts having, only two weeks ago, sat on its hands and wasted a golden opportunity to secure via the budget process the funds that it seeks.

In light of that, many will view today's debate as little more than a political stunt. Who knows? They may well be right. The Scottish Labour Party has form on that. In 2008, Labour members abstained on the final budget motion even though they had amended it and, in 2009, they chose to vote against the budget, only to U-turn on a loose promise of more apprenticeships, demonstrating yet again that Labour is for turning.

Having said that, I commend the Coalfields Regeneration Trust for its hard work, dedication and many successes. It has much to be proud of and its record is enviable.

Labour looks for further funding, but it strikes me that its record on providing an economic environment that would allow coalfield communities to flourish is significantly less than adequate. For example, no fewer than 1.7 million manufacturing jobs were lost throughout the United Kingdom between 1997 and 2009. This country's manufacturing industry declined by a staggering 9.3 per cent in the same period, which is the largest decline on record under any Government.

Not content with that, Labour underlined its hapless economic record by taking the country to the brink of bankruptcy. It has left the Conservative-led coalition Government with the biggest peacetime deficit in history. In closing the debate, perhaps Johann Lamont will take a moment to reflect on the fact that, while she seeks to secure funding for the Coalfields Regeneration Trust, the UK Government is spending a staggering £120 million on interest every day to try to pay off Labour's historic legacy of debt.

Duncan McNeil (Greenock and Inverclyde) (Lab): Get on your bike.

Alex Johnstone: The funding that Johann Lamont seeks for the trust could have been obtained many times over, if it were not for that Westminster legacy.

Labour's economic incompetence does not end there. To add insult to injury, council tax rose under previous Labour Administrations by 62 per cent. Not content with that, Labour is now in favour of raising it again. No taxation stone is left unturned under Labour. Some Labour members

wish to use the income tax-raising powers. It will no doubt be a relief to the Scottish taxpayer that the SNP Government took its eye off the ball and let those powers lapse.

The Scottish Conservatives have consistently supported the Coalfields Regeneration Trust's important work. At 5 o'clock, we will do our bit to unite the Parliament around the motion, as amended by Alex Neil.

09:47

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I, too, welcome the opportunity to speak in this important debate. As John Park said, when the Parliament has debated regeneration in Government time or in members' business debates, cross-party consensus has been achieved. That consensus has been strained so far this morning, but we know that an election is looming—that was proved when a member of the public elbowed a Labour candidate in the face. I wish John Park luck as he co-ordinates the remainder of the Labour Party's election campaign. *[Interruption.]* I can share stories about my injuries on the doorstep, but that is a different debate.

If we were in any doubt about the looming election campaign, we heard in the minister's speech a list of figures, some of which were wrapped up with others, some of which had been previously announced and some of which were already in budgets that agencies had set and which had been packaged slightly differently. That is not to undermine the impact that we would like funding to have in the communities that the Government has specified, but the health warning is relevant.

I state categorically the Liberal Democrats' support for the Coalfields Regeneration Trust's work, the Industrial Communities Alliance's wider work and the work of their partners with local authorities throughout Scotland and with the Convention of Scottish Local Authorities. All that work has enthusiastic backing.

I will highlight one element of the UK context and describe some challenges and how we can address them—collectively, we hope. I will also refer to local areas in the constituency that I am proud to represent in the Parliament.

John Park made points about the UK Government. We will hear its view on its relationship with the trust in due course, as has been said. When Gordon Brown became Prime Minister, he had a policy of establishing regional select committees in England to focus on communities that he felt had not been represented strongly by the Government or the Westminster Parliament, but that policy never came to fruition.

It is worth putting it on the record that, within a month of the coalition Government taking power in the UK, tax incentive measures were put in place for areas outside south-east England and training support was made available for those areas. Development support and infrastructure investment in many industrial communities outside south-east England have now been put in place. We will have to judge the success of those measures, of course, but it is worth recognising that they represent the best way of starting to address the fact that equality declined and the wealth gap increased in the 13 years of the Labour Administration.

We heard from Duncan McNeil a comment from a sedentary position about unemployment. No one at all glories in any unemployment. In the past week, I have met individuals who face difficulties with their employment in the next week and who face redundancy. However, it is a fact that, although unemployment levels are far too high, they are still below the forecasts that Alistair Darling set when he left the Treasury. I am not at all complacent about the situation, but it is worth putting that information on the record.

I move on to work with the industrial communities that we all represent. Many such areas are still struggling with seismic changes not only in the economy but in socioeconomic elements. John Park rehearsed all those issues, about which I agree. However, we have a different approach to the solutions. The framework for supporting such communities is insufficient and a series of ad hoc announcements for individual programmes that can change from one year to another is also insufficient.

A core purpose of the Scottish Development Agency was to help communities and their economies to adjust to changes in the economy. However, its successor, Scottish Enterprise, and Skills Development Scotland—with its relationship with local authorities—will not do the work that is needed to achieve our long-term ambitions for many such communities.

Last March—almost a year ago—Rhona Brankin spoke in Cathy Jamieson's debate on industrial communities. Rhona Brankin rehearsed the difficulties that still exist in Midlothian, which borders part of the constituency that I represent. Her area is predominantly a mining constituency, whereas my area is predominantly a mill constituency—paper in Penicuik and textiles in the Borders. All such mills used the mines in Rhona Brankin's constituency for their fuel source.

The disparity and lack of coherence in the support from Scottish Enterprise, local authorities and our skills agency do not create the support that we need to go forward. That is why we have looked back and why we want a radical change.

We would prefer our communities and economies to be supported through regional development banks, which would bring together existing support levels and provide a single focus for the Coalfields Regeneration Trust or the Industrial Communities Alliance to lobby and increasingly to work with in partnership. That arrangement could support the adjustment in skills, training, economic support and inward investment in our existing economies and it could be used in considering the future of life sciences, biosciences, earth sciences and pharmaceutical industries—the new industries that are coming into the areas that relied heavily on the former industries.

Helen Eadie: Will the member take an intervention?

Jeremy Purvis: If I have time, I will do so.

The Presiding Officer: The intervention will have to be brief.

Jeremy Purvis: I give way briefly to Helen Eadie.

Helen Eadie: Does Jeremy Tolson understand that the CRT's work bears no resemblance to the investment that he talks about?

The Presiding Officer: Mr Purvis.

Jeremy Purvis: Thank you for getting my name correct, Presiding Officer.

I am not saying that the Coalfields Regeneration Trust will be replaced by any of those bodies. It should come as no surprise that I pay due credit to the work that Helen Eadie does, but the number of organisations that are listed in the mapping exercise that her office has undertaken highlights the confusion and lack of consistency in this area. There is no real focus, and that is letting down the communities that I am talking about.

If the work of the alliance or the trust is to be better supported, it would be better if they could focus on working with a single development bank that can lever in the investment about which the minister spoke. That approach would send out a signal that we are addressing the deep-seated problems that John Park set out. If we simply tinker at the edges, we will let these communities down. The Liberal Democrats' long-term view is to support these communities. We cannot afford to continue to let them down.

The Presiding Officer: We come to the open debate. Speeches of around six minutes, please. I call Duncan McNeil. [*Interruption.*]

09:56

Duncan McNeil (Greenock and Inverclyde) (Lab): My apologies, Presiding Officer. I thought that Frank McAveety wanted to get past me.

The debate has got off to a depressing start. At least Alex Johnstone did not claim to be a friend of the miners—how could he? The debate has not changed in relation to how fast and deep the budget cuts are and how high unemployment will travel.

I come from Inverclyde and represent that area, where we know all about de-industrialisation. Mass unemployment ensues, taking work out of a working community. That destroys that community, leading to deprivation, poverty, health problems, increased crime and drugs. Then comes depopulation, which puts pressure on services and schools. How do we fill our schools? How do we run our hospitals and maintain our maternity services? All of that becomes a massive challenge.

Of course, de-industrialisation changed the political environment, too, in many areas and certainly in mine. In the Scottish Parliament, we—in coalition with other parties—at least recognised some of those challenges and were able to save our maternity hospitals.

The initial challenge was to try to replace sunset industries with sunrise industries and big jobs with big jobs. However, full-time employment was replaced by part-time employment and good pay with low pay. Casualisation also ensued. All of that was made possible by a Conservative Government. Another Conservative Government is at it again.

The discussion document is important in some ways to the next stage—I will come back to that. It is important that we learn the lessons about how to support our communities and find out what works and what does not work.

We have a model that we believe works. The Scottish Parliament supported us in setting up the urban regeneration company. We recognised the need to bring together the private and public sectors and to drive forward our ambition for our community. The community became involved in that response. We also recognised that it was not simply about replacing jobs. We realised that there was a massive job to do in reclaiming land and clearing brownfield sites. The land needed to be decontaminated—it had been poisoned by the industrial chemicals that had been used over years and years. We needed to build houses in the public sector and the private sector and agreed a housing stock transfer. We also agreed to build a new school to tackle attainment. All of that was opposed by Alex Neil and his party—

Alex Neil: Rubbish.

Duncan McNeil: No it is not. I am prepared to take an intervention from the minister.

Alex Neil: On housing, we delivered second stage transfer in Glasgow. Labour did not deliver one second stage transfer; we delivered 20,000 homes.

Duncan McNeil: That makes my case completely. The minister opposed housing stock transfer and if we had listened to him, Stuart McMillan and others, people would now be living in even poorer housing. If we had listened to Alex Neil on schools, we would not have the new schools that we have right now. That is the reality. The minister has proved my case.

We also recognised that our college was at the heart of our community. Our college could address the skills deficit that we had. We know that regeneration is a people business. We needed to get people involved and move them on.

My only regret is that the “Building a Sustainable Future” discussion document came too late. It is a smokescreen in relation to what is happening now. It was produced after the budget—a budget that has cut by in excess of 60 per cent the funding for our urban regeneration company, which had such ambitious plans to modernise my area. My college is in crisis. It faces massive budget cuts and 90 of its people face redundancy. All of that puts pressure on the young people in my area. Every pound that we cut shoves up youth unemployment.

Another cut from this Government is the unfair budget settlement for our local council, but the Government refuses to recognise that, despite assurances from the Cabinet Secretary for Finance and Sustainable Growth, John Swinney, that he would take into account the needs of communities that are less resilient to cuts. If there is a community anywhere in Scotland that is less resilient than mine in that regard, I do not know where it is. Our council needs a fair settlement and our college needs to be funded appropriately. What has the Scottish Government done other than cut the budgets of a community that is less resilient? That is even before the cuts in public sector employment come. We are overdependent on the public sector in Scotland. That is not because everybody wants to work in the public sector but because we have lost massive amounts of our manufacturing industry.

When we got the Scottish Parliament, we expected that it would work for communities such as mine. It did for a period, but it is no longer working for those communities. When Labour tackles the Tories on the cuts that they are making in Scotland, we expect the minister's support. We do not expect him to stab us in the back by cutting

college and local government budgets and increasing unemployment.

10:02

Stewart Stevenson (Banff and Buchan) (SNP): I apologise for having to leave the debate about half an hour before its end.

I wish John Park every success in the recovery of his lip. Indeed, I wish him every success in the coming election. I hope that Labour sets new records—for second places. The contest to come will be interesting.

Regeneration is a subject that is timely and important to communities not only in central Scotland but right across Scotland. In my remarks, I will make some comments about areas outwith central Scotland.

John Park highlighted an important issue when he said that it is not correct to focus only on people. When we look at regeneration, I agree that we also have to consider the physical, social and economic environments. In fact, a complex set of interlocking issues make up the single issue that is regeneration. The need for regeneration has run through the generations in far too many of our communities.

That is precisely why the Conservatives absolutely miss the point when they focus on the idea of workers relocating to find new work. Indeed, Norman Tebbit has been on the campaign trail in Wales this week. He gave an interview in which he suggested, once again, that the “get on your bike” phrase that he used years ago still has a resonance. That focus is simplistic, inadequate and inappropriate.

It is good to hear members on Labour's front bench—if not members on Labour's back benches—reinforcing the importance of the Forth replacement crossing, which is not only a transport investment but one that creates significant jobs. I hope that Lord Foulkes remains a sole voice.

Regeneration is a key part of our economy. It is needed just as much in rural villages and towns as it is in urban city centres. Just as we have seen significant change in the industrial structure of Scotland in many communities in the central belt, so we have seen the structure of our traditional industries of fishing and farming change significantly. Those industries have reduced the number of people who are employed within them and that has caused suffering for a number of associated engineering industries, too.

The Coalfields Regeneration Trust does excellent work for the communities that it supports. I do not think that during today's debate we will hear criticism of its efforts, although we may focus on differences.

However, there is a Scotland beyond the central belt. Just yesterday, on 23 February, Portsoy in my constituency was granted £500,000 from Historic Scotland's conservation area regeneration scheme to repair historic buildings in the harbour and to give people training in traditional skills. That is the kind of initiative that the Government is taking. It will make the area more attractive to visitors, but it will also boost the local economy. Building on traditional skills and renovation work will create for young people, in particular, key opportunities to engage in new activities.

Elsewhere in my constituency, there have been successful regeneration schemes in Peterhead, and £3 million has been spent on a townscape heritage project in Banff. In August, Aberdeenshire Council allocated slightly more than a third of £1 million from Scottish Enterprise to regeneration projects in Banff and Buchan.

Regeneration is important throughout Scotland. That is why I welcome the document that the Government has just published on the subject, which recognises that many of the traditional models are less viable. For too many companies, reliance on debt finance simply is not possible. Together with difficulties in accessing land and property in the current climate, that is making it more difficult overall to attract investment. We need community-led regeneration, rather than a top-down approach. We need to empower our communities so that, through the Scottish Government's concordat with local authorities in particular, we can find ways of doing the things that are required in our local communities. Regeneration works when each community has a stake in it.

I think in particular of Maud, a small village in my constituency, where over a long period—regeneration is not a quick fix—the community has engaged in redeveloping an area that 50 years ago was the biggest, most active cattle market in the whole of Scotland. Today, the area is thriving, with many different activities in a new centre that has been developed in close co-operation with the community, through a planning for real project that engaged the very young and the very old.

Like others, I welcomed the 2007 debate on coalfield regeneration. After waiting for four years for another debate, we find that two have come along on the same day—not, I must say, miraculous scheduling on the part of the Labour business manager.

In comparison with the minister, I must go back one more generation to reach my mining ancestors. My great-grandfather and great-great-grandfather were miners in Bannockburn. They were among more than 300 Stevensons who were miners in that community 150 years ago. Business changes, and we must respond. Regeneration will

be important. I will support the Government tonight.

10:08

Mr Frank McAveety (Glasgow Shettleston) (Lab): Understandably, much of today's debate has been about the past, because many of the communities that we represent have been shaped and defined by their history. Duncan McNeil made a passionate speech about how the private sector used to be a substantial contributor to the generation of wealth, opportunity and employment in Inverclyde. Because of a variety of issues that were exacerbated by the attitude of Tory Governments from 1979 onwards, which did not have any serious policies to address the situation in such areas, that ceased to be the case.

The same thing happened in the east end of Glasgow. The Glasgow eastern area renewal project was the critical project there in the mid-1970s. That is an interesting period, because in the mid-1970s the minister was a researcher for another political party, for which he produced documents that identified the ills of conservatism and modern capitalism. I welcomed those documents. At the time, I was a very young man—probably in my early teens, if the minister cares to believe me. The disappointment today is that he has fallen into the trap of saying that everything that happened before was not effective. I know that, as a teenager, the minister read his books on Marxism. The reality of international capitalism is that an interventionist strategy by the Labour Government and other Governments across the world was required to address the international economic crisis of the past three years. The minister's comments were disappointing.

I mentioned the fact that the minister spent time as a researcher because that shaped his speech in today's debate. Cleverly, like most researchers, he gave us a barrage of statistics, possibly to camouflage some of the decisions that have been made. The history of social housing in recent years is not about whether only six council houses were built under Labour but about the amount of social housing that was built under the previous Administration, regardless of whether that happened to have the imprimatur of a local authority or of a housing association. That point matters—during my childhood in Glasgow, I experienced some of the negative aspects of council housing and it is not the golden experience that it is claimed to be. The real issue is the budget that is available.

I will focus on what the challenge to the Parliament should be, and I will comment on one or two points that members have made. First, youth unemployment is the pressing matter of today, because the youth unemployment rate

tends to be two or three times higher than the average rate. That is a critically different statistic. Secondly, in the last six months of the Labour Government that some have maligned, youth unemployment fell and youth employment increased. Today, after nine months of the coalition Government, youth unemployment has increased and youth employment has fallen. That is the statistical reality. We must decide what we want to do for the communities concerned.

Each party has made a contribution. It is not about whether we are absolutely right all the time or whether the Government is absolutely wrong all the time—it is about what we want to do. The disappointing thing since January is that it has required a reaction from me and many others for the money that the minister has announced for the different authorities to be reinstated. Understandably, he is shaking his head. I know that he has sent me a letter about these issues. He can probably talk to me about them, because he wants to meet me to discuss them. I will be delighted to do that. However, if there had not been a stushie about budget cuts by Scottish Enterprise, which is an arm's-length organisation, I do not think that the minister would have made the announcements that he has made today. That is the reality. However, I welcome the fact that some of the contributions have been reinstated.

Alex Johnstone deployed an interesting argument. He claimed that regeneration strategies had not really worked in some places in Glasgow. I would welcome a visit from him to Clyde Gateway, because the company has been using public money to generate opportunities for private investment and employment. It wants to continue to do that and must get the resources for that purpose. The minister has made some announcements on the issue, to which the board of Clyde Gateway will respond in due course.

Because of the company's work, Aviva has invested £10 million in a new office development that is located in the east end. The connectivity that the M74 will offer will make a real difference. The commitments that have been made to a business park will generate small business growth, which Alex Johnstone should welcome. If I read project Merlin correctly, it says that we should encourage small and medium-sized enterprises in order to grow the economy. That is a UK Government project. I do not know whether the minister has a similar sorcerer's role; given his speech, any such project should probably be termed project Voldemort. One is not meant to mention the dark lord's name, but I will name him today—it is the Minister for Housing and Communities.

Alf Young, a serious commentator on economics, gave up his time for Riverside

Inverclyde because he believed that it would make a difference. He has said:

"I just feel absolutely betrayed. I came into this thinking there was a cross-party, cross-parliament commitment."

I hope that, in the discussion with Riverside Inverclyde, the minister will try to re-establish trust. Robert Crawford, who was also a researcher—for the minister's new party—a long time ago, has said:

"it is the wrong time in the economic cycle to be doing this."

People who were researchers for different parties—the minister, Alf Young and Robert Crawford—are all saying similar things, I think. We need to pull that together.

The east end of Glasgow needs to have trust reinforced year after year, because people in the east end feel that the economic strategies of successive Administrations—of different hues—over the years, going back to the 1920s, did not address the cumulative need of the area. We need to rebuild trust; I hope that we can do that in a meeting.

Clyde Gateway would love to have the minister back in the east end of Glasgow, so that we can demonstrate what we are trying to do with the resources that are available. We need to rebuild the trust that existed, because over the past two or three months it has been fractured, which is disappointing. I hope that the minister will be able to address the issue.

10:15

Stuart McMillan (West of Scotland) (SNP): I am happy to take part in the debate and I welcome the opportunity to discuss the SNP's excellent record on regeneration activities.

The Labour motion talks about recognising

"the importance of continued support from the Scottish Government for regeneration initiatives".

That is a welcome recognition by Labour that the Scottish Government is investing to help regenerate our communities. In the spirit of consensus, I can say that the creation of the urban regeneration companies, which were set up before 2007, has provided a focused approach to helping to turn around areas that were neglected.

On 24 January, the *Greenock Telegraph* reported that Alf Young, the chair of Riverside Inverclyde, said:

"I have always been told by the politicians and their officials this was a 10-year mission to take 20-odd years of dereliction and do something about it, and that they would back us."

I used that quotation in the budget debate, and I have no qualms about using it again.

When I was growing up in Inverclyde, I was appalled to see the dereliction that engulfed much of the area. An attempt was made to make Inverclyde a better place, with enterprise zone status, but unfortunately that approach did not fulfil its potential. I hope that the URC, Riverside Inverclyde, creates an opportunity for Inverclyde to move forward and for the URC to help to empower the whole community.

During stage 3 of the budget debate, John Swinney agreed to reinstate some of the money that was due to be removed from the URC budget. The £6 million, in addition to the planned £25 million, will certainly help the URCs; I know that it will help Riverside Inverclyde.

Duncan McNeil: Does the member agree that a cut in the URC budget in excess of 60 per cent is outrageous and will damage our ambition for Inverclyde?

Stuart McMillan: I wrote to Alex Neil about that a while ago and received a response.

Riverside Inverclyde is ahead of the game. It has developed things sooner than was planned in its initial business plan. That is a positive. The announcement this morning that Riverside Inverclyde will receive a further £1.1 million in addition to the £2.9 million that it was due to receive is a positive step. I welcome additional money coming to Inverclyde. I voted for more money to come to Inverclyde in the budget. Labour did not. Mr McNeil did not. I am disappointed with that.

Riverside Inverclyde has made great strides in trying to improve the area and, as I have said, is ahead of schedule, which is encouraging. However, it cannot and, I am sure, will not rest on its laurels.

I have visited a representative of the Irvine Bay Urban Regeneration Company. I do not intend to say much about the company as I am sure that my colleague Kenneth Gibson will do so later. I saw the positive effects of the URC on the Clyde Marina in Ardrossan and was greatly impressed by the proposals. Representatives of the Clyde Marina are members of the cross-party group on recreational boating and marine tourism, which I convene. I understand the URC's potential and the necessity for it to succeed.

Regeneration takes many forms, from the money allocated through the town centre regeneration fund to moneys for local authorities, URCs—where they exist—new schools and new and improved housing. I will come back to that last example in a moment.

As Alf Young said, there has been dereliction over 20 years. This is not just about providing shiny new buildings, although those are essential.

There is another important element. Giving evidence to the Economy, Energy and Tourism Committee during its enterprise inquiry, Dr Ian Wall, who is from Scotland's independent regeneration network, said:

"Regeneration is about people, not things."—[*Official Report, Economy, Energy and Tourism Committee*, 26 January 2011; c 4694.]

That can get lost in translation when regeneration is discussed. Shiny new buildings are all well and good but if no or little sustainability is built in we are just creating a rod for our own back and we will not address the complexity of regeneration in its entirety.

Johann Lamont (Glasgow Pollok) (Lab):

Does the member agree that the strength of the Coalfields Regeneration Trust is that it is about people? It is about people who are committed to the coalfield communities, who understand their history and who have a vision for the future. It is therefore mean-spirited at the very least to cut a relatively small budget that would allow those people's energy and commitment to an area to continue to support the communities that they come from.

Stuart McMillan: People, whether in the Coalfields Regeneration Trust or the URCs in Inverclyde and Irvine Bay, are the most important element here.

I return to a couple of points that I mentioned earlier. On housing, the SNP campaigned against housing stock transfer in Inverclyde. I have no qualms about that campaign. I am delighted that the SNP has provided record funding for new housing in Inverclyde through River Clyde Homes and registered social landlords. The SNP Government has a tremendous record on housing for Inverclyde.

There are issues at James Watt College, but those are wider than just the reduced money from the Scottish Government. The fundamental problem is the £1.3 billion cut to the Scottish Government this year, which is the result of not only the Tories and Lib Dems cutting the budget but the economic mismanagement of the Labour Party when it was in power in the previous Administration.

10:21

Patricia Ferguson (Glasgow Maryhill) (Lab):

Perhaps Stuart McMillan would have been happier if the Labour Government at Westminster had allowed the Scottish banks to go to the wall and the country to suffer the consequences.

Much of the debate has been about the Coalfields Regeneration Trust. I have not had much contact with the trust—the last pit in Maryhill

closed in about 1963, so I do not remember it—but I am familiar with its work and the fact that the loss of jobs and economic drivers in the coalfield communities echoes what happened in communities such as mine when heavy industry, on which Glasgow depended, disappeared, creating problems such as the ones Duncan McNeil identified.

Last year, the minister visited Maryhill burgh halls in my constituency. The building once housed local government and civic justice and was the social hub of the district. A project will bring the main civic building of the area back to life. It is a true regeneration project that is funded by a large range of organisations, including the town centre regeneration fund.

When the halls reopen later this year, 20 stained glass panels that were removed when it lay unused will be returned to their rightful place. The panels are important artistically, but they are also a graphic link to our industrial past as they feature 20 trades that were carried out by the men and women of Maryhill in the 1870s. If we undertake some basic research about the panels, we find that they have something else in common: all the trades operated within yards of the Forth and Clyde canal. The canal was a vital part of the infrastructure that supported Glasgow at that time and Maryhill was at the heart of it. It is entirely appropriate therefore that the Forth and Clyde canal will be at the centre of the transformational area that is planned for Maryhill. The plan includes some 400 new homes, shops and restaurants. We have heard rumours that there might even be a hotel, which some local wags have suggested might be called the Maryhillton.

The housing will be a mix of private and social rented properties and it will be located adjacent to the canal locks. It is hoped that new green space areas will be established and that a Glasgow paddle sports centre can be established further along the canal at Speirs Wharf, making the entire area and canal corridor a focus for water sports. Some social housing has already been built and occupied in an area known as the Botany. I sincerely hope that Maryhill does not have to wait as long as the residents of the Botany had to wait for their new houses.

The Ruchill area of my constituency owes its existence to the new industries that sprang up along the canal, but as those industries disappeared so too did the jobs for local people. The last big employer was Ruchill hospital, but it, too, closed in 1998. However, that challenge was seen as an opportunity—an opportunity to build new, quality housing on the extensive hospital grounds. Unfortunately, Scottish Enterprise, which owns the land, has not shown the leadership that is needed to take forward that ambitious scheme.

The boom years of property development have come and gone, and still the site lies empty.

As others have said, regeneration is not just about building new houses and facilities; it is also about making good places that have an identity—something distinctive that marks them out from other areas. In the case of Ruchill, it was some of the hospital buildings, standing tall in the skyline, that provided that distinctiveness. Scottish Enterprise argued that, for the site to be marketable, it was necessary to demolish parts of the former hospital. It was allowed to do so on the basis that it would protect the remaining buildings until a buyer was found, but it has now decided that almost all the remaining buildings should go too, partly because of its neglect of those buildings, which will now be expensive to secure. I strongly object to that proposal, particularly as it affects buildings that Historic Scotland has listed at category A or B. I have said so, and I will continue to say so.

Maryhill burgh halls was fortunate enough to secure funding from the town centre regeneration fund, but Possilpark was not. Despite the fact that Glasgow City Council, the local regeneration agency and the local housing association presented an excellent, innovative proposal for the regeneration of Saracen Street to complement the new housing and new school that have already been built and the Saracen Exchange project, which will create a new business premises in the area, the proposal was turned down, but I am delighted that those agencies have enough faith in their proposal to want to continue to take it forward on their own. Unlike the Scottish Government, those local agencies understand the imperative behind the initiative. They know that Possilpark is a vibrant community with great people and that those people should be supported, so I look forward to seeing their hard work come to fruition.

Across my constituency there are a number of vacant brownfield sites that are ripe for development, but many have lain empty for far too long. That is recognised in the city plan, and the possibility exists that at least one of those sites will be used for a large-scale retail development and for housing at a later date, but we need more. We need a signal to be sent out by the Parliament and the Government that we cannot wait around for the economy to improve. We must seize the initiative and begin regeneration projects that will kick-start the economic recovery so that our communities can reap the benefits when that recovery comes.

The Government inherited a good legacy of work by the previous Scottish Executive and by Glasgow City Council and our housing associations to build new homes, new schools and new jobs. I hope that the funding that Alex Neil

referred to has the desired effect, but just because the minister announces money twice does not mean to say that he can spend it twice, and I am afraid that the launching of a consultation document in the SNP Government's dying days is not much of a legacy for the next Government.

10:28

Kenneth Gibson (Cunninghame North) (SNP): Regeneration is integral to the betterment of our society, and the Scottish Government has shown a strong commitment to the regeneration of our urban areas since it took office in 2007. That has included the provision of substantial levels of funding for urban regeneration companies and the creation of the Scottish Futures Trust, as well as a number of other innovative policies and initiatives.

Despite its good intentions, Labour's raising of this important issue nonetheless smacks of hypocrisy, given that only two weeks ago Labour voted against £31 million of support for urban regeneration companies—£6 million more than had been planned in the draft budget. It is quite baffling that Labour has lodged a motion that

"recognises the importance of continued support from the Scottish Government for regeneration initiatives"

when regeneration is all the more necessary following the shocking economic mismanagement and ineptitude of the previous Labour Government at Westminster. Alex Johnstone said that there was a 9.8 per cent reduction in output over the Labour Government's 13 years in office, but he did not say that despite pledging in 1997 to protect manufacturing it oversaw a 37 per cent decline in manufacturing employment in the UK, which has hit my area of north Ayrshire, where manufacturing is of disproportionate importance, particularly hard. It is why the former Cabinet minister Alan Milburn said that, under Labour, the gap between rich and poor was the widest it had been for 80 years.

The fact that urban regeneration is of particular interest to me is due in no small part to the fact that one of the six URCs, Irvine Bay Urban Regeneration Company, covers my constituency. I was delighted by Mr Neil's most welcome announcement. URCs are special purpose organisations that were established to attract and co-ordinate public and private sector investment around a shared set of objectives that have been decided on by investors and—most important—the communities themselves. Irvine Bay URC spans 14 miles of coastline and is one of the largest URCs. Its aim is to develop the built environment in Ardrossan and Saltcoats in my constituency and in Stevenston, Kilwinning and Irvine in Cunninghame South. That is an essential task, given that some of those towns contain large pockets of deprivation and have high levels of unemployment and ill health. Irvine Bay URC is

working to engineer new investment and sustainable employment, to boost tourism and to improve the social conditions in the area.

I have witnessed at first hand—on at least two occasions with the minister—the important work that the company has undertaken during its relatively short existence, and I am excited to see its projects coming to fruition. They range from small projects such as the renovation of several listed buildings that have been turned into art galleries and restaurants to bigger projects such as an 8,000ft² business centre in Stevenston, the Ardrossan marina, which will create some 400 jobs and attract £70 million of investment, and several large-scale town centre regeneration projects. Those new retail and leisure facilities will also create jobs and give people a reason to come to that part of Ayrshire to spend money and to enjoy what is on offer. In addition, the creation of 300 construction jobs, which will include 31 trainee positions, and the building of a hotel will provide a significant boost. There are many good things to say about what is happening at Irvine Bay. Of course, such developments not only benefit communities but provide support for ancillary industries such as construction, as I have mentioned.

Further to the Scottish Government's commitment to URCs, the national housing trust initiative will also support regeneration. The aim of that scheme is to deliver, through an innovative high-value-for-money solution, thousands of houses that are suitable for mid-market rent in areas where there is a high demand for such housing. Homes that are brought into the scheme will be funded jointly by participating councils and developers, and the Scottish Government is offering councils a guarantee to ensure that they can repay any money that they borrow to fund the scheme. It will keep people in jobs, particularly in the construction industry, by allowing house builders to kick-start construction on stalled housing sites that in many cases would otherwise remain mothballed. This innovative scheme is being taken forward by the Scottish Futures Trust, which the SNP Government set up and which Labour intends to scrap in the unlikely event of its forming the next Administration.

The SNP has many other initiatives and policies. For example, in the recent strategy document "Homes Fit for the 21st Century", we set out plans to allow councils to increase the rate of council tax that they charge on long-term empty properties. There are 25,000 such properties in Scotland and it makes no sense for a council tax rate of 50 per cent to be levied on them. Our policy would not only discourage leaving homes empty but raise £130 million for councils, which is enough money to deliver 800 new homes a year and to support 1,500 construction jobs.

Local communities are often best placed to decide how their area should be regenerated, so the SNP has bold plans to assist and empower local communities through our proposed community empowerment and renewal bill, which will enable community purchase of underused and unused public sector assets and enable communities to regenerate dormant land and vacant or derelict buildings in their area. Granting local people such powers and assistance can often provide the spark for wider-ranging regeneration and investment.

Irene Oldfather (Cunninghame South) (Lab):

Does the member agree that improving transport infrastructure is crucial to regeneration in an area? Will he join me in calling for a budget and a timescale to be set for the upgrading of the Kilwinning to Glasgow bypass?

Kenneth Gibson: On Tuesday—unlike the member—I was at a meeting with North Ayrshire Council, Scottish Enterprise, the Minister for Enterprise, Energy and Tourism and the Minister for Housing and Communities at which that very case was made. I have pressed for that since my election.

What we have heard from some Labour members—particularly Duncan McNeil who, sadly, is no longer present in the chamber—is a somewhat incoherent and blinkered view. We have had the bare-faced denial of Labour's responsibility for the recession and the cuts that are having to be forced on Scotland by the UK Government according to the Tories' philosophy. Laughably, we have even had criticism of how money is distributed to local authorities, despite the fact that the SNP uses the same distribution formula that the Labour Party used when it was in power.

Unfortunately, time prevents me from talking about the coalfields community but, along with Mr Neil and Mr Stevenson, I have family who worked in the coal mines; my paternal grandfather was a miner from Leven.

10:34

Derek Brownlee (South of Scotland) (Con):

This morning, we have heard a broad range of activities being classed as regeneration activities. Perhaps one of the issues that we face is the fact that regeneration means different things to different people. Obviously it means the regeneration of the physical infrastructure, which is what the town centre regeneration fund was aimed at helping. I welcome Patricia Ferguson's support for that in her constituency although, if my memory serves me correctly, the Labour Party voted against that initiative. There we go.

Incidentally, I was struck by something else Patricia Ferguson said—I agree with it 100 per cent: just because the minister announces money twice does not mean that he can spend it twice. That makes me wonder why she was not a more effective adviser to the previous Prime Minister and chancellor than the current Labour leader.

Patricia Ferguson: I gently point out to the member that money to regenerate our town centres was in our last manifesto.

Derek Brownlee: It might well have been in Labour's manifesto, but it did not vote for the initiative when it had the opportunity to do so in Parliament. Labour will presumably be judged by what it does, not what it promises. We all know that a promise from the Labour Party is not worth a great deal.

Regeneration is more about jobs than about anything else. Some regeneration initiatives aim to tackle health issues arising out of or linked to deprivation, and climate change initiatives are also increasingly being tagged on to regeneration, but at the absolute core it is jobs that sustain communities and lead regeneration.

Some points have been made today about how we create jobs and help people with the skills and abilities to access employment. There is a variety of threads there. If people are leaving school without the skills that they need to fit into the employment market, we have a serious problem in some of our schools. I can understand that the Government must be able to ensure that there is adequate support in place for people who might have been in one industry for a large part of their lives and now have to face redundancy, retraining and a shift in employment. When Alex Johnstone made a point about labour force mobility there was a collective intake of breath from Labour members, but we should not discount the idea so rapidly. Is it not better to get people to jobs in other areas, perhaps by upgrading transport links, than to leave them trapped in communities in which they do not have employment? Is it not better to have people in work than out of work?

We should also look at business mobility. Increasingly, new jobs do not depend on a geographical link to a particular part of the country. Many service industries can be set up in any part of the country, provided they have a skilled workforce and the appropriate infrastructure, particularly in communications.

Johann Lamont: Does the member recognise that for some of our fragile communities across Scotland, one of the problems is depopulation? My family had to leave where they lived to get work. That had consequences for them, but there were also consequences for the people they left behind; it was difficult to generate any work in those

communities and to support the services that the remaining people required.

Derek Brownlee: Yes, there are issues about depopulation, but if we look at any time during Scotland's economic history we will find that the population shifted as new opportunities became available in different parts of the country. We cannot expect the Government to end that practice. I appreciate that when there is significant depopulation in an area there are issues for the people who are left behind and for the encouragement of job creation in those local areas, but the idea that the Government can wish those issues away is naive.

Jeremy Purvis mentioned the incentives that the new UK Government is introducing on national insurance. That is one of the positive things that can be done to allow businesses to create jobs in local areas, which is presumably what we should be aiming to do. More than anything else, it is economic growth that will regenerate communities.

We had 16 years of uninterrupted economic growth between 1992 and 2008, before we got to the recession. If, after 16 years, areas still do not achieve the regeneration that is sought, do we say that the regeneration initiatives have failed or that we tried the wrong things? Or do we need to take a harder look at whether it is possible to regenerate to the full extent that we wish, even when we are living in the most benign of economic circumstances? We have to have economic circumstances that lead to such communities being sustainable in good times and bad. That is when infrastructure and transport links have a real part to play.

On the Coalfields Regeneration Trust, John Park made a valid point about the levering in of finance. We should be looking at that more generally, and some of the issues that the Government is looking at, such as JESSICA funding, which aims to lever in funding, are very valuable. We have to look at recycling funding and moving from a culture of grants to one of loans and equity to get more for our money. As with everything else, we have to consider funding for the Coalfields Regeneration Trust on its merits. It must be about what helps to create jobs. The future jobs fund, which the Labour Party was promoting, cost around £6,000 or £7,000 per job created. The regional selective assistance grants cost about £10,000 per job created. We need to have a debate about how we can most effectively sustain jobs.

John Park: Surely there is an interdependence between the approach that is taken at the UK level on the Coalfields Regeneration Trust and the Scottish Government's approach. Does Derek Brownlee agree that it would be beneficial for us to know exactly what his party is planning to do at

the UK level so that we can go forward together? We are interdependent: we share ideas and aspirations for what we can deliver for those communities.

Derek Brownlee: I am always keen for the Scottish Government and the UK Government to work well together. I cannot add anything to what Alex Johnstone said, which is that the Coalfields Regeneration Trust in England has said that it will not be in a position to make any announcement on its funding. Of course we must try and work together to leverage in funding, but we must look at funding for CRT on its merits compared with other initiatives. That is one of my key points.

I note in passing that one of the most intriguing things that I heard in today's debate was Alex Neil's reference to his "reign". I know that he has been criticised of late as misdescribing his position, but I did not realise that he had been elevated to monarch.

10:41

James Kelly (Glasgow Rutherglen) (Lab): I welcome the opportunity to take part in this morning's Labour Party debate on regeneration.

I start by congratulating the Coalfields Regeneration Trust and supporting it and the work that it does. There is a strong mining heritage in Rutherglen and Cambuslang in the area that I represent, particularly in Cambuslang. A lot of strong figures emerged from there, including the former vice president of the National Union of Mineworkers, Mick McGahey, who worked at the Gateside pit close to where I grew up in Halfway.

I was reminded of the success of the Coalfields Regeneration Trust last year when I spoke at a conference in the Blantyre area, which neighbours the constituency that I represent. Blantyre is another strong mining community and it is important to recognise the work in the mines and the events that shaped such communities. In 1877, Blantyre had a pit disaster in which almost 200 people died. It brought the community together, and we can still see that in the Blantyre community today. It is important to support the Coalfields Regeneration Trust and the funding that it makes available in areas such as Blantyre because we have to have a sense of community and of people sticking together. That is not only important for the generation of employment, it is important to help to reduce crime and to contribute to the well being of the area.

There is a strong industrial heritage in the area that I represent. The mines are long gone, although there is still a steel works. The strong manufacturing base that existed in Cambuslang and Rutherglen was attacked and undermined at the advent of the Thatcher Government in 1979,

which pursued the policy of worshipping at the altar of Milton Friedman and controlling the money supply rather than supporting communities such as Cambuslang and Rutherglen. Many still remember when the steel works were closed, and there are people who worked there who never worked again. That is the legacy of the Thatcher years. Sadly, as John Park pointed out in his speech, there are generations of people who have not worked since. That gives us problems with life expectancy, health and the fabric of the area.

Alex Neil: I take the member's point about the Thatcher Government, but there were 13 years of Labour government after that, at the end of which the level of unemployment in Scotland was much higher than it had been at any point in the previous few years.

James Kelly: As Mr Brownlee pointed out, we had unprecedented economic growth until 2008, and we had unprecedented levels of access to higher education. In the community that I represent, that has meant that many people who grew up in the schemes in the 1970s have graduated to carrying out professional, stable jobs, and they are able to make a positive contribution to the economy as a result of the positive impact of a Labour Government.

Jeremy Purvis *rose—*

James Kelly: I am sorry, but I must make progress.

The challenge for policy makers across the chamber is how to promote jobs and generate economic growth. The role of urban regeneration companies is vital. Frank McAveety spoke about the positive work that Clyde Gateway carries out. It is not just a matter of its work, but of what surrounds it. The Commonwealth games are coming up in 2014, and the M74 motorway is due for completion later this year. Those developments are very important, but we need the funding for Clyde Gateway to clear up the areas concerned and support economic growth.

I obviously welcome the fact that the Scottish Government and Scottish Enterprise have restored funding levels by not making the cuts that the Government proposed at the start of the budget process. Alex Neil and Stuart McMillan—who has left the chamber—should not kid us on. What kind of economic vision do they have if the budget process starts with a proposal for 46 per cent cuts to Clyde Gateway and 71 per cent cuts for the urban regeneration company in Greenock? That is a Government that is devoid of economic vision. No wonder the First Minister wrote a memo last month—which was leaked to all heads of department—that sought, within 24 hours, an economic policy for the next four years. No wonder—

Kenneth Gibson: What about Labour's cuts?

James Kelly: During the budget debate, Kenneth Gibson described the Glasgow airport rail link project as a white elephant. It would create 1,200 jobs and fit in with and support the Commonwealth games development. That shows how deficient the economic vision of the SNP is.

People such as Derek Brownlee have given up on many communities. He thinks that we have pumped enough money in and that the funding pipeline should be cut off. The SNP Government is deficient in terms of its economic vision. The Labour Party has lodged the motion we are debating this morning and provided the time to support and defend our communities and to continue to support jobs and economic growth.

10:48

Maureen Watt (North East Scotland) (SNP):

This is not the first regeneration debate in which I have taken part, but it is an issue to which we will inevitably and rightly return as long as parts of Scotland remain in need of improvement. There can be few MSPs who cannot think of parts of the area that they represent that could not benefit from being given a new lease of life through regeneration.

I am puzzled as to what Helen Eadie has done to her party to have her members' business debate this evening usurped this morning, especially as I think that this is one of only two Labour debating mornings remaining this session. Perhaps it is because of a lack of vision and not having anything to say—that is the inevitable conclusion.

Coalfield regeneration is just one of many sorts of regeneration scheme. Like many members, I have seen the positive impact that the Scottish Government's town centre regeneration fund has had in areas that I represent and the benefits that communities have enjoyed as a result. There are further successful regeneration projects that we can look forward to. The retail rocks project in Torry in Aberdeen, which is funded from the town centre regeneration fund, will help to create new businesses in the area. The project underlines the importance of successful small businesses in regenerating an area and makes Labour's consistent failure to support the small business bonus scheme even more ill judged.

Also in Torry, it was announced earlier this year that the disused Bon Accord drinks factory could be in line for residential redevelopment, bringing much needed construction jobs to the city and creating commercial space and a more pleasant environment. Those steps to regenerate part of Aberdeen are important in their own right, but they

are also a signal of intent to make real improvements in the city.

Aberdeen is examining the tax incremental funding model for providing finance for improvements through a number of projects in the city, funding growth through growth. The system has worked well in the United States and it certainly has potential in Scotland. Aside from the much publicised Union Terrace gardens, this funding mechanism is also being considered for extending the Aberdeen art gallery, regenerating Upper Denburn, preparing for the destruction and redevelopment of St Nicholas house and creating high-quality pedestrian routes through key city centre locations. It is a mechanism that can do a lot of good if it is successfully used to fund the right projects, and I know that people in various areas across Scotland will be watching what Aberdeen, and indeed Edinburgh, do with that funding model.

Housing is a key area that needs to be at the heart of a successful regeneration strategy. Abandoned properties can suck the life out of areas and accelerate the decline of a previously successful community. When an area is full of empty homes, it is little wonder that some residents take little pride in their community, do not feel safe in the area and actively seek to relocate. That is why the SNP's desire to give councils the power to increase council tax on empty properties to fund the construction of new house building is so important. That measure would discourage properties going unused and help to create more modern homes in areas that badly need them.

The construction of new homes can have a real transformative effect on a community, returning it to a place where residents want to live. That is what makes the Scottish Government's record of council house construction so important. More council houses were constructed last year than in the previous 20 years.

Johann Lamont: Does the member regret the fact that the new building of housing association houses fell by 1,000 last year?

Maureen Watt: In my view it does not matter who builds them—and that did not happen anyway. The 1,000 new council houses built by the SNP represent positive action happening. They do not have to be built by housing associations—and in fact that number did not fall. The SNP is committed to having another 5,000 built over the next parliamentary session. Communities are gaining a new lease of life and people's quality of life is immeasurably improved after four years of this Government. The construction of new homes is just as important a form of regeneration as upgrading a town centre or providing new opportunities.

Whoever provides it—it has to be community led through community planning partnerships and the community has to be fully involved—successful regeneration can bring vibrancy back to local communities and improve quality of life and opportunities. It brings money back to areas and regenerates pride in the local community. In these difficult economic times, it is more important than ever that the right approach to regeneration is in place and that we ensure that every penny is spent to maximum effect.

10:54

Helen Eadie (Dunfermline East) (Lab): I apologise to Jeremy Purvis for my earlier comments—I had Jim Tolson in mind. I am surprised and a little bit angry that Jim Tolson has not been in the chamber this morning for such an important debate for mining villages, the vast majority of which he represents.

Hugh O'Donnell (Central Scotland) (LD): For the member's information, Mr Tolson is currently engaged in a meeting with the Minister for Transport and Infrastructure, dealing with transport issues that are relevant to his constituency. The member's comment was completely unnecessary.

Helen Eadie: I had a meeting arranged for this morning with Alex Neil, who has left the chamber for the moment, but I am here because this is such an important debate. The issue is very important to both the Labour Party and people throughout Scotland.

I also take great exception to the point that Maureen Watt made. I am at the heart of discussions with colleagues in the Labour Party on this important matter. We thought that the issue was so important that it needed a good airing this morning, which is why we are getting two opportunities to discuss it today.

Jeremy Purvis talked about the work on the matter being ad hoc. I am the temporary chair of the industrial communities alliance and, week in, week out, I write to ministers on behalf of the alliance. I had to reschedule my meeting with the minister this morning, although my colleagues are meeting Jim Mather, who is substituting for him.

Alex Neil, who is not in the chamber to hear this point, talked about the JESSICA fund. That is not a grant fund; it is a loan fund, it is European money and it is very different from the Coalfields Regeneration Trust money. The minister has also been tardy in making any announcement on European social funding and European regional development funding for communities across Scotland. It is to his shame that that work is not being given more serious prominence.

I am delighted to be taking part in the debate. In my book, one of the finest things that the Labour Government did in recent years was establish the Coalfields Regeneration Trust in 1999 to ensure that the need for jobs for ex-miners was recognised. The then coalfield communities campaign—now the industrial communities alliance—was a driving force in securing funding from the Labour Government to create the CRT, which it recognised as being paramount to the need of the towns and villages to have regeneration initiatives.

The minister appears to be very amused by the discussion that we are having—he is having a conversation with his colleague rather than listening to the debate—but I take the matter seriously.

The map shows that the coalfield areas are relatively small. In developing the rules for the CRT, the benchmark was the situation in 1981: only communities in which 10 per cent of the population worked in the pits in 1981 are eligible for funding. We are, therefore, talking about only a small amount of money, but the Government is going to slash it. The minister proposes a 68 per cent cut in the funding for those communities.

Alex Neil: What has the member got to say about her big pal Gordon Brown cheating 2,000 Scottish miners out of their compensation for pneumoconiosis?

Helen Eadie: Gordon Brown worked very closely with Thompsons Solicitors in Glasgow—a firm that is renowned for its work in helping to secure compensation for miners. In response to a question from one of Alex Neil's SNP colleagues in the Westminster Parliament, we were told that more than £6 billion was claimed in compensation for miners under the previous Labour Government. The minister should not try to lecture us on that.

I abhor the minister's attempts to cut the funding to the extent that he is going to cut it. He proposes to cut the funding for the Coalfields Regeneration Trust by 68 per cent, and he should be ashamed of himself for that. Today, more than ever, the funding is crucial to former mining towns and villages, especially in the wake of the reductions in European social funding and European regional development funding. More than £10 million has been invested in a huge range of social regeneration activities throughout Scotland, all targeted at revitalising communities that are still suffering from the devastating effects of colliery closures. The minister faces a huge embarrassment because he does not know what the Westminster Government is going to do in terms of funding the Coalfields Regeneration Trust. If an announcement is made of massive funding for the CRT in the coming weeks but, in the meantime, he has been talking about cutting

its funding colossally, that will embarrass him completely.

One of the main aims of the CRT in Scotland is to unlock the huge potential of those who live and work in former mining towns. Around 35,000 people have benefited from the support of the Coalfields Regeneration Trust. More than 200 people have been helped into work; more than 400 people have been helped to gain new qualifications; more than 80 new jobs have been created; and 800 volunteers and 40 new social enterprises have been funded. Those projects are vital and require specialist skills—not the kind of skills that JESSICA loan funding can be used to develop, but skills that are fed by the essential grant funding that is available from the Coalfields Regeneration Trust. Those skills have been developed in organisations such as West Fife Enterprise, which Jim Mather promised to visit. I do not know what has happened to that promise; it has disappeared like snow off a dyke. That is symptomatic of the promises that we get from the SNP Government regarding its commitment to help former coal-mining communities.

The minister has not announced any funding for Fife today, so we are going to see a massive cut in the Coalfields Regeneration Trust money in Fife and that is not good enough. On behalf of the Coalfields Regeneration Trust, I ask the minister to make a commitment to restore full funding to the trust in the years ahead and into the foreseeable future. I hope that he will at least have the decency to recognise the hard work and the special, innovative commitment that we have seen from the Coalfields Regeneration Trust.

11:01

Tricia Marwick (Central Fife) (SNP): Given that my grandfather was killed in the pits and my father was invalidated out of the pits after an accident, it is no surprise that I will concentrate my remarks on the coalfield communities in Fife. Those communities were devastated by pit closures under both Tory and Labour Governments. It is important to remember that, when the Tories came to power in 1979, there were no longer any pits in Kinglassie, Cowdenbeath, Lochgelly, Methil, Bowhill, Kelty, Ballingry, Crosshill, Lumphinnans and Cardenden—Labour had already closed them down.

I welcome the support that has been given to Methil by the Coalfields Regeneration Trust and the significant financial support that has been given by the Scottish Government to the Fife energy park through regional selective assistance and grant from Scottish Enterprise. That is the big hope in a generation for Methil, and that kind of

investment in regeneration will improve our communities.

On Monday, I attended a meeting of the Coalfields Regeneration Trust and local people in the Coal Industry Social Welfare Organisation club in Glenrothes. The community had had grant application after grant application to the Coalfields Regeneration Trust turned down over the years, and the purpose of the meeting was to find out why Glenrothes was not a coalfield area. The explanation was that the 1999 map of coalfield areas that was drawn up by the UK Government was based on a research study that highlighted areas where, in 1981, more than 10 per cent of the population were miners. That was then overlaid with areas of multiple deprivation. Those of us present were astonished to find out that Glenrothes—which was created as a new town in 1948 to service the ill-fated Glenrothes pit—had never been on the original map. So, year after year, the money that has been made available to other communities has not been made available to Glenrothes.

By any definition, Glenrothes or at least part of it—especially the older areas of Woodside and Auchmuty—must be a coalfield community; yet, since 1999, it has not received a penny because it has never been designated as a coalfield community. The name of the venue for that meeting—the Coal Industry Social Welfare Organisation—gives a clue as to the importance of coal mining to Glenrothes. It is beyond belief that, since 1999, the UK Government has not regarded Glenrothes as a coalfield community. I would be grateful if the minister would give an undertaking that he will work with the UK Government to ensure that there is a fairer acknowledgement of what a coalfield community is and that part of Glenrothes will be included in that.

Johann Lamont: Will the member work with the Labour Party to try to persuade the minister that it would be a good idea to sustain the funding for the Coalfields Regeneration Trust and to not only restore what was cut this year, but guarantee funding for the next two years?

Tricia Marwick: What I will say is that, with regard to Glenrothes, which is clearly a coalfield community but which has had no access to any of that money over the years, what is important is that people in the communities that I represent have an opportunity to get some of the grant money that is available.

Many people have said today that this debate is about people. That is true. I have some respect for John Park, but not when he uses people in the coalfield communities that he represents as an excuse for making political points. My respect for him is further diminished by his utter failure, which is shared by every Labour MSP in the chamber, to

condemn the shameful treatment by the Labour Government of our ex-miners and their families. Some 2,000 miners in Scotland died while they were waiting for compensation that they were entitled to, while the Labour Government went to court to try to stop the payments. More than 8,000 miners in the UK waited more than 10 years for a settlement. Helen Eadie says that she is proud of that record, but it is a record that no person could be proud of. In addition to that, in order to fund some of the compensation, the Labour Government, like the Tories before it, pinched the miners' pension money—the money that the miners had put into their own pension fund.

Of the miners who died while waiting for compensation, 135 were in my constituency of Central Fife—I would have thought that Mr Park would have been interested in this, but I see that he is not—and 179 were in Gordon Brown's constituency, both of which areas John Park represents as a regional MSP. That betrayal of the coalfield communities is a disgrace. By its silence, Labour condemns itself.

Stewart Stevenson: On a point of order, Presiding Officer. Could you give guidance to those members who are present about the rules about the attendance, during the winding-up speeches, of members who have participated in the debate? I ask that with regard to the prolonged and continuing absence of Mr Frank McAveety, who spoke earlier.

The Deputy Presiding Officer (Trish Godman): Mr McAveety has already given me his apologies. That is a procedural matter.

11:07

Hugh O'Donnell (Central Scotland) (LD): Having done a rough calculation, I think that it is 69 days—

Duncan McNeil: Seventy-one.

Hugh O'Donnell: I accept Duncan McNeil's correction. For those who are not aware of what we are talking about—I am sure that most members are—that is the time until the election. It therefore comes as no great surprise to me or to anyone else that, during the course of the debate, we have heard a series of re-election speeches from members of all parties, not excluding the minister, who I see is chiding me for suggesting that that is the case.

As members across the chamber have said, the regeneration of our coalfield communities is an important issue. During the debate, there has been a worrying trend towards selective amnesia. As a regional member who represents the Lanarkshire area, I know that the change of administration in Falkirk Council—it is now a

Labour-led council—has caused a stutter in relation to the Falkirk Gateway regeneration project. Further, the Ravenscraig development has been stalled for some time, partly due to intransigence on the part of the Government and partly due to intransigence on the part of the local Labour administration—I am even-handed in my criticism, as I am sure that the minister acknowledges.

There is a high degree of hypocrisy among Labour members. For the most part, over the past 30 years, the direction of funding in relation to the regeneration of all the coal-mining areas has been channelled in one way or another through the local authorities of those areas—development agencies notwithstanding—and the fact is that most of those areas have been in the control of the Labour Party. Therefore, for Labour members to sit here, 69 or 71 days away from an election, beating their breasts about the inadequacy of regeneration is, quite frankly, laughable.

Although he was speaking with some degree of self interest with regard to his own constituency matters—which is understandable, as it is with us all—Jeremy Purvis made a balanced observation in relation to the way in which regeneration is organised. He highlighted a disconnect in relation to the number of organisations in this area. The document “Mechanisms for Preparation of Strategies for Industrial Communities” lists 14 organisations. That is neither efficient nor effective. Mr Purvis’s point in relation to how we focus the organisation of the regeneration effort was perfectly reasonable with regard to the regional development banks and the role of the colleges. At the moment, a shotgun approach is being taken, which appears not to be working.

Patricia Ferguson made relevant observations about the work that is being done in Maryhill around the canal basin and on the burgh halls—I look forward to seeing those new stained glass windows being installed.

As I said, some of the contributions have been remarkably short on long-term memory. Mr McAveety—when he was here—referred to the reorganisation of Glasgow. I was employed in Glasgow during the late 1970s and early 1980s and I have to say that, in many instances, public funding and regional support grants became a job creation scheme for people who were associated with the Labour Party. Many organisations came and went, were regenerated, died again and were reincarnated like phoenixes from the ashes—I am thinking of GEAR, Glasgow Development Agency, Glasgow Opportunities and so on. They all purported to solve the problems that our city had at that time and none of them was successful.

Kenneth Gibson: When I was a Glasgow councillor, we were advised that £500 million had

been spent under the Conservative Government on attempts to regenerate Glasgow, yet the postcode areas that were the poorest before the regeneration money was spent were still the poorest afterwards. I asked the council—whose leader was Mr McAveety—for a report on which regeneration activities were successful and which were unsuccessful, so that we did not repeat the mistakes of the past. A decade later, I do not think that that report has been produced.

Hugh O’Donnell: I can make no comment on that, given that, at that time, I was looking at the situation from the perspective of someone who was involved in a commercial organisation that was seeking to regenerate bits of the east end of Glasgow. I know the challenges that that organisation faced because of the extent to which there was a closed shop—I use that term advisedly—with regard to who got access to the funds.

John Park: This morning’s debate is about the motion that has been lodged, and we would like some clarity about the Liberal Democrats’ position. Do they support the further funding of the Coalfields Regeneration Trust?

The Deputy Presiding Officer: I advise you to watch your time.

Hugh O’Donnell: I will be brief. As I think was clear from Jeremy Purvis’s opening remarks, we support the proposal.

11:14

Alex Johnstone: Robert Burns famously came up with a line in which he said that he aspired to a point at which

“Man to Man the world o’er,
shall brothers be”.

Many of us in this chamber have been working in Scotland for many years, and we know that although there are many differences in attitude, outlook and philosophy in Scotland, we all manage to find something in common. The sad thing about this debate is that I have managed to find, in what I have heard from the Labour Party, something that either I do not understand or, if I understand it, I do not like. Scotland certainly has economic and social troubles, but there are different communities and different levels of opportunity throughout the country. Scotland is not plagued by unemployment and social degradation; it has wealthy and less wealthy areas and it has successful and less successful areas.

What I learned today came from the sharp intake of breath from the Labour benches when I mentioned workforce mobility in my opening speech—yet Scotland has been famous for workforce mobility. Scotland has exported its

talented people all over the world and when the country has had industrial success it has demonstrated that it brings in people from all over the world. In large areas of Scotland, in the east, the north-east and parts of the north, where there is economic growth, jobs are all too often filled by people who have come here from Poland and the Baltic states—and welcome they are, too, because our economy depends on them.

Why, then, is there such reluctance in some areas of Scotland to look at the opportunities that exist in Scotland to take our talented and able young people into long-term employment?

Duncan McNeil: Will the member give way?

Alex Johnstone: I must carry on.

We have been considering the coalfields. For many reasons, of which some might be the fault of previous Governments and others are the result of the economic situation in which we find ourselves, a large number of towns and villages with substantial populations have high unemployment, because there has not been success in attracting new jobs to those areas.

Members of all parties agree that in many cases the way to deal with the problem is by retraining and educating people and creating the skilled workforce that we need for the 21st century. However, the Labour Party appears to be fundamentally opposed to the idea that people should take jobs outside their communities.

Mr McAveety: Will the member give way?

Alex Johnstone: Will the member please let me develop my argument?

Some of us want Scotland to succeed, with vibrant, well-trained young Scottish people entering jobs in the Scottish economy. Some of us regard the priority as being to keep those young people where they are.

John Park: The member is misrepresenting the position of Labour members. In my opening speech I said that it is about providing skills for young people so that they can move into opportunities, regardless of where they are. It is about investing in young people.

Alex Johnstone: If I am misrepresenting the position of Labour members, I apologise, but the message that I have taken from more than one speech is that the Labour Party wants to set the protection of some communities above opportunities for the young people who have been born and raised in those communities. What I hear is a Labour Party that would prefer to breed the culture of dependency and continue the client economy in its heartlands, rather than provide the opportunities that could be afforded to people in Scotland.

Mr McAveety: Will the member give way?

Alex Johnstone: I must carry on.

I apologise again, because I know that work is needed in many communities throughout Scotland. I know that regeneration is important in many communities that have suffered enormous deprivation. However, it is not just about structure or building houses; it is about training for employment and putting young people into work.

During the dark days of the 1980s, when unemployment was high, there was a slogan: let us train the workers without jobs to do the jobs without workers. It was often the butt of jokes, because if there is a surplus of blacksmiths and a shortage of brain surgeons—well, we do not want to go there. In Scotland we have the opportunity to train the workers without jobs to do the jobs without workers, but we must do all that we can to ensure that the workers without jobs can go where the jobs are. Scotland can provide enormous opportunity for our young people, but it is not just about retraining; it is about ensuring that we put young people where the jobs are. Let us not close our minds to that opportunity.

11:20

Alex Neil: The debate has been fairly heated, but it has not been bad, in many respects, and some light has been shed, in some speeches.

I pick up on the point that I think that Frank McAveety first made, on the importance of tackling youth unemployment. Irrespective of the communities that we are dealing with, some of which we would not describe as deprived, levels of youth unemployment are far too high, not only in Scotland but throughout the UK.

That is why I emphasise the high priority that the Scottish Government has given to dealing with youth unemployment, within our remit and the resources that are available to us. As I said, John Swinney announced 25,000 modern apprenticeships for next year, 7,000 flexible training opportunities for small and medium-sized enterprises, an extra 1,200 college places and an additional £15 million for college bursaries. We are providing more than 40,000 training opportunities, with a further 34,500 new opportunities committed for 2011-12.

On top of that, 86.8 per cent of the young people who left school in the academic year 2009-10 were in a positive destination approximately three months after the end of the academic year, which is the highest-ever proportion of positive destinations. That is especially significant in the challenging circumstances. The proportion of school leavers who enter further or higher education approximately three months after the

end of the academic year has risen from 56 per cent in 2007-08 to 62.8 per cent in 2009-10. That is also a record high.

John Park: The minister knows that apprenticeships are close to my heart. There was an increase in apprenticeships last year and an increase is proposed this year. Will the minister say how many of the new apprenticeship places will be for school leavers and young people under 24?

Alex Neil: The precise breakdown is to be agreed, but we will send John Park the details when that has happened.

I have set out what the Government has done, but I do not think that it is enough. If additional resources were available to us we would do even more. I hope that Danny Alexander, the Chief Secretary to the Treasury, and George Osborne, the Chancellor of the Exchequer, will provide additional resources specifically to tackle youth unemployment in the budget on 23 March.

Jeremy Purvis: Will the minister give way?

Alex Neil: I am afraid that I must move on.

Some comments about URCs have not been entirely accurate. We have had a positive discussion with the chair and chief executive of the board of Riverside Inverclyde. One reason why the company's budget is slightly lower than that of other URCs is that the company has advanced spending on projects this year. That partly explains the scale of the year-on-year change in its budget. We must take such matters into consideration, rather than simply look at the crude figures. I have read scaremongering stories in local newspapers about the James Watt dock development and the Greenock Arts Guild theatre, none of which has been accurate.

We are doing an enormous amount with the Clyde Gateway project in the east end of Glasgow, not just in relation to the core role of the URC but to secure the legacy from the Commonwealth games in 2014. Unprecedented investment is going into that part of Glasgow.

We should not make the mistake of equating the core budgets of URCs or any other development agency, including the Coalfields Regeneration Trust, with the total investment in the areas that they cover. As John Park said, a great advantage of such organisations is that they have the capability to leverage in additional money. Indeed, the money that they leverage in often far exceeds the organisation's core budget. That is why it has been essential to maintain budgets.

Mr McAveety: That is obviously testament to the fantastic work of the local constituency MSP in generating that level of investment in the east end of Glasgow. The important question that I raised in

my nuanced contribution was whether that can continue. Robert Crawford's letter to the Government and Scottish Enterprise was about maintaining that level of commitment to provide the opportunity for the private sector investment that the minister so understandably comments on.

Alex Neil: Those decisions will be taken by the new Government, because of the agreement throughout the chamber that whoever is elected on 5 May will prepare a three-year spending programme from next year onwards. However, I anticipate our making that kind of decision to show our continuing commitment to the area.

I say to Patricia Ferguson that through the transformational regeneration area approach in Glasgow, including Maryhill, we have agreed substantial investment in housing and other matters, and the framework agreements are now in place. Maryhill, along with Laurieston and Gallowgate, has been picked as one of the three early action priority areas for investment. The Scottish ministers have agreed to waive the disposal clawback agreement for all TRAs, allowing any receipts generated through private sector activity to be recycled into the regeneration programme across all eight areas.

So, if we look at the investment in the town centre regeneration fund, the Glasgow Housing Association, the other budgets in housing in Glasgow and all the other budgets under John Swinney's control, we can see that we are making massive investment in the city of Glasgow and it is right that we should do so.

Similarly, in the coalfield areas, if we add up the investment in the communities, we see that it is at an unprecedented level.

One of the other points that I want to emphasise—I forget who made it—is that if we are to be successful in regeneration, the role of community empowerment is critical. The community must be actively involved in the decision making, not as consultees but as decision makers.

Helen Eadie: Will the minister take an intervention?

Alex Neil: I do not have time, unfortunately.

The Deputy Presiding Officer: You have time if you wish.

Alex Neil: Right. I will take the intervention.

Helen Eadie: Will the minister explain to me how my people in my constituency will benefit from the JESSICA fund, which is a loan fund, in the way that he describes?

Alex Neil: They will benefit enormously, because it will bring about investment and will leverage additional funds from Europe and

elsewhere into that area. I am happy to explain that in more detail when I have more time—such as in the member's debate tonight.

There is a real dilemma at the heart of Labour's policy. Irrespective of what the debate is, Labour demands that we keep budgets as they are or increase them—whether in relation to the housing association grant, the total amount spent on housing, the amount spent on the CRT or on a whole panoply of other organisations and programmes—but it has not said how it will fund all that expenditure, given that it will face the same cuts from Westminster that this Government faces.

Duncan McNeil: Will the minister take an intervention?

Alex Neil: No. I am sorry, but I have too much to say.

Those cuts have totalled more than £2 billion in real terms over this year and next year. If Labour is committed to all the expenditure that it has listed—we have counted at least £1.7 billion additional expenditure—it has to tell us what it will cut. Of course, the secret is that Labour has said that it will not protect the health budget, so the only conclusion that one can reach about the core of Labour's financial policy is that it will strip the health service of badly needed capital and staffing investment in order to pay for its own pet projects. In other words, Labour's core strategy is to close accident and emergency units such as Monklands and use that money for GARL and other projects for which the business case is very weak indeed.

The Deputy Presiding Officer: Minister, can you get back on to the subject please?

Alex Neil: This is very relevant to the subject, Presiding Officer.

The Deputy Presiding Officer: It had better be.

Alex Neil: It is about how the money is spent and where one gets it to spend in all these areas.

My officials have had a very constructive dialogue with the CRT. We await its proposal on how it can continue to have an impact in the coalfield areas in future. We have told it that, like everybody else, we need to look at how we can make money go further. I am very keen to ensure that the trust maintains the essential capacity and capability so that it can continue to invest in coalfield communities and, more important, focus that investment on job-creating activity, which is what will ensure the economic survival of those areas. That is our policy. We will support the trust, but we want it to be even more effective in future, to leverage even more investment into the coalfield areas and to give priority to job creation.

11:30

Johann Lamont (Glasgow Pollok) (Lab): For the avoidance of doubt, the minister is making a cut of 68 per cent, guaranteeing one year's money and then asking the CRT how it will spend that money—that is the level he is operating at. He is not sustaining the funding that was there before; he is asking the trust to continue to contribute with a cut of 68 per cent, while taking the ludicrous position of not even telling the trust what it will have for the two subsequent years. People will judge his remarks on that basis.

This is an important debate. People have asked, at a basic level, what the point of the debate is. First, it appears to have secured something of a U-turn on the urban regeneration companies, although with the SNP one always has to read the small print later. However, the ludicrous, economically illiterate decision to cut the funding might have been stayed.

The debate has also exposed the reality of the SNP's attitude towards and views on the coal-mining communities, which we all know suffered so much in the past. What happened to the coal-mining communities and industry in Scotland is totemic; it is a symbol of what Thatcher and her cronies did to Scotland. It is no surprise that today's *Daily Record* says of the minister's decision:

"It's Like Thatcher All Over Again".

Derek Brownlee: I have the statistics from the National Coal Board Scottish area: 52 pits closed under Wilson and Callaghan, which is more than four times the number that closed under Thatcher. Should Johann Lamont not be a little more contrite about the impact that the Labour Party in government had on the mining communities?

Johann Lamont: The Conservatives ought not to deny their own history. They wilfully destroyed mining communities, and the people of Scotland remember that.

Kenny Gibson talked about money being wasted in Glasgow. The SNP's solution is simply to rip money out of Glasgow, rip off Glasgow and deny it the jobs that it requires.

We know that there is a need for co-ordination on regeneration. I would be interested to know whether there is currently a role for the Scottish centre for regeneration in the Scottish Government, because it is critical that there is co-ordination on these issues and that local people are involved in decisions on regeneration. There are concerns about how community planning is being rolled forward and how people are engaged.

Alex Johnstone talked about mobility. He basically said that the problems caused by economic decisions in the 1980s were the fault of

the people in the communities who suffered for them; he blamed those people for not being willing to move. That is clearly nonsense. The CRT recognises that if we skill people, they might choose to go elsewhere, but if they are not skilled and the communities are not regenerated, we have not just people who are not working; we have all the social consequences of that, too.

It is disappointing that Alex Neil has chosen to collude with the Conservatives' view. Particularly in his opening speech, he settled for debating points rather than action. The immutable law of the minister is that the louder he is, the dodgier ground he is on.

It is frustrating that he talks on the one hand about spending a fortune of money and on the other hand about needing to cut this little bit of money to the CRT. What is the logic in that? I am at a loss to understand why, for the want of £1.5 million a year, he would choose to cut the feet from an organisation that has a proven record. To be charitable to Alex Neil, it might simply be that he has not won the argument with his Cabinet colleagues.

I get depressed when the SNP colludes with the Tories, in particular, in setting out the self-serving analysis that the country's current deficit has been caused by spending too much money on public services. Such collusion might serve the nationalists' party interest in the short term but the problem is that the Tories' solution—to slash public spending—will leave our communities abandoned. We know that the Tories destroyed the mining communities in the 1980s; Alex Johnstone himself talked about the dark days of the 1980s, as if his party had nothing to do with them. We remember how at that time the Tories said that unemployment was a price worth paying. Nothing has changed. Those communities will now have to suffer disproportionately from decisions made at UK level with the collusion of the SNP, which will not say that it was not public spending that caused the problem.

Regeneration is not just about physical regeneration or doing good things for people; it is about supporting people to achieve their potential. The nature of the communities that are being regenerated is critical and any approach must be shaped by the different issues that arise in each of the different communities. That is why the Coalfields Regeneration Trust's distinct nature is important. After all, this is not just about creating jobs; it is also about giving people the skills to access those jobs and tackling any barriers that they might have.

In the foreword to "Building a Sustainable Future", Alex Neil says:

"Achieving equality of place and people are central aims of this Government's Economic Strategy."

That should be the case, but under his watch Scottish Enterprise has been stripped of any such role. As a result, the importance of that aim is not recognised by one of the critical agencies. It is a classic example of a Scottish Government that is great on strategies and talking but which is neither delivering on the ground nor doing the heavy lifting that, as Duncan McNeil made clear, is important in government.

Moreover, this regeneration document is not even a consultation paper; it is a discussion paper. The irony is that in the past the SNP spent its life condemning key decisions—decisions supported by our colleagues in the Liberal Democrat party—that created jobs and built schools; now, instead of getting any action, we are left having a chat.

Of course, the regeneration of housing plays a critical role and the minister quite rightly referred to the wider role of housing associations and housing co-operatives. However, he continues to make a ludicrous and false division between housing associations and council housing and denies the critical role that housing associations and co-operatives can play in driving regeneration in local communities, demanding instead that councils listen to what the Government wants to do. I find it dispiriting that the collapse this year in housing association building will lead to a loss of energy in regeneration, and I am disturbed that housing associations across the country are now saying that they will not be building any more and, indeed, are stopping projects.

Alex Neil: I merely point out that we are building twice as many housing association houses as Labour did when Johann Lamont was minister.

Johann Lamont: That is precisely my point. *[Interruption.]*

The Presiding Officer (Alex Fergusson): Order.

Johann Lamont: It is false and ludicrous to talk about how 73 more council houses were built last year while destroying the organisations that have driven community regeneration over the past 10 years.

There is an issue about supporting local government in regeneration, but rolling up all local government moneys on a per capita distribution basis leaves us unable to address the question of need in some of our poorest communities. It is not just about the formula; it is also about directing resources to particular areas with problems.

We know that the Coalfields Regeneration Trust has been doing a lot of work. The arguments have been made about what it can deliver. It can, for example, reach parts of communities that the

National Lottery was not able to reach. We do not know what is going to happen at a UK level but would it not be stunning if a Tory-led UK Government turned out to be more supportive of the trust than our self-styled miners' friend in the SNP? Members should be in absolutely no doubt—however one looks at it, a 68 per cent cut will destroy huge amounts of the work that the trust wants to do. Why end something that is self-evidently working? Why provide only one year's funding, which can only increase instability? Tricia Marwick seemed to be arguing that, given the definition of a coalfield area, we should end funding for it altogether—

The Presiding Officer: You must close, please.

Johann Lamont: Instead, she should be arguing for that funding to be sustained. Then we can argue about the formula that is used.

If I could finish on this last point—

The Presiding Officer: Very quickly, please.

Johann Lamont: Back in 2007, SNP back benchers lavished praise on the Coalfields Regeneration Trust. If every one of them who spoke in favour of it then votes for it this afternoon, we will be able to sustain these communities with this funding.

I urge the chamber to support our motion.

The Presiding Officer: That concludes this morning's debate on regeneration.

Scottish Executive Question Time

General Questions

11:40

Third Sector Support 2011-12

1. Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive what financial support it will provide to the third sector in 2011-12. (S3O-13100)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): The Scottish Government will continue to provide a broad range of financial support to the third sector across all portfolios. For example, we have announced the new £5 million early years and early intervention fund; we will continue to support third sector organisations working with children, young people and families with £7.1 million through the unified voluntary sector fund; and we are providing an additional £10.3 million in 2011-12 to community organisations through the climate challenge fund. In addition, in 2011-12 we will increase the core third sector budget by 16 per cent, or £24 million, and we have added a further £3 million to the Scottish investment fund. That builds on the £91 million that has already been invested in core third sector development in the period from 2008 to 2011. Finally, last week, I was pleased to announce details of the £10 million community jobs Scotland scheme, which will give up to 2,000 young unemployed people the opportunity to experience paid jobs in the third sector, to gain new skills and to contribute positively to their community.

Karen Whitefield: I am grateful to the cabinet secretary for his answer, particularly the announcement of funding for new initiatives. However, does he agree that organisations such as Voluntary Action North Lanarkshire in my constituency, which supports North Lanarkshire's voluntary sector, provide an invaluable range of services to voluntary groups and organisations in our communities? Is he aware that those organisations are concerned that, despite having been told that they will receive funding, they have not as yet received any details of exactly how much money they will receive in core grant this year? If they do not receive any confirmation by 1 March, they will have no choice but to issue redundancy notices to their staff. I am sure that the cabinet secretary will agree that that is not what the Scottish Government would wish—

The Presiding Officer (Alex Fergusson): Quickly, please, Ms Whitefield.

Karen Whitefield: Will the cabinet secretary confirm exactly how much each council for voluntary service in each area will receive next year?

John Swinney: The funding distribution to CVS organisations will be undertaken shortly; indeed, I imagine that it will be in place before 1 March 2011. However, I say to Karen Whitefield that it certainly would not be in place if she had got her way a fortnight ago and the Government's budget had been defeated, because there would be no financial allocation to make. Perhaps she will point that out to her constituents in Airdrie and Shotts.

North Lanarkshire Council (Meetings)

2. John Wilson (Central Scotland) (SNP): To ask the Scottish Executive when it last met officials from North Lanarkshire Council's learning and leisure department. (S3O-13009)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The Scottish Government is in regular contact with North Lanarkshire learning and leisure officials. Last summer, I met representatives of the community planning partnership, and the Minister for Children and Early Years has had separate meetings with the council.

John Wilson: What discussions has the cabinet secretary had with North Lanarkshire learning and leisure officials about the school building programme? Has the placement of the St Ambrose high school campus building been raised, in light of the decision to proceed with its construction on top of a former landfill site and the site of mine workings with a number of associated mineshafts and air vents? On a related issue, might the Scottish Government be asked to sanction further borrowing powers if the choice of site causes the cost of construction to go well over budget?

Michael Russell: My officials discuss details of school buildings with every local authority. We are absolutely determined to do two things, the first of which is to take the maximum number of young people out of unacceptable buildings. In that respect, I am very pleased about the 330 buildings that this Administration has managed to achieve, which is well beyond anything that was planned by any other party. Of course, if any problems are identified in the process of planning a building, my officials will discuss them in detail with the council. If the member wishes to meet those officials to discuss the issue, I will be happy to facilitate such a meeting.

Forth Replacement Crossing (Procurement)

3. To ask the Scottish Executive what stage is the procurement process for the Forth Replacement Crossing at. (S3O-13033)

The Minister for Transport and Infrastructure (Keith Brown): The procurement of the Forth replacement crossing project has been separated into three contracts. Tenders were received for the principal contract, which includes the bridge and the approach roads, on 28 January 2011, and they are being assessed. The principal contract is on programme for award in April 2011. The intention is to issue the invitation to submit final tenders for the Fife intelligent transport system contract this week, and for the M9 junction 1A contract in early April. Those contracts are on programme for awards in May and July 2011 respectively.

Margaret Smith: Can the minister assure us that the Government is doing everything it can to afford opportunities to Scottish businesses to get involved not only in those tenders, but in smaller pieces of work in this unique project? Does he accept that a range of concerns exist about the project? For example, why has the Government decided to go ahead with contract announcements during purdah, given the impression that that gives to some people and the need for an incoming Government to be 100 per cent signed up to the delivery and detail of the contract? Finally, does he accept that there is local concern that the Government's guarantee to BP that at least £100 million will potentially be given on every occasion that there is a pipeline rupture was heard in private, when everyone in Queensferry knows where the pipeline is and pipeline concerns did not figure in local consultations or the Parliament's Forth Crossing Bill Committee's work?

Keith Brown: I will deal with the last point first. There were good reasons why that was heard in private, and I do not intend to go further into that issue today. However, I am happy to answer the point about the announcement being made in April. I understand why some people—some in the Labour Party, for example—who see the project as a waste of money should think that there is no real urgency, but most of the rest of us believe that the project is vital. The reason why we have had the dual process of going through Parliament and advancing the procurement process as quickly as we have done is that the project is vital, and the first possible chance that we will have to make an announcement—I think that this has been cleared with the Presiding Officer—is April, shortly after the contracts have been awarded. That is why that is happening. Things are happening as quickly as they possibly can because we see the project as vital.

I am happy to give Margaret Smith the assurance that I gave at stage 3. We are engaging

and we will engage. We have already held an event with small businesses to ensure that they can maximise the opportunities that exist for them.

Mary Mulligan (Linlithgow) (Lab): Would the minister be prepared to set up baseline traffic and environmental monitoring for areas around the Forth replacement crossing, particularly on the A904 in Newton village, which is in my constituency, prior to any contracts being signed?

Keith Brown: We do not want to do anything at this stage that would delay the award of the principal contract in particular. There are also tight timescales for the other contracts, but I am happy to take away Mary Mulligan's suggestion, ask officials to look into the matter, and come back to her on the substantive issue.

Strathclyde Partnership for Transport (Meetings)

4. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive when it last met Strathclyde partnership for transport and what issues were discussed. (S3O-13090)

The Minister for Transport and Infrastructure (Keith Brown): I last met the chair of SPT, Jonathan Findlay, and its interim chief executive, Gordon MacLennan, on 27 January 2011, when a range of issues were discussed. I also met the chief executive on 23 February 2011, when I opened the new park-and-ride facility at Croy.

Pauline McNeill: I understand that the Government has the business case for the much-needed modernisation of Glasgow's subway system from SPT and that officials are content that they have everything that they require. I welcome the planned upgrade of Hillhead underground in my constituency, which will start in July, but the funding will soon run out. I have a strong interest in the matter, as half of the stations in the system are within the Glasgow Kelvin constituency. When will the Scottish Government be able to make a decision on the business case for the underground modernisation? If it is to make a decision, will it or will it not be made in this parliamentary session?

Keith Brown: First, it is worth confirming to Pauline McNeill, as I have done to other MSPs who have been in touch about the issue, that the Scottish Government remains absolutely committed to helping to make subway modernisation happen. We are convinced of the case for it, which is why our officials have worked closely with SPT officials to bring forward the business case along with the accompanying request for funding support. Those came to ministers quite recently and are being considered. We will make an announcement as soon as we are able to do so.

Bob Doris (Glasgow) (SNP): The minister knows about my on-going interest in subway modernisation, as I have met him and the previous transport minister to discuss the matter. I will meet the Cabinet Secretary for Finance and Sustainable Growth this afternoon to discuss the matter further. Does the minister agree that another key reason why subway modernisation is vital is that 100,000 extra passengers frequented Glasgow's subway in December last year during the period of bad weather while overground transport was seriously hampered?

Keith Brown: I agree with Bob Doris and have made it clear to Pauline McNeill that there is a compelling case for the modernisation of Glasgow's subway. Obviously, such modernisations involve large sums of public money, which is in fairly short supply at the moment, so we are right to take the necessary time to ensure that we make the right investment at the right time. As I have said, the business case and the accompanying request for funding support came to ministers fairly recently—on 22 December, I think—and we are considering them urgently, but I accept Bob Doris's point. Passengers very much valued the underground's ability to help to address the winter resilience issues that we had.

Patricia Ferguson (Glasgow Maryhill) (Lab): How much funding has been set aside for 2011-12 to contribute to fastlink? Is that funding the entirety of the Government's contribution?

Keith Brown: It is only right that we should wait and see what the various partners involved come forward with on the funding that they intend to contribute. My experience of the Stirling-Alloa-Kincardine line was that that was how the previous Administration sought to advance matters. We should see what the partners that propose the project are willing to contribute before we come to a conclusion on the Scottish Government's contribution. However, I can confirm that allowance has been made for that in the budgetary year to which the member referred.

Scottish Borders (Economic Development)

5. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the Scottish Government how it is supporting economic development in the Scottish Borders. (S3O-13030)

The Minister for Enterprise, Energy and Tourism (Jim Mather): We are working with the south of Scotland alliance, which is a partnership of Scottish Borders Council, Dumfries and Galloway Council and Scottish Enterprise, to facilitate its competitiveness strategy, and we have transferred responsibility for local economic development, including the business gateway, to local authorities. Already this year, more than 200

businesses have been helped to start up in the Borders. Our delivery agencies support a range of projects in sectors that are key to the Borders economy, such as tourism, textiles, food and forestry, and we continue to improve the business environment through the small business bonus scheme, reducing business rates for more than 3,000 businesses in the Borders, reducing unnecessary burdens through better planning and procurement, and encouraging easier access to public sector contracts. This week, we have announced a £10 million fund to encourage small and medium-sized companies to take on staff, and we are working with Scottish Development International and the Scottish Chambers of Commerce to assist the export potential of Borders businesses.

Jeremy Purvis: The minister will be aware of, and has been supportive of, moves to secure faster and more reliable broadband and mobile telephony for the Scottish Borders, which are critical for the future economic wellbeing of the region. He will also be aware that the Scottish Government ranked the Highlands broadband bid to the United Kingdom Government's Broadband delivery UK over that of the south of Scotland. Most of that area is in my constituency. As there is a new process going forward, will the Scottish Government work proactively to support the proposal from the south of Scotland, which includes the Borders, to secure additional funding support? I am aware that the parliamentary session is nearing its end, but will the minister have time to meet me and local agencies to discuss how that partnership working can be taken forward for the better securing of faster broadband in the Scottish Borders?

Jim Mather: I will cut to the chase: I would welcome the opportunity to meet Mr Purvis. We have recently raised the issue of the south of Scotland in conversations with United Kingdom ministers and we are working assiduously to ensure that the Scottish Borders case is as strong as it can be and that lessons are learned from other cases that have already passed the test.

Christine Grahame (South of Scotland) (SNP): Does the minister agree that the small business bonus scheme to which he referred has protected local firms and safeguarded local jobs, that more than 8,000 local firms have paid no rates or have had their rates significantly reduced, and that that approach contrasts with the hypocrisy of the Liberal Democrats, who pose as guardians of local businesses but oppose taxing Tesco superstores that undermine the viability of small businesses?

Jim Mather: Having just finished an answer in a collegiate fashion, I have no option but to agree with Mrs Grahame. There was an opportunity to

show cohesion with the vast mass of Borders businesses and many people throughout the Borders who face hard times and uncertainty, but that opportunity was lost. However, I am sure that Mrs Grahame will capitalise on it.

St Margaret of Scotland Hospice

6. Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Executive whether it will fund continuing care beds at the St Margaret of Scotland Hospice. (S3O-13064)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): The number of continuing care beds is a matter for the health board concerned, but members will be aware that the situation with continuing care beds in the west of the NHS Greater Glasgow and Clyde area has fundamentally changed as a result of recent developments around the Blawarthill proposals. That requires NHS Greater Glasgow and Clyde to look at the situation afresh and, accordingly, it has agreed to conduct a review. The chair of the NHS board has written to the chair of St Margaret's seeking a meeting to discuss the hospice's involvement in the review. I hope that members will welcome that. I have asked the chairman of the board to give me a full report immediately following the meeting.

Jackie Baillie: Given the collapse of the plans for 60 continuing care beds at Blawarthill, will the cabinet secretary encourage NHS Greater Glasgow and Clyde to fund the continuing care beds at St Margaret's without the need for yet another review? Will she ensure that the chair of the health board meets St Margaret's because, despite her telling him to do so in March and November of last year, he singularly failed to do so in advance of the most recent members' business debate on the issue, which was a few weeks ago?

Nicola Sturgeon: I encourage the health board to do what is right in the circumstances. I hope that all members will welcome the fact that the chairman of the health board has written to the hospice seeking its involvement in the review. All members will accept that the fundamental change in the circumstances, however it has come about, presents an opportunity to look at the situation afresh and an opportunity for the board of St Margaret's to make its case. I therefore welcome the approach that the health board has made to the hospice. I hope that it responds to that approach and I look forward to receiving and considering the report of the meeting immediately after it has taken place.

Gil Paterson (West of Scotland) (SNP): The failure of the Blawarthill project should allow for a major rethink. St Margaret's hospice has an exemplary record of delivering a service of the

highest possible quality in its property. There is certainly an expectation that that record should be taken into account before there are any further deliberations on the hospice or changes made.

Nicola Sturgeon: I thank Gil Paterson for his on-going close interest in the matter. As he knows, the quality of the care that is provided at St Margaret's has never been in doubt and nor has its on-going contribution as a high-quality hospice. As I said to Jackie Baillie, the changed circumstances give St Margaret's an opportunity to make the case that it has been making. I expect the health board to listen to that case and I look forward to hearing the outcome of the discussions.

Disabled People's Organisations (Meetings)

7. Johann Lamont (Glasgow Pollok) (Lab): To ask the Scottish Executive when it last met organisations representing people with disabilities and what issues were discussed. (S3O-13082)

The Minister for Housing and Communities (Alex Neil): Ministers and officials regularly meet organisations that represent people with disabilities to discuss the development and implementation of a range of policies that impact on the lives of disabled people. The most recent cross-Government meeting with disabled people and their organisations, as well as partners in the Convention of Scottish Local Authorities, the Association of Directors of Social Work and NHS Health Scotland, was the meeting of the independent living core reference group that was held on 18 January in Edinburgh. The agenda included the independent living programme research; voices of disabled people—the challenge of co-production; the independent living work plan priorities of housing, portability of care, advocacy and inclusive communication; and an update on current co-production pilots.

Johann Lamont: I am sure that those groups and the minister recognise the critical role of employment for people with disabilities and particularly the role of sheltered workplaces in providing that employment. In a debate on 7 October, the Minister for Enterprise, Energy and Tourism agreed that a timetable for each Government department and agency to reserve at least one contract to sheltered workplaces would be created. Will the minister indicate whether the timetable has been published and if not, why not? Can he list which Government contracts, under article 19, have now been reserved to sheltered workplaces?

Alex Neil: The plans will be published shortly and certainly before purdah. At that stage, we will give the detailed information that Johann Lamont seeks.

Rail Ticket Pricing (Sutherland)

8. Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): To ask the Scottish Executive when a rail ticket pricing policy will be introduced in Sutherland that does not charge on the basis of the station from which a journey starts. (S3O-13035)

The Minister for Transport and Infrastructure (Keith Brown): Under the franchise agreement, ScotRail can increase regulated fares by up to the retail prices index plus 1 per cent. We intend to retain the cap on fares. Unregulated fares are a commercial matter for ScotRail. The next ScotRail franchise is due to be let in 2014. I am sure that, as part of the preparations for that franchise, a comprehensive review of the fares options that are available will be undertaken.

Jamie Stone: My constituent Mrs Mackintosh has a Highland rail card, and it costs her £43 per week for a daily journey from Ardgay to Inverness and back. She points out that if she travelled from Helmsdale, which is a greater distance from Inverness, it would cost her the lesser sum of £32 per week for the same journey there and back. That cannot be sensible. Will the minister please help to sort it out?

Keith Brown: I accept that there are anomalies in the fare structures, but it is also true that residents of the Highlands benefit from reduced-price rail fares through the 50 per cent discount that the Highland rail card offers. That is an additional discount for Highland residents and it helps to ensure that rural communities remain connected and accessible to the rest of the country. The anomalies are best addressed through the preparations for the next franchise.

The Presiding Officer: Before we come to the next item of business, I think that members will wish to know that I have written to the speaker of the New Zealand Parliament on behalf of the Scottish Parliament to offer our sincere condolences to the people of New Zealand following the horrific earthquake in Christchurch. [Applause.]

First Minister's Question Time

12:01

Engagements

1. Iain Gray (East Lothian) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S3F-2913)

The First Minister (Alex Salmond): I support the Presiding Officer's comments about the earthquake in New Zealand, and I note that a Grampian Fire and Rescue Service team is in New Zealand at present. The Government has also offered the New Zealand health service any support that we can give the people of New Zealand at this extraordinarily difficult time.

My engagements include measures to take forward the Government's programme for Scotland.

Iain Gray: Following yesterday's alarming incident in Auchinleck, does the First Minister agree that, when airgun legislation is devolved to this Parliament, we should use that power to get airguns off our streets?

The First Minister: Yes, I do.

Iain Gray: The First Minister and I agree that we need tough action on airguns, yet the toll of knife crime is even greater, and the power to act already lies with us. In 2008, I asked the First Minister to act, but he would not agree. In 2009, I asked him to act, but he would not agree. In 2010, I brought legislation on knife crime to the chamber, but the First Minister voted it down. Labour's knife crime petition has collected 30,000 signatures of support and, last weekend, an Edinburgh mother collected 2,000 signatures on her petition in only two days. Why does the First Minister refuse to listen to those people?

The First Minister: When we discuss the issue of airguns and the hope that the Parliament can act collectively to meet a major danger in Scottish society, we do ourselves credit, because we act as a Parliament. With regard to the range of other justice measures that have been taken by the Government and supported by other parties, should we not start from the assumption that everybody in the Parliament wants to take action to make Scottish society safer?

The measures that we have taken against knife crime do not mean that it is not still a huge problem in Scottish society. It is the most enormous problem, as recent tragic incidents have illustrated. However, some of the actions that have been taken, such as the specific action on knives and the funding of the violence reduction unit,

have shown benefits in the recorded crime statistics.

I welcome the fact that violent crime in Scotland is falling, and I hope that Iain Gray will, whatever disagreements he has over the direction of policy, at least acknowledge that there is a determination from people across the Parliament to make Scotland safer.

Iain Gray: Of course, and that is why the Labour-led Executive introduced the violence reduction unit in 2006 and that is why we increased the maximum sentence for knife crime. However, to say that the violent crime statistics are less bad is not good enough, and it does not tell the whole story. In Lothian and Borders, for example, the freedom of information response that I have here tells us that knife crime increased by 22 per cent last year.

We have to listen to the people who tell us that they want more action. On the streets of Blantyre, 2,000 people marched to demand action on knife crime. The murder of Reamonn Gormley shocked his community and appalled the country. Justice of the peace Caroline Johnstone even stepped down from the bench to campaign for mandatory jail sentences for knife carrying.

Although the First Minister talks of the action that he takes, he has legislated to send fewer knife criminals to jail, not more. Surely that is wrong.

The First Minister: I do not know whether it is possible for a question not to be worthy of the questioner but, as Iain Gray well knows, serious crime should be met with serious sentences, not short ones. He dismisses the progress that has been made, but I remind the Parliament that there has been a 30 per cent reduction in crimes of handling an offensive weapon since 2006-07, when the Government came to office. That is not a marginal decrease; it is a substantial decrease in that serious crime throughout Scotland.

The range of measures that have been taken—including the work of the violence reduction unit, which this Government has funded, incidentally—is the reason for that substantial reduction in crimes with offensive weapons. However, if I was asked to point to the single most important reason for the reduction, I would say that it is to do with the rate of detection, which is possible because we have 1,000 more police on the streets of Scotland's communities.

Before Iain Gray casts aspersions on the dedication of any member or party in the Parliament to keeping Scotland safe and to finding solutions so that we can minimise tragedies like those that have occurred in Scotland recently, he should reflect on the fact that, if those police officers had not been patrolling the streets of Scotland, we would not, I believe, have had the

lowest level of recorded crime in the country for 32 years or the 30 per cent reduction in crimes of handling an offensive weapon.

Let us accept two points: first, that the Parliament as a whole wants to keep this society safe; secondly, that many of the measures that have been supported by the Parliament and introduced by the Government have led to substantial improvements in the rates of the most serious crimes that affect the Scottish people.

Iain Gray: Let us accept that, last year, there were still more than 7,000 crimes of handling an offensive weapon, almost 3,000 people were convicted for handling an offensive weapon and 44 per cent of murders in Scotland used a blade. That may be less, but it is still far too many. Let us also accept that 70 per cent of those who are convicted of knife crime do not receive a jail sentence of any kind.

Knife crime is a serious subject. In Blantyre, Gorebridge, Tranent, Edinburgh and Glasgow, five young lives were cut short in the past couple of weeks alone. There are 30,000 signatures on Labour's petition. The *Greenock Telegraph* has collected 15,000 and the *Paisley Daily Express* has collected 10,000 more. Tracy Smyth collected 2,000 in Edinburgh last weekend. They all want knife criminals to go to jail, and the Labour Party stands with them. Why does the First Minister insist on standing in their way?

The First Minister: I have already pointed out to members the substantial reductions in recorded crime. I also point out that, for the first time ever, the fear of crime in Scotland is falling. That speaks volumes for the effectiveness of the justice measures that have been taken.

I pointed out the substantial numbers of additional police officers throughout Scotland, not one of whom would have been delivered if we had had a Labour Administration, because not one was pledged in the Labour manifesto. One police officer is Detective Chief Superintendent John Carnochan, who devised and led the violence reduction unit, which Iain Gray and I agree has been extremely successful. He said:

"I've been a cop for 34 years. If I thought locking people up the first time they were carrying a knife and giving them four years in the jail would work, I'd be your man. Jail doesn't work. We need early intervention, restricting access to alcohol and knives."

We talk about the booze and blade culture in Scotland. Of course, we all want to act against the blade culture, but only some in the Parliament were prepared to act against the booze culture. *[Applause.]*

The Presiding Officer (Alex Fergusson): Order.

Prime Minister (Meetings)

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

To ask the First Minister when he will next meet the Prime Minister. (S3F-2914)

The First Minister (Alex Salmond): I have no plans to meet the Prime Minister in the immediate future, but I met him last Monday in London.

Annabel Goldie: Everyone agrees that delayed discharge from hospital is bad for the patient, the patient's family and the hospital. The goal is to ensure that no patient who needs continuing care waits longer than six weeks to leave hospital and get that care. I give credit where it is due: in April last year, that goal was reached. However, from January last year to January this year, the number of patients who have waited more than six weeks has not just steadily increased but doubled. Why has the First Minister allowed that to happen?

The First Minister: I welcome Annabel Goldie's acknowledgement that, although delayed discharges have not been eliminated, they are running at far lower levels than at any time since the Parliament was established. I note that Dr Richard Simpson said on 25 June 2009 that

"The reduction from 2,000 delayed discharges to zero ... is excellent",—[*Official Report*, 25 June 2009; c 18935.]

so at least some Labour members are prepared to acknowledge that.

We are working extremely hard to return to zero delayed discharges, because one delayed discharge in Scotland is one too many.

Annabel Goldie: Surely the goal should be that no one waits more than six weeks in any month, any quarter or any year. The problem for the First Minister is that, however the figures are measured—whether they are for less or more than six weeks—more patients are being kept in hospital for longer. Those people do not want or need to be in hospital and would make better progress out of hospital.

Is it not the case that we need to change the structure and cut bureaucracy? We also need the national health service to drive forward a new agenda. Surely the First Minister agrees that that would be made possible by transferring budget from local government to the NHS, so that the NHS is in control. That would ensure that our patients receive the care that they need when they need it. Surely even he can see the sense in that.

The First Minister: According to the last census, 168 patients were delayed for more than six weeks. That is 168 too many, even if the figure is lower than the many thousands under previous Administrations.

As for the action that we must take, I point Annabel Goldie to two matters. Such issues

emphasise the critical importance, even in these times of extraordinary pressure on public spending, of protecting our national health service budget. She and I agree on that and the Administration will continue to protect that budget.

I also point Annabel Goldie to the aim and emphasis in the agreement with local authorities and to the £70 million change fund that will help services for older people to be redesigned. We have allocated £70 million for health service and local authority partners to use in the coming year, along with the voluntary and third sectors, to facilitate service design that ensures that older people remain independent in their own homes and focuses on reducing unnecessary hospital admissions and speeding up discharge after a crisis.

I am sure that Annabel Goldie welcomes that substantial initiative, even in times of extraordinary financial pressure, which will help to address the problem of delayed discharge.

Secretary of State for Scotland (Meetings)

3. Tavish Scott (Shetland) (LD): To ask the First Minister when he will next meet the Secretary of State for Scotland. (S3F-2915)

The First Minister (Alex Salmond): I have no plans to meet the Secretary of State for Scotland in the near future.

Tavish Scott: This morning's audit report on the First Minister's local police force says that Grampian Police

"has a track record of strong financial management and ... has reported efficiency savings in excess of targets."

When do ministers plan to publish the costs of their national police force?

The First Minister: Very shortly indeed. Much of the discussion and debate among the chief constables and other interested parties in Scotland has been lively and informative. I think that there is widespread agreement that changes in the structure of the police service offer grounds for hope for substantial efficiencies—

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): No, there is not.

The First Minister: Apart from Mike Rumbles, there is agreement that changes in the structure of police forces offer substantial efficiencies. Those who advocate such changes have to demonstrate whether that is entirely compatible with the local accountability of our police service.

Tavish Scott: I think that the figures will not be available until the end of this session of the Parliament. If the First Minister corrects me on that, I would be delighted to be so corrected. Why have ministers decided to ensure that they never

have to answer a question on the numbers? They have left it too late to give an answer. Is the First Minister not aware that the last time the Government tried to take calculations to the national policing board, the numbers were thrown out by everyone from chief constables to local government? Does he not recognise that his national police force will cut local policing across Scotland? All bar one of our chief constables are against it. Why does the Government want to spend money that it does not have on a proposal that simply will not cut crime?

The First Minister: Most people are coming to the debate in the hope and expectation that we can find a more efficient way to run our police service, including in times of great financial pressure, for which the Liberal Democrat party must bear some responsibility. We want to find ways to protect front-line policing and to continue the effective patrolling of our streets and communities that has resulted in a substantial reduction in recorded crime over the past four years. Most people are approaching the debate with a view that organisational change may offer such efficiencies to enable us to police Scotland not only democratically and accountably but efficiently. Tavish Scott seems to have made up his mind already that the present structure is the best of all structures for the police in the best of all worlds. He is wrong about that. Whatever their position in the evolving debate, most people who are participating in it are trying to reconcile finding the greater efficiencies that are necessary given the financial pressures on public spending with democratic accountability. If we join the debate on that basis, I am sure that we will come to an effective conclusion. I intend to be answering questions on that effective conclusion for some considerable time to come.

The Presiding Officer: I will take a supplementary from Jamie Stone.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): William Skinner, from the village of Inver in Easter Ross, works in the oil sector. As I speak, he is alone, without communication, trapped in a flat in Tripoli which, as we know, is a very dangerous place to be. His three workmates in the city are trying to get him out so that he can be with them. Will the First Minister use whatever means are at his disposal to get the Foreign and Commonwealth Office—or whoever, the Prime Minister even—to do something so that those people are brought home to safety without any further delay?

The First Minister: Yes, I will. I hope to be able to say a bit more on the matter. Unfortunately, the United Kingdom Government decided that the Scottish Government would not be allowed to participate in a COBRA meeting this morning. I

regret that decision. We have a substantial interest and duty of care at present to Scottish oil workers who are in Libya. As we have always done in COBRA meetings, on whatever subject, we respect all confidences and would have gone into the meeting in as constructive a way as possible. For completeness, I should add that the Foreign Secretary has agreed to speak to me this afternoon. I will relay to him the views of Jamie Stone and his concern for his constituent, as well as urging further effective action to secure the safety of all Scottish citizens and, indeed, nationals of all countries in Libya.

The Presiding Officer: I will take a further supplementary from Robert Brown.

Robert Brown (Glasgow) (LD): We all are anxious to see the success of the 2014 Glasgow Commonwealth games, which will be a huge event for the city and country. However, is the First Minister aware of reports that 46 milestones that the organising committee set may not have been met? It was reported that the completion date for the accommodation plan has slipped by nine months and that there is still no agreement on the crucial broadcasting deal with the BBC. Can he confirm or deny those worrying reports? Is there slippage and, if so, why? What reassurance can he give the chamber that the Commonwealth games project is on track, as we all want to see it?

The First Minister: I saw the report and Robert Brown's comments on it. I assure him that the organisation of the Glasgow Commonwealth games—Scotland's Commonwealth games—in 2014 is on time and on budget and is proceeding according to plan. The report, which I happened to read, was somewhat short on substantive detail. The fact that it cited as one of its major concerns the Christmas party of the Commonwealth games staff suggested that it was lacking in some of the substantive issues that I would have expected such an investigative report to highlight. I am happy to reassure the member that Glasgow's Commonwealth games are on time, on budget and well organised. With great co-operation between the Government and Glasgow City Council, they will be an enormous success for Glasgow and for Scotland.

Universities (Support)

4. Sandra White (Glasgow) (SNP): To ask the First Minister what action the Scottish Government is taking to support universities. (S3F-2918)

The First Minister (Alex Salmond): The Scottish Government has a proud record of achievement in higher education. Our financial commitments to universities next year will exceed £1.1 billion. That means that we will have invested record amounts in further and higher education—more than £7 billion over this session. Despite the

cuts that Westminster has imposed on the Scottish Government budget, we have secured agreement with the sector that will see the same number of university places available next year as there are this year. That is a substantial achievement and a tribute to both the universities and the Cabinet Secretary for Education and Lifelong Learning.

Sandra White: The First Minister will be aware of proposals by the University of Glasgow to cut many courses, including foreign languages, adult learning courses and nursing. He will also be aware of the enormous opposition to those cuts from students and academics alike and from Mario Conti, the Archbishop of Glasgow, who has expressed concern that education could end up being confined to

“some particular and narrow end”.

Does the First Minister agree that universities have a duty to be all-inclusive and that the proposals to which I have referred would be detrimental not only to the University of Glasgow but to Scotland as a whole?

The First Minister: I entirely agree that universities must be inclusive. The contribution that they make to our country, citizens and regions is enormous. If they want to make changes to that provision, they must be open and transparent. It is essential that they think of the breadth and depth of education and ensure that they honour historic commitments in that regard.

Just about every public institution in Scotland, with the exception of the health service, is undergoing a real-terms reduction in public spending. It could not be otherwise, given the £1.3 billion of revenue and capital cuts that are coming our way from the Westminster Government. However, the University of Glasgow seems to believe that it is under more pressure than other institutions. Some of the opponents of the plans dispute that that is the case. Openness and transparency, and regard for and honouring of historic commitments, are especially important in the case of the University of Glasgow.

Pauline McNeill (Glasgow Kelvin) (Lab): Does the First Minister share my concerns about the proposed closure of the department of adult and continuing education at the University of Glasgow? Does he recognise that the department has been vital in widening access to the University of Glasgow and in establishing links with the local community, and that it has enhanced the university's reputation and ensured that individuals from all backgrounds get to university? Will he assure me today that he will use all his influence to ensure that that long-standing and valuable department continues to play such an important role?

The First Minister: I agree with Pauline McNeill. The point that she makes and the example that she cites are one of the fundamentally important historic commitments to which I referred in my previous answer.

Elizabeth Smith (Mid Scotland and Fife) (Con): Does the First Minister agree with Universities Scotland, Lord Sutherland, Sir Andrew Cubie, a range of people in the sector and the Scottish Conservatives that, if we are to continue to have world-class universities, which all of us want, there must be a graduate contribution?

The First Minister: No. We will proceed on the basis that the Cabinet Secretary for Education and Lifelong Learning has set out, which includes establishing what the financial challenge for Scottish universities is in the next term. The cross-party meeting of 1 March will be the next milestone in agreeing that process.

As I mentioned earlier, institutions throughout the public services are under pressure. How could it be otherwise? Elizabeth Smith should reflect on the fact that, although there will be huge funding pressure on our higher education sector in the coming year, as she will have seen from the plans outlined by John Swinney, this Administration has no plans to withdraw wholesale from the public funding of higher education, as the Chancellor of the Exchequer laid out in the plans at Westminster.

The examination on 1 March will give us a figure to work from, but it is important to realise that, whatever financial challenges have to be met, the fact that this Administration—and, I hope, this Parliament—will not withdraw wholesale from the funding of higher education is a substantial platform on which to find a distinctively Scottish solution that will leave us in a better position than our colleagues south of the border.

INEOS and PetroChina (Meetings)

5. Cathy Peattie (Falkirk East) (Lab): To ask the First Minister when the Scottish Government last met INEOS and PetroChina. (S3F-2931)

The First Minister (Alex Salmond): The Cabinet Secretary for Finance and Sustainable Growth met INEOS representatives at the Grangemouth refinery on 10 January.

Cathy Peattie: Did the cabinet secretary receive any assurances about the continuation of production and jobs at Grangemouth? When the cabinet secretary visited on the day of the announcement, why did he not take time to speak to the workforce? Does the First Minister share my concern that the major stakeholders in Grangemouth were not consulted? Why has the First Minister not responded to a letter of 4

February from the Grangemouth workforce raising its concerns?

The First Minister: I would be happy to meet the Grangemouth workforce and I will return to that point in a second.

We received assurances from Calum Maclean, the chief executive officer of INEOS Refining, who said:

“These agreements will help secure the long term future of jobs and skills at Grangemouth and Laver, in partnership with one of the world's largest energy companies ... They present a clear opportunity for INEOS to progress its aim of forming strategic partnerships which help grow and strengthen its business. The agreements will provide further investment in our refineries, securing their competitiveness in European markets”.

As I am sure Cathy Peattie would be first to acknowledge, I have been deeply involved in the Grangemouth refinery. I was deeply involved in 2008, when action by the Government helped to reconcile and settle the industrial dispute that was passing a cloud over the future of the refinery. That action, which was welcomed by unions and management at Grangemouth, was in contrast to the advice that I received from the then Prime Minister, Gordon Brown, who told me not to interfere in such matters.

Secondly, we met the workforce in 2009, when the Scottish Government put forward a record regional selective assistance grant to support the key capital spending that was required to give the Grangemouth refinery a future. That was another direct involvement of this Government in the future of Grangemouth refinery.

I will be delighted to respond to the letters from the workforce and, when I do so, I will ensure that the Government continues to intervene wherever possible to protect jobs and livelihoods in Scotland and that it does not go down the foolish road of the laissez-faire attitude that was advocated by the previous Labour Government.

Wind Turbines (Forestry Commission)

6. John Scott (Ayr) (Con): To ask the First Minister what recent discussions the Scottish Government has had with energy companies regarding the development of wind turbines on Forestry Commission land. (S3F-2930)

The First Minister (Alex Salmond): The Forestry Commission has completed a procurement exercise to identify companies that will work in partnership with it. That is a substantial exercise and offers huge opportunities to unlock Scotland's massive resource potential of further forestry and of renewable energy.

John Scott: In light of the fact that more than 24,000 hectares of productive forestry land has been lost since 2005-06, the First Minister will

understand why the Confederation of Forest Industries and others have raised concerns about that type of development. Will the First Minister tell Parliament how many hectares of woodland will be felled due to the proposed energy developments, and what impact that will have on timber production, downstream jobs and carbon sequestration? Will the Government's tree planting targets be met this year or indeed at any time in the foreseeable future or will wind farm developments in our publicly owned forests further reduce our ability to produce much-needed home-grown timber?

The First Minister: No is the answer to that last point. Such developments will not reduce our ability to produce home-grown timber. I am happy to confirm to John Scott that the Government's incredibly ambitious target to plant 100 million trees over a five-year period is on target. For the benefit of members, that amounts to the planting of four trees per person per year. That substantial, world-beating target will be achieved.

I say to John Scott that one way in which we are achieving that is by mobilising our natural resources to generate revenue through initiatives such as renewable energy in the forestry estate, which will not just create thousands of jobs in Scotland and generate up to 2GW of power but generate revenue for the Forestry Commission that will allow it to meet its target of planting the forests that Scotland will need.

The Presiding Officer: We started a little late, so I will take a final supplementary from Lewis Macdonald.

Lewis Macdonald (Aberdeen Central) (Lab): Large contracts go to large companies. Was the decision to award a small number of large contracts for renewable energy development in Scotland's forests taken by ministers or by the Forestry Commission?

The First Minister: All decisions are based on the procurement process, which is evaluated by an independent consultant.

I point out to the member that, of the companies that he seems to be decrying, Scottish Power Renewables is headquartered in Glasgow and has 168 out of the 6,000 staff that Scottish Power as a whole has in Scotland; E.ON Renewables has 31 staff in Scotland, offices in Lockerbie and a new office in Inverness; Fred Olsen Renewables's sister company, Natural Power, which has 95 staff, is headquartered in Scotland; and PNE Wind UK Ltd has staff members in Edinburgh. In addition, in the previous round, for hydro energy, a contract was awarded to Green Highland Renewables, a small company, all of whose staff are based in Perth.

Therefore, the member should not allow himself to be misled by suggestions in some parts of the press that those companies are anything other than fantastic, bona fide companies that are employed in useful activities and which have thousands of people working for them in Scotland. I am sure that the member would not wish any of those workers who are watching this broadcast to think that he was casting aspersions on any of those excellent, Scotland-based companies.

Point of Order

convener. If that does not satisfy him, he should then write to me.

12:32

Patrick Harvie (Glasgow) (Green): On a point of order, Presiding Officer. It is a point of order under rule 9C.3, which governs the passage of hybrid bills through Parliament. Part of that rule requires that the financial memorandum that accompanies such a bill

“shall set out the best estimates of the administrative, compliance and other costs to which the provisions of the Bill would give rise, best estimates of ... timescales ... and an indication of the margins of uncertainty”.

This week, the Finance Committee met in private to consider an additional liability that the Government has identified in relation to the additional road bridge that it wishes to build over the Forth. It now appears from BP, the operator of the pipeline in question, that discussions have been held on the issue for months, and well in advance of the Forth Crossing Bill being brought to Parliament. No opportunity was given for public scrutiny of the matter by the hybrid bill committee, the Finance Committee or the Transport, Infrastructure and Climate Change Committee at the time.

I ask you to consider whether the financial memorandum to the Forth Crossing Bill has fully complied with rule 9C.3 and to review rule 15.1, which establishes the presumption that committees should meet in public. Does clearer guidance need to be provided on the basis on which private meetings can be held to avoid any assumption that something as traditional as a good old-fashioned cover-up could be going on?

The Presiding Officer (Alex Fergusson): With respect, the two matters to which Mr Harvie refers are matters for the relevant committees. If he has concerns about the way in which they have conducted their business, he should take them up with their conveners.

Patrick Harvie: I am sorry, Presiding Officer; that may be accurate as far as meetings in private are concerned, but it does not address my point about the passage of hybrid bills and the compliance of the financial memorandum to the Forth Crossing Bill with rule 9C.3. Given that the Government knew at the time that negotiations had been taking place between Transport Scotland and BP, and that that information was not included in the bill documents, would you please review that rule and ask whether the hybrid bill complied with it?

The Presiding Officer: The answer to that is no. That is a matter for the committee's convener in the first instance. If Mr Harvie has further concerns, he should take them up with the

12:35

Meeting suspended until 14:15.

14:15

On resuming—

Scottish Executive Question Time

Justice and Law Officers

Domestic Abuse

1. Marlyn Glen (North East Scotland) (Lab):

To ask the Scottish Executive what action it will take to reduce the level of domestic abuse. (S3O-13076)

The Minister for Community Safety (Fergus Ewing): Domestic abuse is completely unacceptable. That is why the Government acted swiftly to legislate last year to close a gap in the criminal law so that cases of domestic abuse can continue to be prosecuted under our new offence of threatening or abusive behaviour. The Government will carry on working closely with all key partners, including the Convention of Scottish Local Authorities, the police and the key support agencies to ensure that perpetrators are held to account and that victims have access to appropriate support. We will continue to tackle the issue head on, with funding of more than £11 million proposed for 2011-12, which is 40 per cent higher than the budget in 2006-07.

Marlyn Glen: How will the minister and the Scottish Government encourage the necessary changes in attitude as promoted by Scottish Women's Aid's stop campaign? How will he further support the roll-out of practices such as the toolkit for domestic abuse courts and the essential provision of specialist advocacy services?

Fergus Ewing: I acknowledge Marlyn Glen's long-standing interest in and campaigning on the issue. On her first question, the Scottish Government supports Scottish Women's Aid's together we can stop it campaign. My colleague the Minister for Housing and Communities signed up to that campaign at its launch. On the domestic abuse court in Glasgow, the member correctly says that we have developed from that a toolkit that we believe should be applied and available throughout Scotland so that the advantages that are gained from that successful experience in Glasgow can be felt throughout the country. We will continue to work with all our colleagues to ensure that that takes place.

Anne McLaughlin (Glasgow) (SNP): I support all the work with female victims of domestic violence, but I ask the Government for reassurances that, in its efforts on the issue, it will take into account the male victims of domestic

violence. The Public Petitions Committee finally closed a petition on that issue on Tuesday and acknowledged the progress that the Scottish Government has made in response to the petition. However, members pledged to continue to highlight the issue. I simply seek reassurance from the minister that the Scottish Government will recognise male victims and children in all its work on domestic abuse.

Fergus Ewing: I acknowledge Anne McLaughlin's role in campaigning on that important matter. As many members from all political parties have done, she rightly raises the issues of violence against men. She makes excellent points. We believe strongly that services should be available to meet the needs of anyone who experiences abuse—women or men. We have provided funding for the men's advice line so that male victims can receive support and information. We are exploring with male victims and organisations that support them what the service need is, so I can give Anne McLaughlin the assurance that she seeks.

John Lamont (Roxburgh and Berwickshire) (Con): The minister will be aware of the widespread concern among support groups for the victims of domestic abuse about the lack of availability of short-term sentences, which the Government has now removed. Victims of domestic abuse are particularly concerned because short-term sentences afforded them respite. Do the Scottish Government and the minister acknowledge those concerns? How does the minister propose to address them?

Fergus Ewing: As the First Minister said earlier, serious offences receive severe sentences. Any serious offence of, for example, assault will be extremely seriously dealt with by the court. It is for the court to decide the appropriate sentence under the law that the Parliament has passed. Mr Lamont will, I hope, agree that we also need to address Scotland's problem with alcohol. Although alcohol can never be an excuse for domestic violence, it is sadly an exacerbating factor in many cases of violence against women. I hope that he, too, will therefore recognise that we need to take measures such as minimum pricing that will more effectively address the abuse of alcohol.

Cathy Peattie (Falkirk East) (Lab): I welcome the increase in conviction rates, and in particular the work of Central Scotland Police. Does the minister agree that it is important that the partnership work between police and organisations such as Women's Aid continues, and that there is sustained support for that?

It is really important that the minister and others consider proportionality in relation to violence against women, including domestic abuse. It is clear that the statistics are much higher for

women, who make up more than 90 per cent of those who are reported as being subject to domestic abuse. Comparisons cannot be made when we are talking about male and female abuse.

Fergus Ewing: Cathy Peattie is quite correct to say that the vast majority of victims of domestic abuse are female: that is the case, although men are also abused. I certainly agree with her, and I acknowledge that she too has campaigned on the issue for many years, as have people from all parties in the chamber.

It is essential that we work closely with the police, the Crown Office and the fiscals, as we have been doing. I take this opportunity to praise the proactive work that has been done throughout the country. For example, police officers contact and visit—especially before certain significant football matches—individuals who are known to have committed domestic abuse in the past, and point out that if they do the same thing again, there is only one place that they will end up, and that is in a cell.

We acknowledge the work of the police and the justice authorities in that regard, and I am pleased that it has such support among members on all sides of the chamber.

Crime Levels (North Ayrshire)

2. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government what steps it is taking to reduce crime levels in North Ayrshire. (S3O-13043)

The Cabinet Secretary for Justice (Kenny MacAskill): The Scottish Government and local partners are working hard to reduce crime in North Ayrshire. For example, we have invested more than £150,000 in local projects throughout North Ayrshire over four rounds of the cashback initiative to provide participation and diversionary activities. In light of that, I am sure that the member will welcome, as I do, the 12 per cent reduction in total recorded crimes in North Ayrshire between 2008-09 and 2009-10.

Kenneth Gibson: Can the cabinet secretary confirm that the increase in community officers in North Ayrshire from 70 to 140 since 25 October is already beginning to show results? Does he share my welcome for the opening of the new custody suite in Saltcoats just this week? Does he agree that the increase in capacity from 10 to 21 will mean that fewer offenders will have to be transported to Greenock or Killie—a journey of about 50 minutes—which means that more officers can spend time on the front-line policing duties for which they are trained?

Kenny MacAskill: Absolutely. It was a privilege to meet last week with members of the force at

Arran police station, which is part of that division. I appreciate the excellent work that they do. As Mr Gibson says, there is a clear correlation between increased police numbers and a reduction in crime—and in the fear of crime, as the First Minister mentioned at First Minister's questions.

The changes that have been made to the cell structure will benefit the police and ultimately the communities by ensuring that officers' time is spent in better ways than transporting prisoners around looking for an available cell.

James Kelly (Glasgow Rutherglen) (Lab): The number of antisocial behaviour complaints in North Ayrshire rose from 661 to 724 between 2008-09 and 2009-10. That comes on the back of recent reports that half a million complaints of antisocial behaviour go unreported. Does that not lead the Government to move away from its complacent attitude to antisocial behaviour and adopt an attitude that sticks up for local communities?

Kenny MacAskill: We take a serious view of antisocial behaviour, but equally we recognise that it comes in a variety of forms. It can come in a form that is very serious and clearly criminal, and which should be dealt with by the police. Equally, it can appear at relatively low levels, in the form of ignorant behaviour that is unacceptable.

For example, in the city of Edinburgh—the situation is probably the same in other communities—a failure to take a turn at cleaning the stair, or a failure to take responsibility for other such matters, will quite correctly be classified as antisocial behaviour, although such behaviour is clearly not in the same category as keeping someone awake, disrupting their family life and their sleep or threatening or abusing them.

However, each and every one of those matters is significant. They are taken seriously, not only by the Government but by local authorities. That is why I welcome the activities in my constituency in Edinburgh—and, no doubt, in North Ayrshire—in which police and other partners, such as housing associations and the local authority, work in conjunction with one another to ensure that people realise that a tenant has a responsibility as well as rights and to ensure that action is taken.

Community Safety (Prisoner Release)

3. Willie Coffey (Kilmarnock and Loudoun) (SNP): To ask the Scottish Government how it prioritises community safety prior to prisoners with a history of violence being released on licence. (S3O-13038)

The Cabinet Secretary for Justice (Kenny MacAskill): Decisions on the release on licence of determinate sentence prisoners serving four years or more, extended sentence prisoners, where the

custodial term is four years or more, and life prisoners are a matter for the Parole Board for Scotland. The board will not direct early release on licence until it is satisfied that the prisoner no longer presents an unacceptable risk to the public. The Scottish ministers are obliged by law to accept its decisions.

Willie Coffey: I thank the cabinet secretary for meeting Ewan and Margaret McGrand, whose daughter Vikki was murdered in 2008 by Gavin Boyd, who was released on a 13-year licence in 2006. I am concerned at the absence of a review process and risk assessment for prisoners who are subject to automatic release. Is the cabinet secretary satisfied that enough is done to secure early recall for prisoners freed on licence who present a continuing threat to public safety? In addition, does he agree that, to help families when things go wrong, an independent review should take place and summary findings should be published if any offender freed on licence is implicated in a murder?

Kenny MacAskill: I recall the meeting with Willie Coffey and the McGrand family.

When prisoners are freed on licence, the local authority supervising officer is required to notify the Scottish Government's parole unit if they have any concerns about the prisoner's conduct or behaviour, even if it does not actually constitute a breach of licence.

Various actions can be taken in the event of a breach, including immediate recall to custody if, in the view of the Scottish ministers, the person presents an unacceptable risk to the safety of the public. Those powers were exercised 44 times in 2009-10.

However, I agree that we should learn lessons from such cases. Following the meeting that I had with Willie Coffey and Mr and Mrs McGrand, I asked the Social Work Inspection Agency, which is an independent body, to examine the issues as part of its work on serious incident reporting. It has agreed to do that because, as we discussed with the McGrands, all partners take such matters seriously but improvements can be made, and we must strive to make them.

Community Court (Glasgow East End)

4. Mr Frank McAveety (Glasgow Shettleston) (Lab): To ask the Scottish Executive whether it plans to reconsider establishing a community court in the east end of Glasgow. (S3O-13084)

The Cabinet Secretary for Justice (Kenny MacAskill): As I said to Parliament in 2009, the Scottish Government is committed to delivering the benefits that are sought from establishing a dedicated community court in Glasgow. I also said

that we would work with partners to do that more cost effectively.

By using existing staff and buildings more imaginatively, the pilot for a fast-track community service at Glasgow sheriff court that was announced last month will deliver on that commitment, and will do so within current financial constraints. The pilot will result in quicker delivery of community payback, with offenders being assessed and starting unpaid work placements within hours of being sentenced.

Mr McAveety: I note that the minister's response is not quite what was promised and committed to in the Scottish Government's early years. That is disappointing for my constituents in the east end, who were supportive of the establishment of a community court for Glasgow, particularly to relieve them of some of the difficulties that are related to significant antisocial behaviour.

If the minister is fortunate enough, depending on the wisdom of the electorate, to be in the same position after the election, will he endeavour to continue to take the matter forward? I know that the Labour Party would.

Kenny MacAskill: Absolutely. We accept the problems and I am aware of Mr McAveety's commitment to the proposal. However, there are clearly financial pressures on the justice budget and, in particular, the courts budget. There are calls for the expansion of domestic abuse courts, drugs courts and so on. There are also pressures on providing for the improvement of the High Court—a matter that is dear to the Lord President's heart.

The Government accepts the direction of travel. At the moment, when funds are limited, we have to ensure that we provide the service that will make Mr McAveety's area in the east end of Glasgow—and the whole city of Glasgow—safer and ensure that those who are convicted are dealt with more speedily. When we do not have the money to spend on the buildings, we must at minimum improve the way that we operate within the current structures.

Scottish Police Services Authority (Staff Regrading)

5. Lewis Macdonald (Aberdeen Central) (Lab): To ask the Scottish Executive what discussions the Cabinet Secretary for Justice has had with the board of the Scottish Police Services Authority concerning staff regrading. (S3O-13086)

The Cabinet Secretary for Justice (Kenny MacAskill): I regularly discuss a wide range of matters with the SPSA's convener. I have had no discussions with the SPSA board about the recent

staff regrading exercise, which is an operational matter for the SPSA's executive team.

Lewis Macdonald: The cabinet secretary will recall that I raised with him recently the concern that support staff in Grampian have been regraded at a grade that is lower than that of their colleagues who do the same work elsewhere, simply because salary levels in Grampian Police were lower than those in other forces. Has he seen the response that the SPSA sent me at his request, which appears to confirm the position that is causing concern? Will he impress on the SPSA the fact that staff grades should be based on skills and experience and not on how well a previous employer paid staff?

Kenny MacAskill: I am happy to pass on those points to the SPSA and to ask it to give me a briefing to respond to Lewis Macdonald.

Voluntary Groups Funding (Crime Reduction and Prevention)

6. Maureen Watt (North East Scotland) (SNP): To ask the Scottish Government what its position is on the size of voluntary groups having access to funding to help reduce or prevent crime. (S3O-13059)

The Minister for Community Safety (Fergus Ewing): The Scottish Government recognises the important contribution that the third sector makes to supporting Scotland's economic recovery, creating employment and skills opportunities, improving public services and supporting communities. We are committed to continuing to support the sector in whatever ways we can.

We recognise the enormous contribution that our volunteers make to the lives of individuals and communities throughout Scotland. Volunteers often play a major part in building the confidence of those who feel marginalised in our society and in helping them to realise their potential and develop their talents and skills so that they can go on to lead healthy and fulfilled lives and to become economically active.

Organisations such as Crimestoppers, the Association of Scottish Neighbourhood Watches and others have all played an important role in achieving the lowest recorded crime level in 32 years.

Maureen Watt: I have seen at first hand the important work that small organisations such as Drugs Action in Aberdeen do in their communities. They worry—understandably—that, in the current financial climate, they might find themselves squeezed out of accessing funding by larger organisations. Will the minister give an assurance that all organisations, regardless of size, will have an equal opportunity to access Scottish Government funding streams?

Fergus Ewing: Yes—I confirm that the Scottish Government will not deliberately favour large organisations at the expense of small ones in funding applications. I am therefore happy to reassure Maureen Watt that charities that have expressed such a concern to her will have every chance of securing funding if their bids are successful enough.

I pay tribute to the work that has been done in Aberdeen to tackle successfully the unacceptable waiting times for drug treatment and assessment that prevailed there some years ago. I discussed that with Richard Carey of NHS Grampian just last week.

Richard Baker (North East Scotland) (Lab): What assessment has the Scottish Government made of the budget cuts that are affecting large and small voluntary sector organisations that are involved in criminal justice services across Scotland? What impact will the significant cuts to funding for organisations such as Sacro, Apex Scotland and Includem have on preventing crime and tackling reoffending?

Fergus Ewing: We have directed the resources from the Scottish taxpayer not to assessing what might go wrong in the future but to funding 1,000 extra police officers, to ensure that Scotland remains the safer place that it is now.

We have supported the work of voluntary organisations in tackling crime; in particular, we have supported the work of organisations that contribute to tackling the problem of Scotland's relationship with alcohol, which underlies a substantial proportion of the crime that is committed in the country. That work and other work of third sector bodies would have been considerably supported had we been able to add to our repertoire of measures minimum pricing for alcohol, which the Labour Party rejected.

Rural Affairs and the Environment

Large-scale Biomass Plants (Timber Industry)

1. Shirley-Anne Somerville (Lothians) (SNP): To ask the Scottish Government what representations it has received on the impact of large-scale biomass plants on the timber industry. (S3O-13056)

The Minister for the Environment and Climate Change (Roseanna Cunningham): The Scottish Government prefers biomass to be deployed in heat-only or combined heat and power schemes, particularly off gas grid, at a scale that is appropriate to make best use of both the available heat and local supply.

With the Minister for Enterprise, Energy and Tourism and my officials, I have regularly met

representatives of the forestry and wood processing industries to discuss their concerns. Officials held a series of meetings with those industries and biomass operators as part of the consultation on the renewables obligation Scotland at the end of last year. We received a formal response to that consultation from the Wood Panel Industries Federation as well as from some individual businesses. I have also had representations from colleagues on behalf of their constituents, to which I have responded.

Shirley-Anne Somerville: The minister will be aware of recent reports from the Confederation of Forest Industries and the Wood Panel Industries Federation—the latter of which she mentioned—that flag up major concerns about the impact of large-scale biomass plants, including on the domestic timber industry. Indeed, a recent report has said:

“If new large users of British-grown wood and other wood fibre enter the market place ... it can only be at the expense of existing users, impacting negatively and disproportionately on sustainability, employment, carbon sequestration, and mitigation of climate change.”

Does she agree that large-scale biomass plants such as that which is proposed at Leith would be damaging to the environment and jobs, as well as being a blight on the community of Leith?

Roseanna Cunningham: The member will know that I cannot make reference to specific plants, although I did speak to some of the campaigners who arrived outside the Parliament at lunchtime.

I answered in part the question in my initial response when I said how the Scottish Government prefers biomass to be deployed. Over the coming year, our review of incentives for biomass will ensure that support is aligned with Scottish Government policy. As I said, I cannot comment on individual planning applications. However, the biomass scoping guidance that we published in February last year for large-scale proposals states:

“Applicants should consider the finite domestic supply of wood fibre ... and ... produce a Sustainability Statement”.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I support the many local objections to the proposed Leith plant. As the minister with responsibility for climate change, has the minister carried out any assessment of the implications of large-scale biomass plants for our 2050 climate change targets? Does she accept that they would incur a large carbon debt, which would not be helpful for those targets? If the Scottish Government has done no such work, will she undertake to carry out research so that the Government understands fully the implications of large-scale biomass plants for climate change

before making a judgment on any individual application?

Roseanna Cunningham: Such a study would not come directly from my department. It is likely that it would be undertaken by a body such as the Scottish Environment Protection Agency. The Government has been clear that it sees biomass as more appropriate to small and medium-sized plants. As I have indicated, we prefer biomass to be deployed in heat-only or combined heat and power schemes. We are not in a situation in which we can rely on only one renewable source. We are also conscious of supply issues and the longer-term issues that the member raised. He can rest assured that we are taking all those matters into consideration. However, as I have indicated, I cannot comment on specific potential planning applications.

Wildlife Corridors

2. Sandra White (Glasgow) (SNP): To ask the Scottish Government what legislation is in place to protect wildlife corridors in urban areas. (S3O-13061)

The Minister for the Environment and Climate Change (Roseanna Cunningham): Some particularly valuable sites that form parts of urban wildlife networks will be designated as sites of special scientific interest, while other sites of local importance will be designated as local nature reserves. A few sites might be covered by a range of other designations. Most of the protection for sites of local nature importance will come through the planning system, with local nature reserves receiving a high degree of protection in the development planning system.

The planning system is governed by a range of legislation, including the Planning etc (Scotland) Act 2006, which put the national planning framework on a statutory footing. In 2009, the Scottish Government published the second national planning framework, which identifies the central Scotland green network as a national development. The aim is to have a strategic network of woodland and other habitats, active travel routes, green-space links, watercourses and waterways that will provide an enhanced setting for development and other land uses and improved opportunities for outdoor recreation and cultural activity.

Sandra White: I thank the minister for her comprehensive reply. I understand that she cannot comment on individual planning applications. However, in the north and west of Glasgow, we face two developments that will encroach on wildlife areas, in Otago Lane and on Kelvin meadow in Clouston Street. I am heartened by the minister's comments. Does she agree that, under the consolidated Scottish planning policy that she

mentioned, which refers to cities and green networks, local developers and councillors should work together with all in the community to ensure that consolidated planning policy and their aims are presented to local communities?

Roseanna Cunningham: Sandra White may be interested to know that I spoke at a conference on urban biodiversity in Glasgow at the end of October, at which many related issues were raised. Although planning policy now gives stronger support for the promotion and protection of green networks, planning decisions must reflect the full range of considerations that are relevant to an individual decision. I hope that planning authorities will look to develop effective green networks across their area as a whole.

In 2010, the Scottish Government published the consolidated Scottish planning policy, which states:

"Development plans should identify and promote green networks".

I know that that will be part of any discussion, debate and consideration in any local authority planning department in Scotland.

Jamie McGrigor (Highlands and Islands) (Con): In her initial reply, the minister mentioned waterways. Does she agree that canals and river banks are often good, hidden wildlife corridors but that they tend to suffer from neglect and to be covered in rubbish and the like? Will the minister turn her attention to improving some of those wildlife areas, not only for the wildlife but for the people who can see the wildlife in them?

Roseanna Cunningham: Jamie McGrigor should rest assured that waterways are an integral part of providing wildlife corridors, especially in urban areas. He is correct to raise the issue and to say that, for a long time, they may have been rather overlooked. As the Forth and Clyde canal is cleaned up between Edinburgh and Glasgow, we are beginning to see its entire length develop as an enormous source of increasing biodiversity. The canal is an integral part of the central Scotland green network, as are other waterways. The member may rest assured that the issue is on our radar.

Elaine Murray (Dumfries) (Lab): During our discussions on the Wildlife and Natural Environment (Scotland) Bill, we talked about the development of ecologically coherent networks, which are necessary for the conservation and promotion of biodiversity, especially in cases of adaptation to climate change. If the WANE bill is not the vehicle for taking forward the issue at national level, has the minister had any more thoughts about how we can achieve that nationally, instead of relying purely on local authorities?

Roseanna Cunningham: I was hoping that we could get through and deal with the Wildlife and Natural Environment (Scotland) Bill before considering some of the other things that we need to take on from it. I recall the interesting conversations that took place on the question of ecological coherence. A number of issues are tied up with that. Clearly, many interests are concerned. It is not always the case that development is completely contradictory to providing corridors for biodiversity and so on. I do not want to be in the position of saying that massive areas will be newly designated as not suitable for development. However, with that in mind, all planning authorities need to look carefully at the development proposals that are brought forward. Where possible, national Government ought, if not to dictate, at least to guide, how the issue is addressed.

Dairy Farmers, Retailers and Processors (Meetings)

3. John Scott (Ayr) (Con): To ask the Scottish Executive what recent discussions it has had with dairy farmers, retailers and processors. (S3O-13010)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): I met a delegation of leading Scottish dairy farmers on 7 February 2011 to discuss what options are available to alleviate the pressures in the supply chain.

John Scott: The cabinet secretary will be aware of the current market failure in the dairy supply chain, which has been brought to my attention by Farmers for Action, the National Farmers Union and others. Notwithstanding the good work of the high-level expert group to address that market failure, what work is the cabinet secretary doing to ensure that the HLG's proposals become a reality—in particular, that stronger, more transparently priced contracts are introduced to ensure that producers' negotiating positions can be improved?

Richard Lochhead: I thank the member for raising that important issue. He is right: the supply chain is not working for the primary producer. I see in today's press that the chair of the NFU's milk committee is saying that each dairy farmer is losing around 4p a litre, which is evidence of the difficult situation that dairy farmers face.

As the minister in Scotland, I am putting pressure on John Scott's colleague in the United Kingdom Government in London to deliver a supermarket ombudsman—it was promised, but we are still waiting for it. That is one tool that could give more power to the primary producer in the supply chain. As soon as that is delivered, it will be

a step forward. However, I appreciate that there is a lot more to do.

On what the European Union is doing, a number of proposals from the high-level expert group on dairy could help dairy farmers in Scotland.

The member raised the issue of compulsory contracts between the suppliers—the dairy producers—and the customers, which in this case are the retailers and processors. The UK Government is taking the position that there may not be compulsory contracts south of the border. If the UK Government takes what could be a weaker position, it would make it more difficult for us to take a stronger position north of the border, because the same processors and retailers operate on both sides of the border. I urge the member to speak to his colleagues at Westminster about that issue.

Sarah Boyack (Edinburgh Central) (Lab): We very much share the desire to have a supermarket ombudsman, precisely because of the issue of transparency in contracts. Nevertheless, we have knocked the issue around Parliament for quite a few years. In practical terms, what can we do together to say to the industry that it is unacceptable that milk is cheaper than water? It makes no sense. We all know the cost in the milk supply chain. It is not about raising prices for consumers but about getting a fair price for farmers. What more can we do together, across the parties, not just in legislative terms but in terms of exerting political pressure to bring about change?

Richard Lochhead: The member raises good points. Scotland is standing together on the issue, because we all want the country to be able to produce its own milk. The way things are going, that may not be the case unless we can give more profitability and power to the primary producers in the supply chain. I very much welcome all parties in Parliament continuing to work together towards that objective.

We all have to work together to put pressure on the regulatory authorities, which in this case are the UK Government and the European Union, both of which say they will take measures. However, they should recognise that there is a huge sense of urgency about the issue. With each week that passes in Scotland, it appears that more dairy farmers are leaving the sector. We cannot allow that to continue. The alarm bells should be ringing in the UK Government and at EU level.

Food and Drink Sector

4. Stewart Stevenson (Banff and Buchan) (SNP): To ask the Scottish Government what it is doing to support growth in the food and drink sector. (S3O-13057)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Scottish Government and its agencies are actively supporting the food and drink sector's growth to meet the target of £12.5 billion turnover by 2017. Since 2007, the industry has seen record figures, with turnover increasing by more than £1 billion during 2007-08 and exports increasing by 15 per cent between 2007 and 2009. It is our intention, through our national food and drink policy, to continue to help the sector to fulfil Scotland's potential and be a world leader.

Stewart Stevenson: Given that sales of Scottish-branded food and drink in the United Kingdom have increased by 30 per cent under this Government, does the cabinet secretary believe that clear labelling of Scottish produce by protected geographic indication and Quality Meat Scotland and Marine Stewardship Council certification is essential if we are to continue to improve on that performance?

Richard Lochhead: I agree that labelling is extremely important. We are lucky in this country in that we have a reputation for top-quality food and drink. The more we can communicate that message to the consumer—as the member indicated, not just in this country but elsewhere in these islands and overseas—the better it will be for our primary producers, processors and everyone in the food and drink sector in Scotland.

At the moment, the food regulations are making their way through the European Parliament and the European Commission. The Scottish Government is pushing for mandatory country-of-origin labelling right down to the Scottish level for all meat and dairy products, which would be a huge step forward in supporting those sectors.

Common Agricultural Policy

5. Dave Thompson (Highlands and Islands) (SNP): To ask the Scottish Government when it last discussed the common agricultural policy with the United Kingdom Government. (S3O-13058)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): Specific elements of the common agricultural policy have been discussed at meetings of the UK delegation ahead of agriculture and fisheries council meetings in Brussels, most recently on Monday of this week. There was a general discussion on the CAP at ministerial level during a breakfast meeting in London on 19 November last year, which was also attended by ministers from the other devolved Administrations.

Dave Thompson: The UK agriculture minister, Caroline Spelman, recently told the Oxford Farming Conference that she supported ending direct farm support. In addition, she completely

ignored the submissions from the Governments of Scotland, Wales and Northern Ireland in her submission to Europe on CAP reform. Does the cabinet secretary agree that the Liberal-Conservative coalition policy of ending direct farm support would be absolutely disastrous for Scotland, especially for areas such as Ross-shire, Skye, Lochaber and Badenoch?

Richard Lochhead: I certainly agree that the UK Government's policy on the future of the CAP poses a massive threat to Scotland's farmers and crofters and, indeed, the wider food and drink sector, which we have just discussed. The UK Government is pushing a policy that may be appropriate for the home counties in the south of England but which is certainly not appropriate for Scotland's needs and circumstances. If that policy takes hold here, it could be disastrous for Scotland.

The member referred to the UK Government's recent submission to the European Commission on the future of the CAP, in which it said:

"There must therefore be a very substantial cut to the CAP Budget".

That is the last thing that Scotland's farmers and crofters need in the current circumstances. We should resist such a measure, because it could lose Scotland hundreds of millions of pounds. As the member said, the people who would suffer the most are farmers and crofters in the more outlying areas of Scotland.

Common Agricultural Policy

7. Rob Gibson (Highlands and Islands) (SNP): To ask the Scottish Government what it considers the effects would be on agriculture in Scotland of the recommendations made by the Department for Environment, Food and Rural Affairs to the consultation on reform of the common agricultural policy. (S3O-13044)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): As we have just discussed, the effects of DEFRA's recommendations could be disastrous for Scottish agriculture. The Pack inquiry highlighted the need for direct payments and limited coupled payments to continue, and the Scottish Government supports that. Research suggests that removing pillar 1 direct payments from the CAP would cause significant declines in livestock numbers throughout Scotland.

Rob Gibson: Are there other countries in Europe that have similar problems with climate and distance, that get less favoured area support payments, and which can be allies of ours? Does LFAS enforce the Scottish Government's belief that agriculture should be practised in every part of our country, where possible?

Richard Lochhead: As the member highlights, additional support for farmers and crofters in the more remote areas of Scotland in what are known as less favoured areas is essential. It is extremely important that we continue to provide such support, and that is certainly the Scottish Government's policy.

As the member identifies, there are countries such as Scotland that have specific needs and circumstances that must be met by the new common agricultural policy. For instance, in Scotland, unlike England, 85 per cent of land has less favoured area status and two thirds of it is suitable only for rough grazing. South of the border, only 15 per cent of land has LFA status. That indicates the difference in the scale of the challenges that are faced north and south of the border. Getting the CAP and future support mechanisms right is very important to sustaining agriculture in rural Scotland.

Flooding (Moray)

8. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Executive what progress has been made to alleviate flooding in Moray. (S3O-13099)

The Minister for the Environment and Climate Change (Roseanna Cunningham): Flood protection is a matter for individual local authorities, as the member knows. Since 2007, support from this Government has enabled Moray Council to take forward flood protection schemes at Rothes, the Burn of Mosset in Forres and, most recently, Elgin.

David Stewart: I welcome the news that the Elgin flood alleviation scheme has begun, as it will protect local residents against the trauma of flood damage. The minister will be well aware of the serious financial concerns that Moray Council has raised. Will she clarify when the Forres scheme is due to begin? Will she review again the funding of such schemes in the future?

Roseanna Cunningham: A number of discussions have been held with Moray Council about funding. A special meeting was called to discuss the issues. The fact that it has been provided with assurances has allowed it to sign off on the Elgin scheme, which will proceed accordingly.

As regards the other aspect that the member raises, the flooding situation in Scotland has never been better provided for than since 2007. Prior to then, only £5.5 million per annum was allocated to dealing with flooding in Scotland. Subsequently, spending on the issue has been of a hugely higher order—£42 million has been allocated to it in each year between 2008 and 2012. The member should compare that with what happened before.

Patient Rights (Scotland) Bill: Stage 3

14:55

The Deputy Presiding Officer (Trish Godman): The next item of business is stage 3 proceedings on the Patient Rights (Scotland) Bill. Members should have the bill as amended at stage 2, which is Scottish Parliament bill 42A, the marshalled list, and the groupings, which the Presiding Officer has agreed. The division bell will sound and proceedings will be suspended for five minutes for the first division this afternoon. The voting period for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for a division after a debate. Members should refer to the marshalled list of amendments if they are in any doubt.

Section 21—Patient Rights Charter

The Deputy Presiding Officer: Group 1 is on a charter of patient rights and responsibilities. Amendment 1, in the name of Richard Simpson, is grouped with amendments 1A, 2, 3, 5, 6, 9 to 11, 25 and 32.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I will speak to amendments 1, 2, 3, 5, 6, 9 to 11, 25 and 32.

Amendment 1 removes section Z1 as inserted into the bill at stage 2 and replaces it with a requirement on the Scottish ministers to publish a charter of patient rights and responsibilities within six months of the section coming into force. The charter must set out a summary of the rights and responsibilities, extant at the date of publication, of patients and relevant persons. The charter may also include a summary of the duties on relevant national health service bodies, a summary of the behaviour that is expected from patients and relevant persons, and any other information that the minister considers to be relevant, such as waiting time periods.

Relevant persons are defined as persons who have a personal interest in the health care of a patient, such as a relative or carer, and such other persons as the Scottish ministers consider to be appropriate. The charter cannot create new rights and responsibilities, or alter existing ones in any way. It must be published in such a manner and form as ministers think appropriate. Before publishing the charter, ministers must consult those whom they think appropriate and must also lay a copy of the charter before the Parliament.

Ministers must tell the relevant national health service bodies about the publication of the charter. Relevant NHS bodies must make the charter

available without charge and, in doing so, must take into account the particular needs of those who will be using the charter when they consider the form that it will take.

Amendment 2, on the review and revision of the charter, states that it must be reviewed at least once every five years to ensure that the rights and responsibilities contained within it are still accurate, and to assess how effective the charter is at raising awareness of the rights and responsibilities of patients and relevant persons. When a review is carried out, ministers must also consider the effectiveness of the distribution and publication arrangements for the charter and they must improve those processes where appropriate. When carrying out a review of the charter, the Scottish ministers must consult those whom they think appropriate.

Following a review, ministers must revise the charter if they consider that it does not accurately summarise the rights and responsibilities of patients, or if they consider that it is not effectively raising awareness of the rights and responsibilities of patients and relevant persons. Ministers may also revise the charter at any other time that they consider to be appropriate. When ministers revise the charter, they must publish it as so revised and notify each relevant NHS body of that publication. Before publishing the revised charter, ministers must consult such persons as they consider to be appropriate and they must lay a copy of the revised charter before the Parliament.

Amendment 3 deletes section 1(2)(e) of the bill, which says that health care is to

“have regard to and respect for the rights and responsibilities conferred on patients by the Charter to be made by the Scottish Ministers”

that was referred to under what was previously section (Z1)(1).

Amendments 5 and 6 remove the reference to the charter having to be upheld by relevant NHS bodies and having to be upheld in turn by any person with whom the relevant NHS body enters into a contract agreement or arrangements to provide health services.

Amendments 9 and 10 remove the reference to the charter from sections 5(1) and 5(2) of the bill, which are about the duty of NHS bodies to have regard to any guidance that the Scottish ministers issue and the duty of the ministers to consult such persons as they consider to be appropriate before providing such guidance.

Amendment 11 removes the power of the Scottish ministers in section 5(3) to give directions about the practical application of the charter.

Amendment 25 specifies that the patient advice and support service, in promoting awareness and

understanding of the rights and responsibilities of patients, should, in particular,

“promote awareness of the Charter”

of patient rights and responsibilities. I accept that the wording might be subject to slight criticism—it is a little cumbersome—but it gets the point across.

15:00

Amendment 32 is consequential on amendment 1. It inserts a provision that means that reference to “the Charter” under the bill is a reference to the

“Charter of Patient Rights and Responsibilities published under”

the section that amendment 1 inserts.

The affect of amendment 1 will be that the charter will be an information document, summarising the various rights and responsibilities of NHS users. It will not be a Scottish statutory instrument, so it cannot itself confer rights and responsibilities. The charter is designed to bring together a user-friendly summary of the rights, responsibilities and entitlements of patients and other relevant persons such as carers or relatives and other family members. The charter will be drawn up after consultation with relevant people and organisations, and it will be laid before the Parliament when it is finalised.

Under amendment 2, the charter must be reviewed every five years, or more often if appropriate, in order to take account of significant change. When it is reviewed, ministers must consider how effective the arrangements for the publication of the charter are. They must consult those whom they consider appropriate. After review, the charter might have to be revised and, if it is revised, ministers must consult relevant people.

Amendment 3 is consequential on amendments 1 and 2, with section Z1 being removed from the bill. Amendment 1 means that the charter will no longer confer any rights or responsibilities on patients, and it would therefore be inappropriate for section 1(2)(e) to remain in the bill.

I commend the amendments in this group to the Parliament, and I move amendment 1.

Irene Oldfather (Cunninghame South) (Lab): Amendment 1A seeks to extend the reach of Richard Simpson’s amendment 1 so as specifically to include those who lack capacity under the Adults with Incapacity (Scotland) Act 2000. In drafting the amendment I consulted the bill team about whether people who lacked capacity would already be directly covered by amendment 1, and the advice that I was given was that there is nothing particular in that amendment

in that regard, so it would therefore be helpful to add my amendment to strengthen their rights.

Rights are meaningful and are able to be claimed only if one has knowledge and understanding of them. People who lack capacity, for whatever reason, share a common thread: the barriers and difficulties that they face in relation to communication and understanding. It is therefore incumbent on us to ensure that appropriate steps are taken to communicate their rights to them.

When the cross-party group on Alzheimer’s reviewed the experiences of patients with illness in accident and emergency units, I was struck by one carer’s comments about her mother’s situation. She said that when her mother arrived at A and E, it was akin to being parachuted into a foreign country and surrounded by unfamiliar faces and people, who spoke to her in a language that she simply did not understand. We have an obligation and duty to give people information in a way that is understandable to them. If we do not do so, we discriminate against them, albeit inadvertently. I hope that members will support my amendment.

I move amendment 1A.

Ross Finnie (West of Scotland) (LD): I am very supportive of the amendments in Richard Simpson’s name, and I am deeply grateful to Irene Oldfather for advising the Parliament that she sought advice before lodging her amendment, and for telling us that she was advised that the wording as proposed in amendment 1 would not cover or extend to adults with incapacity.

Members ought to reflect for a moment on that advice, which I take in good faith—I am not challenging Irene Oldfather’s position. For the benefit of members, I will read out what the proposed new section, as drafted by Richard Simpson, says:

“a relevant NHS body must take account of the particular needs of the persons to whom the Charter is to be made available as to the form of the Charter”.

If, in the ordinary use of the English language, those words mean that we exclude and discriminate against adults with incapacity, there is something seriously wrong with the way in which we are framing our legislation. For the purpose of this afternoon, I will not get into a silly debate. If Irene Oldfather has been advised that it is important and imperative that that extension is made, I will go along with that. If a more clearly worded amendment is needed to ensure that the particular needs of the persons for whom the charter is to be made are addressed and that the bill is not capable of being construed as discriminating against adults with incapacity, I accept Irene Oldfather’s proposition that we have a problem. However, we might also have a

problem with people who draft statutes telling us that these words do not mean what they say.

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I welcome Dr Richard Simpson's amendments to remove section Z1 on a patient charter, which was inserted into the bill at stage 2, and instead to introduce a duty to publish a charter of patient rights and responsibilities in a way that avoids some of the potential pitfalls of section Z1 and, therefore, the bill as amended at stage 2.

As I made clear at stage 2, although I supported the principle behind the amendments to introduce a patient charter, the drafting of the amendments was problematic for several reasons. For example, if the bill were to remain as it is, ministers would have to make an order listing all the statutory rights and responsibilities that patients have. Such an order would have to be subject to negative procedure and would need to be continually updated and brought before the Parliament every time it was amended. In addition, if the charter is to cover reserved as well as devolved legislation, there may be an issue whether that is within the devolved competence of the Scottish ministers.

That is why I am pleased to support Richard Simpson's amendments, which provide that ministers must publish a charter of patient rights and responsibilities that must contain all the rights and responsibilities that patients have. As we have heard, the charter may also contain information, such as the behaviour that is expected from patients and information about waiting times. Because the charter will not be a statutory instrument, it will be possible to design it in the way that is most practical and useful for patients. The group of amendments also provides for mechanisms for consultation with appropriate people on the contents of the charter and for the charter to be reviewed and improved if appropriate.

I also support the technical amendments in the group. As Richard Simpson pointed out, those amendments are consequential on amendments 1 and 2. They reflect the fact that the charter, as amended today, will be a versatile information document rather than a statutory instrument. The Scottish Government is happy to support those amendments.

I turn to amendment 1A, in the name of Irene Oldfather. She has made a powerful case for her amendment and I support the principle and intention behind it. Nevertheless—this comment may help Ross Finnie—I believe that the amendment is not, in itself, strictly necessary. It inserts an extra example into a list of examples of needs that NHS bodies must take into account when making the charter available to patients. The list of examples in amendment 1 is not meant to

be exhaustive and would include adults with incapacity. That said, I cannot see any problem with adding an extra example to the list; indeed, that may well strengthen the bill in the way that Irene Oldfather has described. In the light of that, the Government is prepared to support amendment 1A.

The Deputy Presiding Officer: Before I call Richard Simpson to wind up the debate, I remind members that this is stage 3 of a bill. It is important legislation and there are far too many private conversations taking place in the chamber.

Dr Simpson: I acknowledge the cabinet secretary's support for this group of amendments, especially amendment 1.

On amendment 1A, despite the fact—as Ross Finnie points out—that amendment 1 seems to cover all the bases, the specifying of that example is welcome. Dementia will be one of the main health challenges that we face and we know that there are existing problems with the management of patients within the system. Although amendment 1A is perhaps gilding the lily, such gilding is not inappropriate and I will, therefore, support amendment 1A.

Irene Oldfather: I am grateful for the support that has been expressed across the chamber. My amendment reflects the advice that I was given. I have to say, however, that the word “discrimination” was mine and not that of the bill team.

I think that the minister and the cabinet secretary have accepted that, in identifying adults with incapacity, we take a step further along the line towards assisting them better. In supporting this amendment we not only take the practical step forward of assisting people who lack capacity to understand their rights, we also take a step on the long road towards destigmatising people who lack capacity. We are saying to them that they are a vital and integral part of our society and that, here in their Parliament, we are giving them a voice and are standing up for them and recognising their needs. That is all very important.

Amendment 1A agreed to.

Amendment 1 agreed to.

After Section 21

Amendment 2 moved—[Dr Simpson]—and agreed to.

Section 1—Patient rights

Amendment 3 moved—[Dr Simpson]—and agreed to.

The Deputy Presiding Officer: Group 2 is on patient feedback, comments, concerns or

complaints. Amendment 4, in the name of Richard Simpson, is grouped with amendments 16 to 22 and 26.

Dr Simpson: I will speak to amendments 4, 16 to 22 and 26.

We are in the process of devising a comprehensive NHS system of complaints and, as the cabinet secretary said, although a complaints system has already been in existence, this will be the first time that it is placed squarely within primary legislation.

Some of the amendments are technical, and are designed simply to improve the quality of this section, which was debated at stage 2.

Amendment 4 is a technical amendment to correct a grammatical error.

Amendment 16 ensures consistency of language throughout the bill in terms of complaints, feedback and so on, in line with changes.

Amendment 17 widens the scope of the section to refer to feedback, comments and concerns as opposed to simply concerns and feedback, as currently drafted.

Amendment 18 removes the reference to patient rights officers and replaces it with a reference to the provider of the patient advice and support service, in order to take account of the deletion at stage 2 of section 17, which referred to patient rights officers.

Amendment 19 widens the scope of the section to include feedback, comments, concerns and complaints, as opposed to concerns and feedback, as is currently drafted, and also removes the reference to the patient rights officer and replaces it with a reference to the provider of the patient advice and support service.

Amendment 20 ensures consistency of the language that is used throughout the bill, in terms of complaints, feedback and so on, in line with the changes that were made at stage 2.

Amendment 21 clarifies the stage 2 amendment about the identification of best practice, and should be read together with sections 11(1) and 11(2), which set out the relevant NHS bodies and, in turn, the service providers, which are to use feedback, comments, complaints and concerns that are received to identify best practice.

Amendments 22 and 26 ensure consistency of language throughout the bill in terms of complaints, feedback and so on, in line with the changes that were made at stage 2.

Essentially, the amendments ensure consistency of language, broaden the scope of the bill, remove the references to the patient rights

officers and replace them with references to providers of the patient advice and support service, and place the appropriate duties on the relevant NHS bodies with regard to the use of comments, concerns, complaints or, indeed, positive feedback.

I move amendment 4.

Nicola Sturgeon: The amendments in this group, as Richard Simpson has indicated, are largely technical in nature. They tidy up or clarify amendments that we agreed at stage 2. I do not think that I need to add anything to the comments that Richard Simpson has already made. I need say only that I am content to support amendments 4, 16 to 22 and 26.

Amendment 4 agreed to.

Section 3—Duty to uphold certain rights and principles

Amendments 5 and 6 moved—[Dr Simpson]—and agreed to.

Section 5—Health care principles and Charter: guidance and directions

Amendments 9, 10 and 11 moved—[Dr Simpson]—and agreed to.

Section 6—Treatment time guarantee

15:15

The Deputy Presiding Officer (Alasdair Morgan): Group 3 is on the treatment time guarantee and its relationship with existing duties. Amendment 12, in the name of the minister, is the only amendment in the group.

Nicola Sturgeon: I listened carefully during previous stages of the bill to concerns that members expressed about a perceived—I stress the word perceived—negative impact that a legal treatment time guarantee could have on other access targets. Concerns were expressed that focusing in primary legislation on that particular stage of the patient journey may suggest that targets around other stages of the patient journey were somehow less important.

Amendment 12 seeks to address that specific point. It sets out that the treatment time guarantee is in addition to, not prejudicial to and not instead of current and future access targets. The amendment clarifies that health boards will still be expected to deliver on other waiting time targets. For example, they will still be expected to deliver on the 18-week referral-to-treatment time target—indeed, the 12-week target is intended to sit within that—the four-hour accident and emergency target, cancer targets, child and adolescent mental health targets and the new health improvement,

efficiency, access and treatment target for psychological therapies.

Amendment 12 helps to put the treatment time guarantee into that overall context, so I urge members to support it.

I move amendment 12.

Dr Simpson: The minister has outlined the effects of amendment 12. It is important for the Parliament, in supporting this section of the bill, to recognise how far we have come since 1999.

This section of the bill will now ensure that, once a patient has begun the specialist part of the clinical journey, they will not be sidelined so that another patient can be promoted to meet the guarantee, within any tolerances set by the health minister at the time.

At times in the past, an unintended consequence of targets has been that once a guarantee was broken, new patients would be favoured. Now that we understand fully the purpose of the treatment time guarantee, I hope that the Royal College of Nursing and the British Medical Association, which have opposed the treatment time guarantee section of the bill, will understand that it is a long stop that is highly beneficial to patients.

It is interesting to speculate, for example, how the treatment time guarantee might have affected the patient in my constituency who was reported this week in the cancer statistics as having waited 178 days for melanoma treatment from a maxillofacial unit. I suspect that if the treatment time guarantee had been in place, that waiting time would have been considerably shorter.

I am pleased to support amendment 12.

Amendment 12 agreed to.

Section 9—Treatment time guarantee: guidance and directions

The Deputy Presiding Officer: Group 4 is on the suspension of the treatment time guarantee. Amendment 13, in the name of the minister, is grouped with amendments 14, 15 and 33.

Nicola Sturgeon: The Subordinate Legislation Committee raised concerns that the Parliament had no role or scrutiny function in relation to the suspension of the treatment time guarantee. I have given its concerns careful consideration.

I hope that members accept that it is clear that, should exceptional circumstances arise that require the suspension of the treatment time guarantee, action will need to be taken quickly, and that it is likely to be only in exceptional circumstances that any Government or minister would propose the suspension of the guarantee.

Nevertheless, although that set of circumstances makes scrutiny by the Parliament difficult, I agree that the Subordinate Legislation Committee raises a valid point, so we have worked hard to find a way to address its concerns while still being able to take into account the need to be in a position to react quickly in exceptional circumstances.

I have lodged an amendment that will provide a role for the Parliament on the suspension of the treatment time guarantee if the suspension is to exceed 30 days. The amendment will provide that any request for a suspension of more than 30 days will require the agreement of the Parliament through an emergency order. However, it will still allow ministers to suspend the guarantee by direction for a period not in excess of 30 days.

I hope that members will accept that we have tried to meet the concerns of the Subordinate Legislation Committee in a way that still gives ministers the flexibility that would inevitably be required in any set of circumstances that would lead to the suspension of the guarantee.

I hope that members will be able to support this group of amendments.

I move amendment 13.

Dr Simpson: I support this group of amendments. If we had had a serious pandemic and the bill had been in place, exactly this provision would have been required to give the minister the necessary flexibility. Admitting patients when our intensive care units are already loaded with pandemic flu patients would be a serious problem and we would be in danger of breaching the legislation. I welcome the amendments.

Amendment 13 agreed to.

After section 9

Amendment 14 moved—[Nicola Sturgeon]—and agreed to.

Section 10—Treatment time guarantee: key terms

Amendment 15 moved—[Nicola Sturgeon]—and agreed to.

Section 12—Encouragement of patient feedback etc

Amendments 16 to 19 moved—[Dr Simpson]—and agreed to.

Section 11—Arrangements for handling and responding to patient feedback etc

Amendments 20 to 22 moved—[Dr Simpson]—and agreed to.

Section 14—Patient advice and support service: establishment and funding

The Deputy Presiding Officer: We come to group 5, on the patient advice and support service. Amendment 23, in the name of the minister, is grouped with amendments 24 and 27 to 29.

Nicola Sturgeon: This is an area about which we had some discussion in the Health and Sport Committee at stage 2. Certain views were expressed about the patient advice and support service. The amendments that I will move aim to address the concerns that were expressed and to clarify the role and scope of the proposed service.

We all appreciate that in order to maximise the effectiveness of the patient advice and support service, which I think we all agree with in principle, the service must be aware of and work with other advice and support services. It should also build on and learn from the valuable experiences of the current independent advice and support service.

Amendment 23 seeks to emphasise the important relationship between the patient advice and support service and other organisations such as Citizens Advice Scotland, as does amendment 27.

Amendment 27 also serves to reinstate a reference to advocacy services that was inadvertently dropped at stage 2, which I am sure was not the committee's intention.

Amendment 24 will exclude the new healthcare improvement Scotland from providing the patient advice and support service. That is in keeping with the views that were expressed not just at stage 2, but at stage 1, that patients value a service that is genuinely independent of the NHS. I certainly think that the strength of a well-functioning patient advice and support service is that it is independent of the NHS.

Amendment 29 acknowledges that the service will not be prohibited from providing advice on matters other than those relating to the health service. That was always the original intention, but many members expressed the view at stage 2 that they would like that to be clarified. Many people who access a service such as this have not only health-related queries but problems relating to housing or benefits, which might also affect their health. The holistic nature of this service was supported at stage 2.

On amendment 28, in the name of Mary Scanlon, I understand that many have construed the original provision much more narrowly than was intended and, as a result, I am content to support the amendment, which proposes the removal of the provision.

I move amendment 23.

Mary Scanlon (Highlands and Islands) (Con):

Amendment 28 was suggested by the Law Society of Scotland's mental health and disability committee. It considered that the wording of section 15(4) is too narrow, in that it sets out an obligation only to provide advice and guidance to patients on their rights as contained in the bill by defining

"a reference to the rights of patients"

under section 15(2) as a reference to rights that exist only under the bill. However, patients have many other significant rights beyond those contained in this bill. As it stands, the bill places no obligation on the patient advice and support service to inform a patient of or provide advice or guidance on those other rights. The restrictive nature and wording of section 15(4) is considered to be a significant weakness in the bill. If the limitation in this section were not removed, any advice that was given could be fundamentally flawed in that it would imply that patients' only rights are those under the bill. In effect, patients would be deprived of their other rights. There must be an obligation to provide patients with advice and guidance on all rights, whether contained in the bill or set out in other statutes or common law.

I acknowledge that the cabinet secretary supports amendment 28.

Dr Simpson: I support the Government amendments to section 16 because they will allow us to achieve our common objective of establishing a system independent of the health board, readily available to the patient and integrated with other advice systems linked directly or indirectly to advocacy. Previous amendments on this matter referred to citizens advice bureaux, which have provided an excellent service since their commencement. Although it would not be appropriate to name one organisation in connection with the proposed patient advice and support service, I point out that CABx embody a holistic approach that is appreciated by patients.

I also welcome Mary Scanlon's amendment 28, as it will underpin patients' confidence in a system of support that will identify need and assist in a holistic way.

Amendment 23 agreed to.

Amendment 24 moved—[Nicola Sturgeon]—and agreed to.

Section 15—Patient advice and support service

Amendments 25 and 26 moved—[Dr Simpson]—and agreed to.

Amendment 27 moved—[Nicola Sturgeon]—and agreed to.

Amendment 28 moved—[Mary Scanlon]—and agreed to.

Amendment 29 moved—[Nicola Sturgeon]—and agreed to.

Section 18—Protections and limitations

The Deputy Presiding Officer: Group 6 is on protections and limitations. Amendment 30, in the name of the minister, is the only amendment in the group.

Nicola Sturgeon: Amendment 30 is a technical amendment that seeks to make it explicit that the limitations and protections applying to the bill will also apply to any orders, regulations and directions made under it. Committee members and others made it clear that they did not want to end up with lawyers at every bedside; I do not think that that was ever going to be the case but, nevertheless, with the other changes to the bill, this amendment makes it absolutely clear that that will not happen.

I move amendment 30 and hope that members will support it.

Amendment 30 agreed to.

After section 18A

15:30

The Deputy Presiding Officer: Group 7 is on payments to or in respect of certain persons infected with hepatitis C. Amendment 31, in the name of the minister, is grouped with amendments 34 and 35.

Nicola Sturgeon: Members will appreciate that amendments 31, 34 and 35 introduce a separate issue to the bill. I will explain why we took the opportunity to lodge them.

Amendment 31 proposes changes to section 28 of the Smoking, Health and Social Care (Scotland) Act 2005. Members will recall that that section allows the Scottish ministers to make a scheme for the making of payments to certain persons infected with hepatitis C as a result of NHS treatment with blood or blood products. The scheme that the Scottish ministers have adopted under that provision is operated by the Skipton Fund, and it operates on a United Kingdom-wide basis.

New support provisions for that group of persons were announced for England on 10 January 2011. The Scottish ministers have discussed the issue with patient representatives, and are deciding what arrangements should be put in place in Scotland. An announcement on that will be made shortly. If we decide to announce similar arrangements in due course, a new group

of eligible persons—that is, relatives of patients who died prior to August 2003—will be introduced. The amendments to the 2005 act need to be agreed to before support can be provided to any newly eligible persons.

As I have said, we have still to announce our final policy intentions, but it is nevertheless prudent that we amend the 2005 act now. If the amendments are agreed to, they will mean that any future policy decisions that we take to make payments to newly eligible groups can be implemented without having to wait for another legislative opportunity to amend the 2005 act. Obviously, the first such opportunity after this one would be in the next session at the earliest—it would be much later this year. Therefore, agreeing to the amendments will avoid what could be a considerable delay before any newly eligible claimants could apply for support.

I hope that members will support the amendments. I took the opportunity to brief the Opposition spokespeople prior to lodging the amendments so that they understood the intention. I know that the issue of those infected with hepatitis C as a result of NHS treatment has been debated in Parliament on many occasions in the past, and I hope that members will see the need for the amendments and will give them their whole-hearted support.

I move amendment 31.

Jackie Baillie (Dumbarton) (Lab): I am happy to say that Labour members support amendments 31, 34 and 35, in the cabinet secretary's name, and we thank her for the briefing in advance of the debate.

I recognise that the bill might not be the most appropriate legislative vehicle, but it has the benefit of being quick, and timing is all in politics.

It is right that those infected with hepatitis C as a result of treatment by the NHS with blood or blood products should be compensated. However, if she is able to do so, will the cabinet secretary detail the likely funding impact that that will have over a number of years and whether that funding is being identified within the health budget?

Ross Finnie: I rise to indicate Liberal Democrat support for the amendments. I, too, express my gratitude to the cabinet secretary for the briefing on the subject.

Like Jackie Baillie, I think that it is right and proper that the earliest opportunity should be taken to introduce the provisions following the changes that have been announced. I understand the propriety of the cabinet secretary requiring to have a legislative framework before she can make an announcement but, like Jackie Baillie, I earnestly hope that the proposals have been

made on the premise that, all being well, the cabinet secretary will be able to come to the chamber and make an announcement that she will utilise the provisions, which I am sure members will approve today.

Nicola Sturgeon: I thank Jackie Baillie and Ross Finnie for their support for the amendments.

I appreciate that, through the amendments, I am asking for enabling powers that we need in order to make payments to any group that is not currently eligible. As I said in my earlier remarks, I have not yet announced our policy intention. I should say that we were not as fully consulted as I would have liked us to have been prior to the Department of Health's announcement, and we have made our views on that known.

I want to do two things before announcing our policy intention. First, I want to ensure that we have the right legislative framework in place, as Ross Finnie said. Secondly, I want to take the views of patient representatives. Without referring to any particular group or individual, I think that it is fair to say that there are differences of opinion about the adequacy of what has been announced south of the border. We want to take time to consider carefully the implications and what the right move is for the Scottish Government. I will announce our intentions on the issue as soon as possible.

To respond to Jackie Baillie's question, I say that there will be financial implications, although I cannot say exactly what they will be in advance of deciding on the package. However, we might be talking about a financial implication of up to £10 million in the first year of implementation. Obviously, that money will have to be found from within existing budgets. Whatever we decide to implement, we will take care to ensure that it is fully funded.

Amendment 31 agreed to.

Section 19—Interpretation

Amendment 32 moved—[Dr Richard Simpson]—and agreed to.

Section 21—Orders, regulations and directions

Amendment 33 moved—[Nicola Sturgeon]—and agreed to.

Section 22—Short title and commencement

Amendment 34 moved—[Nicola Sturgeon]—and agreed to.

Schedule—Health care principles

The Deputy Presiding Officer: Group 8 is on health care principles. Amendment 7, in the name of Richard Simpson, is grouped with amendment 8.

Dr Simpson: Principle 9A uses the term “unnecessary harm”, but it is not completely clear what that might mean. In the quality strategy, the safe quality ambition uses the phrase “avoidable harm”. Amendment 7 would make the principle consistent with the strategy and avoid misinterpretation.

Amendment 8 relates to the principle that patients should be

“cared for in an appropriate, clean and safe environment”.

That can apply only when it can be reasonably achieved. What is “appropriate, clean and safe” will vary depending on the circumstances and the location of treatment. The change that amendment 8 proposes should not be interpreted as a softening of Parliament's unanimous desire to ensure that hospitals are clean at all times, but it is important to be realistic. There are many circumstances in which patients will have to be treated in an environment that is less than fully clean. Amendment 8 will allow that to happen.

I move amendment 7.

Ross Finnie: I have no problems at all with amendment 7, but I have a problem with amendment 8. The schedule to the bill is headed “Health care principles”—it is not a detailed manual of how health care is to be delivered in every circumstance in every hospital, by every roadside, on every pathway and in any other circumstance that we might care to think of. In the context of the problems that we have had in relation to cleanliness, I found it profoundly helpful to have as a principle that patients are to be cared for

“in an appropriate, clean and safe environment at all times.”

I have the same problem that I had the first time I entered into the debate, which is that, to me, the word “appropriate” conveys a clear sense that what is appropriate or not appropriate might well be different in a hospital and by a roadside. Therefore, there is no need to enter the caveats that appear in amendment 8, under which we would talk not about an environment that is clean and safe at all times but about one that is

“as clean and safe as is reasonably possible”.

That waters down the principle. I do not see why we should dilute principles. I can well understand the practical implications but, if we are setting principles, let us not water them down. Therefore, I oppose amendment 8.

Nicola Sturgeon: I confirm my support for the underlying principle and intention of the

amendments at stage 2 that inserted health care principles 9A and 9B into the bill's schedule. However, I explained at that time that I had concerns that the scope of principles 9A and 9B was too wide and might lead to unintended consequences for the national health service. The bill currently talks about having a

"clean and safe environment at all times."

Although I absolutely agree with Ross Finnie that we all have that aspiration, that terminology does not take account of certain circumstances in which people might require NHS treatment. The example that I used at committee is the one that I will use again today. Somebody who is in a road accident and requires to be treated at the side of the road is not being treated in a "clean and safe environment", but they are being treated in the best environment that can be provided at that time. That is the type of example that we are talking about.

I am pleased that Dr Simpson agreed as much and that he recognises, as we all do, that there are circumstances in which the urgency of a medical intervention takes priority over the environment in which treatment is taking place. He committed to working with us to amend the wording of those principles, which has given rise to these amendments.

Although I understand where Ross Finnie is coming from, I disagree with his view that the amendments in any way dilute our commitment to clean and safe hospitals and treatment environments for all patients. One thing that I hope the Government has achieved, with—to be gracious, as I always am—the support of everybody on all sides of the chamber, is to put the cleanliness of our hospitals much higher up the agenda than it has ever been. Even if there were to be any softening on that on the part of any Government—and there is not on the part of this Government—our new health care environment inspectorate would see to it that that was not allowed to happen in practice. We have raised standards here, and the impact of that can be seen in the hospital infection rates, which are declining and will, I hope, continue to do so.

We should ensure that we pass the bill in a practical manner. Amendments 7 and 8 achieve that. The Government will support them, and I urge other members to do so.

Dr Simpson: It depends on how Ross Finnie reads the existing wording and where the word "appropriate" applies. If it applies to the general environment rather than to the two words that follow, there could be some room for debate. Although I hear where Ross Finnie is coming from, I do not agree with his conclusion.

The cabinet secretary is right to give the example of a road traffic accident. However, anyone who has been in an accident and emergency ward will have seen that, on occasions, treatments in that situation have to be undertaken that are anything but as clean as everyone would wish them to be, simply because of the need for urgency and speed at that time.

As I said in introducing the amendment, it in no way absolves staff from trying to achieve maximum safety and cleanliness at all times. Indeed, that is clearly stressed in the amendment as it is drafted. To suggest that staff would not wish that to be the case is inappropriate, but to ring them with a requirement for absolute cleanliness at all times would also be inappropriate. I welcome the cabinet secretary's support for these further amendments, which will make the principle appropriate and proportionate.

Amendment 7 agreed to.

Amendment 8 moved—[Richard Simpson].

The Deputy Presiding Officer: The question is, that amendment 8 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As it is the first division, I will suspend Parliament for five minutes.

15:43

Meeting suspended.

15:48

On resuming—

The Deputy Presiding Officer: We come to the division on amendment 8.

For

Adam, Brian (Aberdeen North) (SNP)
 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)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)

Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 FitzPatrick, Joe (Dundee West) (SNP)
 Foulkes, George (Lothians) (Lab)
 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)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 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)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McMillan, Stuart (West of Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Paterson, Gil (West of Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)

White, Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

Against

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 Hume, Jim (South of Scotland) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 O'Donnell, Hugh (Central Scotland) (LD)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)

The Deputy Presiding Officer: The result of the division is: For 100, Against 15, Abstentions 0.

Amendment 8 agreed to.

Long Title

Amendment 35 moved—[Nicola Sturgeon]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Patient Rights (Scotland) Bill

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-7978, in the name of Nicola Sturgeon, on the Patient Rights (Scotland) Bill.

15:50

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I thank the Health and Sport Committee and its clerks for all the work that they have done on the bill. As always, the committee was challenging but constructive and was a pleasure to work with. The work at stage 2 and today at stage 3 has undoubtedly strengthened the final article of the bill.

I thank my bill team officials, who have done an excellent job throughout. They have worked incredibly hard and their efforts have also helped us to strengthen the bill as we have gone through the parliamentary process. I genuinely believe that we have a bill that will make a difference to patients in Scotland, which has always been the intention of the Government and, I hope, of everybody else in the Parliament.

The manner in which patients are treated when they receive health care, as well as the quality of the clinical care that they receive, is fundamentally important. That is why we introduced the Patient Rights (Scotland) Bill. Genuinely excellent care already exists in the health service—I would be the first to acknowledge that. However, I would also be the first to acknowledge that that genuinely excellent care needs to happen more reliably and more consistently. It needs to happen for every person, every time they have contact with the health service. When it does not happen, patients must have a clear and unambiguous right to complain and to have their concern addressed. That is what the bill is all about.

Throughout the process, we have all agreed about the importance of patient rights. That has been welcome. We have all agreed that action needs to be taken to strengthen and ensure those rights. However, we have had honest differences of opinion about the best way of doing that. Those differences have led us to work together. The bill that is before members today is strong, practical and effective.

Following discussion at stage 2, we agreed to work closely with Richard Simpson to develop elements of the bill, one of which was the patient charter of rights and responsibilities, which is now a strength of the bill at stage 3. As we discussed a short time ago, the bill establishes a duty to publish a charter that will summarise all the rights and responsibilities of patients, including rights

that are not established in the bill, such as data protection and equality rights. I hope that that addresses members' earlier concerns that the bill would somehow create a hierarchy of rights and that patients would find it difficult to know the full breadth of their rights or might think that the rights in the bill were their only rights. More important, the charter will be drawn up in consultation with those whom it will most affect, so I hope that it will be a relevant, practical and useful document for patients and national health service staff.

The treatment time guarantee is another aspect that has developed throughout the parliamentary process. As I have said, the treatment time guarantee is intended to operate within the overall 18-week patient journey target. In the discussion on amendments, Richard Simpson said that we have the shortest waiting times on record—those were not his exact words, but that is what he meant. We have the shortest waiting times on record and we have made incredible progress. That began under the previous Administration, but it has continued and, I would argue, accelerated under the current Administration. I record my thanks to all the NHS staff who have worked hard to make that possible.

We all know that, for some patients—usually a very small number—their condition means that it will always take longer than normal to diagnose them and determine the treatment that they need. At the moment, if diagnosis takes such patients beyond the waiting time guarantee, they have no waiting time guarantee protection whatever. This treatment time guarantee is intended to provide—in the words that Richard Simpson used earlier—a long stop. It ensures that patients whose conditions take some time to diagnose and whose waiting time therefore exceeds the 18-week target still have certainty that they will receive their elective in-patient or day-case treatment within 12 weeks of agreeing the treatment. That reduces anxiety for both patient and family. I believe that that is sensible; it builds on our success on waiting times in recent years.

The bill introduces a comprehensive, nationally procured patient advice and support service. The current service has a lot of strength and is valued by those who use it, but it is not consistent throughout the country. That will change as a result of the bill. That will be beneficial to patients who need more support in accessing their rights such as those with mental health problems or a learning disability or the elderly. That is why a vote for the bill is a vote to help and support patients in Scotland.

The bill also introduces a legal right to complain. Many members questioned the value and necessity of a legal right to complain, but I passionately believe that introducing it is an

important step forward in helping patients to make their voices heard. It is also an important step forward in reassuring patients that their voices count and will be listened to. As I have said, we know that a lot of fantastic work goes on in the health service day after day. Much of the feedback that we get from patients recognises that. The bill is about listening to patients, learning from their experiences and improving the way in which services are delivered. Above all else, the bill is about saying to patients, "It is okay to complain."

I am often struck by how often I speak to patients who have something to complain about but who feel that the very act of complaining is somehow disloyal to the health service that they value so much. The bill unashamedly and deliberately sends a signal to patients that not only is it okay to complain, exercising that right does a service to the health service and future patients by ensuring that, where things go wrong, we address them and minimise the chance that they will happen again.

The last area that I want to touch on is the separate issue of contaminated blood, which was introduced into the bill today. It was important to use this opportunity to amend the Smoking, Health and Social Care (Scotland) Act 2005 in advance of the decision that we will take on the future support of those affected by hepatitis C as the result of infected blood or blood products. I am very pleased that the amendments on the subject were supported by the Parliament today. They will ensure that, subsequent to our decision on eligibility for support, applications can be dealt with far sooner than they would be if changes were not introduced until later in the year.

I thank colleagues for the constructive way in which they have gone about the passage of the bill. I hope that everybody will vote for it at decision time. In voting for the Patient Rights (Scotland) Bill, I believe that we will take a big and bold step in setting out the foundation of a statutory framework of patient rights that will last way beyond this session of the Parliament and, hopefully, beyond the next session and the one after that. The bill is an important and significant legacy for the Parliament. We are the first in the United Kingdom to legislate for patient rights. In so doing, we are creating an NHS in Scotland that is truly among the best in the world and will continue to be so. I have great pleasure in moving the motion.

I move,

That the Parliament agrees that the Patient Rights (Scotland) Bill be passed.

15:59

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I thank colleagues on the Health and Sport Committee and the committee clerks for the help and support that they have given throughout the process. I also thank the cabinet secretary and the Government bill team for the assistance with which they provided me in getting in place some of the language and other aspects of the amendments that we considered today.

I am pleased to open on behalf of my party in support of the bill. That is a sentence that I could not have written when first we were presented with the bill. I remember Ross Finnie taking me to task considerably and at some length for my highly critical stance on the original bill. I believe that the bill, as amended, will make a valuable contribution to the important journey that the Parliament has been on since its inception.

We have come a long way. The whole culture of the NHS in Scotland has changed and will continue to change. Moreover, my party, the Government party and the Scottish Liberal Democrats—I am less sure about our Conservative colleagues—remain wedded to a modernised but still very public service. Central to that is the concept of partnership, to which all of us are wedded—partnership between health professionals and patients and between the institution of the NHS and the public.

We will not embrace the wholesale changes that are now happening in England. However, in the bill, we are aligning ourselves in one respect with the English charter approach of the previous United Kingdom Government. The charter will meet the concerns of the Law Society of Scotland, which at stage 1 identified some 17 rights under statute, common law or NHS practice that were not set out in the bill. As the cabinet secretary said, it will end concerns that there is any form of hierarchy. I am sure that such a hierarchy was not intended in the original bill, but its existence was clearly implied.

The charter will provide a comprehensive guide and will have to be in formats that meet the various needs of all our citizens. Today we have agreed that those should include specified formats for people with a degree of incapacity. That reflects the groundbreaking Adults with Incapacity (Scotland) Act 2000, which was followed by our English colleagues a considerable time later.

The effect of the charter will have to be monitored. However, no matter how comprehensive or how well promoted it is, we have not yet answered the central question that the committee was posed with, as patients will not have any meaningful redress or compensation if their rights are infringed. That may have to wait for

another session of Parliament and consideration of the report of the no-fault compensation group. Elements of the bill may need to be reconsidered in light of that. No-fault compensation will be a crucial further step in moving from a defensive, closed approach, according to which mistakes are not recognised openly as opportunities for individuals and systems to learn but are seen as things to be hidden as far as possible.

We did not think that the way in which the treatment time guarantee was originally written, which applied it solely to in-patient treatments, was helpful. There will now be a series of undertakings to patients on what they can reasonably expect and a long-stop guarantee that they will not be passed by so that another patient can be placed within the tolerances of a target. Patients are rarely unreasonable. As one constituent said to me the other week:

"when I arrived at the hospital for my scheduled hip operation in the worst of the bad weather it was like a war zone. So when they apologised telling me they had to postpone my operation I fully understood I was then offered a choice of going to the Golden Jubilee or waiting for my chosen surgeon to have a free slot it was my choice and I felt everyone was doing their best."

A charter targets and guarantees to underpin the mutuality of partnership, open discussion, clear information that makes sense and choices wherever possible, but it is not a platform for litigation.

In the new complaints section of the bill, Labour has sought to further the same principles of partnership and mutuality. Now there is not just a legalised complaints system but an NHS complaints system that invites patients and their families and carers to be part of a constant cycle of improvement. The four Cs approach that was supported by the Scottish Human Rights Commission's team and proved so successful in the challenging surroundings of our state hospital is now to be part of the NHS. I hope that the Government will invite the commission and the Scottish Public Services Ombudsman to support the introduction of that new approach.

As the cabinet secretary indicated, most patients do not want to complain; sometimes they are fearful of complaining. Frankly, in the past boards have had a tendency often to respond with reports of process, instead of welcoming input as an important means of improvement and then telling the patient what they have done to make changes for the future. I always encouraged my patients to send in compliments or positive feedback if they had had a good experience. Staff respond to that. More important, managers can then see whether positive lessons can be learned that can be applied to other areas. Individually, comments may not amount to much, but when collated they may point to patterns and help to

identify problems before they become the third C, that of concerns. A cobweb, a wheelchair left in a corridor or a notice partially hidden—none of those is hugely important but, if on day two, three or four the cobweb is still untouched or the chair still blocks egress, they can become concerns.

There are concerns about the 10 per cent of staff who, despite the substantial improvements that have been made, still do not wash their hands before touching a patient or moving a bedpan followed by a food tray—a comment I heard from a constituent the other day. We need to encourage patients to express concerns without having to go through a formal complaints system.

There are complaints, though. In the state hospital, those declined as the rest of the system developed and staff and patient satisfaction improved. The feedback loops that we are building in are critical to the success of the system as a means of improving care. All the feedback loops—to the patient, the family member, the carer, the patient advice and support staff, the board, the health department and health improvement Scotland—will be crucial.

Finally, there is the patient advice and support system. We now have an independent system capable of an holistic approach. I urge the Scottish Government to ensure that all existing contracts are extended immediately until the act is commenced and new contracts are established. The uncertainty created by the proposal to create a new and expensive raft of patient rights officers has already caused some damage that the Scottish Government must move quickly to repair.

I commend the bill, as amended, to Parliament.

16:07

Mary Scanlon (Highlands and Islands) (Con):

The health secretary commented on patients' loyalty to the NHS. That is a good point, but a small minority have a bad experience and often want to provide feedback to ensure that others do not have a similar experience. That should be seen as loyalty rather than complaining.

Scottish Conservatives voted against the bill at stage 1, and rightly so. The bill at stage 3 is substantially different and builds on the first patients charter, introduced by the Conservatives in 1990, which was reviewed and updated by the Labour-Lib Dem Scottish Executive 10 years later, in 2000. Now, another decade later, we have a bill at stage 3 that brings patient rights and, indeed, responsibilities into the modern age.

It is appropriate to outline our reasons for voting against the bill at stage 1 and to acknowledge the recognition by the Scottish Government that the first bill was not fit for purpose. The bill, as

introduced, did not seek to enshrine all rights available to patients and the new rights could not be legally enforced. At stage 2, that changed to a patient rights charter, along the lines of the Conservative charter in 1990.

The bill as introduced talked about a duty on NHS bodies

“to have regard to certain rights and principles”.

I lodged an amendment at stage 2 to change that to a duty to uphold health care principles. It was agreed to unanimously.

As Richard Simpson said, there was a focus on complaints as the only means of feedback and communication. Many patients and families do not want to go down the road of complaining. That has changed to a more positive approach focusing on feedback, comments, concerns and, if necessary, complaints. There is undoubtedly a need to have a more open and accessible system of patient feedback and to handle patient concerns in a sensitive and supportive manner.

Like others, Conservatives did not want a charter for lawyers that set out new rights that were not legally enforceable. The patients charter will address all those issues in a more modern and effective manner. The committee—or should I say Dr Richard Simpson—ensured that patient responsibilities as well as rights were included in the charter. That is only right.

We were, and remain, concerned that the treatment time guarantee will skew clinical priorities, but I accept the health secretary's amendment to ensure that the clinical needs of all patients are taken into account and hope that it will address the issue. The committee was unanimous in supporting that measure.

However, despite the new health improvement, efficiency, access and treatment target for psychological therapies for 2014, I remain concerned that mental health services will remain the Cinderella of the NHS, given that resources will continue to be focused on meeting the treatment time guarantee.

In the stage 1 report, the committee concluded that

“a majority of the Committee is not persuaded by the evidence which has been advanced to date, that primary legislation is the most appropriate means of promoting patient rights.”

The committee was, therefore,

“unable to make a recommendation to the Parliament on the general principles”

of the bill.

As the health secretary said, what we have before us today has been achieved as a result of excellent committee scrutiny and the health

secretary responding to all the concerns that were raised at stage 1 to bring forward a bill and a charter that are fit for a modern NHS and which are built on respect and dignity for patients, and better communications and working relationships between patients and the NHS.

I appreciate that we have been on a journey, but I am pleased to say that the Scottish Conservatives will support this much improved bill.

16:11

Ross Finnie (West of Scotland) (LD): The Scottish Liberal Democrats voted against the bill at stage 1. We did so because of a number of quite important principles to do with the purpose of legislation, which have been widely debated and rehearsed, particularly by me and the cabinet secretary. That was a not unhelpful discourse. We will support this much-amended bill this evening; I will explain why in a moment.

However, I am bound to say that that does not change the Liberal Democrats' view that legislation is a matter of law and should have a purpose and effect in law. Although I agree with much of what the cabinet secretary said, the passing of a bill cannot be regarded as groundbreaking or something for which the whole world will applaud us, as the first country to have a law on patient rights, if that law, even in its amended form, still will have no real legal effect.

Given that I was so critical of Dr Richard Simpson—who was so eloquent in his criticism of the bill that I misunderstood his position; for that I apologise—it would be churlish of me not to acknowledge the enormous amount of work that he has done in developing amendments that, together, have created the prospect of a charter. We will support the bill because we think that the charter is important, but with this caveat: I still do not believe that a Parliament that is worthy of the name needs to have a bill in order to create a charter. We ought to pause and reflect on that.

However, we must move forward; life is too short. We hope that the charter will set out clearly and concisely what patient rights are and what patients can expect. It will also make it clear that, as the Law Society pointed out to us, there are some 17 legal rights in addition to those that were originally set out in the bill, to which patients can have recourse if they genuinely need to. Bringing all that together will be enormously helpful.

From the evidence, it was clear that the temptation to follow the need for a patient rights bill was driven by confusion about exactly what patient rights were and the range of those rights. There was also confusion because there was effectively no single document that brought them together in an easily understandable form. There

was, of course, a degree of disappointment in discovering that the Patient Rights (Scotland) Bill, as it was introduced, gave not one legal right whatever, but that has now been amended.

There are other enormously helpful elements in the bill as amended. Patient advice has been substantially changed in a way that is very much in the interests of the patient and eliminates the need to invent a more bureaucratic system to implement it. We now have a system that will be helpful to the patient.

I am sure that it is important that we have the right to complain. Perhaps I am unusual but, in my almost 12 years as a member of Parliament, not one constituent has written to me to tell me that their complaint was sent back to them with a short letter explaining that they have no right to complain. However, I have found that complaints have been dealt with in a profoundly unsatisfactory way. As Richard Simpson said, certainly in the west of Scotland, the health boards still tend to narrate complaints at all stages, thus indicating how perfectly they were dealt with, leaving us to ask why the complaint was written in the first place. The fundamental differences in how the system operates that the bill introduces and the fact that someone can simply make a comment give encouragement to do something different and take a more positive role.

As I have indicated, I share Richard Simpson's view that the complaints loop will not be complete until we act on the report on no-fault compensation that the cabinet secretary published recently. That is the missing link in addressing the complaints situation.

The cabinet secretary's amendments concerning patients and sufferers of hepatitis C are a welcome addition. I hope that having those powers conferred upon her, the cabinet secretary will be able to respond positively, although she did point out that there are some difficulties with the way in which the fund has been implemented down south. Nevertheless, we agree with the general principles.

The Liberal Democrats are satisfied that the patient charter will benefit all those who use the health service. I pay tribute to the cabinet secretary; as always, she has responded positively to matters that have been raised with her. We have not always agreed with each other, but the critical point is her willingness to make progress, to respond constructively and to place before the committee and Parliament amendments that induce a proper debate. Many of the subjects that were a part of the original bill have been improved as a consequence of the process of debate and her genuine attention.

The bill spans the charter, the treatment time guarantee—which, as Mary Scanlon said, has been amended to change the sense that it might dominate the process of clinical judgment and care—patient advice, the right to complain, the complaints process and payments for patients with hepatitis C, making the bill one that I can support, despite my real and genuine reservations. If I am fortunate enough to be returned to Parliament, I will continue to oppose any bill that does not confer any legal rights. I certainly hope that in future we will be able to make charters without going through the whole legislative process.

16:19

Ian McKee (Lothians) (SNP): One of the criticisms that is sometimes made of the national health service is that, as a monopoly, it runs the risk of ignoring the genuine needs and concerns of patients. If we are being honest, we know that that has sometimes been the case.

Other countries have attempted to put the patient in the driving seat by introducing competition and privatisation into health services, but that brings other problems—too numerous to list now—and Scotland has, rightly in my opinion, avoided going down that route.

How do we avoid the trap that many monopolies fall into of becoming an organisation for producers rather than consumers? The answer is by constant vigilance, and the Patient Rights (Scotland) Bill is an important tool that can help. It is perhaps significant that much of the opposition to the bill has come from producers, whereas patient organisations—the consumers—largely support it.

At stage 1, I found very persuasive the argument that the bill could be confusing, even misleading: although it is entitled "Patient Rights", it does not list all patient rights. Although I recognise the argument by the minister and others that existing rights that are not enshrined in the bill are not weakened by that omission, it seems sensible to include in the bill the establishment of a charter, so that the average patient on the Morningside omnibus knows his or her entitlements. Therefore, I welcome the adoption of a charter at stage 2 and its continuing presence at stage 3.

The star attraction in the bill is the treatment time guarantee. Lawyers and others might quibble that a legal guarantee without legal redress is worthless, but most of us agree that neither patient nor NHS will benefit if the health service in Scotland becomes a rich feeding trough for lawyers, as is now the case in some other countries.

The attraction to patients and patient organisations of specifying a treatment time

guarantee in the bill is that it gives waiting times much more importance in the minds of those who provide health care and so makes it much more likely that such a guarantee will be observed.

Another worry of mine when the Health and Sport Committee was taking evidence on the bill was whether strict attention to fulfilling the guarantee for patients nearing the end of the guarantee period might delay an operation or procedure for a person whose health could be seriously put at risk by such a delay. For instance, it would obviously be wrong for an operating list to be full of relatively minor operations that needed to be performed urgently simply to meet the terms of the guarantee, if that entailed putting off an operation or operations that were clinically urgent but which had been on the waiting list for a much shorter time.

I am pleased to say that the bill makes it clear that clinical needs must always be given priority in such situations—and, if such a situation exists, that is an acceptable ground for breaking the treatment time guarantee. That is a commonsense stipulation.

I praise the establishment of robust mechanisms for collecting patient feedback and providing patient advice and support. For too long we have encouraged an environment in which complaints have been the main form of feedback. Although it is important that complaints are received and acted upon, there are many pieces of advice or observations from patients that are far removed from being complaints that could help in the running of the health service. It is right that we pay attention to those. Being in hospital or on the end of health care delivery, from whatever source, can be a bewildering experience, so a robust, independent patient support service is very welcome.

We must not let ourselves be beguiled by the notion of a free health service. The NHS is not free; it is paid for by the taxes of those who use it. It is vital to establish mechanisms to protect the rights of those who not only use the NHS but pay for it, and the bill goes a long way towards doing that.

Like other members, I had concerns on first reading the bill at stage 1. That we can now all agree that the bill should be passed speaks well of the Government, the Health and Sport Committee and the Parliament. I ask the Parliament to support the bill.

16:24

Rhoda Grant (Highlands and Islands) (Lab): I am pleased to speak in this stage 3 debate on what is a very much improved bill. As other members have said, the Health and Sport

Committee could not recommend the bill to the Parliament at stage 1. Basically, the bill as introduced did not improve patient rights and was in danger of creating a hierarchy of rights, by emphasising those in the bill and unintentionally undermining those that were not in the bill. The bill as introduced provided no new rights in relation to the complaints procedure and was in danger of creating different systems in different areas. I am glad that the bill has now been improved sufficiently to allow all parties in the Parliament to pass it today.

There are still patients who feel that the bill does not go far enough, but it is difficult to retain a health service based on mutuality if it is also surrounded by litigation. I hope that the bill will ensure that problems can be dealt with before they reach the stage of litigation and that patients will always be afforded dignity and the involvement that they should have in their care. If that happens, litigation will not be necessary other than in extreme circumstances. It is also clear that there is a fine balance between rights and responsibilities in the health service. We need a health service that is based on mutual respect between all staff and patients. There must also be respect throughout the ranks of the health service, where old-fashioned hierarchies often still exist.

The bill has been amended to instruct the Government to pull together all patient rights into a patient rights charter—a single point of reference that encompasses all rights and responsibilities. Every patient has the right to the same level of respect, treatment and involvement in their care, regardless of their age and circumstances. I was dismayed recently to see that elderly patients do not always appear to receive the same level of care as patients in other areas. Staffing levels appear to be different, as are basic resources such as blankets and pillows. That is unacceptable. Elderly patients have the same rights as everybody else; indeed, because they are more vulnerable, they should probably receive more care.

The bill means that NHS boards will have to uphold the health care principles rather than have regard to them. The first principle is:

“anything done in relation to the patient must take into account the patient’s needs”.

That can only benefit elderly patients.

The bill has also been amended to allow the patient advice and support service to provide holistic advice and support. We received evidence that the citizens advice bureaux currently provide a holistic service in that they advise on patient rights and complaints but can also offer advice to the same patients on much wider issues such as benefits. When people are unwell, an additional

burden is placed on them if they have to access a number of agencies to receive the help and advice that they require. The CABx' one-stop-shop approach is really helpful and means that the adviser has a full picture of the patient's needs. The one problem with the existing service is that it is not uniform across NHS boards—it is up to individual boards to contract for the service. Some boards take it seriously, funding and advertising it properly, but others do not. That means that there is a postcode lottery regarding service levels. Following amendment, the bill now builds on the best practice of the old service and should ensure that a uniform service is provided throughout all health board areas.

The bill brings something new and meaningful to patients by creating a charter of all rights, and it will make those rights much more transparent and accessible to patients. It will also ensure that patients receive the advice and assistance that they require. However, it will not be the last word on patient rights; it will be for successive Governments to build on the health care principles and ensure that the health service delivers for patients. They will also need to ensure that there is equity of resource, to empower staff to deliver those principles across all disciplines.

16:28

Willie Coffey (Kilmarnock and Loudoun) (SNP): We should see today not as the end, but as the beginning of a process of change in how the NHS handles complaints—especially complaints potentially involving medical negligence. As a constituency MSP, I have found the handling of such complaints the most unsatisfactory aspect of my constituency work. I know that those who get as far as consulting their MSP will represent some of the most difficult cases that we have to deal with, and we all know that many complaints are dealt with perfectly well and that people are generally satisfied with the responses that they receive, but it is clear to me that there is some dissatisfaction with the present arrangements. In passing the bill, the Parliament is signalling its recognition of the need for change.

The current arrangements appear to discourage complaints. That was confirmed in research that was carried out by the Scottish Health Council in 2009, which found that 53 per cent of those who experienced a problem with NHS treatment took no action. Many people believed that lodging a complaint would make no difference, and some patients were concerned that it could affect their treatment and their relationship with health professionals. In addition, many of those whose problem was with medical care were too busy coping with the consequences to complain.

The statutory right to complain that is included in the bill needs to be widely publicised. Also, through new patient advice and support systems, patients must be encouraged to provide feedback on their care, including positive responses when things go well. When necessary, patients should be supported to submit formal complaints, and there should be a clear expectation that they will be treated seriously and with respect.

In my opening remarks I said that there is a need for a culture change. One of the areas in need of such a change is where the complaint refers to an action that could be defined as medical negligence. Because many patients and staff believe in the NHS as a mutual organisation, such complaints cause particular difficulties. I know that they consume vast amounts of clinicians' and managers' time and that, too often, they damage the relationship between the NHS and patients.

In parallel with the bill, the Government is taking advice on a system of no-fault compensation. I know that such a system will not resolve all complaints of medical negligence, but it could focus attention on learning lessons rather than having managers and doctors fighting off inquiries of patients or, indeed, lawyers. I look forward to seeing the final outcome of that work.

As has been said often throughout the debate on the bill, managing complaints within the NHS must strike a balance between the managerial and the clinical. The approach that is adopted by clinicians, especially senior consultants, will be a critical factor. Complaints should be seen not as a threat but as an opportunity for service improvement or as an opportunity to learn, as Richard Simpson said.

I hope that everyone who works in the NHS—clinicians, management and staff—will embrace the bill as a major step forward and a golden opportunity to make Scotland a better place, and I hope that the chamber will fully endorse the bill at decision time.

16:31

Helen Eadie (Dunfermline East) (Lab): I would like to thank the various organisations and individuals who have given feedback on the bill. They have done so assiduously throughout the process and they must know how much we appreciate their advice and guidance and the way in which they have informed our deliberations. The advice and guidance of the clerks to the Health and Sport Committee are also much appreciated, and I echo the tributes that have been paid by Richard Simpson, Ross Finnie and others to the cabinet secretary for her responsiveness to the

issues that were raised during the passage of the bill.

One of the things that emerge quite strongly when we speak to people about complaints processes is that many people simply do not like to complain about health professionals in any role. Patients feel vulnerable and worry that, if they complain, they might suffer some reprisals. I hope that the bill will make the complaining process more effective and ensure that people feel less threatened and that the process has been worth their while. My constituent Eddie MacKay of Aberdour never had the apology that he badly needed from the one person whose apology would have made a difference to him: the chairman of NHS Lothian. Occasionally, we underestimate the value of a simple apology from the most appropriate person. Eddie lost his wife and two sons when they were under the care of the NHS and he has no family left.

The Health and Sport Committee was interested to see the initial qualified welcome that was given to the bill by a variety of patients organisations such as the Royal National Institute for Deaf People and the Scottish Association for Mental Health. The Royal College of Nursing said that the reasons why there are times when care does not match the values that we share are complex, which is why it has consistently argued throughout the passage of the bill that primary legislation is not the means by which we should be trying to make a difference to patients' rights.

The RCN still believes that, although there have been some positive amendments to the bill, legislation is not the best course by which to improve the rights of patients, so the welcome is not universal—and although, as Ian McKee says, the opposition comes from the producers, the Public Services Ombudsman and the Law Society act on behalf of patients and families and they share the RCN's concerns about sanctions. However, I am pleased that that issue is now being addressed. Those organisations recognised that the bill was controversial and did not enjoy universal support in the Parliament.

With the adoption of a parents charter, which was introduced by my colleague Richard Simpson, the bill is quite different from that which was introduced. The RCN's preference was for a patient rights charter. It said that a charter that can be reviewed and revised is preferable to a set of rights that are enshrined in primary legislation, as changes in the future would require further legislation.

The RCN also believes that enshrining patient rights in primary legislation could unbalance the relationship between health care professionals and patients, could be extremely costly and could have unforeseen consequences. In its opinion,

those risks outweigh the potential advantages of the bill. In my opinion, only time will tell.

SAMH remains disappointed that most mental health treatment will not be subject to the treatment time guarantee in the bill, but it welcomes the fact that potential changes to the guarantee will be subject to affirmative resolution as it hopes that that will enable treatments such as mental health care to be considered in the future. However, it welcomes the bill overall as a step forward in providing patient-centred, rights-based medical treatment.

A number of organisations believe that the various amendments that have been made to the bill have strengthened it. Many organisations, such as the Law Society of Scotland, have expressed their support for the bill. I welcome the bill and I give it my good wishes for the future.

16:36

Irene Oldfather (Cunninghame South) (Lab):

As other members have said, we have come a long way since stage 1 of the bill when many members, including me, expressed concerns about the need for it to cover all rights and to ensure that there is a one-stop shop for advice on patient rights, particularly for those who find muddling through the system difficult.

Stakeholders representing those with incapacity said at that time that if there was one thing that they would like to get into the bill it would be a provision on information. Staff too often think that by handing out a sheet of paper they have complied with the need to provide information. There is a responsibility to ensure that a patient understands the information that they are given and that it is given to them in a way that enhances their understanding. I believe that we have certainly moved that agenda forward today.

I am grateful for the support from across the chamber for recognising in particular the needs of those who lack capacity. I do not want to rerun the debate on my amendment 1A, but I think that as we give examples such as Braille and other languages we did the right thing in also highlighting the needs of those who lack capacity.

I think that the bill is a piece of legislation about which we can say we worked together to make it better. Like Ross Finnie, I pay tribute to the work that Richard Simpson put in and from which we have all benefited. I am also grateful to the cabinet secretary for the support that she gave my amendment.

Rights are meaningful only if one knows what they are and how to claim them. I believe that the bill ensures greater fairness and greater equity in the system for all patients but, in particular, it

reinforces the position of elderly vulnerable people with Alzheimer's and dementia and those who lack capacity. I am pleased to commend the bill to the chamber.

16:38

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I am the convener of the Subordinate Legislation Committee. I and my colleagues on the committee have been fairly involved with the bill, so as well as thanking the clerks to the Health and Sport Committee, the members of that committee and the cabinet secretary and her team, I put on record my thanks to the clerks and the legal team who back up the Subordinate Legislation Committee and to my colleagues, three of whom—Rhoda Grant, Helen Eadie and Ian McKee—have taken part in the debate. That level of knowledge on my committee has been extremely useful.

I will touch briefly on the debate on the amendments this afternoon. I welcome the give by the cabinet secretary when she agreed with my committee's concerns about the suspension of the treatment time guarantee and granted a role for Parliament for suspensions in excess of 30 days. It would be churlish not to acknowledge the cabinet secretary's constructive approach. I think that that has led to the bill being improved and it has safeguarded the role of Parliament.

In the brief time that is available to me, I will touch on three points that have been well made in the debate. The cabinet secretary said that we have "genuinely excellent care" in the NHS. We have all experienced that. I had a small operation on an eye in Aberdeen royal infirmary and I cannot fault Mr Reddy, the consultant ophthalmologist, and his team for the treatment that I received. I know that others have received such treatment.

Secondly, Mary Scanlon referred to Richard Simpson's mention of patient responsibility, which is absolutely correct. We, as elected members, should never forget about it. I have talked before about elderly people who hoard medication, do not take it properly or do not tell the doctor about it. That is all about responsibility.

Thirdly, I echo the point that Willie Coffey made late in the debate: do we really want to see doctors wade their way through heaps of complaints? Indeed we do not; that is a terrifying prospect because it would get in the way of what they should be doing.

I will finish with a point about what I consider to be patient rights, which I made on 17 November when we debated the bill at stage 1. I represent a vast and far-flung rural constituency. The rights that my constituents have talked to me about, which I have mentioned before—the cabinet

secretary will be glad to see me out of this chamber in a few months' time—include an ambulance service that works; a patient transport service that is not just a one-way service that takes people to Inverness and leaves them there; access to dentists; and the ability to get treatment and not be disadvantaged because of where one lives.

I welcome the bill. I take on board my colleague Ross Finnie's caveats about whether we really need legislation to put in place a charter. I do not remember there being legislation for the citizens charter of a one-time Government at Westminster. Nevertheless, we are where we are. We have worked together and put together a bill that is to the betterment of health in Scotland.

This morning John Farquhar Munro and I had a visit from staff from citizens advice bureaux in Ross-shire. Day in, day out, those people are at the sharp end of dealing with the stuff that we are discussing today. They were not aware that we would have this debate today, but they said, "It's a very good bill. Would you and John Farquhar please support it?" I have great pleasure in doing so.

16:41

Murdo Fraser (Mid Scotland and Fife) (Con): The context of this debate is of course patients' right to complain in the national health service. I think we all agree that the national health service is a very good institution that provides a very good standard of care, but it is not perfect—nothing on this earth is—and, on occasion, people have reason to complain.

In my experience—others have touched on this point—people are reluctant to complain. Earlier in the week I met young mothers of babies who had been born with neonatal issues and who had spent some time in hospital. Even though the mothers identified that there had been problems with their children's treatment, when I asked them whether they had complained they said that they felt very reticent about doing so, because the care that they had received from the staff whom they had encountered was of a high quality and they felt that making a formal complaint would denigrate that, even though they had legitimate concerns about some of the administrative approaches to how they were dealt with—there were particular issues around staffing levels and the funding of the resource. We have to be conscious of that issue.

Ian McKee made a good point in his contribution about the NHS not being free. We assume that it is a free service, but of course we pay for it through our taxes. As the people who pay for it, we are quite entitled to expect a good-quality

service in exchange for the money that we put in. Sometimes we are reluctant to complain—we see that often.

We all deal with constituency cases of people who are complaining. Very often they want to make a complaint because they are at the end of their tether with the health service. They feel that all they wanted from someone in charge was a simple apology for the way that they, or perhaps an elderly relative, had been treated. Sometimes they end up going down the legal route simply because they feel that no other road is open to them.

I know that we are continuing to develop complaints handling in the NHS. We have to look at how we make it easier for people to make complaints and get an apology without necessarily having recourse to a formalistic and legal route.

The Scottish Conservatives did not believe that the bill as originally proposed would achieve anything worth while. We agreed with many of the medical groups who said that it was unwise to seek to enshrine patient rights in primary legislation. I have a lot of sympathy with the remarks that Ross Finnie made in that context.

In addition, concerns were expressed at stage 1 about the treatment time guarantee and the employment of patient rights officers. We thought that there was no point in having legal rights in the bill if they could not be enforced, and we thought that making the rights legally enforceable would create more problems than it would solve and would create the doleful prospect of a lawyer at every bedside—doleful, that is, for everyone apart from the lawyers, who I am sure would welcome the extra work.

However, after something of a comprehensive retreat on the part of the cabinet secretary, the bill was transformed beyond recognition at stage 2. It now provides for a patient rights charter, which we can support. As Mary Scanlon said, it was the Conservatives—indeed, I think it was Michael Forsyth, in the Scottish Office—who proposed a patient charter 20 years ago. I am sure that in the spirit of political consensus Lord Forsyth would be delighted that the Scottish Parliament is following his leadership today.

In briefings on the bill, the British Medical Association and the RCN continued to express concern about enshrining rights in legislation, but both organisations conceded that the creation of a patient charter is a sensible alternative. The amendment of the bill in that regard was a sensible compromise, which I hope the BMA and the RCN regard as an improvement.

The bill has also been amended to remove the provisions on patient rights officers. We were far from convinced that the NHS needed between 65

and 80 full-time-equivalent new posts, which would take money from the health budget that could be better spent on front-line services. The bill was improved by the deletion of the provisions.

We remain concerned about the treatment time guarantee. At stage 2, an amendment in the name of the cabinet secretary included provision to require NHS boards to take account of the clinical needs of all patients and prioritise appropriately as they try to meet the treatment time guarantee. The amendment helped to dilute our concern that health boards would skew clinical priorities as they strove to meet the guarantee.

As I said, the bill has changed beyond recognition. For that reason, we welcome it. Although we still have some reservations, we think that it is worthy of support. However, it is not the bill that the cabinet secretary intended. Our passing of the bill will be a victory for the Parliament over the Government.

16:47

Jackie Baillie (Dumbarton) (Lab): As Mary Scanlon said, we have travelled far with the Patient Rights (Scotland) Bill, which has been considerably improved since its introduction. I thank the Health and Sport Committee, the bill team, the clerks and everyone who contributed to the process.

We all supported the concept of patient rights in principle, but it is fair to say that many members were less than convinced by the bill when it was introduced—we heard from the Liberal Democrats and the Conservatives in that regard. Indeed, the need for legislation was questioned. The Health and Sport Committee was unable to make a recommendation to the Parliament because its members thought that the bill would lead to confusion and that far from enshrining all patient rights it was narrowly focused. We shared those reservations but we decided to persist and try to make the bill better.

The Scottish National Party's manifesto pledge was to give every patient

"a legally binding waiting time guarantee".

The bill falls short of that commitment. It was interesting to hear from Ian McKee, who is passionately against such an approach. I am not sure that he felt like that when he stood for the Parliament on the SNP manifesto in 2007, but I welcome all converts.

Many witnesses thought that the lack of sanctions in the bill is a potential weakness. However, we do not want to foster a culture of litigation or create a bonanza for lawyers, so the approach is ultimately right.

Ross Finnie was right to question the basis for legislation. The bill has little legal effect and we need to be careful not to heighten expectations among the general public of what it can achieve. We need to be careful to ensure that legislation is more than simply declaratory or assertive of something. We need legislation that sensibly advances patient rights within a framework that recognises the mutuality of the NHS and the balance that should exist between rights and responsibilities of patients and staff.

We favoured an approach that would enable the cabinet secretary to introduce a comprehensive charter of rights. Like many members, I pay tribute to my colleague Richard Simpson for his work on framing amendments to give effect to that. I am also grateful to all the parties that are represented in the chamber and to organisations that supported that change, such as the RCN and SAMH. There are many things in the health service that are not conditioned by legislation, but health boards are in no doubt about their importance. Richard Simpson was, of course, correct to point out that the charter mirrors the approach that was taken by the previous UK Labour Government in England. That is welcome.

There is no doubt in my mind that we need to improve the NHS complaints system. It is not fit for purpose and I am not sure whether the NHS learns lessons as a result of the complaints that it receives. Helen Eadie was right to point out that most people who come to us to describe an unhelpful experience in the NHS do not really want to complain; in many cases they simply want the NHS to apologise. We should never underestimate the power of just saying sorry, but it is important that people also want the NHS to learn from mistakes so that no one else has to experience what they experienced. The modernised system, which reflects that used by the state hospital, is much more positive. There should be compliments, as it is right to praise people when they do something right, comments that may be an early indication of potential problems, concerns that enable people to prevent a problem from escalating, and, finally, the possibility of making complaints.

Members have referred to no-fault compensation as being the missing link in the complaints system. We welcome the review group's report. We should look closely at how such a scheme would work in practice for the benefit of patients, the NHS and its staff. If it enables us to say sorry, which is what most relatives want to hear, we should embrace it.

We acknowledge that the passing of the bill will bring renewed focus on patient rights, but we need to be careful not to overclaim what it will achieve. We are all passionate about the NHS, which

Labour created in 1948, and we all value NHS staff and all their hard work in treating our constituents and families. We believe in a mutual NHS that is patient centred and we all want the best for every patient every time. Labour members believe that the bill represents a further step on that journey and we are pleased to support it.

16:52

Nicola Sturgeon: I thank all colleagues who have spoken in the debate for their thoughtful contributions and their work as the bill has progressed through Parliament.

A number of members, including Richard Simpson, Ross Finnie and Mary Scanlon, said that the bill has improved as it has progressed through the parliamentary process. I agree with that—I think that that is the purpose of parliamentary scrutiny. Unlike Murdo Fraser, I do not consider that improvement to be a victory for Parliament over Government or vice versa. Rather, it is an example of Parliament working as it should work and of what it is all about. It is to the credit of all of us that we have emerged at the end of stage 3 with a bill that is stronger than it was at the beginning of stage 1. I put on record my thanks to everybody who has helped to make that possible.

Several members spoke about the charter. I, too, agree that the charter is an important development and avoids the creation of a hierarchy of rights or the suggestion being given out that only the rights in the bill matter and other rights are somehow diminished as a result. That was never the bill's intention. However, I am not sure that I would agree with my Conservative colleagues that it takes us back to the days of the Tory charter of patients' rights; perhaps we can agree to disagree on that. The rest of us will probably hope that the charter will last longer and will have considerably greater impact than the charter that the Conservatives referred to.

Several members, including Richard Simpson, Ross Finnie—I think—Ian McKee and Willie Coffey, raised the issue of the linkages between the bill and no-fault compensation. Members will be aware that the report of the expert group that we set up to look into no-fault compensation, chaired by Sheila McLean, was published earlier this week. I thank that group for its work—it has produced a very good report. It will be for the Parliament in the next session to decide how the work progresses, but I am proud that the Government has made progress in that direction. I very much hope that we will be able to continue that work in the next session.

Mary Scanlon, Ross Finnie and other members raised the issue of the right to complain. As Ross Finnie said, he and I have had discussions

throughout the passage of the bill about the right to complain. *[Interruption.]*

The Presiding Officer (Alex Fergusson): Sorry, but could whoever has the electronic instrument that is making that noise please turn it off?

Nicola Sturgeon: I do not think that it is mine, Presiding Officer but, just in case, I have asked my colleague to remove it from my desk. It is a bit uncomfortable that I am talking about the right to complain at the moment.

Ross Finnie made the point that at present people who complain are not told that they cannot complain because they have no right to do so. That is of course true but, in many respects, the measure is not at its most important when it comes to those who exercise the right to complain, although I believe that raising the status of the complaints process will help to improve the process of complaints handling, to which all members have referred. In a sense, that aspect of the bill is most important for those who do not exercise their right to complain because they feel that it is disloyal to the health service or perhaps because they fear repercussions. We are saying to them that there is a legal right to complain, that it is all right to exercise it and that it is actually in the interests of the health service to do so. That is important. The provisions on patient feedback are also important, because we must encourage a two-way relationship.

Several comments have been made on the treatment time guarantee. Perhaps we do not have time for a pedantic argument at this stage in the afternoon, but I say to Jackie Baillie that a guarantee that boards are required by law to abide by seems to me to be a legally binding guarantee in anybody's language. Therefore, I am pleased that that is yet another manifesto commitment delivered by the SNP Government.

Jackie Baillie: I am clear that the intention behind the SNP's commitment to a legally binding guarantee was to give patients recourse to litigation. The bill does not do that.

Nicola Sturgeon: Not for the first time, Jackie Baillie is writing things into the SNP manifesto to assert that we have not delivered them. We have delivered what we said we would, and more. That is extremely important. The measure builds on the progress that the Government has made on reducing waiting times. As Ian McKee rightly said, it ensures clinical discretion, but it also ensures a long-stop guarantee for patients, which is absolutely in their interests.

In each and every one of the respects that I have mentioned, we have reached a point at which we have a bill that will make a tangible, appreciable and meaningful improvement to the

way in which patients interact with the health service. At stage 1, when I gave evidence to the Health and Sport Committee, I said that the bill was in part about trying to bring about a culture change in the health service. That led to something of a philosophical debate with Ross Finnie—I always enjoy my philosophical debates with him. However, I believe that the point is important. We talk a great deal about partnership working and mutuality. The bill takes us further along the road to making those aspirations a reality. It firmly and clearly puts patient rights at the heart of the health service. It says clearly that the health service has a duty to ensure that the manner in which patients are treated, and not just the quality of the clinical care that they get, matters. It says that the health service has a duty to ensure that it lives up to and delivers the highest standards at all times. That is important.

I am proud that the SNP Government, helped by the Opposition parties, has achieved a situation in which the Parliament is the first in the UK to legislate for patient rights, which is a significant step forward. I again thank everybody who has contributed to the process. *[Interruption.]*

The Presiding Officer: Quiet, please. There is far too much noise in the chamber.

Nicola Sturgeon: I am glad to say that, this time, it is not being caused by my mobile phone, which is good.

I have already thanked the Health and Sport Committee. I thank the Opposition parties and the officials. Finally, I thank the groups who contributed to the bill through written evidence. They have helped in the process of making it stronger. I have no doubt that we will shortly pass a bill that will strengthen patient rights and help to make the national health service in Scotland the very best that it can be.

Business Motion

17:00

The Presiding Officer (Alex Fergusson): The next item of business is consideration of business motion S3M-8007, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, which sets out a revision to the business programme for Wednesday 9 March.

Motion moved,

That the Parliament agrees the following revision to the programme of business for Wednesday 9 March 2011—

delete

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 3 Proceedings: Private Rented Housing (Scotland) Bill

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

and insert

1.15 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Members' Business

followed by Scottish Government Business

followed by Stage 3 Proceedings: Reservoirs (Scotland) Bill

followed by Business Motion

followed by Parliamentary Bureau Motions

7.00 pm Decision Time—[*Bruce Crawford.*]

Motion agreed to.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Alex Fergusson): The next item of business is consideration of two Parliamentary Bureau motions. I ask Bruce Crawford to move motion S3M-8008, on committee membership, and motion S3M-8009, on substitution on committee.

Motions moved,

That the Parliament agrees that John Lamont be appointed to replace Bill Aitken as a member of the Justice Committee.

That the Parliament agrees that David McLetchie be appointed to replace John Lamont as the Scottish Conservative and Unionist Party substitute on the Justice Committee.—[*Bruce Crawford.*]

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

Decision Time

17:02

The Presiding Officer (Alex Fergusson):

There are five questions to be put as a result of today's business. The first question is, that amendment S3M-7992.1, in the name of Alex Neil, which seeks to amend motion S3M-7992, in the name of Johann Lamont, on regeneration, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)

Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

Against

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, 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)
 Eadie, Helen (Dunfermline East) (Lab)
 Fergusson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 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)
 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)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

The Presiding Officer: The result of the division is: For 61, Against 57, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S3M-7992, in the name of Johann Lamont, on regeneration, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Allan, Alasdair (Western Isles) (SNP)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Campbell, Aileen (South of Scotland) (SNP)
 Carlaw, Jackson (West of Scotland) (Con)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 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)
 Goldie, Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hume, Jim (South of Scotland) (LD)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kidd, Bill (Glasgow) (SNP)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 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)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)

Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

Against

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)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Foulkes, George (Lothians) (Lab)
 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)
 Henry, Hugh (Paisley South) (Lab)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

The Presiding Officer: The result of the division is: For 81, Against 40, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament recognises the importance of continued support from the Scottish Government for

regeneration initiatives, particularly in the current economic climate; believes that it is essential for effective regeneration activity to be co-ordinated across the Scottish Government and local government and in communities; welcomes the many regeneration initiatives supporting local communities and sustained by local involvement across Scotland; recognises in particular the work of the Coalfields Regeneration Trust in Scotland as an organisation that has played a central role in supporting vital projects that have improved the quality of life for thousands of people living in former mining communities, has helped over 20,000 young people, supported over 2,000 people back into work and supported over 3,000 community initiatives and highlights the fact that every £1 spent by the Coalfields Regeneration Trust generates £1.37 of matched funding to support these important projects, and calls on the Scottish Government to ensure that funding for the Coalfields Regeneration Trust is focused on job-creation activities that can contribute to the economic revival of these communities.

The Presiding Officer: The next question is, that motion S3M-7978, in the name of Nicola Sturgeon, on the Patient Rights (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees that the Patient Rights (Scotland) Bill be passed.

The Presiding Officer: The next question is, that motion S3M-8008, in the name of Bruce Crawford, on committee membership, be agreed to.

Motion agreed to,

That the Parliament agrees that John Lamont be appointed to replace Bill Aitken as a member of the Justice Committee.

The Presiding Officer: The final question is, that motion S3M-8009, in the name of Bruce Crawford, on substitution on committee, be agreed to.

Motion agreed to,

That the Parliament agrees that David McLetchie be appointed to replace John Lamont as the Scottish Conservative and Unionist Party substitute on the Justice Committee.

Coalfields Regeneration Trust

The Deputy Presiding Officer (Alasdair Morgan): The final item of business is a members' business debate on motion S3M-7706, in the name of Helen Eadie, on celebrating the Coalfields Regeneration Trust. The debate will be concluded without any question being put.

Motion debated,

That the Parliament remembers that coal mines across the United Kingdom were closed during the 1980s and 1990s and considers that the effects were devastating not only to workers and their families but to their wider communities especially in Scotland in towns and villages such as Lochgelly, Cardenden, Kinglassie and Kelty where the scars run deep and have left an enduring regeneration challenge; celebrates the fact that in 1999 the Coalfields Regeneration Trust was formed as an independent charity operating on a UK-wide basis, funded in Scotland by the Scottish Executive, and is the only organisation dedicated solely to the social and economic regeneration of coalfield communities; further commemorates the efforts of miners across the centuries in helping to build Scotland into what it is today and, in recognition of their efforts, pledges to continue to do all that it can to say thank you to folk in those coal-mining communities whose harshness of life over the years entitles them to fulsome support, and would welcome a demonstration of gratitude on behalf of all of the people of Scotland by ensuring full financial support is given to the Coalfields Regeneration Trust in Scotland.

17:04

Helen Eadie (Dunfermline East) (Lab): I am grateful to the Parliament for giving me the opportunity to promote a debate about supporting the work of the Coalfields Regeneration Trust but, following our main debate this morning, I was most concerned to see a tweet from the Scottish nationalist MSP Stewart Stevenson saying that it was important but not that important—not important enough to have two debates on. He should try saying that to the former miners' families in the constituency that I am privileged to represent, my colleagues who are present and some of those who have had to go because of other commitments.

My constituents will learn of the savage cuts that are being approved by the Scottish nationalists and, in particular, on Alex Neil's watch. It was inevitable that this debate would never be consensual and not only because this morning's debate was acrimonious. It was always scheduled for conflict once the extent of the threat to the Coalfields Regeneration Trust became apparent.

The approach that the Coalfields Regeneration Trust takes is different from that of all the other enterprise agencies in Scotland, because it starts to work from the bottom up to secure people's trust and their commitment to ambitions and goals for regenerating the communities and to the all-

important task of motivating individuals. That work takes real know-how and tenacity of endeavour.

I experienced that sort of hard graft when I was a manager at West Fife Enterprise, an organisation that was founded by local people for local people. As manager, I had the job of applying for all sorts of funding and, once we had it, using it to create local enterprises and training opportunities. None of that was easy, especially as we were dealing with communities in which the men in particular had lost all feeling of self-esteem and self-worth. Poverty was everywhere—in their homes and in their streets. Their confidence had been shattered by, in some cases, not having worked since the closure of their pits.

At West Fife Enterprise, we had to encourage, motivate and believe in the impossible. That is precisely what those who work, or volunteer, for the Coalfields Regeneration Trust do day in, day out. The trust provides special skills with a special approach. For that reason, the cuts will come as a savage blow to the coalfield communities—as savage as Thatcher's closures of the pits. We now know that the minister, Alex Neil, plans to be just as cruel.

I am privileged to be part of the debate for a number of reasons. I have the honour to represent the Dunfermline East constituency, which is made up of many former coal mining towns and villages. My father-in-law, Alexander Eadie, who is well known to Alex Neil and is now nearing the end of his days at the age of 90, was a National Union of Mineworkers official who went on to be an MP and Parliamentary Under-Secretary of State for Energy under Tony Benn, working with our dear friend and Labour's lost leader, John Smith.

My father-in-law had responsibility for the coal industry in government. His father was tragically injured in a mining accident and died as a result. Alex spoke often of the black diamonds but, when he did so, he meant not the coal coming out of the earth but the black faces of the miners and the special body of men who made up the mining communities. They were the true black diamonds for their strength in every imaginable way. They created the industry and the nation that we have come to rely on. My husband was brought up in a mining village and regularly ran to meet his daddy emerging from the pits with a black face and white eyes where his safety goggles had been.

In all the mining disasters in Scotland, blood ran red in communities. Perhaps that was never more the case than when we witnessed the demise of the coal mining industry in Scotland—I see that only one Tory is left in the chamber. The devastation was awful.

Transformation of communities is under way. Although much has been done, much remains to

be done in the special way that only organisations such as the Coalfields Regeneration Trust are good at delivering.

The Tories often ask me and wonder why they do so badly in Scotland all the time. The Tories cut the life-blood of our mining heartlands and they still do not get why they have lost our people's absolute trust. The Tories did harm and caused hurt that will run deep for many generations to come—people still cannot forgive or forget the Thatcher era. In villages such as Glenraig, from which Lawrence Daly came, Crosshill, Lochore and Lochgelly, some individuals have never worked since the mine closure programmes.

I started work in High Valleyfield with West Fife Enterprise on the first day of the miners' strike in 1984. The memories are still vivid of the long queues to the social work offices in which I had a temporary desk pending my move to the permanent offices of West Fife Enterprise—the soon-to-be legendary community training organisation that it has become today. I am proud that I played a founding role in shaping that organisation.

I am sure that Labour will commit to supporting the Coalfields Regeneration Trust's work. The people who are in the most need deserve our support, not the unfeeling and uncaring cuts that Alex Neil is about to impose on us.

I will set the record straight on the scurrilous attack on Labour's record of fighting for compensation for Scottish miners who suffered from chronic obstructive pulmonary disease and vibration white finger. The compensation schemes for those conditions were believed to be the largest in the country, if not the world. It is astonishing that Alex Neil continues to make false assertions. I recall no Scottish National Party members taking an interest in the subject when it was a live issue and when the famous and renowned firm Thompsons Solicitors and others made great practical efforts to establish systems and procedures to maximise payments and settlements to the most elderly surviving miners. Scotland also had a system to prioritise claims by the most elderly widows.

I make one last appeal to the minister not to cut the funds for the Coalfields Regeneration Trust, which has done nothing to deserve that. The nation needs to treat former coal-mining communities with the respect and dignity that they deserve. *[Applause.]*

The Deputy Presiding Officer: Order. I say to people in the public gallery that we do not allow applause during debates.

17:12

John Wilson (Central Scotland) (SNP): I congratulate Helen Eadie on securing this members' business debate. It is unfortunate that we debated similar issues this morning.

Since its formation in 1999, the Coalfields Regeneration Trust has sought to improve the lives of people who live in coalfield communities and has targeted its resources on the most deprived 20 per cent of areas. The trust has benefited from more than £15 million from the Scottish Executive and Government since its inception. That has enabled it to conduct valuable work in areas including Fife, Clackmannanshire, the Lothians, East Ayrshire, South Lanarkshire and my area of North Lanarkshire to increase access to employment and lifelong learning and to promote community welfare and support services.

In many parts of Fife, Ayrshire and Lanarkshire, former mining communities suffer from deep-seated poverty as a consequence of the mining industry's demise. Depopulation is also a factor. The narrow economic base in those areas makes them far more susceptible to the worst effects of the economic downturn, which shows little or no sign of easing in the near future, in the present economic climate.

The trust has awarded £371,000 of funding to 25 projects in North Lanarkshire since April 2008—the average award per project is just under £15,000. The trust channels much-needed funding into community projects, but the 2009 EKOS report "Evaluation of the Coalfields Regeneration Trust Activity in Scotland" notes that the trust's influence goes far beyond direct funding to assisting groups with organisational and service infrastructure, which enhances those groups' long-term prospects.

Key projects throughout North Lanarkshire have made a difference to the community. Funds have been given to groups and organisations. In December 2008, over £85,000 was given to Glenboig Neighbourhood House Life Centre to support its work over a two-year period. Members of the neighbourhood centre are in the gallery tonight. I should declare that I, too, am a member. The funding helped to further develop plans for a new custom-built centre and a community transport scheme for the village where I live.

Since 2008, there has also been support for the Gartcosh parent and toddler group and Auchengeich Amateur Boxing Club, alongside large funding for St Patrick's Furniture Project, Cumbernauld and Kilsyth Unemployed Workers Centre and Recap in Cumbernauld. I must also not forget the £4,893 that went towards the building of the Auchengeich memorial garden. On 20 September 2009, the First Minister unveiled a

plaque in the garden to mark the 50th anniversary of the pit disaster that took the lives of 47 miners. As Helen Eadie indicated, we owe a debt not only to the miners who gave their lives to deliver coal for the people of Scotland but to former miners who live on today and to the families of the miners who gave up their lives.

As the only organisation that is devoted solely to the social and economic regeneration of coalfield communities, the Coalfields Regeneration Trust has successfully channelled substantial investment into community-led project activity in coalfield areas in my constituency and throughout Scotland. However, there is no doubt that more still needs to be done to improve the lives of those living in these areas. Scotland has an industrial heritage of which we should be proud. It is essential that no community should be left behind. Deprivation in Scotland continues to be disproportionately concentrated in coalfield communities and it is therefore fundamental, particularly at present, that these communities are supported to ensure a viable future. That would be for the benefit of older and future generations. I look forward to the continued work of the Coalfields Regeneration Trust.

I come to my advert of the evening, Presiding Officer. In addition to supporting the Glenboig Neighbourhood House Life Centre, I support the funding bid that the Auchengeich retired miners group is making to re-establish the bowling green in the area. That will help the sustainability of Auchengeich Miners Welfare and Social Club, of which I am proud to be a member.

Clearly, these are emotional issues and emotional times. We have to ensure that the Scottish Government finds the resources to allow the work of the Coalfields Regeneration Trust to continue. That support is needed by future generations in these communities. As I indicated, many of these communities are isolated from the main towns and cities of Scotland. They have to have support. The financial support that has been provided over the past 12 years has been a substantial element in allowing these communities to develop their own strategies and centres. It has allowed communities to take forward the issues that are most important to them. I commend the motion.

17:18

Ted Brocklebank (Mid Scotland and Fife) (Con): I congratulate Helen Eadie on securing tonight's important members' business debate, even though her thunder was partially stolen when her party opted to debate the same topic this morning. However, no one who passes Helen's office and sees the many tributes to miners that are on display can be in any doubt about her

unswerving support of our former mining communities.

When I was a small boy, my grandfather worked on commission driving a baker's van. It was not long before he discovered that some of his best customers—and, indeed, profits—came from the mining communities of west Fife. When I travelled with him in my school holidays, it was exciting for this east coast bairn to visit what were then exotic places. I am thinking of places such as Wemyss, Ballingry, Bowhill and Cardenden. I recall vividly the miners' rows and the pervading coal reek that came from the smoke that billowed from every chimney. I, too, remember the white-eyed men I saw walking their greyhounds. One particular highlight was visiting the grave of the former Celtic goalie, John Thomson, in Bowhill cemetery. The miners and their families were generous and loyal people and I liked them a lot.

This is not the place to discuss the many reasons why deep coal mining came to an end in Fife and elsewhere. Having recently lost a constituent and family friend in the appalling mining disaster in New Zealand, I find it impossible these days to justify human beings having to crawl on their bellies along mine shafts to earn a living. Fife knows only too well the real cost of coal in terms of the mining fatalities over the years.

However, one could never doubt the miners' resilience or the talents that drove so many of them to the very top. I am proud that my fellow Fifer Jennie Lee, Nye Bevan's wife, came from a mining background in Lochgelly; that the formidable general secretary of the NUM in my young days, Lawrence Daly, originated in Kelty—not Glencraig, I think; and that great footballers such as Jim Baxter, Charlie Fleming and Felix Reilly, writers such as Val McDermid and artists such as Jack Vettriano were all products of the Fife coalfield, as was Henry McLeish, our former First Minister.

It was right and proper that, even after the demise of king coal, the communities at the heart of the coalfield should be supported, so I am happy to commend the work of the Coalfields Regeneration Trust, not only in Fife but throughout the former coalfield areas of Scotland. The physical scars of the past have largely faded in west Fife, but I am well aware that the spirit of the former mining communities is as strong as ever. That is due in no small part to the work of the CRT. In the decade since it was set up, the CRT has awarded some £20 million to projects in Scotland. In Fife alone, between 1 April 2008 and 21 February 2011, some 91 projects received grants averaging £12,000 each, which amounts to around £1.1 million over the award period.

Despite Helen Eadie's comments on Thatcher's record on mine closures, which Alex Neil and

others largely rebutted earlier today, I do not intend to get into an argument about the CRT's future level of funding, as members' business debates are supposed to be consensual. However, I am sure that the Westminster Government and whichever party is in power in Scotland come May will want its work to continue and, indeed, to improve.

I find CRT projects that are aimed at young people especially interesting. The Lochgelly and Benarty befriending project, in which young volunteers are encouraged to befriend elderly people who feel lonely and socially excluded—I know a lot about how they feel—is a typical example. The Synergie youth project, which is based in the Linburn and Woodmill communities, helps to alleviate the concerns of parents and police about the safety of local children who are out at weekends in alcohol environments. Results have shown a sharp drop in teenage drinking. The west Fife green map project is also a way of bringing people together, by breaking down communications barriers in the former coalfield communities of Kincardine, Culross and Low Valleyfield. The green map idea is intended to help them to have their voices heard in the community planning process and to improve the services that they receive from statutory agencies.

There are many more projects in Fife and elsewhere that are worthy of mention. The important thing is to send out a loud and clear message from the chamber this evening that the work of the CRT is vitally important, not just in regenerating our former mining areas but for wider economic generation.

17:22

Jim Tolson (Dunfermline West) (LD): I welcome the opportunity to debate the Coalfields Regeneration Trust again. I say "again" as I last debated the subject on 29 November 2007, not because Labour chose to have the same subject debated twice on the same day, which was rather odd. However, this is a worthy subject for a members' business debate.

Since the previous debate more than three years ago, I have worked with the Coalfields Regeneration Trust on a number of projects in west Fife, which I represent. Those include opening an all-weather play area—a facility that is a great asset to the community—in Torryburn a couple of years ago and discussing issues here in the Parliament with trust staff, many of whom I see in the public gallery this evening. I have no doubt but that the Coalfields Regeneration Trust has played an important role in empowering local communities to take action to improve the quality of life in their area. It has provided a vital hand to

some of our neediest communities when that was needed.

It is a core belief of the Liberal Democrats that local communities should be involved in developing local solutions to local problems and should not simply have things thrust on them. Involvement gives people the chance to progress personally, for the benefit of the local community and themselves, whether it be in education, health or employment.

A particular barrier to employment in former coalfield areas has been the lack of accessible transport at appropriate times. The trust has supported community transport initiatives to help people to travel to work or to training schemes. The Coalfields Regeneration Trust plays an important role in improving the economic prospects of former mining communities, supporting and developing social enterprise. It also seeks to engage the business sector in corporate social responsibility to sustain its projects.

Fortunately, the work of the former Executive, the Coalfields Regeneration Trust, the Government and, most important, community activists in our former mining areas has helped to lift those areas out of dereliction. That has fostered strong and long-lasting community relationships and helped many of those areas to become desirable places in which to live and bring up a family. The Coalfields Regeneration Trust should therefore be commended for its hard work and its commitment to our former mining areas. Many of my constituents in Oakley, Blairhall, Newmills and elsewhere wish to move on from the coal mining legacy. Those have become modern places that attract new development and new people that bring new life to formerly derelict communities. Those communities want to move away from needing external help to become more sustainable in their own right.

In his contribution this morning, my colleague Jeremy Purvis outlined a different funding model that would help to sustain community help by using regional development banks to focus on providing support in our communities where it is most needed. In future, I think that trusts such as the Coalfields Regeneration Trust will look more towards that area rather than to local authorities or Government for the funding that they need to provide vital services. That is why we supported Labour's motion at decision time.

The former coalfield communities are improving. Many have more modern community and residential facilities. Thanks to the work of many people in the communities affected, those areas are moving out of the deprivation of the 1950s and 1960s and becoming desirable places in which to live and bring up families. People from the former

mining areas, including where I was raised in Fife, want a hand up, not a handout. The Coalfields Regeneration Trust has done a great deal to help those communities and will continue to help them to find a more secure future that does not rely on handouts. I know that the trust has provided excellent projects, and I am sure that it will continue to do so in my constituency of Dunfermline West and elsewhere.

17:27

David Whitton (Strathkelvin and Bearsden (Lab)): I am delighted to take part in tonight's debate on this important topic and offer my congratulations to my colleague Helen Eadie on securing the debate.

As has been commented on, we have already debated the subject today, but we should not apologise for that because it is an important matter. On this occasion, though, as indicated by Mr Brocklebank and Mr Wilson, we are celebrating the work of the Coalfields Regeneration Trust. Mr Neil can rest easy that I am not about to throw a large number of verbal barbs in his direction.

Over the past decade, the Scottish Government has taken significant steps towards revitalising former coal mining areas, notably with projects such as the Coalfields Regeneration Trust. Independent study from the National Audit Office and the Department for Communities and Local Government has confirmed that the trust has delivered hard and soft benefits.

I am sure that I speak for all members when I say that we all want to work for a fair and equitable Scotland in which each individual can fulfil his or her potential. The Scottish index of multiple deprivation, however, identifies many areas as deprived, particularly in the central belt, including three areas in my constituency of Strathkelvin and Bearsden. It only goes to show that in areas of relative affluence there can be pockets of poverty, with their attendant problems.

The 1999 coalfields task force identified former coalfield sites as unique in Great Britain for combining conditions of joblessness, physical isolation, poor infrastructure and severe health problems. While the trust has made a number of improvements, the Department for Communities and Local Government found that former coalfield areas were still a special case requiring unique attention. As such, continuing work by the trust is crucial. In efforts to rectify that embedded legacy of joblessness, the trust has made a number of investments in ideas suggested by the local people. According to the NAO, schemes approved by the trust have employed more than 14,000 people and trained almost 8,000 others to achieve

their national vocational qualifications up to at least level 2.

The NAO also found that the trust's engagement with local communities created about 8,000 jobs that otherwise would not have been created. Local jobs for local people, as Mr Tolson has just commented, so that they were not forced to get on their bikes to look for work. That, I think, is my only political comment of the evening.

The trust's most substantial successes come from its ability to break traditions of social isolation and realise a competent, confident and integrated community. For example, the trust has encouraged more than 10,000 new people to volunteer in their community. A visible representation of those successes is provided by the 2,300 community centres that the trust has built or enhanced. One such centre is the Twechar healthy living and enterprise centre in my constituency, which has received substantial outside praise. As well as winning an architectural award, the centre was found by Local People Leading, an alliance of national networks and community groups that evaluates community initiatives, to serve as a focal point for community activities that provide essential services that might otherwise be lacking, and the in-house lifelong learning team provides employment and training opportunities.

Similarly, the trust provided funds to the Twechar youth group to produce a film that explored the rich Roman heritage of the village. Those two projects in Twechar highlight the institutional benefits that the trust brings to Scotland. The link between the Scottish Government and local government stresses a future in which different government levels will work together in a relationship that is

"based on mutual respect and partnership".

The recent regeneration discussion paper, "Building a Sustainable Future", found that best practice from past regeneration projects included the development of partnerships between Government organisations and the people whom they serve, and the engagement of the community. One way in which the trust follows such best practice is through its methods of fund distribution. Rather than ring fencing funds, it can fund whatever projects communities find relevant, which means that trust projects are not mandates but collaborations. In its review of the trust, the Department for Communities and Local Government found that the organisation had particular acumen in working with local people.

Government resources are limited, but those that are backed by the trust are value for money. Although the additional jobs that were created came at a price of about £2.7 million, estimates

found that the created jobs had saved the Exchequer more than £3 million. In addition, there is evidence from the NAO that suggests that the trust's employment schemes are cheaper than other Government initiatives. That is why investment in and by the trust deserves the support of this Parliament and should be celebrated by us.

17:32

The Minister for Housing and Communities

(Alex Neil): I have a vested interest in the debate because I am the son, the grandson and the brother-in-law of miners and I was brought up in the mining community of Patna in east Ayrshire. A highly enjoyable job that I had in the 1980s was as chief executive of the Cumnock and Doon Enterprise Trust, which was set up by a partnership involving the then Scottish Development Agency, the council and the private sector to bring new jobs and industry into Cumnock and Doon Valley. The problems that afflicted Cumnock and Doon Valley then—which, sadly, still afflict the area today—are typical of the problems that are faced in mining communities throughout Scotland.

There are three fundamental problems. First, when the pits shut, there was no big employer to take on the men who had been made redundant. Secondly, the areas in which mining communities are situated are, typically, semi-rural and often have very poor transport and other connections to areas where there are jobs for the young people who grow up in those communities. That has led to high levels of long-term unemployment and, in turn, to high levels of depopulation. Too many of those communities have got into a cycle of depopulation feeding unemployment and unemployment feeding depopulation. The objective of the Government and the Parliament is to do what we can to break that cycle of unemployment and depopulation in the mining communities.

If we are to do that, we must ensure that there is substantive investment by the public and private sectors in those mining communities. I see the role of public sector investment as being in helping to generate private sector investment and thereby create new jobs and industry in those areas.

That is why, as the minister responsible for the town centre regeneration fund, I ensured that a high proportion of the funds went to coalfield community areas such as Lochgelly, where a new business centre is about to be opened as a result of money that was invested through that fund. That business centre is a good example of how we can create new jobs and industry in the mining areas.

As I made absolutely clear in this morning's debate, the Scottish Government sees the Coalfields Regeneration Trust continuing to have a permanent and major role in helping us to regenerate coalfield communities. Helen Eadie said that we are not committed to the future of the trust. That is absolutely not true. I and my officials have had productive meetings with the Coalfields Regeneration Trust and I have told it that we must give priority to two issues. First, we must maintain the core capacity of the trust, particularly the four staff who work there, so that they can continue to deliver on behalf of the coalfield communities. Secondly, the future focus must be on creating new jobs and industry in those areas, although not to the exclusion of everything else. The trust's role is to be a partner in levering in funding from the private sector and the public sector, through the range of other available funds, to help the process of job creation.

It is also totally untrue that I have decided to impose savage cuts on the trust, as Helen Eadie also said. We have made no decision on the trust's future budget because we are waiting for the trust to come forward with its business plan. Indeed, in its annual report from 2010, the trust said that it recognised the need for a change of emphasis and focus in its operations and that it wants to focus on dealing with the problems of worklessness and related issues, unemployment and the need to attract new jobs and industry.

Helen Eadie: Will the minister give way?

Alex Neil: I do not have time, I am afraid.

The trust has also said that it needs to engage in more spatial targeting that could result in a reduction of 38 per cent of the coalfield wards that it covers. As I said, we are waiting to hear from the Coalfield Regeneration Trust about its business plan for the future. We will continue to hold a positive dialogue with the trust to ensure that its work will continue.

I will tell you this, Presiding Officer: the Labour Party needs to learn something. We are having such difficulty with our budget because of the savage budget cuts that London has imposed. Two thirds of those cuts were imposed by Gordon Brown and Alistair Darling; the other third came from the new Con-Dem Government. The reality is that the Labour Government took the decisions and we must face the consequences.

As the son, grandson, father-in-law and son-in-law of a miner, what disgusted me more than anything else—and, by God, I was disgusted by the Thatcher years and their impact on the mining communities—was the decision of a Labour Government to take the National Association of Colliery Overmen, Deputies and Shotfirers to court to stop it paying compensation to miners for

pneumoconiosis and other diseases. None of us in those mining communities thought that we would live to see such a day. It is high time Helen Eadie got her facts right and fully understood how damaging that decision was.

Rhona Brankin (Midlothian) (Lab): That is shocking.

Helen Eadie: You are a disgrace.

The Deputy Presiding Officer: Order.

Alex Neil: Two thousand miners in Scotland died before they got their compensation because Labour took the union to court. Labour members should hang their heads in shame.

I tell you this, Presiding Officer: as far as this Government is concerned, we will continue to deliver for the coalfield communities in a way that the Labour Government never did.

Helen Eadie: You are disgraceful.

The Deputy Presiding Officer: Order. I now close this meeting of Parliament.

Meeting closed at 17:39.

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