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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 26 April 2012

Session 4

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Scottish Parliament

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

Localism

The Presiding Officer (Tricia Marwick): Good morning. The first item of business is a debate on motion S4M-02687, in the name of Jackson Carlaw, on localism. Mr Carlaw, you have 14 minutes.

09:15

Jackson Carlaw (West Scotland) (Con): I nearly drowned in the bath when I heard that I had 14 minutes. Not even my mother or my wife would listen to me for 14 minutes, so it is extraordinarily unreasonable to expect members to listen to me for that long.

Members: Hear, hear!

Jackson Carlaw: I am grateful for that early indication of support. With the Presiding Officer's discretion, I may draw my remarks to a conclusion before 14 minutes.

All members know that Scotland has a date with destiny. We are moving inexorably towards the defining moment in our nation's history. The people of Scotland will watch with interest an election that will take place just before Christmas in 2014. I refer, of course, to the leadership election in the Scottish National Party following its catastrophic result in the referendum just a few weeks before. Senior ministers, none of whom is with Mr Mackay at the moment, are among the contenders, along with Mr Mackay, who is, I understand, now the front runner in that leadership contest. I will turn to him in a moment.

One contender is Mike Russell, who has defined the aim of his office as being not so much to improve the education of children as to demonstrate to children how clever he is. We believe that his objective should be to ensure that children who leave school are cleverer than him. I understand that he would think that that is an impossible objective, but it is the least that the rest of us in the chamber believe that he should aspire to.

Nicola Sturgeon's moment may well have passed. She is, of course, mobilising her troops on the border at this very moment to fend off the invasion of the health service from England to which she alluded in her conference speech.

Alex Neil is the great huff and puff of the Administration. Last week, he said that the

unionist parties could not be trusted to deliver more devolution to the Parliament as a bill was passing through Westminster—

The Presiding Officer: Are we going to get to your motion any time soon?

Jackson Carlaw: I am getting to it right now, Presiding Officer. I am doing exactly that.

I look forward to the contribution in response to the debate of Derek Mackay, the Minister for Local Government and Planning. Some sensational election announcements are no doubt forthcoming. It is certainly a pattern that the Administration makes such announcements after hundreds of thousands of Scots have already cast their vote by post.

In the debate that will follow, my colleagues Liz Smith, Margaret Mitchell and, I hope, Alex Johnstone will identify ways in which the Government has sought to centralise power in respect of local government, education and transport. The central thrust of our motion is not to argue that everything about the Government or any Government is beyond praise or redemption. Hard as it may be, I accept that there are things that the Government has done during the past five years that the Scottish Conservatives support; indeed, there are things that we have insisted be delivered in return for our support. The Administration may have other redeeming qualities, and no doubt SNP members will tease us with suggestions, most of which will undoubtedly be either hollow or shallow.

Despite their professed rhetoric to the contrary, ministers in the Government believe at heart that they know best. For them, devolution is a one-way principle: it is the devolution of power down from Westminster to them and the devolution of decision making up from local councils to them. For Scottish Conservatives, as David Cameron stated in Dumfries last week, we have, through the Scotland Bill, together with the Liberal Democrats and Labour,

"delivered devolution to Scotland, now it's time to deliver devolution within Scotland."

He said that it is about

"smashing through the old-school, centralising, power-hoarding establishment that has had its grip on Scottish life for too long."

Nowhere is that centralising more consuming in its suffocation of local determination than in planning, which we have discussed in debates in the chamber that have been led by us and the Labour Party. Just yesterday, outside Parliament stood many who have become exasperated with the physical consequences of the Scottish Government's seemingly insatiable appetite for wind turbines whenever, wherever, whether in

singular, plural or multiple form, short, tall, cloud-breaking, quiet or noisy. Councils are now overwhelmed with applications fuelled by subsidies and find that, whatever their local determination, it is likely that a refusal will be overturned. My colleague Alex Johnstone has established the same with mobile phone mast applications; of the 25 applications that have been rejected by local councils, a staggering 17 decisions have been overturned by this Government.

Mike MacKenzie (Highlands and Islands) (SNP): Will the member give way?

Jackson Carlaw: I think that I must.

Mike MacKenzie: Is it often not the case that the people who complain most about mobile phone masts are those who are also asking for 3G and forthcoming 4G broadband in rural areas? Does the member agree that that is unlikely to be delivered without an adequate provision of mobile phone masts?

Jackson Carlaw: I understand the member's point, but the majority of complaints come from urban environments and are invariably concerned not with the principle of masts but with the particular site that has been chosen. The reasons for siting a mast in a particular location are very often confused and more in the applicant's interests than in the interests of delivering a service.

When communities campaign against potentially devastating applications for unsolicited development in their areas, they find that the hands of key local representatives are tied behind their backs. In introducing the councillors' code of conduct, the Standards Commission for Scotland surely could not have meant for councillors to come to feel barred from any community involvement in or even expression of opinion on key planning applications, the nature of which is consuming the interest and passions of those by whom they were elected. However, that is what is happening. It is ridiculous—and insidious—that councillors from a relatively small local community cannot express their opinion or campaign in respect of a planning application without their finding that they have forfeited their right to vote on it.

As a result, the Scottish Conservatives would abolish the central councillors' code of conduct and allow local authorities to bring forward their own codes.

The Minister for Local Government and Planning (Derek Mackay): Is the member proposing that we remove any view that a local member should not prejudice a planning application? Secondly, does he now not support the Planning etc (Scotland) Act 2006, which was

agreed across the chamber and ensured the right of appeal to reporters?

Jackson Carlaw: If Mr Mackay waits, he will hear the point that I am making. Scottish Conservatives would abolish the central councillors' code of conduct and allow local authorities to bring forward their own codes, which, we believe, would have at their heart the notion that being elected to office is in itself a commitment to act in the public interest and that a forced objectivity in planning decisions is unnecessary. Communities are certainly bewildered by the fact that they cannot go to their councillor and have a meaningful discussion about a major application for a proposed development in their area because of the councillor's belief that any determination that they might make would leave them barred from expressing an opinion. What is the point of local democracy if the very people who must ultimately make a determination on such matters are forbidden from participating in any discussion or meeting on the issue? Indeed, many councillors feel that they cannot even attend public meetings on the issues at stake for fear of the suggestion that by doing so they have prejudiced their independence and impartiality.

Patrick Harvie (Glasgow) (Green): I have some sympathy with aspects of this issue, but I have to wonder why the Conservatives did not support the introduction of wider appeal rights, for example, when the planning legislation was being debated.

We have not yet achieved full compliance with the Aarhus convention, even at national level. Is the member suggesting that if we allowed local authorities to introduce separate processes they would be quicker at delivering Aarhus compliance than the national Government has been?

Jackson Carlaw: Given that we are advocating local solutions, the answer must be yes. I think that we are advocating that the codes that apply should be appropriate to local communities, particularly in relation to planning, to ensure that local solutions and priorities can take precedence. Councillors would be able to have their say.

That approach would be allied to a commitment that local decisions should not be overturned just to stay in line with or satisfy central Government priorities. I will be even more explicit: local decisions should not be overturned just to satisfy central Government priorities on wind turbines and waste incinerators.

The overturning of local decisions by central Government to fulfil its evangelistic faith in its central objectives is an obvious and demonstrable expression of the devolution of decision making up from local communities to a centralising Government at Holyrood.

Kenneth Gibson (Cunninghame North) (SNP): Will the member take an intervention on that point?

Jackson Carlaw: I have taken a couple of interventions, so I would like to move on to something else now, if I may.

The core of centralised decision making has introduced a creeping malaise into localised decision making in another field. Members have recently noted the exploitation of some of the desire to see an extension of pharmacy provision where currently general practitioner dispensing practices have fulfilled the function. In its intent, the presumption in favour of a pharmacy application was sensible enough, but over time it has become clear that some who have no interest in or commitment to the local community are now seeking to ease out responsible GP dispensing practices for narrow commercial advantage.

One such example exists in my west of Scotland constituency on the Isle of Cumbrae. The Cumbrae medical practice is operated in ideal premises that were converted and supported with the assistance of the health board, providing a 24-hour service to islanders. The dispensing facility has made an island medical practice viable. The alternative—a mainland-only GP—is clearly undesirable and, with the island being dependent on ferry services, it is also potentially dangerous. Yet the application for an alternative pharmacy has been granted over the clearly expressed wishes of the community. Representatives of the community spoke to the minister, who, to his credit, wrote to health boards to suggest that, even when a pharmacy application is granted, there is no requirement for the health board to terminate the GP dispensing practice.

The reality is that, having noted the minister's comments, the health board has received legal advice that suggests that the criteria by which a determination to allow the GP dispensing practice to continue are so tight that a successful legal challenge from the new pharmacy would inevitably follow.

The decision to terminate the GP dispensing practice on Cumbrae was confirmed last Monday. I said earlier that the applicant had no community interest. Members might be interested to know that, within hours, I was made aware that the newly approved pharmacy is up for sale. The application was not rooted in the community interest, but in the narrow commercial interest of an individual exploiting the original intent of a measure to expand pharmacy provision.

That is wrong. The central Government objective of extending pharmacy provision, which is laudable in itself, is being used to override the wishes and desires of local communities. Scottish

Conservatives would devolve the decision-making back to health boards and allow them the broadest possible discretion to determine their own local community interest.

This Government professes to believe in devolution and in giving individuals their say, but in all its manifestations, the Government has taken to itself the responsibility and the authority for decision making. It is a Government with senior ministers who have been in office too long. They have come to believe, as did Louis XIV, that "l'état, c'est moi". The state is them and they alone should be the determiners and arbiters of what is right.

Our motion identifies the centralising heart of the SNP Government and proposes instead the devolution of power back to local communities and local councils as the true way forward for the devolution of power from this Parliament to the people of Scotland.

I move,

That the Parliament notes with concern, despite the SNP administration's rhetoric to the contrary, the increasing centralisation of power into the hands of ministers rather than to Scotland's councils and local communities; deplores the growing number of decisions being made and initiatives being introduced by central government and imposed on local authorities and local communities, particularly those relating to planning and service provision; considers that the effect of this centralisation has had a counterproductive, stifling and damaging effect on local democracy and accountability, and supports measures that enhance localism and subsidiarity and that return decision-making to Scottish communities.

09:28

The Minister for Local Government and Planning (Derek Mackay): Jackson Carlaw has somewhat disappointed the people of Scotland by outlining a prospectus for conservatism as we enter the local government elections. It was unfortunate of him to refer to leadership contests because, of course, the First Minister has been in office for longer than the party leaders that he has demolished in the chamber. I am quite sure that there will be a good result in the council elections and the independence referendum and that the First Minister will continue in his style, which all members love. *[Laughter.]*

I admire Jackson Carlaw's style. I love the comedy turn of his contributions in the chamber. This morning, we disappointingly heard another comedy turn instead of a proper policy speech on localism as we understand it, or how we can empower local government to make the right decisions for local people. His speech was deeply disappointing in not referring positively to what the Conservatives would do differently with local democracy and the principle of subsidiarity, which we support.

The referendum in 2014 will give the Parliament and the people of Scotland an opportunity to transfer powers, not from local government to the Scottish Government, but from the London Government to the people of Scotland, either at local government or Scottish Government level. This Administration has a fantastic record of working in partnership with local communities and local government to arrive at the right decisions for local people. Let us take the historic concordat, which reinvigorated the relationship with local government. It is praised right across the political spectrum.

Jackson Carlaw: I was at a recent meeting of the Health and Sport Committee at which Nicola Sturgeon and SNP members railed against the consequences of pension reform in London. They said that a gun was being held to the head of Scotland so that it would agree to the reforms. Is not the historic concordat simply a gun to the head of local authorities, whereby if they do not agree with the SNP Government, they will not get the money? What kind of localism is that?

Derek Mackay: Of course the concordat is praised. Members should not take my word for it; they should take the word of a Labour councillor—the Convention of Scottish Local Authorities president, Pat Watters. He has praised the concordat and the Government's continuing relationship with local government. *[Interruption.]* The Conservatives laugh. Pat Watters is loyal to his party, but he is more loyal to local government.

The concordat ensured that the Government had a positive and constructive relationship with local government. It also ensured a new financial regime that saw local government's share of spending increase under our Administration in comparison with spending under the previous Labour-Liberal Democrat Administration. It ensured that ring fencing was reduced. After the reform of police and fire services—which I will come to shortly—less than £6 million of local government funding will be ring fenced. That represents a 99 per cent reduction in ring fencing under the SNP Government in comparison with previous Administrations. The Tories laugh because they know how poor their record on local government is in comparison with the shining example of true subsidiarity and localism that we have seen under the SNP.

The review of community planning is testimony to that. It involves our bringing all parts of the public sector together to deliver a focus on outcomes and real policy objectives that will make a difference. In partnership with the public sector and local government, we have agreed a statement of ambition for how we will work together. We have delivered joint policy development and public sector reform that will

involve prevention and which will improve performance, integration and workforce development. That has all been done in partnership with local government, with a view to reaching the right decisions for local people.

On police and fire reform, we will ensure that, rather than having remote regional boards, the flexibility is there for local empowerment, local decision making and local connection of a kind that we have not seen before. Through a single police service and a single fire service, we will ensure that there is local transparency and accountability. At the same time, we will protect the number of police officers on the street.

We are incentivising local democracies to retain more of their local business rates to invest in their communities. What we got from the Conservatives was empty rhetoric. They whittled the issue down to being about planning; they did not mention finance.

Gavin Brown (Lothian) (Con): The minister's microphone is on, so he does not need to shout for the entire 10 minutes.

On business rates incentivisation, why is 50 per cent of the additional money that is collected kept by central Government?

Derek Mackay: As the member well knows, a range of funding streams go into the pot, which is then disbursed to local government in a fair way according to a regime that is agreed with COSLA and 32 out of 32 local authorities.

I turn to planning and the nonsense that we are overturning applications across the country. Let us take telecommunications masts. Because of this Government's action and the system that it has put in place, fewer applications or, indeed, appeals are coming to the reporters administration for determination than under previous Administrations. I suggest that, on matters such as telecommunications masts, the issue is less about localism and more about opportunism on the part of the Opposition parties. Why is it that telecommunications masts are safe and fine in the view of Conservatives who are in authority in England, whereas, for Conservatives in Scotland, they are not safe or fine and should not be located in particular areas?

Only this morning a health report concluded that there was no evidence of such technology having a health impact, despite the perception that exists. When we discuss telecommunications masts, we should refer to the facts. I am somewhat surprised that the Conservatives now believe—

Alex Johnstone (North East Scotland) (Con): Does the member acknowledge that we are not arguing for or against telecommunications masts per se? We are complaining about the fact that the

minister's Government is deliberately overturning local decisions.

Derek Mackay: I will come back to that. Alex Johnstone is for the roll-out of broadband, but Jackson Carlaw is against it, as it requires telecommunications technology. We are considering fewer applications through the reporters, who are independent of the Scottish Government in their determinations, than were considered under previous Administrations. That applies not only to the Labour and Liberal Democrat Administrations, but to the most centralised state in western Europe, which was Scotland pre the Scottish Parliament, when we had a single secretary of state and his bureaucracy pretending to be a democracy. That shows that we have delivered on your localism agenda.

You suggest that, across the country, we are overturning the views of local people on wind farms and turbines. However, for developments of more than 50MW, on which the Scottish Government makes the decisions through energy consents, local government agrees with us in two thirds of cases. On local determinations, in cases that are appealed by applicants, we agree with local government two thirds of the time. Therefore, it is patently inaccurate and untrue to say that we are overturning decisions across the country.

Patrick Harvie: Will the minister give way?

Derek Mackay: I have taken enough interventions. I will consider taking more in my summing-up speech.

The Tory manifesto is an empty one that is hunting for a policy or cause to attach itself to. The best that you can do is localism in England, but we have already delivered.

The Presiding Officer: Minister, I would be grateful if you would stop using the term "you".

Derek Mackay: Okay.

On localism, the United Kingdom Government has adopted the big society, but we know that that really means cuts to public services. However, the Scottish Government believes in growing the third sector and social enterprises and in working in partnership with people. People will remember Michael Forsyth talking about "real devolution" in 1995. The Conservative concept of devolution is best exemplified through welfare reform. The Conservatives have not devolved the power on welfare to us so that we can create a more compassionate society; they have simply passed the burden to the weakest and most vulnerable in Scotland. The Scottish Government and I will make no apologies for protecting more than half a million of the most vulnerable people in Scotland from the Conservatives' actions on council tax

benefit and ensuring that they are protected from the consequences of Conservative decisions at Westminster.

In the absence of the devolution of welfare, we have used every tool at our disposal to protect local people. We are investing in local communities through an increased share of funding, working in partnership in community planning and ensuring that we have a robust planning system and appeals process. The Scottish Government has delivered on the principle of subsidiarity while meeting the national commitments for which we received a mandate from the Scottish people in May 2011.

I move amendment S4M-02687.1, to leave out from "notes" to end and insert:

"recognises the transformation of relations with local government over the last five years from one of central government control to a successful partnership arrangement based on mutual respect, as demonstrated throughout the last five years by the historic concordat agreed in 2007, the reduction in ring-fenced funding empowering local government, the introduction of single outcome agreements and the joint development of policy, most recently in relation to the abolition of council tax benefit, and notes that this relationship was reaffirmed following the 2011 Scottish election, with local government maintaining its share of the Scottish Budget in 2011-12 and local government's share of the Scottish Budget by the end of the current spending review period being higher than it was in 2007-08, a review of community planning and single outcome agreements, planning reforms and the ongoing development of the proposed Community Empowerment and Renewal Bill."

09:38

Sarah Boyack (Lothian) (Lab): I welcome the fact that the Conservative Party has chosen this topic for its business this morning. Although we agree to an extent on the importance of local decision making, we disagree on the details, and we have a good chance to debate the issue this morning. There is a tension between the provision of national services and decision making on local priorities. As Mr Mackay has loudly proclaimed, the Scottish National Party removed ring fencing, but it also devolved all the conflicts in implementing its manifesto decisions to local authorities and then removed the capacity for those authorities to implement them. The SNP did not even check how much it would cost. Many of those manifesto commitments have withered on the vine or been unceremoniously dumped.

The backdrop to the debate is next week's local government elections. The SNP has been silent for the past 24 hours, although Derek Mackay made up for that by giving us a full-on defence. The best form of defence is always attack, so I thank the minister for that. For Scottish Labour, next week's elections are important in their own right. They are not about a stepping stone to

independence; they are about the detailed decisions that are made in every one of our local authorities and communities. The elections are about the capacity for local authorities to provide services for communities throughout Scotland.

That is why I am proud of our local manifesto production process. It was not a top-down approach. Every one of our local Labour teams—not all include councillors, and some of the teams are fighting seats where we do not currently have Labour councillors—decided what to put in their local manifestos. I am proud of that. There are common themes and values, but the detailed prescriptions may be different because the teams have worked on and developed their radical ideas with local communities and trade unions, and with local campaigners about the priorities and circumstances of their communities. That is how it should be. Our approach of listening to people was not accidental, it was deliberate. We believe that the local elections are about the capacity of local communities to be defended from the current financial situation and to develop their own priorities.

We know that the Tory Government is cutting back too fast and too deep, and the fact that we are back in recession is testament to that. For all the rhetoric that we have had from Mr Mackay about protecting public services, the uncomfortable fact for the SNP is that it deliberately allocated 89 per cent of its budget cuts to local authorities. The absolute liberation from ring fencing is a false dawn, because the money is not there to do what the SNP said that it would do.

John Mason (Glasgow Shettleston) (SNP): If the member wants to give more money to local government, will she explain where she would give less money? The health service, perhaps?

Sarah Boyack: We debated that issue last time. It is not just about what the Scottish Government is funding, it is about what it will not let local authorities do in terms of funding. Look at the council tax benefit deal that was done last week. I totally empathise with COSLA. The deal on the table it was offered was £23 million if it contributed a bit versus nothing if it did not.

I am told by my local authority contacts that the real deal is that the minister said that local authorities can use the money raised as a result of the Local Government Finance (Unoccupied Properties etc) (Scotland) Bill. However, anyone who listened to the Finance Committee's session yesterday will know that the SNP's figures were absolutely demolished in the evidence given during the financial scrutiny of that bill. The suggestion is that it will not, as the Scottish Government claims, raise £18 million. For example, the £3.5 million that Glasgow City

Council was getting in the last few weeks to help local youth unemployment will be wiped out by its contribution on council tax benefit. It is all smoke and mirrors. Please excuse us if we do not celebrate when that comes on top of the cuts and the changes to the bus service operators grant that were debated in the Parliament last week. Local SNP leaders are beginning to object to what their Government is doing—they are prepared to sign letters complaining about the Scottish Government's decisions.

Housing is another area where cuts have been made. That makes it difficult for local authorities to provide the housing that they desperately need for local people, when the level of people's incomes—as a result of the recession—means that people have no chance to save up for a deposit to buy a home, or to sustain a mortgage.

I agree with the Conservatives that the SNP is a centralising Government. The purpose of devolution was never to devolve power to a Scottish Parliament only to see it accumulate powers from the local government level upwards. We need only to see the SNP's plans for our national police force to see how centralising the SNP is, because that could have been an opportunity to increase local accountability. Although the Police and Fire Reform (Scotland) Bill contains mechanisms—

Paul Wheelhouse (South of Scotland) (SNP)
rose—

Sarah Boyack: Let me continue, please. You are attacking me before you have heard what I have to say.

Although that bill contains mechanisms to involve local political representatives at a local level, those mechanisms do not provide crucial local accountability on policing budgets or on allocation of resources.

The SNP's centralisation of power will mean a police service run by a board appointed by ministers, led by a chief constable approved by ministers, working to a national plan agreed with ministers, with a budget approved by ministers. The division of powers among local government, central government and the police will be lost, and policing that is independent of central government will be put at risk.

The SNP's bill is silent on what will happen if a local council does not agree a local policing plan with the chief constable, because the reality is that the council has no sanctions to strengthen its case. Surely, there is an opportunity to improve policing at a national level, on things such as trafficking and serious crime, which we should all agree on. There is also an issue about financial accountability at a local level—on things such as anti-social behaviour and local policing policy—

because there is no clout at a local level built into that bill. That is the reality of centralisation under the SNP.

The SNP is good at asserting that it has done things, but we need a reality check. By ensuring ever-tighter central control of the purse strings and reducing support centrally for activities such as school replacement and flood management investment, the SNP has passed the buck to local authorities. It says that it has devolved responsibility to them, but it is not helping them to implement policies in practice.

Derek Mackay: Will the member take an intervention?

The Presiding Officer: The member is in her last 15 seconds.

Sarah Boyack: I will not give way, as I am in my last minute.

The desperate efforts to keep secret the reality of the SNP's plans for local income tax go to the heart of the matter. That is not surprising, because the reality is that the figures that the SNP has quoted are completely fictitious—the tax rate would be double the level that the SNP claims that it would be. It is important to check the detail.

The Presiding Officer: The member needs to wind up now, please.

Sarah Boyack: As for a policy of no redundancies for the public sector, 13,000 local authority jobs were lost last year. With the SNP, we need to check the small print.

I move amendment S4M-02687.2, to leave out from “with concern” to end and insert:

“the severity and speed of the public sector cuts put in place by the UK Government, that the SNP administration allocated as much as 89% of all budget cuts to local government, doubling the level of cuts allocated by the UK Government to Scottish local authorities, that the SNP administration has undermined the capacity of local authorities to protect services to local communities and that local authorities are increasingly reliant on the Scottish Government for funding for local services and believes that strong local councils are a crucial part of democracy in Scotland, enabling local communities to determine priorities for their local areas.”

09:45

Paul Wheelhouse (South Scotland) (SNP): I will start by addressing the point that Sarah Boyack made about the single police force. I understood that the Labour Party fought the previous Scottish Parliament elections on a promise of a single police force, so it is ironic that Labour now criticises that policy.

The Tories' motion talks of rhetoric, which is ironic given the opening speech. The Tories talk of centralisation, which is also ironic given their

record of gerrymandering local government boundaries to suit them—although in practice the electorate saw to it that it did not suit the Tories at all, and the same will happen on 3 May. The Tory manifesto is a poor document that is thin on detail, which is understandable when the Tories have conceded that they are fighting the Lib Dems for the bronze medal in the local government elections.

In historians' eyes, the Tories formed possibly one of the most centralising Governments in the history of the British isles. Mr Cameron has continued that theme with his patronising tone whenever he visits Scotland. By contrast, the SNP Government is pursuing a community empowerment and renewal bill and allowing the development of new rail stations through the new station investment fund and efforts to adopt stations.

When it comes to planning—especially in relation to renewables—Conservative councillors show overt and opportunistic cowardice. When any wind farm comes up for discussion, they seem to say, “Let's reject this and force the Scottish Government to make the correct decision,” rather than treat each application on its merits.

A former shadow Secretary of State for Scotland and former incumbent in the role of sole Tory MP in Scotland, Mr Duncan, is standing in the Leaderdale and Melrose ward in the Borders. He has called for a moratorium on all wind farm developments, which I presume would apply even when communities fully support developments, as many do in the Borders. Apart from being against communities' interests, the proposal smacks of prejudice.

Christine Grahame forced Mr Duncan to admit that he would rather see a new nuclear power station in Lauderdale than compromise on wind power. In the unlikely event that he is elected, I certainly hope that he does not end up on Scottish Borders Council's planning and building standards committee.

When any decision is made in favour of a site that complies with the council's planning policy, Tories locally will bleat that it was the bad SNP boy who rang the bell and ran away. They ignore the fact that the decision will have been made on planning grounds by an independent Government-appointed reporter who is a planning professional. We should contrast the Tories' approach with the Government's support for 500MW of community-owned and operated renewables.

The Tories' motion refers to subsidiarity. Quite. When will the Tories realise that their mooting of issues such as subsidiarity loses all coherence and credibility when their leader in this place talks about lines in the sand on devolution, regardless

of what the people of Scotland want or need? The Tories' strong support for Calman, which excluded any reference to independence, showed their true colours.

When the Tories discuss subsidiarity while guffawing at any suggestion that the cabinet secretary from the area of these islands with more than 70 per cent of the fishing fleet should lead fisheries talks—recognising that such talks should be led by the most appropriate minister rather than placemen from the House of Lords—we know exactly where they stand. That shows their utter hypocrisy.

On centralisation, do not the Tories understand that, as the minister said, the concordat with local government has delivered far greater autonomy than they ever considered, let alone delivered? At its heart, that includes the freedom for local authorities to spend more than 90 per cent of all their income, since the practice of ring fencing has pretty much ended. Only limited ring fencing remains for spending on discrete matters such as community police officers, and there are clear links to single outcome agreements.

Single outcome agreements free up councils to decide how best to deliver outcomes that are agreed and shared with the Government. Perhaps that is why the innovative national performance framework and single outcome agreements are generating much interest from beyond Scotland.

The Scotsman has derided the Tories' manifesto—it branded the term “local devolution” clumsy—so even newspapers that are steadfastly kind to the Tories have their doubts. The proposal is just a somewhat banal attempt by the Tories to rebrand their flop of a policy on the big society.

They propose directly elected mayors—surely all should be provosts, Mr Carlaw, or did that not survive the translation from London? Giving one elected member executive powers is not exactly a positive way to democratise councils and empower local communities, as more top-down management will result rather than power to the grass roots.

Jackson Carlaw: I realise that Mr Wheelhouse must disavow his personal Conservative past—I recall the days when he was a considerable activist in the young Conservative movement—but does he not understand that what we are proposing in directly elected provosts is people who will have the ability to stand up for and represent their communities against the centralising force of this centralising Government?

Paul Wheelhouse: Far from it, I see it as an opportunity for less connection between communities and council administrations. Executive models in Conservative-led councils such as Scottish Borders Council are being

roundly criticised for their lack of connection with local communities. On my political past, I can honestly say that I am much better now—unlike the Conservative members sitting opposite.

On engagement with local stakeholders such as housing associations, the Tories refer to local housing in their manifesto but, in practice, they ignore calls from local housing associations to preserve exemptions to the right to buy in favour of their dogma on the right to buy. They know fine well that the housing supply in areas such as the Borders has collapsed, particularly the supply of three-bedroom properties.

The Presiding Officer: The member needs to wind up.

Paul Wheelhouse: I will, Presiding Officer.

Rather than reject local calls for decisions on exemptions to the right to buy, the Tories should put aside their dogma and back local control on such issues.

Sarah Boyack talked about East Lothian buses. SNP-led East Lothian Council has shown aptitude and an understanding of community needs, and it is backing community-led transport options in that area.

09:51

John Pentland (Motherwell and Wishaw) (Lab): I thank the Conservative Party for bringing the subject for debate. Although I share some common ground with them on the principles that they are promoting, I dare say that we would diverge in how we put those principles into practice.

The Tories' contribution can be viewed in the context of the Localism Act 2011 and in line with the coalition statement:

“The time has come to disperse power more widely in Britain today”.

In my book, that should mean listening to the millions, not the millionaires. It should mean giving more power to ordinary folk, to local communities and to the workers' and civic organisations that represent thousands and sometimes millions of people. It should mean giving a clear message to the Murdochs, the Soutars and the Trumps of this world that, in a democracy, their views do not count for more than those of anyone else.

Sadly, there are many examples to show that that is not how the world works. Having a Government at Westminster whose Cabinet is overwhelmingly composed of ex-public school millionaires hardly fills us with confidence that their ideas for extending local democracy have much connection with the man in the street, however much they may try to be like the common people.

In Scotland, is it right that millionaires think that their money can allow them to ride roughshod over local people, to hold our energy policy to ransom or to bankroll one side of a referendum on the future of our country?

Localism should be about the extension of democracy and giving real powers to communities and local authorities, not making funding dependent on submission to the programme of central Government nor restricting local government funding powers nor having local government shoulder 10 times the cuts burden of the rest of the Scottish budget.

Derek Mackay: Like other colleagues, the member refers to an 89 per cent reduction in the block grant for local government, but does he not recognise that that excludes £2.3 billion that is raised through non-domestic rates, which is passed to local government? The figure to which he refers is only even remotely credible if we exclude that £2.3 billion for local government.

John Pentland: It is clear to local authorities that the minister is making swingeing cuts to their budgets.

The Scottish Government comes across as backing devolution to the limits and beyond, but in practice it draws power to itself or to arm's-length bodies, which are conveniently lacking in accountability to the Scottish Government when difficult and unpopular decisions are made. The Government is quite willing to deliver and take credit for good news, but it is loth to mention anything bad, unless it can blame Westminster or local government.

Devolution is not just about more power for SNP ministers. The Government should follow the logic of devolution and give more power to local authorities. After all, the principle of subsidiarity is enshrined in European Union law. The idea is that decision making should be decentralised as far as possible, although it is acknowledged that some decisions are better taken at UK or European level, because of their scale or effects—I can see why separatists are not keen on that.

John Mason: Will the member give way?

John Pentland: No.

Local democracy should not be about making all local issues subservient to the quest for the holy grail of independence, however independence is defined. Working in partnership with the Scottish Government should not be about local government and communities doing what they are told. There should be constructive dialogue, not meek acceptance and a refusal to rock the referendum boat.

Local government can be a force to be reckoned with when it achieves advances on its own terms,

based on local knowledge. For example, in the North Lanarkshire Council area, Labour will fund 5,000 jobs through a wage subsidy scheme, set up an employment commission to harness resources from the private, public and third sectors and create jobs, and finalise arrangements to attract resources for the creation of a new town at the Ravenscraig site. Labour will also support town centres, build 1,000 new homes, provide new kitchens and bathrooms, deal with antisocial residents and continue to improve schools.

Labour will deliver in that regard despite £100 million of cuts in council funding during the next three years. It gets worse: local authorities must find £17 million to make up for the £40 million cut in council tax benefit, and there is no guarantee that councils will not have to pick up the whole bill in future. Public transport fares are rising and services are under attack as a result of reductions in the bus service operators grant. Bus regulation might help, but no doubt it would upset some bus operators. Police services are to be centralised, but is that a cost saving that will come at the expense of accountability?

Localism should be about local people getting together and having power to influence what happens in their communities. It should be about central Government and local government listening to people and working in partnership with them. It should be about understanding communities' ambitions and aspirations and giving people the tools to help to realise them. The Scottish Government should learn to give power away instead of asking for more all the time.

09:58

Kenneth Gibson (Cunninghame North) (SNP): Jackson Carlaw's comments were interesting. My colleague Paul Wheelhouse used indeed to be a member of the Conservative Party. Margaret McCulloch MSP, too, was a Conservative candidate as recently as 2007. What does that say about the Conservative Party? People are desperate to leave it. Of course, the only Conservative MP in Scotland, David Mundell, was a Social Democratic Party councillor—something of which I am more than happy to remind him whenever I see him, although for some reason it makes him blush.

Let us look at the Tory record on localism and local government. Did not the Tories abolish Strathclyde Regional Council and the other regions? Did they not abolish the Greater London Council? Did they not abolish town and borough councils, back in the 1970s—a move that many older people rue to this day? Someone mentioned gerrymandering. I remember a local by-election in Renfrewshire, many moons ago, in which the Tories were trounced by the Liberal Democrats—

those were the days, Tavish—because they wanted to move Ralston into East Renfrewshire, in a gerrymandering exercise that failed when the people of the area realised that if that happened they would no longer be able to send their children to Paisley grammar school.

When the Tories drew up the local authority boundaries they put together little enclaves, such as South Ayrshire and East Renfrewshire—Eastwood, as it was then—with the exclusive intention of winning local government seats. The Tories took that approach not because it was the best one or because it made strategic sense but for narrow political ends.

If the Tories had any interest in local communities, they would not be insulting communities and showing them contempt, for example by becoming directly involved in candidate selection. We know that because one of them told the Press Association that they were asked to stand to make up the numbers. An 87-year-old Conservative candidate in the North, West and Central Sutherland ward of Highland Council told the PA on 13 April:

“Someone in Edinburgh at the top of the party phoned me up and asked if I would like to help them out. I emphasised I would—but only if they could guarantee that I would not win.”

The ambition is astonishing. He continued:

“I did offer to go up to North, West and Central Sutherland but the party bosses said there was no need to. They told me to do nothing ... All they wanted was my name on the ballot paper. ... That’s why people like me have been asked to stand, not because we have any hope of winning but to split the vote and reduce the chance of the SNP getting in.”

How pathetic. I understand that the 87-year-old candidate was nominated by the young Conservatives, of which he apparently still qualifies as a member.

The Conservative Party is stagnant. Who said that they are

“not going to turn that around overnight”?

It was Ruth Davidson, the Conservatives’ new leader, who until recently was hiding up the back of the chamber somewhere. Ms Davidson’s knowledge of local government is not too great—it is about as good as her knowledge of the Welfare Reform Bill. On 3 April, she said:

“We think that there are areas in which local councils can make a difference, for example in Stirling we are part of the administration.”

Sorry, but the Tories are not part of the administration there.

The Conservatives’ line is nonsense. With their “big society”, they are flogging a dead horse. People are wise to it. The Tories are desperately

looking for an idea. *The Scotsman* branded their phrase “local devolution” as “clumsy” and questioned its lack of detail.

Let us look at Labour, though. We have heard all this nonsense from John Pentland and, before that, Sarah Boyack about cuts to local government. I have some figures that show that if we exclude national health service spend, local government’s share of the Scottish budget has increased from 64 per cent to 69 per cent since the SNP came to power.

Let us look at what Labour said when the SNP came to power. Wendy Alexander said, in her legendary hungry caterpillar speech:

“More tellingly, the height of Mr Swinney’s ambitions is a target that ... is less than half that set for the rest of the United Kingdom. That is even though we in Scotland start from a larger public sector base ... Although we had warm words from Mr Swinney, we ... start fatter than the rest of the UK, continue to slim more slowly ... and have a higher target weight at the end of the day when it comes to getting best value for Scottish taxpayers.”

She went on to say that she had

“not laid out what we would do in the next spending review. However, it is not ambitious to suggest a target that is half that of the UK’s and only to match what was done for the past three years.”—[*Official Report*, 24 May 2007; c 139-140.]

Labour was calling for double the efficiency savings introduced by the SNP and, unlike the SNP’s, they would be top sliced. On 25 June 2008, I asked about that and was advised by Don Peebles that “the only logical consequence” of that Labour policy would be a £310 million reduction every year for local government. Let us not have any crocodile tears from Labour. If Wendy Alexander, who, three months later, was unopposed as Labour leader, had been in, there would have been a £1.5 billion cut from budgets.

Of the 348 Labour councillors elected in 2007, 32 are now standing against Labour. In December, when Johann Lamont was elected Labour leader, there were nine Labour councillors in her Pollok constituency. Only four months later, six of those councillors are standing against the Labour Party, showing the chronic lack of confidence in the Labour Party, and indeed in Ms Lamont’s leadership, among her own councillors.

We have abolished ring fencing.

On council tax, I was interested to hear Sarah Boyack say that all local areas are putting up their own manifestos. That includes her own area of Edinburgh, where they are attacking the SNP for giving too much money to Glasgow.

On the council tax freeze, Anas Sarwar said:

“I don’t think that’s credible. I don’t think that’s progressive.”

Of course, Labour's manifesto for Edinburgh does not even mention it. After rubbishing the council tax freeze, Labour is now proposing a five-year council tax freeze in Glasgow. It is a party desperate not to win but to survive in local government next week. It will be in for a real drubbing, just like the Conservatives.

As for the Liberals, with 84 fewer candidates, that is about as much of a mention as they need to be given.

10:04

Liz Smith (Mid Scotland and Fife) (Con): I was a bit disappointed with the minister this morning when he said that he was surprised that Mr Carlaw had not talked about policy. I am not quite sure what speech the minister was listening to, because Mr Carlaw spelled out about six or seven things that the Conservative Party would do. However, let me try a little bit on education.

"When it comes to our schools, the one-size-fits-all approach does not work and, as a result, there is some need to rethink the prevailing orthodoxy and ensure there is greater diversity in the school system."

Those are not my words but those of one Michael Russell, author of "Grasping the Thistle", which was published in 2006. Then, in November 2010, the same Michael Russell, who was by then an exalted cabinet secretary, told Parliament:

"There is a strong case for talking about school autonomy and for relating the curriculum for excellence to the autonomy of teachers."—[*Official Report*, 11 November 2010; c 30345.]

In October 2011, just after David Cameron published his report into school management, Michael Russell acknowledged that

"many schools across Scotland ... have benefited from having far greater control of their own management."

He went on to say that he wanted to work with schools and parents and local communities so that they could take advantage of opportunities for a greater say over their affairs.

For once, I cannot fault the Cabinet Secretary for Education and Lifelong Learning's pronouncements. However, I suggest that the current evidence makes it very hard for any politician to work against those sentiments—indeed, I noticed in *The Scotsman* yesterday Des McNulty writing on a similar theme—so let us look at the reasons why the wind of change is in the air and then measure that against the record of the SNP Government.

First, the curriculum for excellence, the principles of which have secured cross-party agreement, is based on the fact that children perform very much better when their learning is tailored to their individual needs and when that

learning, as well as embodying the necessary traditional knowledge, is made specifically relevant to the circumstances of their own school and local community. The whole philosophy around the curriculum for excellence is one of seeking a rich educational experience by applying the basic core material to the diverse needs of different pupils and different schools. It tries to draw back from overprescriptive learning, excessive testing and overdependence on educational theory.

That is exactly why the recent fuss over how ready schools are to undertake the new exams should never have happened. It was perfectly understandable that schools, which have different structures and different needs, would be ready at different times, so I am still at a loss to see why the cabinet secretary expected otherwise. Instead of listening to his own advice from 2006, he got himself locked into a mindset that the state knew better than schools and parents.

What the curriculum for excellence seeks to do is to swap the acceptance of mediocrity in too many schools for an aspiration for excellence.

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): The member said that there is an acceptance of mediocrity in too many schools. That is a scandalous accusation. Can the member name one school in which the headteacher accepts mediocrity?

Liz Smith: I would ask the member to have a look at Scottish schools' attainment levels. What is even more important is that there is an acceptance across the political spectrum and within the education establishment that we are not aspiring to enough excellence. That is one reason why all parties, including the SNP, have signed up to the curriculum for excellence. We have had an acceptance of mediocrity and our results show it.

What is interesting in all of this is that Michael Russell is in difficulty about where we go from here. I know that he does not like being told by a Tory about successes south of the border when it comes to changing the focus of school management, so if he will not take it from David Cameron, the Prime Minister, let us hope that he will take it from David Cameron, his namesake in Scotland, whom Michael Russell charged with looking at school reform.

David Cameron looked around the world for examples of school successes—perhaps this might help Mr Hepburn—and drew on the European Commission study of 2007 that pointed to school successes in Belgium, the Netherlands and Latvia as a result of increased teacher autonomy; he highlighted the high value attached to the teaching profession in Sweden and Finland because of the extent of teacher autonomy; he produced evidence from Latin America, where no

fewer than seven countries demonstrated that the greatest success was found where there was the greatest degree of school management; and he said that there were lessons to be learned from south of the border, where the greatest desire for our free schools has been in the most deprived areas. Indeed, we know that as of February this year 50 per cent of new free schools have come from the 30 per cent most deprived areas—that tells us something.

Then there are the comments from the Scottish rural schools network that persistently demonstrate how creeping centralisation is damaging education in some of Scotland's most rural areas. Sandy Longmuir and his colleagues have made plain their grave concerns about what they say is the "mechanistic vision" of some local authorities and central Government that pays little regard to the context of local communities. The same principles were highlighted by David Berry—an SNP councillor, no less—in East Lothian when he considered the model of trust schools.

At the weekend, we learned about the restrictions on placing requests in Edinburgh—the fact that a record number of parents are being refused places for their children at their first-choice primary school. Local authorities throughout Scotland are struggling to meet local demand, which suggests that something radical must be done to change the system.

It interests me that there is not only a growing demand from parents and local communities but a desire for change among the educational establishment. I contend that there is compelling educational, social, philosophical, economic and, now, political evidence that it is time to introduce devolution and support our local communities.

10:10

Jean Urquhart (Highlands and Islands) (SNP): There is something Orwellian about the debate. The Conservatives are calling things black when they know that they are white, and all the Opposition parties seem to have picked up on the Liberal Democrats' war cry of centralisation. They say that the SNP is centralising everything and taking power away from local authorities, taking it away from local communities and taking it all to itself.

However, actions speak louder than words. I have been a councillor with Highland Council for the past nine years and, therefore, can make comparisons with the Scottish Labour-Liberal Executive—what a mouthful that is—and then the minority Scottish Government, which was in charge of devolving budgets to local authorities.

Between 2003 and 2007, Highland Council had to deal with two big issues—moneys for many

issues were ring-fenced, which made life difficult for it, but two issues were really extraordinary. One was the need for real capital investment in new schools, for which the council had its own plan. However, that plan was overruled by the only show in town—the Labour Party enforcing the private finance initiative/public-private partnership on local government. We now have extraordinary debt and PFI/PPP is well reported, well recorded and, in fact, increasingly recognised by people who thought that it was a good idea at the time to have been a complete and utter disaster for local authorities. It was an imposition that we will struggle to live with for a long time to come.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): Cue a proposal for the Scottish Futures Trust and the non-profit distributing model, which is a lovely new name, just as PPP was a new name for PFI. Audit Scotland has stated that the non-profit distributing model is identical to PPP, so the Scottish Futures Trust's building programme will be the same as PPP.

Jean Urquhart: I am sorry, but Audit Scotland told us that the PFI programme was acceptable. We need to look at some of the advice that we take. The difference is that our model is not for profit.

Dr Simpson: It is just a term.

Jean Urquhart: No, I am sorry. It is not just a term.

Dr Simpson: The builders, architects and suppliers all make a profit. It is just a new form of PPP.

Jean Urquhart: No, I do not accept that.

The Deputy Presiding Officer (Elaine Smith): Speak through the chair, please.

Jean Urquhart: I do not accept that "non-profit distributing model" is only a term. A graph of the repayments for a school that is built under the PFI programme and one that is built under what we recommend shows an enormous difference.

Second only to that in its breathtaking control and centralisation was the Labour Party's control of local authority housing and its brave new world of housing stock transfer. It cost Highland Council something in the region of £1.4 million—that is only an average figure—to build a case, with a gun at its back, to show that its tenants would like the housing stock to be transferred. In fact, we did not convince all our tenants.

We have Mrs Thatcher to thank for the ballot that we had. When she had the crazy idea of selling off all our council houses, she wrote it into legislation that no tenant should have a new landlord imposed on them, which meant that the Labour Party could not simply move forward and

transfer the housing stock; it had to ask the people. We must give the Tories credit for that. However, we should not give the Labour Party any credit for that kind of blackmail and for forcing local authorities to do something so that it could achieve its own ambition. Fortunately—in one respect—Highland Council tenants voted overwhelmingly to keep the council as their landlord, but that means that the council now suffers from a housing debt, because the sweetener was that the debt of £140 million would have been cleared if there was a housing stock transfer. In the event of people having their say and not going for housing stock transfer, they would be punished, to the extent that 50 per cent of income from their rent now does nothing more than service a housing debt.

The Liberal Democrats promised to clear that housing debt. In fact, Danny Alexander himself, standing in the self-same region, declared in his leaflet that one of his top priorities would be to clear the housing debt, because he knows the poverty that it brings to our housing stock in Highland Council. That was an empty promise.

Mary Scanlon (Highlands and Islands) (Con):

The member, a Highland councillor, mentioned that the tenants are being punished, because more than 50 per cent of rental income is used to pay interest. Will she also admit that the SNP campaigned against the transfer of the housing stock and the opportunity for that debt to be paid off?

The Deputy Presiding Officer: Jean Urquhart must come to a conclusion now.

Jean Urquhart: Absolutely. We campaigned strongly so that Scotland could keep—

Mary Scanlon: You are punishing the tenants.

Jean Urquhart: No. Why would we transfer a really valuable asset to a private housing company for the price of £15 million? Of course we campaigned against that.

The Deputy Presiding Officer: I am afraid that I really have to ask you to conclude now.

Jean Urquhart: I am sorry that this has taken quite so long.

The unfencing of moneys from central Government equated to £54 million for Highland Council. Together with the single outcome agreement, that made an enormous difference to Highland Council. Council members of all parties were delighted with the ability to spend the money in the areas where it was most needed.

10:17

Neil Bibby (West Scotland) (Lab): I refer members to my entry in the register of members'

interests, as I am an elected member of Renfrewshire Council for one more week.

I welcome the opportunity to contribute to the debate on localism. As other members have said, the debate is timely, given the imminence of the council elections, which will be held a week today.

I will talk, as many other Labour members have done, about the importance that Labour places on local democracy, on communities and local people being listened to, and on local issues being dealt with at a local level.

At the council elections, Labour councillors are putting local issues and local people's concerns at the forefront of our campaign. That contrasts starkly with the SNP's council election campaign, which appears to be not about local people but about one person: Alex Salmond, the First Minister.

John Finnie (Highlands and Islands) (SNP): Will the member take an intervention?

Neil Bibby: I would like to make some progress.

Over the past few weeks, the SNP campaign has had Alex Salmond on leaflets, Alex Salmond on letters and Alex Salmond on e-mails. I have even heard of Alex Salmond's face being on SNP posters on McGill's buses in Renfrewshire. The election campaign is about local issues; it is not about one person—Alex Salmond.

Like many other members, during the campaign I have been knocking on doors and talking to voters. I have been saying to people in Renfrewshire that, despite his prominence in the SNP's council election campaign, Alex Salmond will not clean up the dog mess at the end of the street, he will not fix the potholes, he will not put the school bus back on and neither he nor his special adviser will provide meals for the elderly—unless, of course, the person concerned happens to be Rupert Murdoch or Donald Trump. Those services are delivered by dedicated council staff, who do a good job in difficult circumstances. The decisions that are made about those services should be made by local councillors who are elected by local people.

There will always be a debate about what powers should sit where. A balance needs to be struck. Some decisions should be made at a local level to give people a say over local issues, but some should be made at a national level in order to ensure that there is a minimum standard of service and a strategic oversight of how the services are delivered.

Under the SNP Scottish Government, however, there appears to be plenty of willingness to call for more powers from the UK Government but a reluctance to give more power and influence to local authorities. The SNP separation rhetoric—

about being able to make our own decisions and do what we want—is exactly the same as the argument that is made about why local councils and communities should have more of a say. If the SNP accepts that that is not straightforward in a Scottish context, it should accept that it is not straightforward in a UK context either.

Frankly, the real issue that we have with local services at the moment is that they, and local authority budgets, are being cut by the SNP Government. We can talk about powers for local authorities to deliver local services all that we want, but if local authorities do not have the appropriate finances, we will not be able to improve communities and people's lives.

Local authorities cannot give more money to local area committees, community councils, tenants associations or parent councils if their own budgets are being cut. Councils need to take tough decisions, because the fact is that local authorities are bearing nearly 90 per cent of the Scottish Government cuts. The figures that make up that 90 per cent come from the Scottish Government's budget. Those real-terms cuts to local authority budgets come to 5.7 per cent—or a staggering £1.6 billion—over the next three years. The Tories are cutting the Scottish Government budget by 2.2 per cent in real terms. When it comes to local government cuts, the SNP is simply even worse than the Tories.

Kenneth Gibson: Do you not accept that we have a limited and declining budget and that the share of money that is now going to local government is now higher than it was when the SNP came to power? If you think that local government should get additional funding, can you please tell us where that funding should come from?

The Deputy Presiding Officer: I remind members to speak through the chair.

Neil Bibby: It does not matter how Mr Gibson tries to dress it up; the fact is that local government is facing swingeing cuts, and £1 billion of those cuts are coming from the SNP's decision to pass them on to local authorities. That means that we have £600 million of Tory council cuts and £1 billion of SNP council cuts. I know that that is an uncomfortable fact for the SNP, because I know that SNP members, including the Minister for Local Government and Planning, who was the leader of Renfrewshire Council, have stated that all council cuts were the fault of the UK Government, but that is simply not the case.

Those cuts mean that local councils cannot protect local communities, and that has a human cost. Vulnerable people—young and old—who rely on council services lose out.

George Adam (Paisley) (SNP): If, as Mr Bibby is stating, everything is to do with the people in the communities that he serves, can he say, as a member of Renfrewshire Council, why the Labour Party has not put pen to paper to promote a budget that will do anything for any vulnerable member of our society in Renfrewshire? Why has it not taken responsibility? Can the member answer that one?

Neil Bibby: I say to George Adam that the Labour group has put pen to paper to produce alternative budgets over the past five years, and what he is saying is simply not true—[*Interruption.*] Perhaps he would like to explain why, in Renfrewshire, there are 200 fewer teachers; why classroom assistants are being cut; why nurseries, primary schools, libraries and community centres are being closed; why charges for the elderly are doubling; why people with learning disabilities are having to pay for transport to day care centres; and why there is a barmy plan to take teachers out the classroom and replace them with non-teaching staff. All those cuts are against the wishes of people in Renfrewshire. I wish that George Adam had taken the opportunity to apologise to them.

Of course, councils can always spend their money more efficiently. For example, in Renfrewshire, at a time when services were being cut, the SNP council should never have voted to give senior bosses a 23 per cent pay rise or £15,000 cheques to former "X Factor" contestants to do 15 minutes' work and press a button switching on Paisley's Christmas lights.

Labour in Renfrewshire will do things differently and I hope that people in Renfrewshire will vote Labour in the council elections in May. We simply cannot continue with the current level of local authority cuts, which are undermining local democracy.

The Deputy Presiding Officer: Before I call the next speaker, I remind members that they ought to be courteous to each other at all times in the chamber, and I also remind them to speak through the Presiding Officer.

10:25

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I could not help but notice that, in setting out his concern that Alex Salmond seems to be prominent on some SNP literature, Neil Bibby singularly failed to explain why Johann Lamont does not feature on any of the Labour Party literature that is going out in Cumbernauld and Kilsyth. I can only imagine why that might be the case.

In case Jackson Carlaw seeks to intervene on me, although I see that he is leaving the chamber, I state clearly for the record that I was never a

Tory in my youth and I do not plan on being one in the future—

Alex Johnstone: Join now.

Jamie Hepburn: —despite Mr Johnstone asking me to join now.

I thank the Tories for bringing this debate on the concepts of localism to the chamber. It promised to be interesting, but I think that it has failed to live up to that promise, which is a shame. It has been characterised by the Tory party's total and utter failure to define what it means by localism. Jackson Carlaw stated at the outset that he would not take up his entire allocated time. He spent the first two minutes giving us an admittedly entertaining pontification on a hypothetical leadership contest for the SNP. He even found time to refer to French history, which I thought was remarkably brave for a member of a party that has always adopted a let-them-eat-cake attitude where the Scottish people are concerned. However, it is just as well that he used his time in that fashion, as he had little to say on what the Tories mean by localism.

It is a little rich for the Conservative and Unionist party to come to the chamber and masquerade as the party of real devolution, given that it opposed the creation of this place and devolution for Scotland. Its approach is also rich in another sense, in that the Tory motion refers to the SNP's "rhetoric" regarding centralisation, yet the Tory talk of localism seems to be merely empty rhetoric.

I have looked over some debates from years gone by in the *Official Report*, and I note that on 15 September 2011 Mary Scanlon was concerned about

"The postcode lottery with regard to care".

On the same day, Ruth Davidson was concerned about college bursaries and their

"first-come, first-served postcode-lottery nature."—[*Official Report*, 15 September 2011; c 1762, 1814.]

On 28 October 2010, Margaret Mitchell was concerned about the "postcode lottery" in relation to the young carers strategy. It is not illegitimate to raise such concerns, but what is meant by the term "postcode lottery"? It is used to criticise different levels of service provision on an area-by-area basis, but is that not in itself localism? I suggest that, at best, the Conservative Party is muddled on the issue.

Margaret Mitchell (Central Scotland) (Con):

Does the member not realise that what is being advocated is a level playing field? The funds should be available for local authorities to spend them in the best interests of providing services to people such as unpaid carers. It is quite simple.

Jamie Hepburn: The member fails to understand the point that I have made. That would still allow for the postcode lottery. On that basis, I hope that we will never again hear the term from the Tory benches.

Let us talk about the facts of the matter. This is not a centralising SNP Administration. The Government has worked with local government to empower it through the ending of ring fencing. The concordat may be scoffed at and traduced from all other sides, but it is an entirely new approach to dealing with local government. It is a partnership approach that we have not seen before. We saw the process of diktat from the Scottish Executive to local government before the SNP created the local government concordat in tandem with local authorities.

We saw an example of that collaborative approach in recent days, as the Scottish Government and COSLA came together to breach the gap in council tax benefit that the Westminster Government is handing to the Scottish Government. It is a shame that Labour members cannot bring themselves to welcome that protection for some of our most vulnerable citizens.

I also disagree that the reforms to the police and fire services are a centralising move. Paul Wheelhouse did well to remind us that the Labour Party supported the creation of a single police force and a single fire service.

Sarah Boyack: Will the member clarify the point about local accountability and local financial influence on the operation of the new police force? We are in favour of the elimination of duplication, but we are not in favour of the eradication and removal of local accountability.

Jamie Hepburn: I believe that there will be increased local accountability. It is clear that operational issues will remain a matter for senior police officers. At the moment in Strathclyde, for example, many local issues of concern are not really being dealt with by a large police board and a large fire board. With the creation of local police and fire committees on a local authority to local authority basis, there could be increased local accountability.

I refer briefly to concerns about compulsory redundancies that Labour raised. It is interesting that John Pentland referred to North Lanarkshire Labour's position of creating 5,000 jobs for North Lanarkshire. What Mr Pentland and Ms Boyack did not mention, of course, is that there have been redundancies for low-paid workers and bonuses have been handed to senior executives in Labour-controlled North Lanarkshire. Mr Bibby would do well to take that point on board. We have an SNP Government that has not undertaken compulsory

redundancies and, in going forward to the local government election, the SNP is promising not to have compulsory redundancies where it takes control of councils. Members should rest assured that the SNP will take control of more councils next Thursday.

10:31

Tavish Scott (Shetland Islands) (LD): I apologise for having to leave the chamber before the end of the debate, due to a meeting.

I confess that I welcome the fact that we are debating the importance of local government in Scotland now and in the future and of localism, if we must call it that. "Localism" seems a ghastly word to me. However, I sense that this is a slight sideshow to the events that are taking place in other places—not perhaps in the court down in London, where Leveson is hearing Rupert Murdoch for the second day, but probably more those that are taking place in the First Minister's office. It is almost one of those days on which I think that there should be a fly or camera on the wall. Can members imagine the scene? There is an hour and a half to go before First Minister's question time. How many advisers have been thrown out and how many mobile phones have been chucked across the room as the First Minister tries to figure out a way to answer the questions that he will be asked about the lobbying that he has been doing for Rupert Murdoch and News International?

Kenny Gibson, Paul Wheelhouse and Liz Smith have mentioned *The Scotsman*—I refer members to my entry in the register of interests. I thought that *The Guardian's* leader today was better. Perhaps members who quoted *The Scotsman*—nationalist members in particular—might want to look at *The Guardian*, which says that, "Yes", Rupert Murdoch

"liked Alex Salmond, the SNP leader, and, yes, the Scottish Sun was swinging towards endorsing him. And, yes, Salmond had offered to help out News Corp. But these were all unconnected."

The Deputy Presiding Officer: Mr Scott, I wonder whether we could approach the subject of the debate.

Tavish Scott: I was just going to come on to a point about the election, about which Mr Mackay made a point in his opening line. He did not make a point about localism; he made a point about the election. I presume that he made his comments in his capacity as the local government minister—or did he do so more in his capacity as the SNP's election campaign chair? I wonder which is the case. Perhaps he could reflect on that in his closing remarks.

When Mr Mackay wants to reflect on the election, he might also want to reflect on the fact that many people in Scotland will reflect on the past three days of nationalism more than anything else when they vote.

On localism, Mr Mackay has been keen to defend his police proposals. *[Interruption.]* I hear Kenny Gibson having a go at me from a sedentary position. If he wants to stand up and explain his boss's relationship with Rupert Murdoch, I will be more than happy to take his intervention. *[Interruption.]* That is the subject that everyone in Scotland is talking about right now, and he does not like that.

Kenneth Gibson: Perhaps the member can explain why the Liberal Democrats have 84 fewer candidates in the election. It is no wonder that he is trying to take us on to a side issue: his party is on the verge of total collapse. In North Ayrshire, where I am an MSP, the Liberal Democrats came sixth in the list behind the pensioners and the Greens last year. They have four fewer candidates than the Socialist Labour Party. Will the member tell us why the Lib Dems have 84 fewer candidates, as this is a debate about local government?

The Deputy Presiding Officer: I would be grateful if we could stick to the subject of the debate.

Tavish Scott: Kenny Gibson really wanted to get that off his chest and he looks so much better for having done so, so I will leave him to cogitate on that fact.

Kenneth Gibson: The member has nae answer.

Tavish Scott: I have just been told that I cannot give an answer.

On the subject of localism, I want to focus on police reform, which Mr Mackay was so keen to tell us was a great thing. As Sarah Boyack rightly said, ministers will be in control and will appoint the chief constable. *[Interruption.]* I see Mr Mackay shaking his head. He should read his own bill—it is right there. Ministers will appoint the board that will appoint the chief constable. The senior tier of the police, which I used to believe were independent from Government, will be appointed by ministers. It does not matter which Government is introducing it—it is an appalling principle to establish in Scotland and I cannot believe that nationalists support it.

Sarah Boyack was also right about the local police plan. Senior police officers in my part of Scotland have told me that the idea that any council will be able to do anything about the proposed plan is neither here nor there; the reality is that it will be a take-it-or-leave-it proposition.

Derek Mackay: Will the member give way?

Tavish Scott: If Mr Mackay can show me the section in his bill that suggests otherwise, I will be very happy to take his intervention.

Derek Mackay: Does the member not welcome the Government direction that local accountability will be delivered through local partnerships with police? Local councils will be given flexibility on the arrangements that they reach with their local police forces and there will be a designated senior local officer.

Tavish Scott: The minister just made my point for me when he talked about "the Government direction". If the chamber needed to know any more about the Scottish National Party and its approach to local events, Mr Mackay just gave it away with that phrase.

John Finnie: Will the member give way?

Tavish Scott: I am just about to deal with the area that the member represents. I believe that Liz Smith mentioned Mike Russell, who, according to the Scottish Government website, is in Budapest today.

John Finnie: Will the member give way?

The Deputy Presiding Officer: Mr Finnie, Mr Scott is not taking your intervention.

Tavish Scott: We cannot keep up with Mr Russell, but he is in Budapest today, presumably because he did not want to talk about Rupert.

However, I point out to Mr Mackay that, in *The Herald* the other day, Mr Russell attacked Strathclyde Police for cutting police officers in Mull. On the one hand, we have statements from Scottish nationalist ministers that there will be no cuts or changes as a result of the move and great protestations about how wonderful it is that they have put these extra bobbies on the beat. On the other hand, we have in Tuesday's *Herald* Mr Russell, a Cabinet minister in this Government, slamming Strathclyde Police for cutting police officers. It is no wonder that he is in Budapest.

I will briefly mention local government finance, which, after all, is the minister's responsibility. I thought it very brave of Mr Mackay to mention the historic concordat; Mr Salmond gave it an outing at every question time for three years but we never hear about it any more. The reality of local government finance is very simple. There used to be a principle that local councillors were financially accountable; indeed, the nationalists used to believe as much. Now that they have a majority, they could implement local income tax, a move that I would strongly support, and reintroduce financial accountability for local members. The fact that they do not do so says everything that we need to know about the SNP.

10:37

Dennis Robertson (Aberdeenshire West) (SNP): Before he leaves the chamber, I should tell Tavish Scott that I agree with him on one point: I do not like the word "localism" either. However, that is the only thing that we agree on.

Given the subject that we are debating, it is appropriate that we look at what is being done locally for our people. I believe that this Government and the SNP as a party listen; indeed, that is probably why we returned 69 MSPs at the last Scottish election. This is a party that listens to the people, their aspirations and their vision and we will continue to listen and to devolve things down to a local level.

I am very fortunate to be the MSP for Aberdeenshire West, where we have CPPs that have delivered locally for people by listening to what they are looking for and require in their communities. The SNP Government has also funded the regeneration of our town centres and cities because that is what the local people wanted. Our communities ask for localisation, and I believe that we deliver it.

Margaret Mitchell: The member mentioned the town centre regeneration fund. Does he share my regret that it has been discontinued?

Dennis Robertson: My understanding is that even more money is going into local regeneration of conservation areas.

It is always regrettable when a Government does not have the funding to do all the things that it wishes to do, and this Government is restricted in how it can allocate its budget, given the £1.3 billion cut in our funding from the Tory and Lib Dem Government at Westminster.

We are looking at what people need locally. People need local services to manage how they live in their communities. Because of the Tory and Lib Dem Government cuts, there will be more vulnerable people in our communities. The Government is doing everything that it can to assuage the damage that will be done under the Welfare Reform Act 2012. I am already getting lots of e-mails and other mail from people who are already feeling the impact and are anxious about their vulnerability to the welfare cuts. In the local elections, people will remember where the cuts are coming from, and on their ballot papers, they will transfer their votes to show that they give no importance to the Conservative and Lib Dem Government at Westminster. The people will deliver that message locally through the ballot box.

Mary Scanlon: Across Scotland, 43 per cent of people who are on benefits have a mental health problem, and they have largely been isolated and ignored. Does the member agree that the Welfare

Reform Act 2012 will support people to get into work and for 24 months while they are in work? Is that not progress?

Dennis Robertson: Oh dear. I wish that I could agree with Mary Scanlon, but I cannot. At the end of the day, there need to be places and opportunities for people to take up. She rightly mentions people who have mental health problems. Does she not understand that they are some of our most vulnerable people and that the prospect of the Welfare Reform Act 2012 is exacerbating their mental health problems?

I will move on to education, which Liz Smith mentioned, and, in particular, education in rural areas. As I said, I am fortunate enough to be the MSP for Aberdeenshire West, which is primarily a rural area. I am grateful to the Government for the legislation that protects our rural schools, and to the cabinet secretary for setting up the commission that will try to understand them, in order to offer them more protection. Was Jackson Carlaw actually proposing some form of elitism by proposing that we have independent schools? I would never support that.

We must ensure that we protect our rural communities because they are the lifeblood of Scotland. Our rural communities require an infrastructure that will support local businesses, local schools and local industry. Broadband has been supported by the Government and by Alex Neil, and our aspiration is to deliver what is needed, despite the protestations from some Conservatives about mobile phone masts and where they should be located. I add that when planning applications in my constituency have come to the Government for approval, they have been turned down. As the minister said earlier, it is not always the case that applications are successful when they come to the Government on appeal.

We will listen to the people and, on 3 May, the people will deliver. I suspect that Jackson Carlaw may come back into the chamber wondering whether he needs to put more water in his bath next time.

The Deputy Presiding Officer: I inform members that we are now tight for time.

10:44

John Mason (Glasgow Shettleston) (SNP): I agree with the Unison briefing and its comment that it believes in subsidiarity and devolving power to the lowest level of competent democratic authority, but that it can often be unclear what the advocates of localism really mean. Their wider agenda often provides plenty of clues. Genuine localism should be about promoting the best interests of local people and communities. We are

right to be suspicious of who is promoting localism today: a party that is controlled by Westminster, that rejected more autonomy under Murdo Fraser, and that thinks that the UK is a good thing.

We could say a lot of things about localism. We could say that a lot of good things are happening. First, for the first time in quite a while, this year's local government elections are being held on a separate day from elections to the Parliament, despite the long-term resistance of Labour in Glasgow. I hope that that means that we can concentrate on local issues.

Secondly, the relationship between the Scottish Government and local government is greatly improved. The concordat represents a vast improvement on the previous top-down approach. I was a councillor from 1999 until 2007 under the Labour-Lib Dem Administration, and long and many were the complaints from all parties in Glasgow and COSLA about centralisation and the giving of lumps of money for fixed purposes that were not local priorities. There has been a great improvement in that respect.

Thirdly, it is excellent that the right to buy has been severely restricted. The right to buy was imposed at a UK level and no attention was paid to local situations or problems. Now, councils and housing associations can do what is best for their local communities.

However, I accept that local is not always best. With regard to the police, there is broad agreement that a regional approach has not been ideal. On many police issues, we are moving towards working at a national level, but with substantial input at council level and—perhaps even more importantly—at constituency and ward level. I know that the police will move resources to the wards in my constituency that have the greatest need.

Liz Smith mentioned schools. In my area, I see little appetite among parents for running schools themselves. When they were asked about that, there was widespread agreement that they did not want to run schools.

Liz Smith: If the member does not agree with me, what does he think about Sandy Longmuir's analysis—which I think relates to Argyll and Bute Council—that

“local authorities are attempting to impose a mechanistic vision of education”—

just as the Scottish Government is doing—

“where all children—regardless of the context of the communities in which they live—will receive exactly the same sort of education”?

That is wrong.

John Mason: I was just about to say that headteachers have a fair degree of autonomy already and that I would be happy for that to increase. However, Liz Smith should listen to parents. If she listened to parents in my constituency, she would find that they are not demanding to run schools.

I recently visited St Ambrose high school, which happens to be in the Deputy Presiding Officer's constituency, but a third of the pupils at which come from my constituency. Some really exciting ideas are being put into place there under the curriculum for excellence. For example, a musical theatre will involve the English and music departments working together, and the fact that the school is to have a new building on the edge of a country park will mean that geography and science departments will do joint work. That is the kind of localism that I want to see, and it is happening under the present system.

There is, of course, room for improvement. One big improvement would be not to have list MSPs who cover such wide areas and to introduce the single transferable vote system, which would provide much more local representation but would still be a proportional representation system.

There is room for improvement in Glasgow, where things are far too centralised. A much more local system is needed. Some positive signs have emerged. For example, in Byres Road, premises can have later licensing hours, but such exceptions are extremely unusual. Under Labour, Glasgow City Council has been far too centralised. I understand that in Highland Council, for example, more power is given to area committees. If folk in the east end of Glasgow want the pubs or off-licences to close at a slightly different time, why should they not be listened to?

Similarly, planning in Glasgow has been far too centralised. The result has been that the west end has become more and more crowded, while the east and the north have vast tracts of empty land. A more localised approach needs to be adopted. The community planning partnership in Glasgow has also been far too centralised. Glasgow is not just one community; it is many communities, and they want a bit more power to make decisions.

As far as localism is concerned, there are areas that are worth exploring. For example, in the longer term, I would like councils to have the power to set their own rates of local income tax or even land valuation tax. I do not see why councils should not have the power to choose from a slate of possibilities, including a tourist or bed tax. Such legislation has been implemented in the past—for example, councils were allowed to opt in to legislation on the drinking of alcohol outside. That approach has proved highly successful.

Community councils have not had much of a mention, but if we believe in localism, how can we avoid talking about them? We need to consider whether we should give them more powers, although some of them might not want that.

The Deputy Presiding Officer: Mr Mason, I must ask you to come to a conclusion.

John Mason: It is ironic that the party that most strongly opposes more powers coming to Scotland claims to support localism. The motion says that we need to

“return decision-making to Scottish communities.”

How about we start with the Tories accepting that we should return decision making to the Scottish community as a whole?

10:50

Alex Johnstone (North East Scotland) (Con):

My speech follows one of the most interesting and thought-provoking speeches in the debate. Tempted though I am to divert from what I had wanted to say, I will resist that and I will analyse John Mason's speech at greater length before I respond to it.

We are pointing out the Government's centralising power grab from local authorities. However, I take a positive approach and want to introduce new ideas to Parliament, so the best thing that I can do is give an example of something that the Government could do that would decentralise power, and would allow people to express their views locally and have services that suit their needs.

The idea came to me initially as a result of the Labour Party's decision to discuss bus transport in its debating time in Parliament last week. I did not take the Labour Party's motion for granted; instead, I got on the phone and spoke to Conservative candidates across Scotland, particularly in our big cities, to find out whether bus services are in the crisis that the Labour Party described. Sure enough, the evidence is that the Labour Party is right; bus services in Scotland are in crisis.

What has provoked that crisis? An analysis of funding of bus services appears to indicate that a healthy £250 million a year is going from the Government to buses. The problem is that 80 per cent of that is the uncontrollable cost of providing concessionary travel—the figure is growing—while 20 per cent is the bus service operators grant, which is shrinking by £10 million this year. The change in the bus service operators grant that the Government has implemented since the grant was devolved from Westminster has caused a distortion.

Derek Mackay: Will Alex Johnstone give way?

Alex Johnstone: I will listen to what the minister has to say, but I need to continue.

Derek Mackay: Does Alex Johnstone recognise that the cost of fuel has an impact on the running of bus operations across the country and that the cost is not determined locally or in Scotland, but by the UK Government—which, of course, has access to our resources?

Alex Johnstone: I concede that the cost of fuel is significant.

The bus service operators grant used to be a payment that was made against fuel costs, but the Government decided—rightly, in some respects—to move from a fuel-based payment to one that is based on mileage. The effect is that the subsidy, which has been reduced, is distorted because more is paid to longer-distance services in rural areas and rather less is paid to services in and around towns and cities. That is causing the problem that bus companies are using fares to cross-subsidise the cost of the concessionary travel scheme, and where companies cannot make services pay, those services are being withdrawn entirely. That is because of the Scottish Government's decisions on the bus service operators grant.

John Finnie: Will the member take an intervention?

Alex Johnstone: John Finnie will excuse me; I cannot take an intervention.

That brings me to the subject that I want to discuss—a document that the Department for Transport published in March 2012, entitled “Green Light for Better Buses”, which I want to bring to members’ attention. The Westminster Government has not stopped at devolving the bus service operators grant to the Scottish Government; it now has proposals to devolve the BSOG to local authorities in England. That will allow local decisions to be made and will ensure that services are properly targeted to meet the needs of areas. It is already up to councils to decide which services to put out to tender in their areas to fill gaps in the network of bus routes that are run by bus companies. Given that, the Government in the south believes that it would make more sense for the BSOG to be paid to local authorities rather than to bus companies.

Mike MacKenzie: Was it Margaret Thatcher who said that any person over the age of 30 who used a bus could consider themselves a failure?

Alex Johnstone: I have no idea how Mike MacKenzie wishes to travel.

It is the UK Government's intention that the money, once paid to local authorities, will be de-

ring-fenced. That will give local authorities the opportunity to tailor provision of funds to the services that they require. That includes provision of community bus travel, where it is necessary and where it is a more suitable use for the resource.

I bring that to the Scottish Government's attention because the UK Government's approach is an example of Government trusting local decision making and passing resource into the hands of those who can most effectively decide what is appropriate for their local communities. That approach also avoids gross distortions such as this Government's centralised approach to allocation of bus service operators grants has already caused and will continue to cause, if it does not re-target its efforts.

I mentioned that the grant has already been cut by 10 per cent in the current year. That example is to encourage the Government to take up my offer, and to take up the opportunity to devolve the funding to local authorities before the grant does not exist at all.

10:56

Mike MacKenzie (Highlands and Islands) (SNP): I am pleased to contribute to the debate, although I am puzzled that the Conservatives have come so late to the subject. This Government has been advancing a policy of localism since 2007, and the SNP has been preaching localism for much longer than that—since long before 2007, when we were able to form the Scottish Government and put the principles of localism into practice.

Perhaps the Conservatives recognise a need to have at least the shreds of an underlying political ideology. The back-of-an-envelope thinking that lay behind the Conservatives' big idea of a big society has not really progressed beyond the back of that original envelope. Perhaps the Conservatives feel a need to try and graft some political meat on to the skeletal remains—apart, of course, from its giving tax breaks to the rich—of what the Conservative Party stood for.

As for the Labour Party, I was concerned to hear Ms Boyack criticise the SNP on the matter of council house building. The sad fact is that while it was in government in Scotland, the Labour Party lacked the political courage to do away with the Tory right-to-buy policy. We did away with it, and council house building has begun to flourish again in Scotland over the past few years.

Sarah Boyack: Would Mike MacKenzie like to tell us how the cuts to the housing grant have affected housing association construction rates?

Mike MacKenzie: Through the innovation and investment fund a number of housing associations

have come up with some really good, innovative housing projects that have delivered far better value for money than we ever dreamed of under the previous Administration.

It is perhaps worth going through some of the localism policies that this Government has implemented. We have heard about the concordat with local authorities, the single outcome agreements and the abolition of ring fencing. Those policies are all about a new mature relationship between national and local government, whereby local authorities are empowered and are free to spend their resources on local priorities.

However, I agree that it is a big pity that not all councils have embraced that opportunity as well as they might have done. If members are unhappy with the unwillingness of their local councils to embrace those principles, as I am unhappy with my council in Argyll and Bute—perhaps Mr McGrigor is too—they will have the same opportunity as I will have next week to vote for a better local administration. I suspect, however, that Conservative votes will largely be wasted votes, simply because the Conservatives lack the number of candidates for the votes to have any real effect.

Turning to planning, I can only contrast what I am hearing here today with Mr Cameron's policies in England, where he seems to be riding roughshod over local councils. I am curious about the difference between what is happening in England and what is happening in Scotland in planning terms, because this Government implemented and improved the Planning etc (Scotland) Act 2006, which has empowered local authorities to deal with smaller—

Jamie McGrigor (Highlands and Islands) (Con): Mike MacKenzie said that the Conservatives have a small number of candidates. I tell him that we have candidates in all the wards in Argyll and Bute Council and in every ward across the Highlands and Islands.

Mike MacKenzie: Of course, Jamie McGrigor will know that a number of independent candidates are secret Tories who are frightened to admit it.

Jamie McGrigor rose—

Mike MacKenzie: I return to planning—

Jamie McGrigor: On a point of order, Presiding Officer. The member has misled the Parliament by saying that Conservative candidates are independent candidates. If I may say so, he is talking rubbish.

The Deputy Presiding Officer (John Scott): That is not a point of order.

Mike MacKenzie: I point out that I did not accept a second intervention from Mr McGrigor. To accept one was quite generous.

Local planning authorities now have full powers to deal as they see fit with smaller local applications, which are generally no longer subject to appeal to the Scottish Government. Instead, we have local review bodies. Even on larger planning applications that the Government deals with, such as those for wind farms that would generate in excess of 50MW, local authority decisions or recommendations are often upheld—the Government upholds them in about two thirds of cases.

Alex Fergusson (Galloway and West Dumfries) (Con): Will the member take an intervention?

Mike MacKenzie: No. I have taken enough interventions from the Conservatives.

The current consultation on planning proposals suggests taking the existing approach further by freeing local authorities to develop local development plans without fear that reporters will subsequently alter them. What the Tories in Scotland talk about in planning terms is not really localism, but nimbyism.

I will talk about other localism policies of the SNP Government. The community and renewable energy scheme has already delivered £16 million for community energy projects. We have an ambitious target to have 500MW of community energy generation by 2020. Jamie McGrigor will know of such projects on several islands. He will know about Gigha, but he might not know about the island of Yell—we cannot get much more local than that. I see the Presiding Officer indicating that I should wind up, which I am just about to do.

I welcome the Conservatives' conversion to localism.

The Deputy Presiding Officer: You must close, please.

Mike MacKenzie: I only hope that, now that they have succeeded in driving our economy back into recession down in Westminster, members will use their power in Westminster to ensure that the Westminster Government invests in our local shovel-ready projects in order to kick-start our local and national economies.

The Deputy Presiding Officer: I call Richard Simpson and ask for exactly six minutes.

11:02

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I declare that my wife is a candidate in the forthcoming elections.

Localism is interesting to debate, so I welcome the opportunity to participate. Localism can mean all sorts of different things to different people. I, too, will study John Mason's thoughtful and interesting speech later, because he specified some of the difficulties that we face.

The Labour Party devolved power to Scotland through the formation of this Parliament. That was a form of localism. It was understood at the time that further devolution to councils should take place and that it should not stop there, but should go to local communities.

However, that approach sets a problem, which is how to deliver national strategy and national policy with some evenness—at least within fixed parameters—and without the unevenness that has resulted from the concordat. That is a difficult situation, to which no one has yet produced a true solution.

I will take business start-ups as an example. Scottish Enterprise's powers to deal with new business start-ups were devolved to councils. That seemed to be a reasonable solution, but let us look at the consequences. In my area—Stirling—the number of start-ups has gone down from 480 to 350 under the local SNP administration. That just reflects the national pattern, but what does not reflect the national pattern is the three-year survival rate of new businesses in Stirling, where the rate has gone from being above the Scottish average to below it. If that is not enough, in the most recent year for which we have figures, the weekly wage in Stirling dropped by £29, in comparison with a rise of £4 across Scotland. The local SNP council is undoubtedly underperforming. What will be done about that? The only opportunity that we have to address that is to kick out the SNP council on 3 May and put back in a Labour council, but will it have the necessary powers to deal with the situation?

I can give a number of other examples. The Parliament agreed that healthy living centres were a good thing and they were set up under Labour. However, in the previous Parliament, Jim Mather decided precipitately to transfer the money to local authorities. It was only subsequently, under pressure, that the cabinet secretary, Nicola Sturgeon, produced bail-out funding to ensure that the healthy living centres did not collapse immediately because they were not a priority for local authorities.

If the Government is going to transfer things to local institutions, which is appropriate in some cases, it must ensure that there is proper transitional funding. Jim Mather also transferred the funding that Labour had allocated to produce the retired and senior volunteer programme—a scheme that is run by Community Service Volunteers, which was given £350,000 of central

Government money to hire development officers to encourage local volunteers. In my area it was hugely successful, with 600 volunteers in the central region and a vast variety of opportunities for volunteering. The red T-shirted groups in our local hospitals began to provide something similar to candy strippers, in helping patients and supporting staff. Those groups were being implemented in an excellent way. There were also knitting and sewing circles to assist people with learning disabilities to have greater self-esteem, in addition to there being walking groups and a wide variety of other groups. What happened? The Government precipitately, without any planning, pushed the money out to the local authorities and within three months half the Scottish development officers were made redundant. A scheme that was working and that had created more than 3,000 volunteers throughout Scotland was seriously damaged by that precipitate move.

Derek Mackay: The member is making the argument that the SNP did not transfer to local government the resources that were ring fenced centrally. What does he make of the figures that show that, under the new financial settlement when the SNP came into office in 2007, not only did the overall share of the resource for local government increase, but what was de-ring-fenced was also transferred to local government in the main block? That blows apart his argument.

Dr Simpson: That does not “blow apart” my argument at all. The minister has clearly not been listening. My argument is not that the money was not transferred, but that the transfer should not have been precipitate. If a national scheme is set up—something that the SNP Government wants to implement—it should be done in a careful manner and there should then be some modification. If a new policy is introduced, there should be some way of monitoring it in local authorities.

Another example is the kinship care allowance. Under pressure from Wendy Alexander, the Government announced £10 million for local authorities for kinship care, but what have we seen? We have seen such variation in the application of the kinship care allowance across councils that there is genuine anger among the kinship care groups throughout Scotland to the extent that they are now petitioning Parliament. I am not suggesting a solution, but I think that there needs to be some way in which national policies are operated locally within parameters that ensure a level of social justice.

There are some things for which there is a strategic need, such as the power line from Beaulieu to Denny; we are all agreed that there is a need for that connection. However, although the local MSPs—SNP, Labour and Tory—all agreed that the line should be undergrounded, the decision

was made nationally in a way that ensured that undergrounding would not occur; it was made in a political way that allowed the local MSPs to suggest that undergrounding might possibly take place, but it did not. That was political gerrymandering of the worst sort.

Pharmacy applications are another good example that Jackson Carlaw raised. I will come back to the question—

The Deputy Presiding Officer: On another day.

Dr Simpson: —on another day.

The Deputy Presiding Officer: Thank you very much. I call Linda Fabiani. We will then move to the closing speeches. I remind all members who are not currently in the chamber but who have taken part in the debate that they should be here for the closing speeches.

11:09

Linda Fabiani (East Kilbride) (SNP): I apologise for being late this morning—particularly to Jackson Carlaw who, I understand, made the speech of his career, and I missed it.

Over the years, we have theorised about the issues that we are addressing today. I know about localism at first hand because my previous career in housing was spent in communities who wanted and demanded more say in the decisions on issues that affected their lives every day—issues that defined their past and determined the future for them and their families.

That taught me an awful lot. Principally, it taught me that when decision making is grasped by the people whose lives will be directly affected by the decisions, sustainable futures can result. Community-based housing associations and co-operatives proved that point, because their management committees got to grips with slum tenements and post-war housing estates, improved the stock and managed it well. To illustrate that, we should consider the stock in comparable peripheral estate streets in Glasgow in the context of sustainability, capital expenditure and social fabric. We can also consider the wider action that housing organisations took.

My experience taught me that all too often people got fed up with initiatives that received ring-fenced funding for a wee while before it suddenly ended. I also learned about the perceived distance of local authorities and elected councils. That is not to say that individual elected members were not committed to their wards and were not working hard in their own ways. However, the municipal machine grinds on, and decisions are taken far from where their effects will be felt. The problem is

exacerbated by centralisation of power and decision making at national level.

The Scottish National Party has long had a policy of there being a power of general competence for local government. For eight years, when we were in opposition to a majority Government in Parliament—a coalition of Labour and the Lib Dems—we witnessed national-level micromanagement of issues that would clearly have been better dealt with by the people at the coalface.

Labour's councils and councillors recognised the ineffectiveness of that approach. As we know, they were among those who very much welcomed the transformation of relations with local government to successful partnership status—the historic concordat, in fact. There is joint development of policy—most recently in relation to the abolition of council tax benefit.

The approach can go further, through recognition that national planning issues necessarily run alongside local issues and initiatives that do not need run at strategic level, although they form part of an overall agreed strategy. Our policy is for true subsidiarity, whereby power and decision making are devolved as far as possible to the people who will be most affected by the decisions. Decision making is devolved from the UK to Scotland—a nation making its own decisions—from Scotland's Government to local authorities and from local authorities to communities.

John Mason was right to say that different parts of a local authority area will have communities that have different needs and aspirations, which should be recognised and encouraged. He was talking about Glasgow; I can talk about South Lanarkshire, which is a vast local authority area. My patch—East Kilbride—has different issues, needs and aspirations from Douglas in south Clydesdale, and therefore needs different policies. Larkhall's issues, needs and aspirations are very different from those of Thorntonhall, which is on the other side of East Kilbride. We should acknowledge that people can decide what is best for their local areas. I would like local councils and elected members to take much more cognisance of that.

I understand that there must be strategic policy across a local authority area, but for the life of me I do not understand why policies must then be rationalised across areas. Our Government in Scotland recognises that, as was demonstrated to some extent in the Public Services Reform (Scotland) Act 2010, in the context of how we can truly empower people—to use the jargon—to make decisions for a sustainable future.

I am excited about the proposed community empowerment and renewal bill, which is mentioned in the amendment in the minister's name, because there are great community initiatives. For example, in East Kilbride a group that is seriously concerned about the prospect of our village theatre closing is working towards perhaps taking over the theatre. We were unfortunate that we lost out in the potential community buy-out of the Hunter House museum in the town, which celebrates the Hunter brothers. I hope that that historical resource will not be lost in the plans that are going forward.

There is good potential to let people make their own decisions. We can all work together on that, and we should have the grace to acknowledge that the Government has opened up an awful lot in that regard. We should move forward to true localism. I support the amendment in Derek Mackay's name.

The Deputy Presiding Officer: We move to the winding-up speeches. I call Sarah Boyack: exactly six minutes, please.

11:14

Sarah Boyack: It is difficult to sum up the debate. I hope that members will accept my apologies for not commenting on the interesting speeches that some of them made.

I shall focus on a few issues. I disagree with the comment of an SNP back bencher that there was no policy in Jackson Carlaw's opening speech. There was quite an important policy—albeit that it was one with which I fervently disagree. However, I will reflect on it for a minute, because it goes to the heart of some of the challenges that we face.

Jackson Carlaw suggested, in relation to planning, that there should be separate codes of conduct for local councillors throughout the country. I argue strongly against that; it is a daft policy. I am absolutely in favour of there being different local planning policies. It is legitimate and appropriate for local councillors to set their own policy agendas, notwithstanding the fact that we also have national policies. However, in relation to the operation of the planning process, we need to learn from the Nolan principles that were implemented throughout the UK to ensure probity in every party, and among those who are not in a party, and to ensure that people in public life do the right thing.

I would not deny for a second that planning is complex. It is quasi-judicial, but we should have national standards that every councillor, regardless of who they are, which party—if any—they represent or which part of the country they are from, knows that they need to abide by.

If there are difficulties in the operation of the Planning etc (Scotland) Act 2006, that is a legitimate issue to raise. I would have sympathy if people did not understand how the act works or if new councillors were unsure about the system. If there is a need to refresh the guidance, let us argue for that, but let us not take away the idea of national standards.

Margaret Mitchell: Sarah Boyack mentioned quasi-judicial standards. However, the code of conduct should not prevent a local member from representing the views of his or her local community when it comes to a local planning application in his or her ward.

Sarah Boyack: With respect, I say that that is slightly different. There has always been a case for members going to a planning committee and banging the drum for the views of their constituents. That is absolutely appropriate. However, we need to ensure that if someone sits on the planning committee, they can demonstrate that they have fully considered the issues in respect of a planning application. Margaret Mitchell may have concerns about the process and the guidance—I think that that is a different issue. However, we need to hang on to the principle of probity and standards in public life.

I will look at Paul Wheelhouse slightly differently after this morning's revelation about his past as a young Conservative. I was astonished at his comment that the changes to the bus service operators grant were a plus point for the SNP because local councils are now standing up for their constituents. It has been a disaster: it has created a crisis and then people's response to it has been welcomed. That was a daft point to make.

In the past couple of weeks I have been out talking to people in East Lothian and Midlothian, and there are members of the public who are genuinely worried about whether they can stay in their employment. There are health service workers, nurses and care support workers, who, if the buses go, as planned, will simply not be able to get to work. Using the local bus is not a choice for them—it is a necessity. That has to be sorted out.

Paul Wheelhouse: Will the member give way?

Sarah Boyack: I will not, because I am responding to Paul Wheelhouse's point. The SNP's changes to national policy are having an impact on local councils. We all know that fuel costs are rising. That is why it is particularly scandalous that the SNP has undermined and destabilised the system of bus funding in this country.

Jamie Hepburn: Will the member take an intervention?

Sarah Boyack: No, I will not.

That has happened on the SNP's watch. The SNP has destabilised a system and now constituents throughout the country are worrying about whether they will have jobs in June because the bus services are going.

Derek Mackay: That is scaremongering.

Sarah Boyack: When I hear the SNP talk about scaremongering, it makes me remember the issue of—*[Interruption.]* With respect, I said that I would—

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Will the member take an intervention?

Sarah Boyack: No. Let me move on. I have only six minutes, so there is not a chance. It is my right not to take an intervention. If members had been in the chamber, they would know that I took several interventions earlier.

The Deputy Presiding Officer: The member is in her last minute.

Sarah Boyack: I repeat that I took several interventions in my opening speech. I apologise for not being able to take interventions from everyone in my closing speech. That should be respected. We should have some courtesy in the chamber. *[Interruption.]*

The Deputy Presiding Officer: Order.

Sarah Boyack: The SNP members do not like it when they are in power and we criticise how they exercise that power to the detriment of our constituents.

Richard Simpson made a fantastic speech about what is really happening to kinship carers. That goes to the heart of the issue, because there are national objectives, then there is the reality locally of what happens when funding systems are changed. Several members rightly commented on that in their speeches. It is one thing to have a national priority in a manifesto, but it is another to expect local government to implement it when the Government is not providing the funding to enable it to do that. Whether it is about kinship carers, the number of teachers in schools, the fact that schools cannot be replaced or flood prevention implementation being delayed in my city, the SNP is guilty of having made the wrong decisions. I hope that people will reflect on that next week.

11:21

Derek Mackay: Many people watching the debate might be slightly disappointed that we have not fully discussed the virtues of local democracy. Perhaps that is because we are only a matter of days away from the local government elections. If

we were to rerun the debate at another time, it might have a slightly different style.

I repeat that I believe that the SNP Government has a fantastic record on supporting local government and meeting the aspirations of local people. It is unfortunate that yesterday, when we were discussing community empowerment and community planning, we were literally trumped by other events that took the focus off the local government issues.

In response to the point that she raised about centralisation, I refer Sarah Boyack to the increased share of funding for local government, which is greater than the share that it received under previous Administrations. Further, we are simplifying and streamlining Scottish society and public services by having fewer quangos and public bodies but greater democracy. That is best exemplified in my portfolio at the moment with the planning consultation, which has received support from across the board.

Mike MacKenzie accurately raised the planning issues and the importance of local authorities having a sound local plan, because it can help to influence planning decisions. However, there will always be the right to appeal and ensure that there is adequate consideration of strategic issues.

On local issues, why do I think that the historic concordant was so historic? I was in another place between 2007 and 2011. I was in local government and I can tell members that throughout the country local government and local people welcomed the concordant and the impact that it had on communities by removing ring fencing and micromanagement and ensuring that we delivered on outcomes—the things that really matter. People had that view right across the political spectrum.

I was the leader of Renfrewshire Council for some time. The contribution of Neil Bibby in his speech was helpful, but he may want to correct the record because, contrary to what he said, the Labour opposition on the council did not put up alternative budgets year after year and it criticised public events that were supported by the people of Paisley. It criticised the spend on celebrities to bring 30,000 people to the town. What Neil Bibby did not tell members, of course, was that Labour co-councillors and their families were queueing up to get into those events. I have news for Mr Bibby: lifelong Labour Party member Moira Milton, who is still in the Labour Party but perhaps not for much longer, has said that she would encourage people to vote for the Scottish National Party because Labour has done so little in her area.

I described to Tavish Scott how the Government will ensure that there will be local flexibility within the single police and fire service.

In preparation for the debate, I had to read through the Conservative manifesto, and it really is a desperate attempt to try to find some policies to attach to. The only idea that was in any way interesting was the idea of having elected provosts. However, I do not hear much call for elected provosts in Edinburgh, Glasgow and other cities. Incidentally, whoever becomes provost has already been elected by the local community.

We will, indeed, be judged by what we do. Jean Urquhart's point about housing finance in Highland is absolutely correct. The members who were sniggering clearly do not understand the issue. The issue was that successive UK Governments, supported by Labour Executives in Scotland, said to local authorities, "Either transfer your housing stock or you will get no support from us." *[Interruption.]* It is true. The Scottish Government's innovation and imagination on that and many other issues, including prudential borrowing, ensure that local authorities can borrow and come up with their own financial packages, within reasonable parameters, to invest in local priorities. That is a step change in how the Scottish Government does business with local government. We offer more alternatives, more innovation and greater flexibility in how finances are used to deploy the best resources for local outcomes.

Alex Johnstone mentioned the potential devolution of some powers. Let us take welfare support and the abolition of council tax benefit as an example. Only the resources were transferred—not, of course, the power to help the most vulnerable—minus a 10 per cent cut, £40 million, which would have affected the most vulnerable in our society.

I return to the Government's record on planning. We have taken decisions on fewer applications and appeals than previous Administrations and, in those that we have considered—say, in the renewables sector—we have agreed with local government more often than we have disagreed with it, which shoots the fox of our planning decisions.

Let us consider the worst of all worlds: what is happening in England. We will take no lessons from what is happening there: deeper cuts in council services, compulsory redundancies and even council tax rises. That is the toxic mix in England, and we need to take no lessons on localism from David Cameron or anyone else. The Tories, of course, are late converts to it. They now believe in devolution having been dragged kicking and screaming to it.

In Scotland, we have an opportunity to continue a positive dialogue with local government on what really matters. Perhaps that, our strong record in government and our fantastic team on the ground are the reasons why the SNP is fielding more candidates in the election, the Labour Party has already said that it will come second, the Tories have candidates but do not want to win where they are standing and the Liberals, as usual, are not present for the debate and have already given up on the local government elections as well.

Mary Scanlon: If the SNP believes in localism, why is it not allowing the elected commissioners of the Crofters Commission to select their own chairman and, instead, is choosing to appoint one centrally by ministerial diktat?

Derek Mackay: That is not in my ministerial portfolio, but perhaps I should make it part of local government as well. I am more than happy to come back to Mary Scanlon with further details.

How much further time do I have, Presiding Officer?

The Deputy Presiding Officer: You have three and a quarter minutes.

Derek Mackay: Liz Smith made a considered speech—

The Deputy Presiding Officer: I beg your pardon—you have one and a quarter minutes.

Derek Mackay: Liz Smith made a considered speech on education. There is a debate about how much more we can empower and devolve. The debate about where decisions are best taken can continue but, clearly, there is a difference between the curriculum for excellence and the management of schools. The Government has decentralised to education authorities, has supported local empowerment and supports the devolution of management within local authorities to headteachers and others to ensure that the education system is absolutely fit for purpose.

I look forward to getting clarity from Margaret Mitchell on her proposals for the planning system—on how she would abolish reporters and change the system of appeals. Doing that along the lines that she may be proposing seems quite dangerous to me.

The Conservatives asked about ring-fenced funding. The SNP Scottish Government is abolishing 99 per cent of the ring-fenced funds in local government as we reach the end of the comprehensive spending review, so what more would the Conservatives do? I know that they would not abolish 100 per cent of ring-fenced funds, because Margaret Mitchell asked about the discontinuation of the town centre regeneration fund, which is a ring-fenced budget that the Scottish Government set centrally.

There are inconsistencies in what the Conservatives say. I am convinced that the Government's record on local government and localism—as the Conservatives describe it—is fantastic.

11:29

Margaret Mitchell (Central Scotland) (Con):

This motion's terms are critical, with justification. Today, the Scottish Conservatives have used the full amount of time available to us as an Opposition party to highlight the SNP Government's record on localism, and to hold it to account on that vital issue.

Let us be clear about the necessity to do that. The advent of majority government, which nobody thought possible under the Scottish system of devolution, means that the Parliament now has no checks or balances. It follows that the SNP Government can simply make policy decisions and use its parliamentary majority to vote those decisions through and present them as the will of the Parliament.

Jamie Hepburn: I must correct the member. This is not the advent of majority government. There was majority government from 1999 to 2007. The member would do well to reflect on that fact.

Margaret Mitchell: Coalition government is a different thing. *[Interruption.]*

The Deputy Presiding Officer: Order.

Margaret Mitchell: The Scottish Conservatives are fierce advocates of local government and local decision making. We believe that it not only adds value to quality of life and allows local solutions to local problems in communities but is, quite simply, fundamentally right in principle.

To date the Government, and this morning the minister and his back benchers, have made the right noises about supporting local decision making. However, a worrying picture has emerged from the debate that indicates all too vividly that, as the motion states, the Government's rhetoric does not marry with the reality of the decisions that it makes.

We have heard examples of the Government's patently obvious centralising programme, especially in the planning context, where centrally decided, national priorities are being forced on local communities, riding roughshod over local priorities. The statistics speak for themselves. In 2010-11, the Scottish Government upheld 48 per cent of all appeals that were referred to it. That figure is up from 33 per cent in the previous year and is more evidence of the worrying trend emerging that the Government is wilfully disregarding decisions that have been made in

consultation and agreement with the local community.

Furthermore, the SNP has presided over, and is responsible for shaping, a planning system that systematically excludes local decision making and local democracy. That can be seen in the case of major planning applications. Time and again, local communities and councils find that their fully discussed and agreed local planning decisions are being overturned by the Government. There are numerous examples, of which a growing proportion relate to renewable energy and waste management.

In North Lanarkshire, Shore Energy Ltd applied to build an energy-from-waste plant at Carnbroe. Local residents made a staggering 6,000 objections and councillors unanimously turned down the application. The overwhelming decision to reject the application was overturned on appeal, when Shore Energy took its case to the Government. Worse still, the local authority—and, by extension, taxpayers—must now fork out even more money to fund a judicial review.

In Moray, the council, the Cairngorm National Park Authority and huge swathes of the public opposed the Dorenell wind farm, only to have that local rejection overturned by the Scottish Government. In Dumfries and Galloway, a decision by planning officials and the local area committee to refuse a wind turbine development was overturned on appeal to the Government. Again, little or no account of local decision making was taken.

More generally, it is deeply worrying that a quarter of wind farm applications—which are increasing at an alarming rate, usually in the teeth of opposition from local communities—that came before the planning appeals body after being rejected by councils have had that local decision overturned at Holyrood.

Mark McDonald (North East Scotland) (SNP): Will the member give way?

Margaret Mitchell: The back benchers have had a good shot at the debate, so I will make some progress.

Clearly, the SNP's preoccupation with achieving its national renewables targets is resulting in that policy taking precedence over what local people consider to be in their community's best interests.

Derek Mackay: Will the member take an intervention?

Margaret Mitchell: I will perhaps take an intervention later.

As a result of a freedom of information request from my colleague Alex Johnstone, we have established that the SNP is twice as likely to

overturn local authority decisions on the siting of mobile phone masts as it is to back those decisions. Again, the tally of local decisions that are being overturned centrally is mounting. In those circumstances, local people are entirely justified in questioning the point of councillors, community representatives and others spending great lengths of time—sometimes years—developing a local plan in consultation with developers, only to have reporters, appointed by the Government, approve applications that are contrary to the agreed local plan.

The picture is no better with regard to housing planning decisions. In the northern corridor of North Lanarkshire, which includes Stepps and the surrounding villages, an area of greenbelt land has been constantly kept out of the local plan for the good reason that it keeps distinct boundaries between different communities. Again, the reporter who was appointed by the Scottish Government to assess the developer's objections has taken the decision to recommend that the land be developed. Now, the local community is facing the prospect of wall-to-wall urbanisation, resulting in an erosion of people's sense of belonging and local identity, which the local plan sought to protect.

Worse still, outwith the planning context, the SNP Government has form when it comes to a centralising agenda. Tavish Scott made pertinent comments about the proposal for a single police force. A distinct example of the centralising agenda was the Government's proposal that the powers of the police complaints commissioner for Scotland be brought under the Scottish Public Services Ombudsman. In proposing that, no account was taken of the unique and legitimate state-sanctioned powers that police have to limit the rights of others and, most notably, to deprive people of their liberty, and to do so with the use of force, if that is deemed necessary. The fact that that centralisation of power was avoided was due entirely to the fact that, in a members' business debate in the Parliament, the overwhelming case for a different arrangement to be put in place for handling police complaints was recognised and, as a result, the issue is now being considered in the context of police reform.

The centralising agenda does not stop there. Another deeply concerning proposal in relation to prison visiting committees is still under consideration. The Government proposes to replace those committees with a dedicated independent prisoner advocacy service, despite the fact that prison visiting committees represent value for money, are staffed by local volunteers and provide an effective link with local communities. Once more, localism is being rejected in favour of more powers being brought closer to the centre, which in turn, and worryingly,

greatly diminishes the ability to scrutinise the Scottish Prison Service and hold ministers to account.

Derek Mackay: Will the member give way?

Margaret Mitchell: No, I am going to complete my speech. The minister asked for examples; now he is getting them.

It is only because awareness about the whole issue has been raised through Scottish Parliament questions and debates that that proposal is under review rather than being a done deal. We can only hope that common sense will prevail.

It is patently obvious from the debate that we have a Government that argues constantly for devolution of power from Westminster and a First Minister who, rather than getting on with the job that he was elected to do, spends an inordinate amount of time courting the rich and famous, desperately seeking support for independence. At the same time, despite its rhetoric, the SNP's track record shows that it is systematically eroding the devolution of power to local councils, local people and communities in Scotland. Instead of being used to indulge in the never-ending constitutional debate, the chamber time this morning has been used to highlight situations in which local communities are being sold short by this majority SNP Government and its agenda of centralisation.

Quite simply, local people deserve more. Consequently, I have much pleasure in supporting the motion.

Scottish Executive Question Time

General Questions

11:39

Air Ambulance Service (Orkney)

1. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Executive when details of the new air ambulance contract will be announced and whether it expects the contract to include an Orkney-based aircraft. (S4O-00909)

The Deputy First Minister and Cabinet Secretary for Health, Wellbeing and Cities Strategy (Nicola Sturgeon): The new air ambulance service contract will be announced next month. As I am sure the member will appreciate, it is only at that time that details can be provided of the location and configuration of the aircraft that will provide the service.

Liam McArthur: I welcome the fact that the announcement will be made next month, although the contract will not come into effect until next year, as I understand it.

When I raised the issue with the cabinet secretary back in January, it followed the tragic death of a constituent on the island of Shapinsay. I was grateful for the sympathy that Ms Sturgeon expressed on that occasion and her offer to convey my concerns and those of my constituents to the Scottish Ambulance Service and NHS Orkney. She will not be surprised to hear that I believe that it is imperative not only that the new air ambulance contract contains provision for a locally based aircraft in Orkney but that an interim solution is found. Despite receiving numerous assurances in recent months that such a solution is being agreed, I am concerned that nothing has been announced yet.

Will the cabinet secretary make inquiries, establish the timeframe and write to me with a firm deadline for putting in place arrangements that will give my constituents, particularly those on the smaller islands, confidence that they will have a service that more fully meets their needs?

Nicola Sturgeon: I acknowledge the concerns of people in Orkney and the interest that the member has shown in the issue. He is right to say that, although the contract details will be announced next month, the contract will run from 2013.

I am more than happy to make the inquiries that Liam McArthur suggests and to write to him in the manner that he has requested.

Without going into any of the details that will be announced next month, as that would not be possible or appropriate, I say to Liam McArthur that the Scottish Ambulance Service and NHS Orkney are well aware of the concerns of people in Orkney and are working hard to ensure that they can be addressed. However, I will ensure that he gets a fuller written response from me as soon as possible.

Power Cuts (Islay)

2. Jamie McGrigor (Highlands and Islands) (Con): To ask the Scottish Executive what its position is on concerns raised by residents of Islay regarding the frequency of power cuts on the island. (S4O-00910)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): Islay residents, who are supplied by Scottish Hydro Electric Power Distribution, have suffered a series of power outages since September 2010, most of which were not caused by the severe weather events of the past year. Some outages were caused by faults on the cable that connects Islay to Jura and ultimately to the mainland, and the cable has now been replaced at a cost of £8 million. Scottish Hydro Electric Power Distribution is also investigating the possibility of further engineering work around the cable to reduce the heavy erosion that is caused by the fast-flowing tides in the Sound of Jura. It is estimated that that work would cost £3 million.

Other faults have been caused by the condition of overhead lines—both those on the mainland that supply the subsea cable and those on Islay itself. Scottish Hydro Electric Power Distribution has already refurbished the 33kV overhead line feeder between Port Ann and Lochgilphead at a cost of approximately £800,000, which will help to secure supplies to the island, and it is about to embark on a schedule of refurbishment work on the island that will cost about £1.8 million. That scheme will directly address the problems that have been experienced over the past two years.

I hope that that comprehensive programme of engineering work will alleviate the concerns of the member and his constituents on the island of Islay.

Jamie McGrigor: I thank the minister for his detailed answer. Nonetheless, is he aware that Islay, particularly the Portnahaven and Port Charlotte end, is still suffering from power cuts? The most recent was last weekend, and it cannot be blamed on the weather. Will he make strong representations to Scottish and Southern Energy on the matter? My constituents in the area are understandably losing patience. Islay is hugely important to our economy, so I am sure that the minister agrees that it deserves a proper electricity infrastructure.

John Swinney: These are important issues. Jamie McGrigor acknowledged in his response to my initial answer that a number of steps are being taken by Scottish Hydro Electric Power Distribution, which is responsible for the issue, to ensure continuity of supply to his constituents on Islay.

Clearly, the tourism and whisky sectors, as well as local residents who are not involved in those sectors, depend extensively on power supplies. I will ensure that the concerns that have been raised in Parliament today are drawn to the attention of Scottish Hydro Electric Power Distribution. It is fair to acknowledge that the company has invested heavily in trying to improve the infrastructure of electricity supply to the islands and it will wish to ensure that continuity of supply is guaranteed to the residents of this important community.

Tourism Strategy

3. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government what progress has been made with the refresh of the Scottish tourism strategy. (S4O-00911)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): The refresh of the Scottish tourism strategy is being undertaken on behalf of the industry by the tourism leadership group. I understand from the chair of that group, Stephen Leckie, that it has made good progress and that it expects to launch a refreshed strategy by the end of June.

Stuart McMillan: I am pleased that the Scottish Government is taking further action to improve tourism in Scotland, but concerns have been raised with me about the lack of representation of sports governing bodies on the tourism leadership group. As I am the convener of the cross-party group on recreational boating and marine tourism, I fully understand the huge part that sport has to play in any future tourism strategy. What steps are being taken to ensure that sports governing bodies are being afforded a say on the tourism strategy?

John Swinney: The tourism leadership group's effort is to undertake a wide consultation and discussion with all sectors of the tourism economy to ensure that the strategy that emerges reflects the issues and aspirations of all elements of the tourism economy in Scotland. I can certainly assure Mr McMillan that the group will go to extensive lengths to ensure that it has dialogue across the board. If particular sectors wish to make further representations, I know from my discussions with Stephen Leckie that he is keen to ensure that he hears all relevant representations. We all have at the heart of our interests the growth and development of the tourism sector in

Scotland, and it is clear that sport tourism and adventure activities opportunities form a major part of the opportunities to enjoy Scotland's tourism industry.

The Presiding Officer (Tricia Marwick): I note that Joan McAlpine is not in the chamber to ask question 4, and I have not received any indication that she was withdrawing it.

Territorial National Health Service Boards (Meetings)

5. Dr Richard Simpson (Mid Scotland and Fife) (Lab): To ask the Scottish Executive when it last met the chairs and chief executives of the territorial NHS boards and what issues were discussed. (S4O-00913)

The Deputy First Minister and Cabinet Secretary for Health, Wellbeing and Cities Strategy (Nicola Sturgeon): I meet chairs and Scottish Government officials meet chief executives of all national health service boards on a regular, monthly basis. During those meetings, we discuss the Scottish Government's priorities for the NHS in Scotland and a range of matters that concern the health of the population.

Dr Simpson: I want to see whether we can get any greater clarity on bonus point payments to NHS consultants than the First Minister was able to give the other week, when he deliberately confused merit awards and bonus points. What instructions, if any, were issued to health boards on bonus point pay awards for consultants? Did the cabinet secretary order that, apart from payments that have to be made under prior contractual agreements, no new or additional bonus payments should be made? If that was the case, why were 250 new bonuses and 650 additional bonuses paid out? That made the public sector NHS pay freeze apply only to workers who earn over £21,000, except for those 900 consultants and a considerable number of managers, whom I will come back to at another time.

Nicola Sturgeon: The First Minister did not confuse the two schemes. He explained very clearly the position around the two schemes, which I will do again.

Let us consider the distinction awards scheme first. It now seems that Labour members think that they do not like that scheme very much, but Labour presided over it in every single year in which it was in government. I am the first health secretary to seek to reform that scheme and to freeze distinction awards so that we no longer have a budget for distinction awards that is rising, as it was under the previous Government.

I turn to the local schemes that Richard Simpson talks about. As he will be aware, they are

part of the contractual entitlement of doctors, and I point out they were in place under the previous Administration as well. I have made it very clear that I want those schemes and the distinction awards scheme to be reformed, which is why we were instrumental in securing the Doctors and Dentists Review Body investigation. I hope that the DDRB's report will be published sooner rather than later. We can then move to a position in which we have reformed schemes in place that meet the needs of the NHS across Scotland in all its various forms.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Given the recent disappointing statistics on childhood obesity at primary 1—in the Borders, the level remains static at around 10 per cent while, worryingly, in Midlothian, the figure for obesity has gone up to 12.6 per cent and for severe obesity has gone up to 7.8 per cent—will the cabinet secretary tell us whether she is aware from her discussions with NHS boards that the issue is raised at antenatal and neonatal clinics? As the previous Health and Sport Committee reported to Parliament, that is the stage at which a child's palate for sugary and heavily salted foods—the basis, of course, of junk food—can develop.

Nicola Sturgeon: Given the levels of obesity in Scotland—in particular, as the member pointed out, the levels of childhood obesity—Christine Grahame raises an extremely important question. I am happy to write to her in some detail on efforts to tackle child obesity, especially about the opportunities provided by antenatal and postnatal visits, which she raised, to get across the right messages about child nutrition.

More generally, Christine Grahame will be aware of our preventing obesity action plan, which is a whole-society approach aimed at changing the environment to make it easier for people to make healthy choices about nutrition and the food that they eat, to take regular exercise and so on. As part of that, we are investing £2.4 million in increasing the amount of physical education in schools and we are also carrying out work with the NHS in Scotland to support the delivery of healthy weight interventions for nearly 15,000 children between the ages of 2 and 15. A range of initiatives to tackle obesity is under way but, as I have indicated, I am happy to write to Christine Grahame in more detail to inform her of those various initiatives.

Jackson Carlaw (West Scotland) (Con): I wonder whether, when she next meets the board of NHS Ayrshire and Arran, the cabinet secretary will discuss its decision to terminate the licence of the general practitioner dispensing practice on the Isle of Cumbrae, despite the fact that her colleague Michael Matheson wrote to health

boards to make it clear that they should not necessarily follow that course of action. Does she share my concern that within hours of the decision being confirmed, the individual who had been awarded the new dispensing practice on the island put it on sale, demonstrating that he was interested in making a profit, not providing a service?

Nicola Sturgeon: As Jackson Carlaw knows, such matters are for local NHS boards and, with regard to decisions on dispensing practices and whether community pharmacies should be allowed to dispense, local circumstances have to be taken into account. As we have just had a Conservative-led debate on the importance of localism in such matters, I am sure that the member will agree that it is important for health boards to take these decisions.

The important issue is ensuring that, regardless of who provides the dispensing services, the people who rely on them have as full a service as possible. If Jackson Carlaw has any particular concerns about the process undertaken by NHS Ayrshire and Arran, he should write to me with them and I will be more than happy to raise them with the health board.

Small Business Bonus Scheme (North East Scotland)

6. Mark McDonald (North East Scotland) (SNP): To ask the Scottish Government how many businesses in north-east Scotland have received support from the small business bonus scheme. (S4O-00914)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): In the four years since its introduction by this Government, the small business bonus scheme has reduced business rates taxation for Aberdeen city, Aberdeenshire and Moray businesses by a total of £40.6 million. Moreover, we are committed to maintaining the scheme for the lifetime of this Parliament and many, many thousands of north-east Scotland businesses will continue to benefit in the current and future financial years.

Mark McDonald: I thank the cabinet secretary for outlining the huge amount of money that businesses in the north-east have saved.

A number of businesses have contacted me with concerns about comments made by a number of Opposition politicians about attaching additional caveats to the small business bonus scheme. Will the cabinet secretary reassure those businesses and the chamber that there will be no such caveats and that the scheme will continue to benefit businesses in its current form?

John Swinney: The small business bonus scheme was designed to directly assist small companies the length and breadth of Scotland and to provide them with an opportunity to invest in their business and support the development of their organisation in a fashion appropriate to their circumstances. The Government is happy to confirm its intention not only to maintain the scheme in the years to come but to do so on the basis on which it was formulated to Parliament. Indeed, when I go round the country, many small companies make it absolutely clear to me how central the assistance has been to the maintenance of effective town-centre communities the length and breadth of Scotland and I am very pleased with the results that the initiative has delivered for the Scottish economy and communities throughout our country.

Prison Visiting Committees

7. Graeme Pearson (South Scotland) (Lab): To ask the Scottish Executive when it will publish its further consultation on prison visiting committees. (S4O-00915)

The Cabinet Secretary for Justice (Kenny MacAskill): I will lay a section 14 order to replace the prison visiting committees under the Public Services Reform (Scotland) Act 2010 at the end of May. The draft order and an explanatory document will be published on the Scottish Government website for consultation. That will provide a further opportunity for the Government to seek a broad range of views on the proposals.

Graeme Pearson: Will the cabinet secretary confirm that he is aware of the comments of HM Chief Inspector of Prisons, Brigadier Monro, that he was not consulted on the decision to disband the visiting committees and replace them with an advocacy service? He has recorded his real concern that Scotland's prisons must continue to be regularly and effectively monitored by an independent service. Will those comments carry some weight in the consultation process?

Kenny MacAskill: He was consulted. I meet the brigadier and inspector of prisons regularly, and I met him a few days back to discuss his latest report on Cornton Vale. I assure the member that my officials and I are in full discussion with him and he is quite content with the proposals that we will outline very shortly.

Welfare Reform

8. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government what recent discussions it has had with the United Kingdom Government on welfare reform and what impact this will have on people in Scotland. (S4O-00916)

The Deputy First Minister and Cabinet Secretary for Health, Wellbeing and Cities Strategy (Nicola Sturgeon): We have made clear to the United Kingdom Government our concerns about the effect of its deep and damaging cuts to benefits and services, cuts that the Department for Work and Pensions itself estimates will reduce benefit receipts in Scotland by £2.5 billion by 2015 and which will impact on some of our most vulnerable people. We have had regular discussions with the UK Government at ministerial and official levels regarding the impact of its welfare reforms, and we will continue to do so as we prepare for the implementation of the changes.

Colin Beattie: In my constituency of Midlothian North and Musselburgh, around 8,000 residents who are already on low incomes will be adversely impacted as a result of the imposition of Westminster's welfare reform. An estimated £9 million will be lost to the local economy, threatening the viability of some local businesses. The matter is reserved and Westminster cuts constrain what can be done. Will the cabinet secretary advise whether there are any steps that the Scottish Government can take or has taken to help shelter the lowest-income segment of society?

Nicola Sturgeon: I thank Colin Beattie for his question. He is absolutely right to point out the impact on some of the most vulnerable people in his constituency and right across Scotland. We should remember that the most vulnerable to poor outcomes and least able to cope with these changes will be lone parents, people who live in deprived areas, pensioners and disabled people. They will be disproportionately affected by the benefit cuts that the UK Government has announced. Colin Beattie is also right to say that the matter is reserved, but through the actions that we have already taken and actions that we will continue to take, we will do everything in our power to mitigate the worst effects.

Colin Beattie will recall the announcement made by the First Minister just last week that the Scottish Government, in partnership with the Convention of Scottish Local Authorities, will not pass on the cut to council tax benefit that would hit very hard some of the most vulnerable people in society. As we continue our work on passported benefits around the successor arrangements to the social fund, we will look for every opportunity to protect vulnerable people in Scotland.

Child Poverty (West of Scotland)

9. Mary Fee (West Scotland) (Lab): To ask the Scottish Executive how it plans to tackle child poverty in the west of Scotland. (S4O-00917)

The Minister for Public Health (Michael Matheson): The child poverty strategy for

Scotland sets out our approach to tackling child poverty. Our first annual report on the child poverty strategy, which we published on 22 March 2012, sets out a range of measures that we are taking across Scotland to tackle child poverty and includes updates on actions we have taken to drive change through local partners.

In addition, we intend to establish a ministerial advisory group on child poverty, to help us to reflect on the first annual report, to identify priorities and actions that we can take on board for future reports, and to formulate strategies as the cycle moves towards publication of the next report in March 2014.

Mary Fee: In my local authority area, child poverty has remained static for the past five years. The SNP-led Renfrewshire Council has failed to report on the progress of the anti-poverty strategy, although it set out to report every year. Does the minister agree that we need a national focus to reduce child poverty and that single outcome agreements are failing children in Renfrewshire?

Michael Matheson: The obligation to report on an annual basis is one for the Scottish Government, which is why we laid the report a few weeks ago. It updates members on the progress that we are making.

The Government is clear about its commitment to ensuring that we tackle child poverty, but the reality is that child poverty is very sensitive to financial changes and changes in the benefits and taxation systems. Until this country has control over those powers, we will continue to struggle to tackle child poverty successfully.

The Presiding Officer: Before we come to First Minister's question time, members will wish to join me in welcoming to the gallery the high commissioner of Singapore, His Excellency Mr Jasudasan. *[Applause.]*

First Minister's Question Time

12:00

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S4F-00624)

The First Minister (Alex Salmond): Engagements to take forward the Government's programme for Scotland. In particular, in the light of the recessionary gross domestic product statistics for the United Kingdom that were published yesterday, I will again write to the Prime Minister to stress the importance of going ahead with the programme of shovel-ready projects from the north to the south-west of Scotland to stimulate the Scottish economy and nourish the hopes of keeping Scotland out of recession.

Johann Lamont (Glasgow Pollok) (Lab): Yes, of course, but we would have welcomed it if the First Minister had used the investment in the Forth road bridge to create jobs in Scotland rather than jobs in China.

After days of what some might describe as uncharacteristic silence and the more common prevarication and bluster, last night the First Minister finally alighted on a defence of his position to support Rupert Murdoch's bid to take over BSkyB. He took that position, he says, because the takeover would have created jobs in Scotland. When did the First Minister first articulate that view in public? How many jobs did James Murdoch promise him?

The First Minister: As we know from the e-mails that have been released, the importance of the issue was first discussed on 1 November 2010, in an e-mail that said that a Liberal MP—we now think that it was a Liberal MSP—wanted to take forward the importance of jobs and investment in Scotland to the secretary of state. I very much agreed with that position.

Johann Lamont will remember the correspondence that we released of the meeting that I had with James Murdoch a year past January, which looked, in particular, at the prospects of employment in Scotland and of adding to the 6,300 whom BSkyB employs in Dunfermline, Uddingston and Livingston. She will, of course, recall the announcement of a further 100 jobs last March, which added to the Livingston total.

I hope that Johann Lamont is aware of the further significance of the issue for jobs in Scotland. One of the issues that was discussed last year was that, for security reasons, BSkyB

was moving from having nine contractors to having two contractors. That carried with it the risk of major job losses in Scotland unless Scotland won the contracts. I am delighted to say that HEROtsc won the major contract. That led to last week's announcement, which I will quote:

"Glasgow's newest employers today officially opened their state-of-the-art contact centre in the city and vowed ... to bring 900 jobs to their Atlantic Quay site. HEROtsc, Scotland's leading customer management company, announced last month that they were coming to Glasgow after expanding their contract to provide sales and service support to BSKyB."

I hope that Johann Lamont will welcome that huge number of jobs coming to the city of Glasgow.

Johann Lamont: I always welcome jobs coming to my own city. I would also welcome it if the First Minister answered the question that he was asked. I wait for that day to come—maybe it will come at some point in the future.

The reason why the First Minister cannot tell us the first time that he articulated in public the view to which I referred is that the first time that he did so was last night. The explanation that he gave was less of a reason and more of an alibi. He claims that this was about gaining jobs, but Rupert Murdoch says that he spoke to the First Minister to apologise for cutting jobs.

Of course, not everyone agreed that the deal would be good for Scotland, which is what the First Minister now says. In October 2010, a motion that opposed the News International deal was lodged in the Scottish Parliament and was signed by the member whose constituency includes BSKyB's biggest Scottish base, Angela Constance, who is now the First Minister's Minister for Youth Employment. However, it seems that Scottish National Party policy had changed by 1 November of that year, because we know from Frederic Michel's e-mails that it was mission accomplished and that the First Minister was prepared to lobby Vince Cable on Murdoch's behalf.

We know that that was still the position in February and March last year and that Alex Salmond had a call scheduled with the new Secretary of State for Culture, Olympics, Media and Sport, Jeremy Hunt. However, on 13 July last year, all six of Alex Salmond's members of Parliament at Westminster supported a motion asking Rupert Murdoch to withdraw the bid for BSKyB. If it was really such a good thing for Scotland, as the First Minister said last night, and if jobs relied on it, why did he support his MPs in opposing the deal?

The First Minister: Because that was—
[*Interruption.*]

The Presiding Officer (Tricia Marwick): Order. We will hear the First Minister.

The First Minister: It was because that was after the revelations about phone hacking and Milly Dowler. I would have thought that that was patently obvious.

I can understand that Johann Lamont is perhaps not fully aware of the importance of jobs in Uddingston, Dunfermline and Livingston, but why on earth is she not aware of the importance of jobs in the city of Glasgow? In the evidence that Rupert Murdoch gave yesterday, he referred to exactly the point to which I alluded in my first answer, which is the fact that the Sky contract was going from nine centres to two. That carried with it the huge risk, last year, of the loss of thousands of Scottish jobs. Fortunately, HEROtsc won the contract, which has led to the opening of the call centre and supply centre in Glasgow, and the 900 jobs at Atlantic Quay. Johann Lamont might not be aware of that, but Sandra White is, because it is in her constituency. I presume that Johann Lamont's deputy, Anas Sarwar, is aware of the 900 jobs coming to his constituency.

Johann Lamont says that we have not talked about the issue, but we published correspondence with James Murdoch months ago that showed that the meeting in London concerned the protection and expansion of jobs in Dunfermline and Livingston. Johann Lamont might not think that those things are important, but I think that it is a First Minister's job to advocate jobs for Scotland, and I will continue to do so.

Johann Lamont: The First Minister did not listen to what I said. His Minister for Youth Employment, representing Livingston, opposed the deal, and his MPs opposed it, too. I welcome the jobs coming to Glasgow, but they have nothing to do with the issue about News International.

The First Minister says that the position changed because of Milly Dowler. The revelation that Rupert Murdoch's newspaper hacked Milly Dowler's phone was the moment that any doubt about Rupert Murdoch was removed and the moment when his empire started to fall yet, after that devastating revelation, the First Minister became the only senior politician in this country—perhaps the only one in the world—to invite him round for tea.

Rupert's newspapers might be being investigated for bribery, perverting the course of justice, destroying evidence and perjury, but he is still welcome in wee Eck's house. The First Minister wrote an article for the launch of Rupert's newspaper saying that the issue was to do not with just News International, but with all the newspaper industry. There are three police investigations, a judicial inquiry and nearly 50

arrests, but Eck still puts the kettle on for Rupert. Does the First Minister not realise that all he is achieving is a demeaning of the office that he craved for so long?

The First Minister: I remember writing the article in *The Scottish Sun on Sunday*. It was followed the next week by an article by Yvette Cooper, who wrote a very interesting article indeed.

I know that the Labour Party wishes us to pretend that the days of courting the Murdoch press were all back in the days of Tony Blair and Gordon Brown. Unfortunately, that does not fit with the facts. William Shawcross, who is Rupert Murdoch's biographer, wrote in *The Spectator* on 16 July 2011:

"Ed Miliband was beaming when I saw him talking to Rupert Murdoch at the media magnate's summer party at the Orangery, Kensington Palace, just three weeks ago. The Labour leader has since admitted that he did not raise the matter of phone hacking that evening. Of course not! He was trying to charm."

That is rather like the picture that I have here of Ed Miliband, from an article in which he was advocating, and looking for support from, *The Sun*. He declares:

"Red Ed is dead ... I will stand and my party will stand for the mainstream of Britain — for Sun readers and for their concerns ... he refused to put a date on when a new set of Labour policies would be ready, saying only: 'You will read it first in The Sun.'"

After 15 years of worshipping at the feet of Rupert Murdoch, the Labour Party now treats him as a pariah. Its refusal to explain the canapés at the Orangery and the contacts over the period—*[Interruption.]*

The Presiding Officer: Order. I would like to hear the First Minister.

The First Minister: When the people of Scotland see Johann Lamont and hear the Labour Party's words, they will think of humbug and hypocrisy.

Johann Lamont: I hate to think what the people will think of that performance by the First Minister.

I remind the First Minister again that Ed Miliband lodged a motion that opposed the deal. The First Minister's own MPs supported that motion. I will not ask the First Minister whether he supported Murdoch so that Murdoch's *Sun* would support him. The public will have made up their minds about that. The truth is that the issue is not the First Minister's evident cynicism, which we have seen in the past, but his infatuation with very rich men.

First, the First Minister gave his office's full backing to the then Sir Fred Goodwin in a deal

that broke the bank. Who can forget—*[Interruption.]*

The Presiding Officer: Order. We will hear Ms Lamont.

Johann Lamont: I am sure that a lot of this is as much of a revelation to the SNP back benchers as it was to us.

Who can forget, even without yesterday's reminder, the deal with Donald Trump? Now there is the deal with Murdoch. There are common themes. Each case was secret; each deal was a fiasco; and in each case the truth had to be dragged out of the First Minister bit by bit—big deals, big men, one not quite so big man, and no jobs, just job losses.

The First Minister says that it is about jobs. I think that he just likes rich men. Some say that the First Minister has been devious, conniving and double-dealing. Is he not just trying to cover up the fact that a rich man has played him for a fool again? Is it not the case that he is no statesman, just a sucker?

The First Minister: Johann Lamont refers to job losses; I refer back to my answer to her first question about jobs, which she did not take in. The fear was that going from nine contractors to two contractors would result in substantial job losses. I read out in extensive detail the fact that, thankfully, HEROTSC won the contract and a 900-job call centre has been opened in the city of Glasgow. Johann Lamont did not know that when she asked her first question about jobs. She did not realise that I had answered it when she asked her second question and she now repeats the point in a pre-prepared fourth question.

Talking about Fred Goodwin, that would be Sir Fred Goodwin—knighted by Gordon Brown on the advice of Jack McConnell.

Up until last Sunday, Donald Trump's argument to the Scottish Government was that it was bound by a deal that he claimed had been made between him and Lord McConnell during the previous Administration. I really think that Johann Lamont should understand that and perhaps inform Lord McConnell and Donald Trump that we are not bound by the policies of the previous Administration in Scotland. Thank goodness for that.

I will tell Johann Lamont one thing that is consistent for any First Minister of Scotland, which is that they will put the interests of Scotland and the interests of jobs first. How do I know that? I will read out part of an interview with Johann Lamont on "Good Morning Scotland" yesterday, so that the chamber understands. The exchange was:

"Gary Robertson

Would you, if you were First Minister"—

heaven forfend—

"be meeting Rupert Murdoch and others to talk about jobs in Scotland?"

Johann Lamont ...

Well, you would have to meet ... people to talk about jobs".

There we have it—the whole cant, humbug and hypocrisy.

The job of a First Minister is to advocate jobs for Scotland. This First Minister will continue to do that.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): To ask the First Minister when he will next meet the Secretary of State for Scotland. (S4F-00636)

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

Ruth Davidson: While we are on the topic of New York-based billionaires, the First Minister was asked by the Local Government and Communities Committee in January 2008 whether he had met before the previous December any members of the Trump Organization. He replied that he had met representatives at the Menie estate on 24 September 2007. He did not mention the Donald, candlelit Manhattan dinners or talking for hours on their favoured subjects of golf and wind farms, but such a dinner occurred just three months before the committee meeting. Did the First Minister intentionally mislead Parliament or did he just forget, in the glory of supping with Murdoch one night, that he had supped with Trump the next night?

The First Minister: I am sorry to disabuse Ruth Davidson of the idea of a candlelit dinner between me and Donald Trump, but the event was a globalscot dinner in New York, which was attended by Alexandria Real Estate Equities, General Electric, the head of discovery research at Wyeth, McKinsey & Company and the Morgan Stanley banking corporation. That does not sound a likely venue for exchanging commitments about a planning application five years down the road.

I repeat that the Government has never given any assurances against a planning application for an offshore wind development at Aberdeen. I cannot speak for the previous Administration.

The most significant point that validates that position is as follows. In February this year—I wrote to the Donald afterwards, as I had received a number of letters from him—I had a phone conversation with Donald Trump. I tried to work out the nature of his ferocious opposition not just to offshore wind at Aberdeen but to wind power in

general, which seemed to be a new phenomenon. Right through that phone call, he accepted that he had never had any commitments from the current Administration, but he considered us bound by the previous Administration's commitment. That position was maintained by his spokesman George Sorial right through last week in a BBC interview. Only on Sunday was it decided that a globalscot event that many others had attended was the moment when a commitment had been given, which is rather unlikely.

For the first time in her life, Ruth Davidson has paid attention to the advice of Murdo Fraser. If that is the best that he can do, I suggest that she should get a new adviser.

Ruth Davidson: If the First Minister had nothing to hide from a 12-man dinner, why not tell the committee about it just three months later?

With his overweening self-regard, the First Minister never knowingly undersells what he believes to be his political gifts, but I do not think that even he thought that he had the skills to make Donald Trump look credible. We know that the dinner that Alex Salmond failed to disclose to the committee took place—I thank him for finally admitting that. We know that he and Donald talked for hours. We know that they talked about golf and wind farms. Is the First Minister seriously asking the Scottish people to believe that, when a multibillionaire who was attracted to Scotland with great fanfare by the First Minister's predecessor was threatening to pull the plug as soon as the First Minister took office, he did not—like some latter-day Arthur Daley—tell his new best pal that he would get it sorted?

Something here stinks. Will the First Minister set the record straight and state categorically before the chamber that no such discussions on planning or wind farms took place?

The First Minister: There was no discussion and no assurances were ever given in that light. Ruth Davidson had better get the timeline right. The Donald has not been threatening to pull out of the Menie estate until the past few months, and a variety of reasons have been given—not, incidentally, for pulling out of the golf course development, which by all accounts looks absolutely wonderful. First, Michael Forbes's croft was the reason for not having the hotel development. It is only very recently that we have alighted on his opposition to the Government's policy of renewable energy. If Ruth Davidson cares to check the record, she will see that that was not even the position of the Trump Organization in a letter that it wrote just a year or so ago.

I am struck by what Ruth Davidson says about credibility. I confess that I saw only the excerpts of

the evidence session yesterday, but I was struck by Donald Trump's response when he was asked for the evidence for this great difficulty in Scottish tourism. He said:

"I am the evidence."—[*Official Report, Economy, Energy and Tourism Committee*, 25 April 2012; c 1334.]

That struck me not so much as credible as a bit like the Judge Dredd view of tourism in Scotland. When people in Scotland look at the issue, they will look at jobs and developments. They will see the announcements today for the Moray Firth and they will see the prospect of 28,000 jobs in offshore wind. It will be a shame on the Conservative Party of Scotland that, while the party in London supports such developments, Ruth Davidson and her colleagues do not want to see those developments and those massive numbers of jobs in green energy in Scotland.

Willie Rennie (Mid Scotland and Fife) (LD): I hear what the First Minister says about Milly Dowler. Does he regret that terrible article in *The Sun* in which he played down the role of Rupert Murdoch's papers in phone hacking? Is he ashamed that he put his political motives above the interests of the phone hacking victims?

The First Minister: My opposition and revulsion to phone hacking are on the record many times—I can supply that information to the Scottish Parliament information centre. I supported the establishment of the Leveson inquiry; indeed, we had to comment on the terms of reference of the Leveson inquiry. The deplorable aspect of phone hacking will be fully dealt with by the inquiry and, I hope, by the police force and the judicial system on both sides of the border.

Given the evidence that is coming before Leveson—just a few weeks ago, we got an insight from ITN into the extent of the payments that were made by a number of news organisations, which are the subject of investigations into suspected breaches and criminality—one of the things that I am certain will come out of the Leveson inquiry is that there were widespread malpractice and potential illegality across the press. That seems, to me, evident. I hope and believe that the Leveson inquiry will pursue that without fear and without favour.

European Offshore Wind Deployment Centre

3. Patrick Harvie (Glasgow) (Green): To ask the First Minister when a decision will be made on the European offshore wind deployment centre. (S4F-00622)

The First Minister (Alex Salmond): As the responsible minister, Fergus Ewing, the Minister for Energy, Enterprise and Tourism, will make a decision on the European offshore wind deployment centre on the basis of our planning

legislation. He will do so once there has been full and thorough consideration of all material issues connected with the application. The fact that I am the constituency MSP means that I will not determine the application, and all my comments on the matter should be taken in that light.

Patrick Harvie: Now that my favourite pantomime villain has left the stage, I hope that the First Minister is coming to regret having been drawn so easily into Mr Trump's orbit, finding himself with a half-built carbuncle in his constituency and a billionaire threatening legal action against a vital demonstration site for offshore wind power. The Parliament has committed itself to fighting the climate change that Trump does not believe in and securing a lower-carbon energy supply that Trump does not care about. Can we now rely on the Scottish Government and the First Minister to treat the wind farm proposal with the seriousness that it deserves, defend it vigorously in the courts—if it comes to that—and take no delay in telling Mr Trump where to get off? Kicking him out of the globalscot network would be a good start.

The First Minister: I had hoped that I would be able to agree with everything that Patrick Harvie said when he asked his question, but let me start with a point of disagreement. By all accounts—by every account—the golf course that is emerging on the Menie estate looks absolutely tremendous, and I do not think that Patrick Harvie's description of it was reasonable.

The point that I made to the Scottish Trades Union Congress this week is the one that pertains. We welcome investment in Scotland. It is absolutely vital to have investment across the range of technologies and industries, and golf course investment is very valid, as well. The issue now is not just investing in Scotland but whether investing in Scotland confers ownership of Scotland. Just because someone invests in a vital project does not mean that they have the right to say that everyone else's project cannot go ahead. Other people's projects, including the offshore demonstrator, need to be assessed in the proper manner, and I am certain that the minister for energy will do that according to his duties and responsibilities.

On the generality, I say two things. Anyone who does not know my position on and advocacy for the potential and wealth of renewable energy in the marine sector in Scotland has not been paying much attention to Scottish politics over the past few years. There is the most extraordinary potential for the reindustrialisation of vast areas of this country, around the ports of Scotland, in relation to research and development, engineering, installation and servicing of the new machines that will power much of the next century

and are an essential part of the future of this country.

Youth Unemployment

4. Nigel Don (Angus North and Mearns)

(SNP): To ask the First Minister what steps the Scottish Government is taking to address concerns raised by the Scottish Trades Union Congress regarding youth unemployment. (S4F-00631)

The First Minister (Alex Salmond): I was pleased to address the STUC congress in Inverness on Tuesday, when I set out the work that the Government has undertaken to support youth employment—work that, in many cases, has been supported by the Scottish Trades Union Congress. Angela Constance, who is the only youth employment minister in these islands, has set out in her draft youth employment strategy the “all-Government and all-Scotland” approach, which is gaining substantial support.

This month we began the roll-out of the opportunities for all programme, which guarantees to every 16 to 19-year-old school leaver who is not already in work, education or training that they will be offered a suitable training or educational opportunity. On the 25,000 modern apprenticeships, we now know that the number reached more than 26,000 in the last financial year. Best of all, the completion rate for apprenticeships reached a record 75 per cent.

A huge amount requires to be done, but let us pay regard to the substantial amount that is being done.

Nigel Don: The STUC raised the issue of female unemployment. Can the First Minister give us an insight into what the Government is doing in that regard, in particular?

The First Minister: I said to the Scottish Trades Union Congress that we hope to replicate the employment seminar—which I think carried all-sectoral and all-party support and was considered by all, including the STUC, to be a substantial success—and apply the approach to a female employment summit.

It is the case that even as unemployment in Scotland has been falling and male unemployment has been falling dramatically, female unemployment has been rising and is now marginally above male unemployment in Scotland. The application of the all-Scotland approach to finding jobs for women in the workforce is fundamental and is widely supported. In particular, the approach gained a warm welcome at the STUC.

Reoffending

5. Lewis Macdonald (North East Scotland)

(Lab): To ask the First Minister whether the Scottish Government will provide additional funding to community projects to reduce reoffending. (S4F-00632)

The First Minister (Alex Salmond): Since 2006-07, we have increased funding for community justice programmes by 22 per cent, in the face of significant cuts by the Westminster Government. We are increasing funding for community justice by £2 million in cash terms between 2010-11 and 2014-15.

Lewis Macdonald: Does the First Minister acknowledge the concerns of providers such as Laurie Russell of the Wise Group, who said at the weekend that the system was broken, when it came to providing meaningful support for efforts to reduce reoffending? If the system is broken, it needs fixing, so when will the First Minister's Government publish the detail of its plans for resourcing such initiatives in future?

The First Minister: The development of a credible, community-based approach to tackling reoffending was shown by the introduction of the community payback order in February last year. The approach will continue to be applied and further plans will be published.

I know that Lewis Macdonald would not want to give the impression that he does not welcome the commitment on funds that I mentioned and the fact that, against the backdrop of the deteriorating overall budget, we have sustained expenditure on vital community projects. Nor would he want to give the impression that we do not have substantial success to point to in the overall crime levels. An extra 1,000 police officers in the communities and streets of Scotland has meant that we now have the lowest recorded level of crime in Scotland for 35 years. I would have thought that the whole Parliament could jointly congratulate our police service on that fantastic achievement.

12:30

Meeting suspended.

14:15

On resuming—

Scottish Executive Question Time

Education and Lifelong Learning

Opportunities for All (Dundee)

1. Joe FitzPatrick (Dundee City West) (SNP):

To ask the Scottish Government what training is available for 16 to 19-year-olds in Dundee as part of the opportunities for all programme. (S4O-00919)

The Minister for Youth Employment (Angela Constance): Opportunities for all is the Scottish Government's policy for ensuring that there is an offer of learning or training for every 16 to 19-year-old in Scotland who is currently not in education, employment or work. It brings together a range of existing national and local offers in a coherent way, which will better support our young people's participation in post-16 learning or training and, ultimately, employment, through appropriate intervention and support. We are prioritising provision for 16 to 19-year-olds in higher and further education, national training programmes such as the modern apprenticeship and get ready for work programmes, and a range of local provision to support young people to progress toward and into work.

Joe FitzPatrick: I welcome the steps that the Scottish Government is taking to tackle youth unemployment. Those steps contrast starkly with the policies of the United Kingdom coalition Government, which are at the root of the problem.

Will the minister confirm that training opportunities in the opportunities for all scheme are in areas in which candidates can move on to real jobs in potential growth sectors, rather than being training for training's sake? The charge that was often laid against similar schemes that previous Administrations introduced was that they involved training for training's sake.

Angela Constance: Mr FitzPatrick touches on an important point. A sense of progression and achievement for our young people has to be at the heart of everything we do. Let us look at our modern apprenticeship programme, for example. All apprentices in Scotland must be employed, which means that apprenticeships are directly linked to real and sustainable job opportunities. The modern apprenticeship programme is shaped and influenced by growth sectors, so there is a clear link between provision and the economy. Most important is that modern apprenticeships are more than just jobs; they are the first step in

careers. Much else in our national training programmes has work experience at its heart.

Neil Findlay (Lothian) (Lab): I hope that we can make progress on youth unemployment in Dundee and elsewhere. For some months, I have been trying to secure a meeting with the Minister for Youth Employment to gain support for a project in my region that would take 12 young people off the dole, but no meeting has been forthcoming. When organisations have a well-established training programme to tackle youth unemployment, surely it is incumbent on the minister to meet members to discuss such important issues.

Angela Constance: My concern about Mr Findlay's request is that he is asking me to duplicate something that the United Kingdom Government took away. I know the local project to which he refers, and I have agreed to meet it in my capacity as a constituency MSP. I think that my reply to Mr Findlay was helpful, but I have no doubt that we will continue to have a discourse on the matter. On this occasion—I wish no disrespect to Mr Findlay—it is more important that I meet the organisation than that I meet him.

Chartered Teachers (Appeals Process)

2. John Scott (Ayr) (Con): To ask the Scottish Executive what plans it has to review the grounds of appeal process for those seeking chartered teacher status. (S4O-00920)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The appeals process for the accreditation route to chartered teacher status is a matter for the General Teaching Council for Scotland.

John Scott: The minister is aware of the circumstances surrounding Duncan MacLean's case, wherein Mr MacLean sought chartered teacher status. Due to the alleged inadequacy of guidance and advice that was given by his adviser on Mr MacLean's initial submission of his portfolio commentary and reflective report, and the failure of the GTCS grounds of appeal to accept poor advice by an adviser as a ground for appeal, his efforts to achieve chartered teacher status have failed and his career prospects have been, in my view, unreasonably damaged. Will the minister now review the case and the GTCS appeals process with a view to awarding Mr MacLean the chartered teacher status that I believe he deserves and making certain that this narrow and unfair rejection of his appeal does not happen in the future?

Dr Allan: I am grateful for Mr Scott's background information on the matter. I am aware that, as he mentioned, he has been in touch with the Government. On 17 April, he wrote to Mr

Russell, the Cabinet Secretary for Education and Lifelong Learning, on behalf of his constituent Mr MacLean. I will certainly follow up the case with Mr Russell to ensure that Mr Scott receives a timely response.

However, I reiterate that management of the appeals process is a matter for the General Teaching Council for Scotland, which is now an independent body. I will seek confirmation of this, but I understand that the adviser in question was appointed by the GTCS. It remains for that organisation to ensure that appeals are fair and well managed.

Neil Bibby (West Scotland) (Lab): What does the minister intend to do to incentivise teachers who want to remain in the classroom?

Dr Allan: The Government has made it plain that there are many ways of achieving that end, one of which is to continue to raise the teaching profession's status by, for instance, encouraging masters-level study for teachers' continuing professional development and by making it clear that chartered teacher status is by no means the only way of achieving that. The Scottish Government will continue to develop CPD as it moves towards its ambition of teaching being a masters degree led profession.

Colleges (Renewables)

3. Annabelle Ewing (Mid Scotland and Fife) (SNP): To ask the Scottish Government what its position is on expanding the involvement of colleges in the renewables sector. (S4O-00921)

The Minister for Youth Employment (Angela Constance): Colleges will play a key role in ensuring that Scotland has the skilled workforce to capitalise on our renewable energy ambitions. In recognition of that, no fewer than 22 colleges have already signed up to the recently introduced energy skills partnership that we and the Scottish Further and Higher Education Funding Council are funding to the tune of £500,000 over the next three years, and which will provide the industry with a one-stop shop for energy skills needs and ensure that those needs are met as fully and as efficiently as possible.

Annabelle Ewing: The minister will be aware of the excellent Whitlock energy collaboration centre at Carnegie College's Rosyth campus and of the modern apprenticeships that it provides for major players in the renewables sector. I was very pleased to hear the minister's comments about the new energy skills partnership, but I wonder whether in her reply to this question she could tell us what specific actions the Scottish Government can take to further raise awareness of the excellent facility at Rosyth and to promote more widespread take-up of its courses.

Angela Constance: Annabelle Ewing raises a key issue. The Whitlock centre makes a huge contribution to the renewables sector's skills needs and, as Annabelle Ewing has rightly pointed out, it sits very much at the hub of Carnegie College's acclaimed engineering facility at Rosyth. The college is making a leading contribution on the issue; for example, it piloted the modern apprenticeship programme in wind turbine operation and maintenance that is now being used across the UK, and it is introducing a diploma in the subject. As a result, the college is well positioned to support the investment that is being made in Scotland by companies such as Samsung, which in February announced that it will locate its first European offshore wind project at the Fife energy park in Methil.

The key purposes of our support to Scottish colleges through the energy skills partnership are to raise industry awareness, to map provision and to provide continuing professional development for lecturers, all of which should ensure that we have the skills for the jobs of today and tomorrow.

Claudia Beamish (South Scotland) (Lab): I thank the minister for her explanation of the energy skills partnership. What provision is the Scottish Government making to ensure that people who live in ports such as Eyemouth in my region have the opportunity to develop transferable skills through colleges and outreach opportunities to enable them to work in the offshore renewables sector, in particular because travel to courses at the new Borders College department in Hawick is quite a challenge?

Angela Constance: As we speak, 22 colleges across Scotland are signed up to the energy skills partnership, which has received £300,000 in funding from the Scottish funding council and £200,000 from the Scottish Government. Every college that is a member contributes £5,000 per annum. The partnership has significant resources at its disposal.

I appreciate the importance of ports and the communities around ports, and the part that they have to play in the offshore energy industry, so if Claudia Beamish has specific ideas about how the partnership can best serve Eyemouth and her constituency, we will look at that and get her a more specific response.

The Deputy Presiding Officer (Elaine Smith): I remind members and ministers that brevity in questions and answers will allow me to get more people in.

Colleges (Regional Models)

4. Clare Adamson (Central Scotland) (SNP): To ask the Scottish Government what progress it

has made in establishing regional models for colleges. (S4O-00922)

The Minister for Youth Employment (Angela Constance): We have now defined, and announced publicly, the regions in which colleges will be grouped. Some regions will comprise a single existing college. Some are likely to become single college regions after mergers take place. Other regions will include more than one college.

We are considering the form that structures should take in different regions to ensure they are accountable, meet regional need and support effective, efficient and coherent learning. To support that, the Scottish Further and Higher Education Funding Council is developing outcome agreements with all our college regions for the 2012-13 academic year. We will make our plans clear before the summer recess.

Clare Adamson: Will the minister assure me that the outcome agreements will focus on putting learners at the centre of the process, which will lead to a range of models across the country, each of which should ensure that the learner journey is improved and that the best possible outcomes will be achieved for our college students?

Angela Constance: Yes—I agree with that. We cannot lose sight of the fact that our ambitious reform agenda is about meeting the needs of young people better. We must focus on getting young people into work. Learners and communities in the college regions are all different and, as the Cabinet Secretary for Education and Lifelong learning has made clear, one size does not fit all. He is carefully considering the added value to any existing structures.

Liam McArthur (Orkney Islands) (LD): On that theme, the minister will be well aware of a regional model that has been working for some time across the largest geographical region in Scotland—the Highlands and Islands. What discussions have she or her officials had with colleges within the University of the Highlands and Islands about the threat of moving away from a structure that has allowed those who live in the periphery to receive college funding as befits their needs, rather than operating through a hub-and-spokes mechanism that could mean that more and more of the resource will rest in Inverness and not get out to the regional colleges, including those that are in the constituency that I represent?

Angela Constance: I assure Mr McArthur that the purpose of college reform is to ensure a more strategic delivery, and not to depart from local provision. I appreciate that in the Highlands and Islands and the area that Mr McArthur represents, local provision is particularly important, given the extremes of rurality that students and learners

have to overcome to participate in learning and to move into the job market.

Mr Russell is having an on-going and in-depth dialogue with a range of college principals, so it might be more appropriate for Mr Russell to inform Liam McArthur of discussions in relation to his region.

Liz Smith (Mid Scotland and Fife) (Con): What opportunities are there for schools in the regions to participate in the discussions?

Angela Constance: Ms Smith raises an interesting point, which I am sure the cabinet secretary will be interested in. I know from my experience in West Lothian that schools are key partners when it comes to the future of our local college and what we do with it.

Welfare Reform (Access to Childcare)

5. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the Scottish Government what impact the United Kingdom Government's proposed changes to child tax credit will have on the ability of families in Scotland to access childcare. (S4O-00923)

The Minister for Children and Young People (Aileen Campbell): Changes to child tax credits that were introduced on 6 April mean that approximately 84,900 families with children in Scotland are no longer eligible for child tax credit. Those families are people who are claiming at or below the family element of the child tax credits, which is worth £545 per year per family. That will affect 118,700 children across Scotland and will undoubtedly have an impact on the ability of families to pay for childcare. Despite the fact that we have limited powers over tax and benefits, we are taking immediate and major steps to support families with early learning and childcare.

Christina McKelvie: The minister is aware that 118,700 children will be affected by the changes, which will make it more difficult for families on low incomes to access appropriate childcare. Can the minister reassure us that the Scottish Government will do everything within its power to prevent those families from falling further into poverty as a result of this abhorrent attack, by the Westminster Government, on hard-working families?

Aileen Campbell: Within the powers that it has, the Scottish Government has taken a number of measures to ensure that children and young families are supported. For example, £4.5 million from the early years change fund is available to local authorities to provide early learning and childcare for our most vulnerable two-year-olds.

I share Christina McKelvie's concerns about the negative impact that the welfare reforms will have on families and children across Scotland but, as I

said, we are taking measures to ensure that we improve the life chances of children and families throughout the country. We have in areas that I believe need more attention a number of public-social partnerships, which will focus on parents who are on low incomes and/or in poverty. We will hold a business summit in the summer this year in an effort to influence businesses to ensure that they are much more flexible in helping families with childcare issues.

Of course, the major step that we will take is the introduction of legislation to increase the amount of free childcare provision from 475 to 600 hours. That is a fantastic step which, unfortunately, will be impacted on by some of the regressive steps that the UK coalition Government has taken.

Information and Communications Technology (Education)

6. Neil Findlay (Lothian) (Lab): To ask the Scottish Executive when the ICT in education programme board last met and what was discussed. (S4O-00924)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The programme board last met on 15 February 2012, when it discussed the ICT in education programme.

Neil Findlay: I know that the board will have been involved in advising on the procurement of the new glow system. Can the minister guarantee that the new system will be fully functioning and accessible by the September deadline? If it will not, what contingency is in place?

Dr Allan: I assure Neil Findlay that the Government is confident that there will not be a gap in the operation of the system and that, if a new system is to be procured, it will be procured by that deadline. There will be continuity of provision.

Neil Findlay will understand that there is a limit to what I can say about the commercially confidential discussions that are taking place on the issue, not just because of the interests of the companies concerned, but because we want to ensure that we obtain the best deal and the best service for Scotland's schools. However, I can reassure him on the point that he raised.

Higher Education (Looked-after Young People)

7. Fiona McLeod (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government what support the Student Awards Agency for Scotland offers to formerly looked-after young people entering a higher education course with a further education qualification that does not admit them into the second year. (S4O-00925)

The Minister for Children and Young People (Aileen Campbell): All students who already have a further education qualification are eligible to apply for full support from year 1 of a higher education course. That includes help with tuition fees, student loans, bursaries and any living-cost grants to which they may be entitled. In addition, a care leavers grant is available to some students who were previously looked after in care.

Fiona McLeod: I thank the minister for that answer on behalf of a young constituent of mine, by whose drive to succeed I am greatly impressed. The problem that he faced related to a law degree, but I am delighted to hear the minister say that he can apply for a care leavers grant. Thank you.

Aileen Campbell: I thank Fiona McLeod for being a good corporate parent by raising the issue that her constituent faces—it sounds as though he is a talented young person. I encourage her to contact the chief executive of the SAAS to ensure that her constituent receives the full support to which he is entitled. I recognise the potential complexity with support for law degrees. As part of the post-16 reform programme, we are reviewing the higher education previous-study rules with a view to improving and simplifying the system from 2013-14. I hope that that helps Fiona McLeod to help her constituent.

Pre-school Education

8. Alison McInnes (North East Scotland) (LD): To ask the Scottish Executive what steps it is taking to ensure that all pre-school children have access to a qualified nursery teacher. (S4O-00926)

The Minister for Children and Young People (Aileen Campbell): We are making good progress on the commitment to ensure that all pre-school children have access to a teacher. Annual statistics from the Scottish Government pre-school census show that the percentage of children with access to a teacher has increased from 66 per cent in 2008 to 75 per cent in 2011.

Alison McInnes: Given the Scottish National Party's 2007 manifesto commitment to deliver access to a fully qualified nursery teacher for every nursery-aged child, does the minister share my concern about the fact that the number of nursery teachers who are employed by local authorities has fallen in the past seven years? In my region, in Aberdeen, one in four pre-school children still does not have access to a registered teacher, and in Angus the figure is one in three. In the Western Isles, which is outwith my region, the number of pre-school children with no access to a registered teacher is as high as four out of every five. What discussions has the Government had with local authorities about how it can support the

training and recruitment of more qualified teachers to guide children through the vital early years?

Aileen Campbell: I agree, as does the Scottish Government, that teachers play a vital role in delivering high-quality early learning experiences to children in pre-school settings. I stress the reply that I gave to the member's first question, which is that we have made good and significant progress. We remain committed to ensuring that all children have access to a pre-school teacher and we will continue to work with local partners on the delivery of that commitment.

The issue should be seen in the context of the stream of work that the Government is doing to upskill all people who work with children in the early years to ensure that children's experiences allow them to go on to fulfil their potential.

Hugh Henry (Renfrewshire South) (Lab): In Renfrewshire, nursery classes that previously had access to a nursery teacher for five days a week now have access to a teacher for only one day a week. Is that progress?

Aileen Campbell: In my reply to Alison McInnes, I outlined the significant progress that we have made so far on this agenda. Hugh Henry does a disservice to all the people throughout the country who work with children in the early years and who are being upskilled by the Government—they do a fantastic job. The member should perhaps reflect on his comments.

Getting it Right for Every Child (Legislation)

9. John Mason (Glasgow Shettleston) (SNP): To ask the Scottish Government whether future legislation relating to getting it right for every child principles will take a whole-child approach and cover social work and other services as well as education services. (S4O-00927)

The Minister for Children and Young People (Aileen Campbell): Yes, it will. The getting it right for every child programme, or GIRFEC as it is more commonly known, is a whole-child approach. That means ensuring that all children's services, not just education services, work together where appropriate to support a child's needs and to address risks. Any legislation to embed GIRFEC principles will have to reflect that.

John Mason: Some young people live in the catchment area of a school that is in a different local authority area and attend that school. In those cases, a placing request is not involved and it is clear what school they are going to, but sometimes there is a problem with social work and other services following such children across the boundary. Will GIRFEC change that?

Aileen Campbell: Under the GIRFEC approach, the roles and responsibilities of the

named person and lead professional mean that co-ordinated support for a child can be planned and provided regardless of boundaries. We already promote that practice and we will continue to do so. We will consult publicly on the extent to which the principles and practices of the getting it right for every child approach need to be enforced in the forthcoming legislation.

Devolved School Management

10. Margaret McDougall (West Scotland) (Lab): To ask the Scottish Executive when it will devolve more powers to schools. (S4O-00928)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Devolved school management is an important enabler for local leadership and has been a feature of education in Scotland since 1993. The principle that underpins the scheme, and the previous Administration's 2006 guidance, is flexibility for headteachers based on local needs. At the Cabinet Secretary for Education and Lifelong Learning's request, the Convention of Scottish Local Authorities established a steering group in December 2011 to review the 2006 devolved school management guidance. The cabinet secretary is currently considering the group's revised guidance, prior to issue.

Margaret McDougall: Will the minister clarify the Government's position on the exact powers that will remain with councils and the powers that will go to headteachers? How much control of education will be held by the Scottish National Party Government in Edinburgh?

Dr Allan: There may be a few—or perhaps a whole stream of—misunderstandings about devolved school management in the member's question. The approach that is being taken is not to specify a percentage of powers to be devolved to schools, but rather to devolve particular areas and responsibilities.

In case the member has in mind the conspiracy theory that is doing the rounds of the Labour Party in Glasgow that the approach is a smokescreen for the privatisation of education and other things, I reassure her that that is nothing more than a mark of some people's desperation about the council elections that are taking place next week.

School Estate (Sporting Activities)

11. James Kelly (Rutherglen) (Lab): To ask the Scottish Executive what steps are being taken to maximise the use of the school estate for sporting activities. (S4O-00929)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Our expectation is that local authorities will make every effort to ensure that sporting facilities are made

available in a way that addresses the needs of pupils and the wider community.

James Kelly: We would all agree that the school estate should be opened up to give greater access in order to get the benefits from the Olympic games and the 2014 Commonwealth games and to see greater sporting participation in Scotland. What specific discussions has the Government had with local authorities to facilitate greater access to the school estate for community clubs in the evenings, at weekends and during holidays?

Dr Allan: I readily agree with the member's sentiment that we should maximise communities' access to the facilities that are there, and not least in light of the forthcoming Commonwealth games. SportScotland is undertaking an audit of sports facilities around Scotland, which involves a conversation with local authorities, and there is consideration of the McLeish football review, which among other things pointed to the need to ensure that the maximum possible co-operation exists between local and other authorities on the matter raised.

Joe FitzPatrick (Dundee City West) (SNP): Has the minister heard anecdotally about the impact that the private finance initiative contracts that the previous Administration signed are having on access to sporting facilities in schools across Scotland?

Dr Allan: The position is different in different parts of Scotland, but it is certainly the case that in some parts of Scotland PFI contracts have proved less than helpful to community organisations that seek access to schools. Of course, one good thing about this Government, which I am sure members across the chamber would acknowledge, is that it has moved away from the recklessness of PFI as a Government policy.

Physical Education Teachers (Training on Heart Conditions)

12. Jim Hume (South Scotland) (LD): To ask the Scottish Executive what training is provided for newly qualified PE teachers to help them identify the symptoms of possible heart conditions in pupils. (S4O-00930)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Student teachers work with—[*Interruption.*]

The Deputy Presiding Officer: Order for the minister, please.

Dr Allan: Student teachers work with General Teaching Council for Scotland-registered colleagues in partner schools to observe the acute effects of exercise on pupils and they are expected to exercise professional judgment in

relation to the referral of pupils to medical practitioners where pupils' response to exercise raises cause for concern. If pupils have a known heart condition, teachers would take that into consideration when planning lessons.

The Scottish Government actively supports a number of initiatives such as the cardiac assessment of young athletes programme and the familial arrhythmia network for Scotland, which are helping to identify heart conditions in young people.

Jim Hume: Apparently healthy and active young people can die suddenly, sometimes during exercise and often with heart conditions that they never knew they had. I understand that, from 2014, PE teachers who are graduating will benefit from training via the curriculum for excellence but the same will not apply to existing PE teachers. Will the minister consider some modest form of retrospective training for existing PE teachers?

Dr Allan: There is continuing professional development for PE teachers and assessing children's differing responses to exercise is considered. We are far from complacent about the issue.

I am sure that the member knows the family in Selkirk, from where he and I both come, who were to the fore in founding the charity Scottish HART—Heart at Risk Testing—which aims to remember the life of one of my classmates, who died after playing football, and to ensure that we do something about such matters in the future. I commend the member for raising the issue.

Class Sizes (Early Years)

13. Sarah Boyack (Lothian) (Lab): To ask the Scottish Executive what progress is being made in delivering reductions in class sizes in early years. (S4O-00931)

The Minister for Children and Young People (Aileen Campbell): Significant progress is being made. The 2011 schools census indicates that the average primary 1 class size is at a record low of 20.5, compared with 23.1 in 2006, and that, over the same period, the number of P1 pupils in classes of more than 25 has been slashed by 96 per cent.

Sarah Boyack: I thank the minister for her response, but Edinburgh is significantly behind the national average for having P1 to P3 pupils in classes of 18 or fewer.

Since 2007, the number of primary teachers in Edinburgh has dropped by almost twice the national average. The Scottish National Party's 2011 manifesto said that agreement had been reached

“with local government to deliver sufficient teaching posts for all”

post-probationary teachers

“who successfully complete their probation”.

Given that the General Teaching Council for Scotland’s initial finding is that 18.8 per cent of last year’s cohort are still not employed and that only one in five is in full-time permanent employment, will the Scottish Government provide adequate resources to allow the City of Edinburgh Council to increase teacher numbers and reduce class sizes and to ensure that teachers who cannot find a job are not lost to the profession?

Aileen Campbell: I reiterate to Sarah Boyack that progress has been made since the manifesto commitment to reduce class sizes was made, so much so that Professor Lindsay Paterson wrote in *The Scotsman* on 8 December last year:

“in the early years of primary, there has been a noticeable change, and indeed in primary 1 the change is remarkable.”

Even outside the Government, the reduction in class sizes in the early years has been commended.

I take on board Sarah Boyack’s points and we can perhaps get back to her on specifics. I remind her that teacher unemployment levels in Scotland are significantly lower than those anywhere else in the United Kingdom. We are making good progress on that and significant progress on low class sizes. It is regrettable that Labour has missed that positive story.

Music and Art Tuition

14. Jean Urquhart (Highlands and Islands) (SNP): To ask the Scottish Government what its position is on a loss of music and art tuition as a result of specialist teachers losing their posts due to local authority budget reductions. (S4O-00932)

Michael McMahon (Uddingston and Bellshill) (Lab): Who is responsible for cutting their budgets?

The Minister for Learning, Science and Scotland’s Languages (Dr Alasdair Allan): I hear a member asking who is responsible for reducing budgets. That is, of course, the responsibility of the Westminster Government, which is implementing plans that were largely put together by the member’s party.

The Deputy Presiding Officer: I would be grateful if the minister answered the questions that are asked.

Dr Allan: Okay. The Scottish Government recognises the value of the expressive arts in contributing greatly to children and young people’s mental, emotional, social and physical wellbeing.

The recruitment and deployment of staff, including specialist teachers, are a matter for local government, as is the legal responsibility for providing an adequate and efficient education that is suitable to the needs of children. All class teachers are expected to be able to deliver elements of teaching and learning in art and design and music, along with all other areas of the primary curriculum, as part of their initial teacher education.

Despite the United Kingdom budget cuts, local government’s share of the Scottish Government’s financial support has been maintained.

Jean Urquhart: I note, in particular, the minister’s comments on the advantage of art and music education to young children. Does he agree that we could develop a strategy to involve organisations that the Government already supports in providing tuition and widening access to the services that they provide?

Dr Allan: I am always happy to speak to organisations that are involved in providing music, art and other aspects of education in schools, and I am happy to hear more from the member.

I agree that music and art education has made a huge difference to the lives of many children and is of great importance to our children and young people and to the image of Scotland. What is required for those subjects is not a standardised universal service. For that reason, I am happy to hear from the member about how the organisations that she mentioned would like to proceed.

School Buildings (Repayments)

15. Jim Eadie (Edinburgh Southern) (SNP): To ask the Scottish Government what the current level of private finance initiative repayments is for school building projects. (S4O-00933)

The Minister for Learning, Science and Scotland’s Languages (Dr Alasdair Allan): The total for contracted unitary charge payments in respect of all school PFI projects that are operational or have reached financial close is estimated to be £13.7 billion.

Jim Eadie: Does the minister agree that local authority PFI repayments are a massive financial milestone that removes £38 million every year from the education budget in Edinburgh? Will he join me in congratulating the City of Edinburgh Council on giving the go-ahead to new schools at Boroughmuir high school and James Gillespie’s high school in southern Edinburgh? Does he agree that that is evidence that it is the Scottish National Party that can be trusted to deliver on education at both national and local levels?

Dr Allan: The member will forgive me for saying that local authorities probably view those figures as both milestones and millstones. I am more than willing to congratulate the City of Edinburgh Council on securing support for those schools through Scotland's building schools for the future programme. That is further evidence of the Government's commitment to reduce by half the number of pupils in crumbling schools and to do so in a way that is more responsible than some of the financial solutions that were offered by our predecessors.

Hugh Henry (Renfrewshire South) (Lab): Will the minister provide me with a list of schools that have, since 2007, been funded by public-private partnerships but opened by a Scottish Government minister?

Dr Allan: I can certainly provide such a list if the member wishes. I am sure that, in exchange, he will provide me with a list of schools that Labour ministers opened but which were commissioned by predecessor Governments. The Scottish Government has more than matched, brick for brick, the number of schools that were built by the previous Government. The proof is not in who opens the schools, but in the numbers—which are a favourable achievement for the Scottish National Party and not for the member's party.

Holocaust Education

16. Stewart Maxwell (West Scotland) (SNP): To ask the Scottish Government what support it provides to Holocaust educational programmes. (S4O-00934)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): At a reception last Wednesday, on the eve of Yom Hashoah, the Jewish community's day for commemorating and reflecting on the Holocaust, I was pleased to share my experiences of visiting Auschwitz with Scottish students as part of the Holocaust Educational Trust's lessons from Auschwitz project.

The Scottish Government renewed funding for the lessons from Auschwitz project earlier this year, which ensures that more young people from schools and colleges across Scotland will be able to participate in the project. Participants have come from more than 60 per cent of Scotland's secondary schools and colleges. In collaboration with the Holocaust Educational Trust, the Holocaust Memorial Day Trust and other partners, we will continue to support and promote Holocaust education in the context of the curriculum for excellence.

Stewart Maxwell: I am delighted to hear that the minister attended that event in the Parliament.

I attended the Yom Hashoah event at Giffnock synagogue on the same evening.

The minister will be aware of the gathering the voices initiative, which has gathered an invaluable collection of oral testimonies from Holocaust survivors who sought sanctuary in Scotland. The project has been a success in highlighting the positive contribution that Holocaust survivors have made to Scottish society. The project team is currently exploring how to build on the work that it has done so far. Is the minister willing to arrange a meeting between the organisers of the gathering the voices project and his officials to discuss how best to take the project forward?

Dr Allan: I thank the member for those comments. They are particularly appropriate because, at the reception last week, we were fortunate enough to be joined by Henry and Ingrid Wuga, who faced persecution by the Nazis in occupied Europe before leaving all that they had known and eventually choosing Scotland as their new home. I recognise the value and importance of capturing the testimonies of Holocaust survivors and refugees and their reflections on life in Scotland. Therefore, I am happy to ask officials to meet the project organisers to explore how best to capture testimonies about those most important parts of our history from around Scotland.

Women Offenders

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on Scottish Government recommendations from the commission on women offenders.

14:55

The Cabinet Secretary for Justice (Kenny MacAskill):

I am pleased to open the debate. I welcome the opportunity for the Parliament to discuss the report that the commission on women offenders published last Tuesday. The report is a powerful piece of work that sets out a compelling vision for the future of the criminal justice system in Scotland. It is clear that, even in the short space of time since its publication, the report has attracted a groundswell of support from large sections of the criminal justice sector, the wider public sector, politicians, the media and beyond.

I take this opportunity to place on record my sincere thanks to Dame Elish Angiolini, Dr Linda de Caestecker and Sheriff Danny Scullion for the immense personal and professional commitment that they invested in undertaking such a thorough review and producing an important report.

It will not be news to any member that since devolution the number of women in prison in Scotland has more than doubled, nor will it surprise them to hear that 76 per cent of custodial sentences that are handed out to women are for six months or less—despite our knowing that short prison sentences do nothing to reduce reoffending or address the underlying causes of criminal behaviour. Equally shocking is the fact that as many as a quarter of the women who are in Scotland's prisons are there on remand. Only 30 per cent of those women go on to receive a custodial sentence.

We know that many women in the criminal justice system in Scotland are frequent reoffenders who have complex needs and issues, which are often to do with their social circumstances—for example, they may have a previous history of abuse and mental health and addiction problems. Let us not forget that in many cases the women are themselves victims of crime or—this is crucial—that they are often parents of our next generation of young Scots.

Despite the best efforts of many able and dedicated people, how females are dealt with in the criminal justice system is one of the most pressing social justice issues of our time. That has been the case for some considerable time. The situation cannot go on. A modern and just nation such as Scotland should not be prepared to let the situation continue in the 21st century.

That is why I established the commission last summer and tasked it with a challenging remit to find ways to improve the outcomes for women in the criminal justice system and to address the issue of women who offend in our communities. I am grateful to the commission members for producing far-reaching and, in places, radical recommendations, which set out a vision for how we can work more effectively with women to reduce their reoffending and ultimately reverse the upward trend in imprisonment rates. I intend to consider the report in detail over the coming weeks and to publish a formal response before the summer recess, at the end of June.

As I have said before, protecting the public will always be my top priority. To ensure the protection of the public and to mark the seriousness and gravity of their crime, prison will remain the only option for the women who have committed the most serious offences. However, the reality is that only 2 per cent of female offenders are involved in serious violent crime. The vast majority of the female offender population do not pose a serious risk of harm to the public. The sad truth is that in many cases those women are more likely to be a risk to themselves.

For most women, the best chance of reducing their reoffending is if they remain in their communities, where they can address the issues that need to change in their lives. Importantly, they can also repay the community for the crimes that they have committed and the harm that they have caused.

The commission made its position clear on the suitability and condition of Cornton Vale prison, as has the chief inspector of prisons in his inspection reports, the most recent of which was published yesterday. I accept the commission's arguments on that matter and have tasked the Scottish Prison Service with considering in detail the recommendations about prisons. I assure the chamber that those points will be addressed in my formal response before summer.

However, it is important that we recognise that new prisons cannot be built quickly or cheaply. I accept the implications of the recommendations of Dame Elish Angiolini and her colleagues.

Lewis Macdonald (North East Scotland)

(Lab): The cabinet secretary said that he intends to give a formal response by the summer. Will he be a little more specific about the timetable for that formal response, and will he indicate today which of the recommendations the Government supports?

Kenny MacAskill: I am happy to make it clear that we will produce a formal response before June, although I do not have a set timetable.

There is nothing in Dame Elish Angiolini's report that causes us significant concern. There are matters that we may have to tweak, and there are issues over the timetable. This is a report to be taken in the round. In the same way, we followed, and continue to follow, the direction of travel of the McLeish commission, which the Angiolini commission considered.

On Cornton Vale, work on some aspects is in progress. As Mr Macdonald will know, the new prison in Grampian is a community-facing prison that will have accommodation for female offenders. On its own, that does not address the issue of Cornton Vale, which is why I await advice and options from the Scottish Prison Service before responding.

I accept the logic and direction intimated by Dame Elish Angiolini. A prison cannot be magicked out of the air, in terms of its cost or construction. However, I accept the clear implication that Cornton Vale is not fit for purpose—notwithstanding the outstanding service of those who work in it—and that ultimately it will have to go. That is a matter that I will discuss with the Scottish Prison Service. In the interim, the new prison in Grampian will provide options. We will continue to address the issue through the removal of prisoners to Bruce house in Edinburgh and through the units that we have opened at Inverness and Aberdeen.

We must ensure that there are robust and more effective and cost-efficient ways of dealing with women who offend than simply locking them up. The commission's report highlights a number of excellent community-based projects that do just that, such as the 218 centre in Glasgow and the willow project in Edinburgh. I went to see another such service in Falkirk yesterday.

When visiting those projects, I have seen for myself—as did the commission—that they demonstrate positive outcomes for some of the most chaotic women in the system. That is why I join the commission in paying tribute to the work that goes on in the projects and in many other parts of the criminal justice system to ensure that the often multifaceted problems of the most vulnerable and chaotic people in our society are identified and addressed in a holistic and effective way. I believe that the commission is right to insist that we learn from such examples and build on their successes throughout Scotland.

The Government firmly believes that the best way to address the revolving-door syndrome of short-term prison sentences and reoffending is with tough and effective community-based penalties that force low-level, repeat offenders to repay their debt to society through hard work in the community, through which they can address

many of the challenges, obstacles and difficulties that they face.

It is important to say that the report is not and cannot be just about additional money. Indeed, at a time of financial constraint in the public sector, it is encouraging that the commission itself believes that many of its recommendations can be achieved largely through the reconfiguring of the significant resources that are already invested in the area. Prison is much more expensive than community disposals in financial terms and we know that the social cost is much higher still.

If we find effective ways of addressing the cycle of low-level reoffending now, we will save money in the longer term. Much more important, however, is that that approach will also ensure that it is not inevitable that the children of today's offenders become the next generation of offenders. We owe it to all Scotland's children to give them the best possible start in life and as many chances to succeed as we can.

The issues of how women are dealt with in the criminal justice system and the rising prison population are of course not new. This Parliament has debated them on several occasions over the years and, as Dame Elish Angiolini pointed out when she launched the report, there have been 10 previous reports across the United Kingdom on women offenders. It is up to all of us to ensure that the report does not pass without bringing about real and substantial change. It would simply not be acceptable if in 10 years' time we were in the chamber debating a prison population that had doubled once more. Indeed, as the former First Minister Henry McLeish said in his 2008 report on Scotland's prisons,

"it is not inevitable that Scotland should have one of the highest incarceration rates in Europe. Scotland can do better."

I echo that sentiment.

Elaine Smith (Coatbridge and Chryston)
(Lab): During his deliberations, will the cabinet secretary consider the outcomes of the Equal Opportunities Committee's 2009 report?

Kenny MacAskill: Yes. I am happy to take these matters in the round. I welcome the wisdom and advice that has come from the Angiolini report, but, as I said earlier, 10 such reports have been produced throughout the UK. It is incumbent on us now to act on the Angiolini report, which is why I look for support around the chamber for that and, indeed, as we work across agencies. That is why we had on the commission not only a former Lord Advocate but a senior public health official and a serving sheriff. At the end of the day, the solution rests not with a single report but in working and delivery.

The commission makes a number of very clear and practical recommendations that will require substantial input and effort from across Scotland, including from across the political spectrum. Delivering on the vision that the commission set out will require courageous and determined responses from all of us. Today, I invite members to work with me to deliver the change that is desperately needed so that we can make a real difference. I believe that the report presents us with a valuable opportunity to work together in the best traditions of politics and of our nation to create a fairer and more just society. I look forward to members' speeches and I will be more than happy to work with them as we seek to implement the Angiolini report and change something that is manifestly wrong in our society.

15:09

Lewis Macdonald (North East Scotland)

(Lab): For our part, we welcome the recommendations made by the Angiolini commission and, like the Government, we acknowledge the hard work and insights provided by Dame Elish Angiolini and her colleagues in taking the report forward. Staff who work with women offenders do the best job that they can in difficult circumstances, but I do not think that anyone in the chamber will be surprised that the commission has found so many opportunities to make improvements and changes to what is a troubled system.

Laurie Russell, the chief executive of the Wise Group, said at the weekend that he believed that the criminal justice system was broken when it came to supporting initiatives to reduce reoffending. He leads one of the agencies that work to support male and female prisoners to get back into the community and out of the cycle of reoffending. He knows from his agency's direct experience what is wrong with the system.

What Laurie Russell says of the system as a whole is particularly true of the way that our society deals with women who break the law: even more female offenders go to prison on remand; even more of them go to jail but do not have access to meaningful rehabilitation programmes while they are there; and even more get stuck in a cycle of offending and reoffending when effective intervention could help them to build better lives.

Kenny MacAskill said today, as he did last week, that the Scottish Government welcomes the thrust and vision of the commission's findings. Building on that, we now need timely and decisive actions from ministers to address the various challenges that are identified in the report. Many of those problems will take time to resolve, but we look to ministers to come up with a timetable for the introduction of changes and reforms not only

to Cornton Vale—important though those are—but to the way that the justice system as a whole deals with women offenders.

The report highlights some successful examples of local projects, such as the 218 centre in Glasgow—for which my colleague Dr Richard Simpson deserves particular credit—and the willow project in Edinburgh and, of course, successful units within prisons, such as the community integration unit at HM Prison Aberdeen, which I visited recently and which I am sure that the cabinet secretary has also visited.

Building on such best practice can make a real difference to the lives of women who find themselves unnecessarily trapped in the justice system. However, to delay action for months or years when many lives will have been damaged already by the failings of the current system is surely not an option. It would fail those offenders who want to change the circumstances in which they live and to improve their life chances and those of their children.

Kenny MacAskill mentioned short sentences but, despite the scrapping of sentences of less than three months and claims that crime on Scotland's streets is falling year on year, the female prison population continues to grow. Many of the women who are behind bars are the offenders whom the abolition of very short sentences was supposed to benefit.

As the commission affirms, only a small proportion of women in prison are hardened or violent criminals or a danger to their communities. Most are more of a danger to themselves. They are exposed to drugs and to the negative influence and bullying of high-risk offenders with whom they are in prison. They are often mentally unwell and, at Cornton Vale, they are likely to be detained in highly inadequate conditions.

The commission recommends smaller local units like those at Aberdeen prison and elsewhere. Such units will give women offenders the best possible chance of turning their lives around on release—as long as the Government backs its praise for the commission's report with action to implement it.

Changes are also needed to cut down the unacceptably high number of women prisoners who spend their time on remand. As Kenny MacAskill highlighted, many of those women are not thereafter sentenced to imprisonment, so the logic of their being remanded in prison is clearly exposed as inadequate. There are already several schemes that could be used not only to reduce overcrowding at Cornton Vale but to provide counselling and drug therapy to women on remand while they await trial. In many cases, that would make more sense.

The flagship proposal in the report is to replace Cornton Vale with a new facility for offenders whose crimes warrant custodial sentences, but it is equally important that the Government properly explore all the options when it comes to finding long-term solutions for low-risk offenders. If it does that, it will have support from the Labour Party.

Such women certainly need to be punished for their crimes, but they also need support and help to be successfully reintegrated into the community, to deal with their mental health or drugs issues, to find a home and a job, and to look after their children. Those are the best ways to assist those women and to prevent the cycle of offending and reoffending from continuing.

The cabinet secretary told us a few moments ago that he would make a formal response to the commission's report before June. I am sure that he will acknowledge that the report gives the Scottish Government a six-month deadline. That means a progress report—an opportunity for ministers to report to the Parliament on what progress they have made on the recommendations that are detailed in the report—by October.

I am sure that, in setting June as the month by which a formal response will be made, Mr MacAskill is aware of the recommendation in the report that he come back to Parliament in October to tell us what progress he has made. In Mr MacAskill's response to my intervention, he made it clear that he supported the recommendations as a whole with, perhaps, as I think he suggested, a need for a little tweaking around the edges. Other issues are priorities—which recommendations the Government will seek to implement first—what the milestones of progress will be and what resources ministers will deploy in developing new projects and schemes for dealing with female offenders.

Of course, the reality is that this is not the first opportunity that this Scottish Government has been given to do something to improve conditions for women offenders in the justice system—to be fair, the Cabinet Secretary for Justice acknowledged that in his speech. For example, back in January 2010, HM chief inspector highlighted in a report the mother and baby unit at Cornton Vale, with a recommendation that a new unit should be constructed and a family visitor centre built. The lack of progress was highlighted in the chief inspector's follow-up report in February 2011 and in his latest follow-up report, which was published yesterday.

Brigadier Hugh Monro's comments on his latest findings at Cornton Vale could not have been clearer. He says that Elish Angiolini is absolutely right that the existing prison is unfit for purpose and should be replaced, but that waiting for a new jail to be built is not acceptable and that, until a

new jail is in place, improvements to the fabric of the existing prison at Cornton Vale will have to continue to be made. That is the view of the chief inspector of prisons and I hope that that the Cabinet Secretary for Justice and ministers will support it.

I am sorry to say that there has been a lack of investment at Aberdeen prison since a decision on closure was made; I hope that the same will not happen at Cornton Vale. Kenny MacAskill told the Justice Committee in the autumn that the Scottish Government did not have the money to pay for a new prison to replace Cornton Vale. I acknowledge that today he recognised that the report changes the environment in which decisions have to be made, but I hope that, in the meantime, he will affirm his commitment to maintaining conditions as far as he can at the prison until such time as he comes forward with a plan for a replacement prison.

The commission's report criticises measures and actions taken by the Scottish Government in a number of other areas, for example around the electronic monitoring scheme and bail supervision orders. Those are examples of good initiatives that have been endorsed by the Government but which have not been fully followed through.

We look for a different approach in the Government's response to the report. We seek a clearly defined timescale, measurable targets and action to ensure that women are given the support that they need to escape from the cycle of crime and prison.

Hard work has been done by the commission. It is now the turn of the Scottish Government to do hard work in preparing a response and setting out a measurable timescale. If it does that and comes up with a set of proposals that are measurable and resourced, it will have our broad support.

15:18

David McLetchie (Lothian) (Con): Like the cabinet secretary and Mr Macdonald, I welcome the report that the commission has published. I was pleased to make a modest contribution to its work by way of oral evidence.

Before I comment on some of the specific recommendations, it is worth emphasising some key statistics concerning crimes committed by women, which should provide a context for our consideration of them. The first point to note is that women commit approximately 16 per cent of all crimes. That figure has remained remarkably consistent over time. Their rate of offending varies from 13 per cent of non-sexual crimes of violence to nearly 25 per cent of crimes of indecency and 20 per cent of crimes of dishonesty.

To give members an indication of the seriousness of some of the offences, in 2010-11 alone, women committed and were convicted of 321 serious non-sexual crimes of violence, 359 cases of fire-raising and vandalism and 177 crimes involving the handling of an offensive weapon—most probably, I imagine, a knife.

That contribution to overall criminality notwithstanding, women make up less than 6 per cent of the total prison population, a figure that, again, has been fairly steady over a long period of time. Accordingly, by reference to their criminality, it is arguable that women are underrepresented in the Scottish prison population. Moreover, figures for crimes committed by gender show that a man is twice as likely as a woman is to be sentenced to a term of imprisonment, for comparable offences. Of course, that suggests to me that, up to the point of sentencing, women are given special consideration by our criminal justice system.

Elaine Smith: Does Mr McLetchie accept that the impact of going to prison is much greater on women than it is on men, given that women have care of the children and they can lose their homes and their social support? That is much more the case for women than it is for men.

David McLetchie: I happily acknowledge that that is the case for many women offenders. However, for those who end up in jail, we should not forget that the size of our prison population arises from the judgments that are made by our independently appointed judges who, taking into account the crime committed and the history of the criminality of the particular offender, have reached a conclusion that a sentence of imprisonment is appropriate.

Reading the Angiolini report, I was struck not so much by the differences between male and female offenders but by the similarities in terms of illiteracy, abusive backgrounds, drug and alcohol addictions and so on. Although, as Elaine Smith rightly pointed out, there are clearly special factors relating to family dependency, many of the recommendations that are made in the report would apply equally well to male offenders and I wonder whether, rather than looking at female offenders in isolation as a special category, we should be looking at the whole. For example, the report makes various recommendations on alternatives to prosecution and remand, and I am not clear why those recommendations should be unique to women offenders.

I welcome the recognition in the Angiolini report that a national prison for women offenders is required, because there are women who should be in prison, to protect the public and mark the seriousness of their crimes. In that context, much publicity has been attracted by the recommendation that a new national prison should

be built for such offenders. The issue for consideration is where one would build such a facility and whether the implementation of the recommendation would not be better fulfilled by a reconfiguration and improvement of facilities at Cornton Vale.

In his recent report, Her Majesty's chief inspector of prisons identified some significant improvements since his previous inspection a year ago, largely as a result of the transfer of a number of women prisoners to other facilities and a corresponding reduction in the Cornton Vale population to below 300. That is welcome. However, it has to be said that the previous, glacial progress in implementing recommendations of the inspectorate in relation to Cornton Vale reflects no credit on the Scottish Prison Service. Indeed, one of the most important recommendations of the report is that a non-executive member of the SPS board should be appointed with the specific responsibility of driving through change in the treatment of women offenders. In fact, I would go so far as to say that the overall governance of the SPS needs a good shake-up and that, perhaps, the appointment of its fifth chief executive in five years will provide the cabinet secretary with an opportunity to do that.

We welcome the report and look forward to further discussion of its recommendations. As the cabinet secretary has identified, there are significant spending implications, which we will have to assess and accommodate within a tight budget settlement, which, of course, reflects other spending choices that we have made and which we would support. We also need to consider more fully the role that rehabilitation, addiction and education programmes in prison could play in reducing reoffending.

The Deputy Presiding Officer: We move to the open debate. Speeches should be of a tight six minutes, please.

15:24

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): I commend the cabinet secretary—he will not be surprised to hear—for initiating this important inquiry. Sometimes, we as parliamentarians and those in government have to face difficult situations. An example is how we deal with people in our society who offend and reoffend and, in the case of the report that we are discussing, women who have entered the criminal justice system. The cabinet secretary was brave to accept that, compared to men, women are getting longer sentences for lesser crimes, and he was brave to set up the commission to tackle that inequality—an inequality that seems to be unrecognised by David McLetchie.

I also take this opportunity to commend the team who made up the commission. It was ably chaired by the former Lord Advocate Elish Angiolini, who has a long and distinguished career in our Scottish justice system.

It is worth while restating the commission's remit. It was:

"to consider the evidence on how to improve outcomes for women in the criminal justice system; to make recommendations for practical measures in this Parliament to reduce their reoffending and reverse the recent increase in the female prisoner population."

I was astonished to learn that the female prison population has doubled in the past 10 years. I believe that a solution needs to be found that not only breaks the cycle of reoffending but prevents people from entering the criminal justice system in the first place.

Notwithstanding the percentages that David McLetchie gave us, it seems that only 2 per cent of female offenders are involved in serious violent crime. That means that 98 per cent do not represent a serious risk of harm to the public. I reaffirm my position that, if someone is a danger to the public, a custodial sentence is the only option. Some women will still require a prison sentence.

I welcome the recommendations in the report, especially the call for more community-based disposals. I believe, as does the Association of Directors of Social Work, that the key to better outcomes for these women, and in many cases for their children, is better joint working and preventative work with an emphasis on greater collaboration and the involvement of universal and mainstream services alongside the criminal justice services.

The involvement of joint services is essential if we are to ensure that vulnerable and hard-to-reach women are enabled to access appropriate services in their communities. That is usually where their support network is, and that is where we can get the best outcomes. The need for preventative and early intervention services is overwhelming. Services that focus on the families and children of offenders are critical if we are to reduce the negative impact of parental offending and imprisonment on children.

The Government has already provided £8.5 million in funding to the 218 centre in Glasgow, which is highlighted as an example of good practice in the commission's report. It was also highlighted as an excellent example in the report on female offenders in the criminal justice system by the session 3 Equal Opportunities Committee, which was chaired by Margaret Mitchell. We felt that it was a fantastic community-based project. I was delighted to hear that that funding will be maintained in 2012-13.

The 218 centre provides a specialist community-based facility to help women offenders to address their offending behaviour and tackle the underlying causes. The results speak for themselves. The police have recorded that offending by the 320 women who were referred to the centre between June 2007 and May 2008 reduced by 21 per cent following their contact with the service. The 218 centre has also been the subject of an independent evaluation by London South Bank University, which estimates that the cost benefit of every £1 that is invested in the service is a potential saving of £2.50 per year across healthcare, criminal justice and social care. The funding is one of the best examples of preventative spend that I have seen. We know that, in some cases, it costs up to £70,000 a year to keep a person in prison, but it costs only £3,000 a year to support them in the community.

Better health plays a vital role in rehabilitation. As the Parliament knows, the responsibility for prisoner healthcare, including mental health and addiction services, moved from the SPS to the national health service at the end of last year. I hope that that will ensure a smoother transition from prison to the community in terms of treatment, support and access to mainstream services. As the previous Equal Opportunities Committee heard, better healthcare gives the best outcomes in dealing with the serious underlying causes of reoffending. That committee reported that the majority of women in prison suffer from mental health issues and/or addiction to alcohol or drugs, and a large proportion have been in a generational cycle of criminality. The saddest fact is that a number of those women are very vulnerable and are victims of crime. Some are victims of domestic or historical abuse. I have said before that I firmly believe that they need a hospital bed, not a prison cell.

I ask the cabinet secretary to remember in his deliberations on the report's recommendations that he already knows about and has visited excellent projects, such as the Wise Group's routes out of prison project and Barnardo's women in focus project, which provides mentors and guidance for women offenders and reduces reoffending. The women in focus service works with community-based orders and with women and their criminal justice supervising officers. It helps young women in particular to comply with their orders, gives them constant support and practical help via a mentor, and looks at their budgeting and improving their social skills and education.

The commission makes many good recommendations for women in the system, but I ask the cabinet secretary to consider some of them for men, too. I believe to my feminist core that, if they work for women, they should surely

work for men. We can then truly break the cycle of reoffending.

15:31

Elaine Smith (Coatbridge and Chryston) (Lab): I commend the cabinet secretary for setting up the commission. However, as he recognises, there have been at least 10 reports and inspections since devolution, and none has been fully implemented. None of those reports and inspections seems to have had the impact that it should have had. In the meantime, women, many of whom are victims, have continued to go to jail in increasing numbers and, as a result, they have lost their homes, jobs and social supports, and their children have suffered. Around half of the children of women prisoners end up in prison, which is deeply disturbing.

I have served in the Parliament for 13 years, and women offenders have been a major issue in that time. In 1999, I was a member of the Equal Opportunities Committee's women's sub-group, which first met on 26 October that year. It decided to consider two main issues: the treatment of women victims of crime in the judicial system and the treatment of women offenders by the judicial system. Much of the evidence that we considered then has been repeated in the commission's report some 13 years later, and Helena Kennedy raised many of those issues in her book "Eve Was Framed: Women and British Justice". In 1992, she proposed alternatives to custody.

Some positive steps forward have been taken over the years—I refer to the 218 centre, for example—but it is deeply depressing to realise that, after all that time, the issues have not only remained the same but worsened in some cases. In 2000, women made up 3.5 per cent of the total prison population; by 2010-11, the figure had risen to 5 per cent. That is depressing.

I am passionate about achieving change in how we treat women in the justice system, so I was pleased when the Equal Opportunities Committee in the previous session agreed to take forward my suggestion to have an inquiry into the subject. The report of that inquiry, which I mentioned in my intervention on the cabinet secretary, helped to inform the report that we are discussing, but many of its recommendations have simply been repeated. I make a plea for action.

Why should we be bothered about the increasing number of women who are being imprisoned? Perhaps because of prison overcrowding, the price of keeping someone incarcerated, or even the costs associated with looking after dependent children—those are all good reasons. It makes economic sense to stop sending women to prison, but the real reason why

we should be bothered is that most of those women are victims, and their children go on to suffer. As a society, we need to take that on board and consider it.

Of course I accept that some women have to be in prison, particularly those who have been convicted of serious violent crime and might be a danger to society. Christina McKelvie pointed that out in her speech. However, those women would also fare better if prisons were less crowded and more time and effort was put into their rehabilitation, as the report suggests. Last year, those women made up only 2 per cent of the total female prison population, so I want to concentrate on the other 98 per cent, many of whom, as we have heard, have suffered abuse and have mental health problems. Many are addicts because of abuse in their chaotic lifestyles or, indeed, to cope with those lifestyles.

In evidence to the Equal Opportunities Committee, Sue Brookes, who is an ex-governor of Cornton Vale, said:

"More than once, women arrived at ... Cornton Vale clearly not knowing who they were, let alone where they were".—[*Official Report, Equal Opportunities Committee, 5 May 2009; c 1005.*]

She went on to question the ethics of that. For those women, alternatives such as the 218 centre are vital. Some women are detained in prison only because they need to be kept safe and nowhere else is available and, in that respect, the report suggests a different approach, which I hope will be accepted.

Alternatives are particularly relevant for women incarcerated on remand, only around 30 per cent of whom receive a custodial sentence. By being on remand, those women can lose their homes, their jobs and their children; their children suffer and they, too, suffer from mental distress and are at risk of committing suicide. It is all a bit reminiscent of Lewis Carroll's White Queen, who said that, quite often, subjects are punished before they commit a crime rather than after and, sometimes, they are punished when they commit no crimes at all.

A note of caution is required on community alternatives, because they need to be suited to women and cannot simply be tagged on to men's services. One of my main motivations for wanting the Equal Opportunities Committee to examine the matter was the fact that the criminal justice system was set up with men in mind and has continued to develop in that fashion and I believe that any new women's prison must be built with proper consideration of the needs of women and dependent children. I also urge caution over holding women in men's prisons. There are good reasons for keeping women in facilities in local communities, but they cannot be simply an add-

on; they must be designed with women's needs in mind.

Going back to a point made by Mr McLetchie, I note that the report says that there is no evidence to suggest that the courts are biased against women. However, in her evidence to the Equal Opportunities Committee, Baroness Corston said:

"Sentencers do not like to hear this, but they have been giving women harsher sentences for less serious crimes."—[*Official Report, Equal Opportunities Committee*, 19 May 2009; c 1048.]

The cabinet secretary, too, has touched on that issue in the past and I really think that it needs to be considered further.

Over many years, political parties have been guilty of reacting to a tabloid agenda with a macho contest over who is tougher on crime. Actually, it is tougher to have the courage to do the right thing with regard to women offenders. After 13 years of a devolved Parliament and five years of his Government, the cabinet secretary has got to find the courage to take action and, when he does, I will be the first in line to congratulate him. Indeed, I hope that I can do so in six months' time when he reports back to Parliament and annually thereafter.

15:37

John Finnie (Highlands and Islands) (SNP): I, too, commend the commission for its report and the Cabinet Secretary for Justice for setting it up in the first place. The commission was set up to provide a fresh and independent perspective and to bring forward solutions this session and, for the reasons that members have highlighted, it is very important that the Government takes time to reflect on the report. After all, there have been many such reports before and people now want action. I look forward to getting the Government's detailed response before the summer recess. We should certainly congratulate the individuals who have made an input to the report.

The man or woman on the street might well ask why there has been such a focus on women when, after all, we certainly need to address offending behaviour by both genders. I make no apology for repeating many of the statistics that we have already heard. For example, compared with men, women are more likely to be a lower risk to public safety, with only 2 per cent involved in serious crime. They are more likely to be in prison for dishonesty offences, by which I mean acquisitive crime as a result not only of addiction—if that were properly addressed, people might be prevented from coming into the justice system—but, dare I say it, of poverty. With the attack on the benefits system, that is likely to become more and more of a factor.

Women are also more likely to be placed on remand. In fact, a quarter of the women in prison are on remand and only 30 per cent of them receive a custodial sentence. I therefore agree with Lewis Macdonald that there seems to be a lack of logic in that respect.

There are also higher rates of mental health problems among women in prison. As we have heard, the inspectorate's 2007 report said that 80 per cent of women in Cornton Vale had such problems. I think that it is important that this report refers to borderline personality disorder and post-traumatic stress disorder, and I might well come back to that issue later.

As if prison were not traumatic enough for inmates and those charged with looking after them, it has been suggested that women in prison are around 10 times more likely to self-harm. That is an alarming statistic.

We have also heard of the impact on families and children. Approximately 30 per cent of imprisoned parents will develop physical and mental problems and are more likely to end up in prison themselves. We in the Parliament have met many organisations that are doing sterling work in that respect.

I am grateful to Equality and Human Rights Commission Scotland for its briefing paper on what it calls a case for a different approach. It says that

"women demonstrate different predictors of reoffending than men ... women are more likely than men to lose their homes."

It also says that

"Women offenders are more likely than men who offend to have dependent children ... and less likely to rely on a partner outside to look after their children while they are in custody",

which increases the potential for greater adverse impacts on children of women prisoners. So there is a range of gender issues inherent in what is being said today.

Cornton Vale is not everyone's favourite establishment and there has been much consideration of the recommendation to replace it. I visited Cornton Vale with Alison McInnes, and I have to tell members that I think that the establishment is suffering a bit from visitor fatigue, which is probably what gave rise to many of the reports. There is a continual focus on the facility, which may have affected the morale of the staff who work there. Prison officers and their civilian colleagues apply the highest possible standards and should be commended for their work.

A lot of comment has been made about the 218 project and I am grateful that the Government has funded it to the tune of £8.5 million over five years.

There is a very good reason for that investment. As Christina McKelvie said, there is evidence that, for every pound that is invested, the potential saving is £2.50 across healthcare, criminal justice and social care. However, this is not just about money. We are talking about the approach that we take. Reference has been made to the multidisciplinary teams—criminal justice, social workers, health professionals, addiction workers—and the tailored support that the 218 project can provide.

The report also talks about service redesign and doing things in a different way. Perhaps the more radical suggestion is to have a national service. We have all heard about the fragmentation of the service and I fear that, in some cases, out of sight means out of mind. Some of the information that we were given at Cornton Vale about the on-going involvement of the 32 local authorities—or, in most cases, lack of on-going involvement—suggests that something needs to be done. I hope that consideration will be given to that.

It is important to note that we are talking about reintegration into the community, and housing is a key part of that. That means an important role for the third sector. The report refers to the benefits system, which I think is pertinent. This is not a party-political issue and, clearly, integration will not be achieved if someone who leaves prison has their housing arrangements sorted but does not have their benefit sorted. Planning needs to go into that and I hope to see a positive role for the benefits agency.

Mentoring, to which Christina McKelvie and others have alluded, is also key, not just to deal with reoffending but to ensure that court orders are adhered to.

The report makes the interesting point that males and females breach court orders for differing reasons. Males generally breach court orders when they reoffend; with females, it is generally because of their chaotic lifestyle and the implications of distance, cost and childcare. There is a clear difference there and we cannot afford to do nothing about it. The report is a very positive start and I look forward to hearing the Government's response.

15:43

Dr Richard Simpson (Mid Scotland and Fife) (Lab): Having worked in Scotland's only women's prison from the day that it opened until my final locum there in 2003, and having served as Deputy Minister for Justice when Professor Sheila McLean presented her review of women offenders, I have a particular interest in the area.

That review arose from Henry McLeish's aspiration to halve the number of women prisoners

following the then inspector Clive Fairweather's comments in 1999. As a minister in 2001-02, in what was then a new Administration, I tried to restate the aim as reducing the number of admissions rather than the daily prison population. At that time, the number of admissions was 2,100.

The report, "A Better Way: The Report of the Ministerial Group on Women's Offending", and the subsequent proposals, if they had been fully implemented, would have significantly reduced admissions. Many of the proposals in that earlier report are repeated in this welcome and important report from Dame Elish Angiolini and her colleagues. It is a welcome restatement of the direction of travel that we really must follow.

As a starting point, other members have said that we should recognise that there is a considerable difference between male and female offenders. Women are different and an adapted male prison model is not good enough.

In 1987, only a handful of drug misusers were admitted to Cornton Vale. By the time that I did my last stint there, more than 80 per cent of the prisoners had been convicted of drug-related offences, but the background of abuse in childhood, looked-after status in childhood, mental health problems, including borderline personality disorder, and histories of domestic violence or self-harm—much of which was detailed in research by Dobash and Dobash—remained unchanged throughout the period of my association with Cornton Vale.

I want to ensure that, this time round, as well as agreeing with the warm words in all the reports that have been produced, the Parliament agrees a set of targets. That is vital, because without hard targets we will not achieve the change that we all seek.

My only criticism of the Government is that its attempt simply to abolish short-term sentences by diktat demonstrated a surprising lack of understanding of the judiciary and how it works. The courts will choose non-custodial alternatives when they are seen to be effective. In 2001, the number of offenders who were admitted for fine default was 587. The fact that, last year, the figure was less than 90 shows that change can be achieved.

The principle of sheriffs managing cases, which the report mentions, is of great importance and has been welcomed by those who have been involved in the drugs courts, the domestic violence court and drug treatment and testing orders. That continuity of management should be extended.

It is not by chance that the number of young offenders who are admitted and the number of short-term sentences have reduced since 2001. That has happened thanks to the establishment of

drugs courts, DTTOs and the unique, innovative and—as others have said—successful time-out centre at 218 Bath Street, which every year admits up to 500 women whose offence was wholly or largely drug related.

The tragedy is that, once that pilot project was shown to be successful in the middle of the last decade, it was not rolled out for women, nor was a similar project piloted for men. I believe that that should happen, and that the project should be extended to deal specifically with alcohol-related offences. We now need centres to deal with alcohol problems and we need to extend treatment and testing orders to cover alcohol.

Over the period that I am talking about, although the number of short sentences and the number of people admitted to prison for fine default have gone down, the reverse is true of the number of offenders admitted on remand, which has increased from 800 to 1,800 per year. The proposals for bail supervision and electronic tagging that I made when I was a minister have not been implemented nationally, which might be partly why the judiciary feel the need to use remand so often when only 30 per cent of those who are on remand eventually receive a custodial sentence. Therefore, I welcome the proposals for bail supervision plus and those for tackling housing and dealing with mentoring.

In my view, the proposal that remand should be to local treatment and support units that are similar to time-out centres is welcome. Section 5 of the report, which is on supervision, tagging, mentoring and ensuring that housing and treatment are provided, has my full support.

Another important issue is children. Although I do not have time to go into that today, it is critical.

In the meantime, I recommend to the cabinet secretary some issues on which he should consider making early progress. First, I ask him to ensure, almost immediately, that someone be appointed to the SPS board specifically to deal with female offenders. David McLetchie and others mentioned that. That would cost no money and would provide the focus that has been lacking on the board for far too long.

Secondly, I ask the cabinet secretary to meet the call of the report and the chief inspector for a prison visitors centre at Cornton Vale, possibly in the old staff canteen, which would be run by the community. I have been pressing for such centres in the prisons, three of which are in my constituency, for some years. Glenochil prison could have had a prison visitors centre, but the prison board chose to abolish the premises that could have been used. The old canteen at Cornton Vale is still there and it could be used tomorrow. It would cost very little to turn it into a visitors centre

and the community is willing to run it, so let us get on with it.

Thirdly, we need a successor to the prison visiting committees and I look forward to the announcements that the cabinet secretary referred to this morning. I hope that, as well as involving a monitoring function, the new system will embody the best of the prison visiting service, which was working well in Cornton Vale, if not in some of the other prisons.

Fourthly, arrest referral and other intervention services related to drugs and alcohol should be extended. Again, that could be done at relatively little cost.

Finally, the Government should work with the judiciary to increase continuity of management.

Those measures would cost little and would demonstrate momentum, but the danger is that the suggested demolition of Cornton Vale will lead to planning blight. We need action and we need a good action plan now.

15:49

Maureen Watt (Aberdeen South and North Kincardine) (SNP): I welcome the Cabinet Secretary for Justice's wisdom in setting up the commission on women offenders and particularly in asking Dame Elish Angiolini to chair it. Her commitment to women's issues in the justice system is well recognised. For example, we all remember her unstinting efforts to secure more convictions for rape and her commitment on that issue. The recommendations in the report are sound and far-reaching. I hope that, when the cabinet secretary gives the Scottish Government's response in the summer, it will be positive.

I speak as a former member of the visiting committee at Craiginches prison for 12 years. For the majority of that time, Craiginches had a small women's unit. We witnessed the increase in women prisoners over that time and the changes in the type of offences, which Dr Richard Simpson mentioned.

Members have mentioned that women need fairness in the justice system. By that, I think that they mean equality of treatment between men and women. No one says that women should not be sentenced if they have committed a crime, but the sentencing of men and women is not fair. Women are more likely to be sent to prison for lesser crimes. The Cabinet Secretary for Justice is known for talking about locking up the bad and not the sad, but that definitely needs to be applied to female offenders as well as to male ones. Reoffending rates are higher not just because short sentences mean that little time is available

for rehabilitation, but because, tragically, prison is the only safe place in many women's lives.

I witnessed women who had come into prison malnourished, ill-kempt and distraught, but who, after just a few weeks, looked so much better, with their hair shiny and nails growing as a result of getting good food, regular sleep and order in their lives. As John Finnie mentioned, one can see the self-harm scars healing. Regrettably, the SPS in its wisdom decided to close the unit in Aberdeen and move women offenders from the north-east to Cornton Vale. The visiting committee vigorously opposed that move because we knew that it would increase problems for the families with visits and maintaining relationships. Of course, it has now been realised that the move was a mistake, and the unit has been reopened.

It is worth quoting some excerpts from the commission's report that relate to Aberdeen. It states:

"We were ... impressed with the Community Integration Unit at Aberdeen HMP which provides support for women to be part of a local community at the end of their sentence."

The report goes on to state:

"The Commission visited Aberdeen Community Integration Unit and met with management, staff and prisoners, and former residents. We had lengthy discussions with prisoners away from staff and we were struck by the positive relationship which exists between the staff in the unit and the prisoners there. This seemed to us to be based upon a culture of mutual respect. We also noted the emphasis that was placed by management and staff on involving the residents in taking responsibility for practical decisions which affect their daily lives within the unit. It seemed to us that the women in the unit benefited from this approach and were encouraged by it to develop important life skills which may assist them as they prepare to return to their communities."

The report continues:

"We recommend that the new national prison for women should include"

a

"Community Integration Unit based on the model in place at HMP Aberdeen to help women access community services and support networks prior to their release."

We should all congratulate Governor Audrey Mooney and all the agencies, including the Wise Group, that work in the community integration unit.

I regret that I have not visited Cornton Vale. That is a gap in my knowledge, although I take on board John Finnie's comments about the number of visitors. However, I know that the prison has links with prisons in Malawi, and I want to share my experience of visiting Chichiri prison in Malawi. In that prison, women can be held on remand for up to nine years; children are detained with their mothers; women do not have cooking facilities, but they have to do their own cooking, without a

kitchen and just on bits of burning wood; and they have appalling shower and washing facilities.

I agree that Cornton Vale should be replaced but, as others have said, we need to find ways of gaining retribution for women's crimes other than putting them in prison. My biggest plea is for a change of culture in judicial services.

Recently, Aberdeen prison visiting committee hosted a meeting that, as Lewis Macdonald knows, was well attended by a wide range of organisations, including police, social services and many third sector organisations. What struck me most was the heartfelt plea from a head of social work services about the huge burden that is placed on the public purse by the judiciary's sentencing policy, whether that is in housing, fostering, kinship care, or mental health services. It is important that the judiciary recognises the wider consequences of sentencing policy. It is clear that David McLetchie did not read the briefing from Scotland's Commissioner for Children and Young People, which calls for a distinct approach for women offenders.

My hope is that, as a result of the report, we will see a change of culture in the judicial services and that the effects of sentencing policy on offenders and their families will be recognised. I also hope that there is a change in the SPS, so that it considers the longer-term outcomes.

15:56

Margaret Mitchell (Central Scotland) (Con):

Although I warmly welcome the report of the commission on women offenders, and I largely agree with the main issues that it highlights—many of which also apply to male offenders—my overriding reaction is a depressing, "Here we are again."

The report comes to many of the same conclusions as previous reports, including the report that resulted from the Equal Opportunities Committee's 2008 inquiry into female offenders in the criminal justice system. That report's recommendations were debated in the chamber in 2009, but three years later, the issues that it raised and the recommendations that it made are still unresolved, as the commission's report before us confirms.

Prisoners with mental health issues are one of three main issues that are covered in both reports. There are women in Cornton Vale with mental health issues so severe that 24/7 supervision is required to stop them self-harming, which in turn puts huge pressure on prison staff. Such prisoners are not a danger to the public, but they are a very real danger to themselves and they ought to be in hospital and not in prison. The issue was raised in

the committee's 2009 report, so why are such women still in prison?

Both reports raise the issue of remand. We know that 70 per cent of the female prisoners on remand will not serve a custodial sentence. It therefore makes sense to look at the alternatives to remand that are outlined in the commission's report, such as electronic tagging or bail supervision.

On sentencing, both reports stress the necessity of ensuring that sentencers are in full possession of important information about the offender's background, their medication and their health issues—including mental health issues.

The commission's report recommends the introduction of

"a truncated Criminal Justice Social Work Report, a Rapid Report"

to be made available to criminal courts

"on the day of conviction ... or within two working days"

and containing that type of information to enable quick and appropriate sentencing. That recommendation should be adopted, coupled with the recommendation for comprehensive judicial training to ensure that judges are aware of all available custody alternatives, such as community sentence disposals—served, for example, at the 218 centre.

Significantly, if the mental health, remand and sentencing recommendations alone from the 2009 report had been taken on board—as they could quite easily have been over the past three years—that would have gone some considerable way towards addressing the overcrowding problem. That in turn would have freed up prison staff to help to deliver rehabilitation programmes for the prisoners for whom prison is quite definitely the correct sentence.

However, it takes leadership and political will to make such changes and sadly they have been absent. That is particularly disappointing in view of the fact that the Cabinet took the unusual step of discussing the Equal Opportunities Committee's 2009 report and, on the back of that discussion, awarded £800,000 to community justice authorities.

That was in recognition of the results that were achieved by one community justice authority, which worked with Circle—the charity that does outstanding work to support offenders' families—to run a pilot scheme that cut reoffending rates dramatically. However, despite those results, it was not suggested that each of the eight community justice authorities should use the £100,000 that was available to them to run similar projects, and the outcomes from how each

community justice authority spent the additional funding were not measured. Consequently, an opportunity was lost to tackle the reoffending revolving-door syndrome.

I have highlighted issues in the commission's report that could and should be acted on now, but there are recommendations with which I disagree. For example, I do not accept that it is impossible to carry out meaningful rehabilitation with prisoners who are serving short-term sentences that have been handed down for whatever reason.

John Finnie: Will the member accept an intervention?

Margaret Mitchell: I am sorry, but I will struggle to get through my speech in time.

Over two weeks, let alone six months, good progress can be made to address literacy, numeracy, communication and other life skills. At present, short-term prisoners are not offered such rehabilitation services.

I am concerned about the implications of the commission's recommendations on centralising criminal justice social work and on establishing a community justice service and a national community justice and prison delivery board, because there is a danger that all the effort will be put into establishing a new system rather than addressing the fundamental problems that relate to women in the criminal justice system.

We should now show leadership and the political will to make the changes that I have outlined, especially in relation to mental health, remand and sentencing.

16:01

Roderick Campbell (North East Fife) (SNP): I welcome the opportunity to contribute to the debate on this important report. Concerns about Cornton Vale are not new. As we know, Her Majesty's chief inspector of prisons reported in 2009 and 2011 that there was an immediate need to address overcrowding. He also highlighted the high levels of mental ill health and the lack of a family-friendly visitor centre. When he gave evidence to the Justice Committee, he drew attention to

"the time bomb that is Cornton Vale."—[*Official Report, Justice Committee, 25 October 2011; c 339.*]

The recommendations on Cornton Vale are not a bolt from the blue. It is clear that the Scottish Government needs time to address the implications, but it is fair to point out that there have been changes to alleviate overcrowding, such as the creation of a women's wing at HMP Edinburgh, which I and other Justice Committee members visited a few months ago. The news is

not that nothing is being done, but that much more needs to be done.

In looking at the report as a whole, the importance of reconfiguration must be stressed. The commission stated that it considers

“that many of our recommendations could be achieved through reconfiguration of existing funding, rather than significant new investment”.

It did not refer to full implementation, as the Association of Directors of Social Work erroneously suggests in its briefing, but, given the current financial situation, the point must be a very relevant consideration.

The commission sensibly suggested that community justice centres would not need to be new custom-made centres. It is strong on the need for multidisciplinary teams and mentoring, which I support. Women offenders need the support that mentoring can provide, if the cycle of reoffending is to be broken. That cycle causes disruption not only to prisoners but to their families and their children in particular.

It is a salutary lesson to note that approximately 30 per cent of children with imprisoned parents develop mental health problems. The higher risk of such children ending up in prison is perhaps unsurprising. As the report suggests, high-quality visitor centres are needed. The chief inspector of prisons has called for them for some while. They must be a prerequisite to assisting mother-and-child relationships.

The commission pointed out that prevention and early years spending were not part of its remit, but it nevertheless stressed that intervening in the early years of life will have significantly more impact on reoffending rates than intervening later in life would have. The commission said that, as far as children are concerned, early intervention starts with the mother. I have to agree with that.

In 2007, the chief inspector of prisons reported that 80 per cent of women in Cornton Vale had mental health problems. We know that the Scottish Government is finalising its mental health strategy. It is essential that that addresses issues of trauma and self-harm, which are prevalent among many female offenders.

There is a clear need for adequate mental health training for police and prison officers, particularly—as others have suggested—in the management of people with borderline personality disorders, who are all too prevalent in the system. The commission’s report highlights that access to education or rehabilitative programmes is insufficient. It is common sense that the absence of constructive activity is hardly conducive to good mental health.

We know that only around 30 per cent of women on remand go on to receive a custodial sentence and that, as the cabinet secretary has said, 76 per cent of custodial sentences that are imposed on women are for periods of six months or less. The alternatives to which the commission refers—electronic monitoring and bail supervision involving engagement with a proposed multidisciplinary team—seem eminently sensible. There must be scope for cutting the costs of prison by reducing the number of women who are on remand, especially among the group who are not likely to be sentenced to a custodial term in any event. It should also be borne in mind that only 2 per cent of female offenders were involved in serious violence last year.

One of the clear facts to emerge from the commission’s report is that comparatively few offenders are entitled to statutory throughcare, most offenders qualifying only for voluntary throughcare. The Justice Committee wrote to all 32 local authorities, asking them about the arrangements that are available on release. It is clear that voluntary throughcare has drawbacks. First, it requires offenders to opt in and the level of take-up is not high. Secondly, there is no integrated case management system. Thirdly, there is no assigned criminal justice social worker.

The commission made important points on the difficulties that homelessness causes for discharged prisoners. It is common sense that, if we want to discourage reoffending, we must make access to safe accommodation on release a priority. Without a roof over their head and early access to benefit, the chances of someone avoiding reoffending will be diminished. Even if we take the view—as some might do—that prison is primarily a place for punishment and deterrence, at the end of the punishment a proper level of assistance must be a must.

The report is a welcome contribution on an issue of pressing social need. It has clear financial implications on which the Government needs to reflect, but I welcome the cabinet secretary’s comment that it is up to all of us to ensure that the report does not pass without bringing about real and substantial change. That really is the task for this Parliament.

16:07

Mary Fee (West Scotland) (Lab): I add my voice to those who have already supported the report from the Angiolini commission, but I have one main criticism: its lack of focus on the families of female offenders. Families have an integral role to play in reducing reoffending among prisoners, and both families and offenders need support from the point of arrest right through to release, and after. Until now, there has been a distinct lack of

action to halt the increase in female incarceration, particularly given that there has not been a similar increase in the number of crimes committed by women during the same period.

Last year, when the Government announced the creation of the Angiolini commission, I hoped that it would be the start of a new era in tackling the problems that are inherent in female offending. I still have that enthusiasm, and we now look to the Cabinet Secretary for Justice to take the recommendations forward. I hope that real, meaningful and long-term change will come out of the report.

One recommendation that I was happy to hear announced last Tuesday, at the launch of the report, was the recommendation that Cornton Vale be replaced with a smaller specialist prison. It is not the first time the Government has been told that Cornton Vale has served its purpose; after all, it was the state of the art in 1975, but Her Majesty's chief inspector of prisons in Scotland announced last year that it was overcrowded and no longer suitable as a prison.

Earlier this month, I was given a tour of Cornton Vale in my capacity as the convener of the Equal Opportunities Committee. I was told by the deputy governor that 80 per cent of the prisoners suffer from underlying mental health issues and that 60 per cent suffer from drug and alcohol misuse. The women are clearly being locked up for the wrong reasons—they are incarcerated for not paying fines, for example—so there needs to be a concerted effort to find alternatives to imprisonment, which are essential for the future wellbeing of women who are suffering from mental health issues and/or addiction problems.

The commission recommended alternatives to prosecution through fiscal work orders. Such alternatives can be effective only when authorities and services such as the courts, the police, the SPS and social work departments work collectively to divert women from the courts, when that is best for the community, the victim and the offender.

I have often talked about the important role that families can play in reducing reoffending. The commission's report did not cover the importance of that role and the influence that families can have on a prisoner's rehabilitation. The alternatives to prosecution that are highlighted in the report must include the woman's family—only, of course, if it is safe for the child to be involved. Only by incorporating the family into efforts to rehabilitate the prisoner and prevent reoffending can we halt the increase in female imprisonment and reoffending rates.

More support is needed for the families of the imprisoned mother or father. We must remember

that mothers and fathers are imprisoned: we are focusing on mothers, but it is worth reiterating that fathers need support, too. Support in relation to housing, benefits and employment is essential if family members are to continue their lives as normally as possible. If such support is in place, the chances of the prisoner reoffending on release are reduced. However, support is not being extended to the family.

Communication with families is essential during a female offender's time in prison, but for the families of many women in Cornton Vale, travel to the prison is impossible, given the cost and time involved and the availability of transport. That is especially the case for people from northern and southern Scotland.

I endorse the use of videoconferencing to enable prisoners to maintain contact with families and rebuild broken ties, so that on release the prisoner has a home to go back to. The technology is used in many countries, so it is unfortunate that, in the use of technology and innovative measures to maintain family contact, Scotland falls behind many countries that would be classed as being less developed than we are.

Child or family impact assessments at the point of arrest or custody are required if we are to reduce female imprisonment rates and shift the balance towards alternatives to imprisonment. If such assessments were made, judges and courts could make more informed decisions about sentencing offenders, especially mothers, who in many cases are the primary givers of care to their children. However, last week, in response to a parliamentary question that I lodged, the Minister for Children and Young People said:

"The Scottish Government has no plans to introduce child impact assessments".—[*Official Report, Written Answers*, 18 April 2012; S4W-06327.]

I will continue to make representations on assessments, for which Families Outside and other charities have called.

I will be keen to hear from the Cabinet Secretary for Justice in six months about progress on the commission's recommendations. We must place greater focus on rehabilitation and education through alternatives to prison, especially for women who have substance abuse issues and mental health problems. As the cabinet secretary said, if we do not do that, we will be having this debate again in 10 years.

16:13

Mark McDonald (North East Scotland) (SNP): It is appropriate to thank Dame Elish Angiolini and her commission for a comprehensive report, which contains significant recommendations. The Cabinet Secretary for Justice is to be commended

for establishing the commission, in seeking to address the problem.

David McLetchie provided raw statistics and implied that they show that we are somehow in danger of taking the issue too far and that the situation on female offending is not as bad as we are making it out to be. However, in her intervention during his speech and in her own speech, Elaine Smith set out the reality that lies behind the statistics, with a remarkable description of the impact on the wider life of the female offender, and particularly on her children.

It says in the briefing by Scotland's Commissioner for Children and Young People that

"women offenders are more likely than men who offend to have dependent children, more likely to lose their housing while in custody, and less likely to rely on a partner outside to look after their children while they are in custody. This increases the potential for greater adverse impacts on the children of women prisoners."

There is the potential for such children to end up in the care system, with all the difficulties that can arise as a result. The children become at risk of coming to the attention of the justice system themselves at some stage in the future. It is imperative that we break that cycle.

This is part of the early intervention agenda. If we can take steps to address female offending—both the committing of offences and the punishments that are being delivered to female offenders—it will have a knock-on effect, particularly on the children of women offenders. That will play an early intervention role in dealing with some of the problems that can occur further down the line.

Rod Campbell rightly mentioned that economic decisions will have to be taken as a result of the recommendations. It is important that whenever the cost of applying a recommendation is calculated, we look at the benefits that will result, as we do with much of our current early intervention.

Elaine Smith: Does Mark McDonald agree that that is preventative spending—that it is spending to save?

Mark McDonald: I agree absolutely. Elaine Smith was not here at the beginning of my speech, when I said that the matter falls into the early intervention and preventative spending agenda, in terms of dealing with women offenders and the impacts on the children of offenders. She made that point strongly in her speech.

The issue of mental health presentations and mental health problems leaped out at me from the report. It is unacceptable that women who have significant mental health problems are being incarcerated. Those women need to be helped

and looked after—not locked up. When the Cabinet Secretary for Justice considers the recommendations, I hope that he will speak with the Cabinet Secretary for Health, Wellbeing and Cities Strategy and her ministerial team about the mental health strategy that the Government is developing, and how women offenders fit into that strategy. It is important that we have cross-departmental work, as well as work that is focused in the justice department.

I agree with Maureen Watt that we need to consider a culture change in our judicial system and among our judiciary. I understand David McLetchie's point that we should respect the independence of the judicial system, but we must engender a change in attitude within that system. It is not just politicians who say that. I quote from John Scott—not the Deputy Presiding Officer, but the chairman of the Howard League for Penal Reform in Scotland—who said:

"The sentences"

that women offenders

"are receiving is a significant indicator that it is the judicial response which we need to be looking at. The judiciary need to be re-educated and reassess their approach."

It is fair to say that the statistics that are before us—especially on serious violent crime—raise the question of why so many women who commit non-serious and non-violent crimes find themselves imprisoned, particularly for short periods of time, and then falling into a cycle of re-offending.

I conclude with an example from the north-east of Scotland. Lewis Macdonald and Maureen Watt rightly highlighted the community integration unit at Craiginchies prison in Aberdeen. The unit has clearly demonstrated success in ensuring that women break the cycle of reoffending and are better reintegrated into the community. As well as wide-scale reform of what currently exists, we must tease out the current best practice, continue to promote it and, perhaps, expand on it.

Aberdeen City Council's connections programme is a range of modules that are designed to help women improve

"connections with themselves, with others and with the community"

and ensure that they can better reintegrate into the community and break the cycle of re-offending. It is not just about wide-scale change; it is also about replicating what is good in the system.

16:19

Claudia Beamish (South Scotland) (Lab): Last autumn, when I was still the convener of the Equal Opportunities Committee, I had the pleasure of welcoming Baroness Vivien Stern, who is a senior research fellow at the International Centre

for Prison Studies, to speak at our women in Parliament dinner. That evening, helped by her focused remarks about women in the justice system, it seemed to me that there was a sense of collective determination not to allow the “criminalisation of distress”, as one researcher has called it, to continue any longer. We all talked about the awaited report and hoped that it would not just be the 11th such report to gather dust.

Last winter, I visited Cornton Vale and was shown around by the governor, Teresa Medhurst. Although I acknowledge—as many members have done today—the commitment and vision of the staff, I was very clear in my mind that we had to move on and to move beyond being a society that allows the criminalisation of distress to be eternally repeated and inadvertently passed on from generation to generation.

This spring—only last week—I sat in a University of Strathclyde lecture theatre, along with Mary Fee and many others, feeling inspired not just by the collective wisdom of those who were assembled there, but by the palpable sense of anticipation as we awaited the report of Dame Elish Angiolini, Sheriff Daniel Scullion and Dr Linda de Caestecker and their recommendations. Somehow, that gave me a sense of optimism.

After Dame Elish had outlined the recommendations, the discussions seemed to crystallise into a sense of resolve that this had to be a watershed moment. Although we recognise that there are a small number of women offenders who must, in order to protect society, have custodial sentences, a cultural shift is in the making that must be developed into a systemic change, as outlined in the commission’s report, which will break the pattern of reoffending by helping to create openings for women who have few or none.

Many members have signed the motion that I lodged welcoming the report, and it is obvious from the debate that there is support for it almost throughout the chamber. I would like, however, to distance myself from some of David McLetchie’s remarks; no doubt many members will know to which remarks I allude.

As parliamentarians, we all know of women constituents who are challenged by bewildering and fragmented lives—lives on the edge. I hope that the debate will coalesce our determination to drive forward the report’s vision. I am heartened to hear that so many other members are in agreement on that and I welcome the cabinet secretary’s invitation to members across the chamber in that regard.

The report is about both breaking the cycle of reoffending and preventive work. As the Cabinet Secretary for Justice said, it is a whole-system

approach, bringing together police, courts, education and social services and working with women in a holistic and effective way. As my colleague Graeme Pearson said, we need bespoke solutions. “Bespoke” is an old-fashioned word that refers to something that is carefully made for each individual. There must be a menu of options. There are examples of that approach in my region, such as the women in focus project, which was launched by the cabinet secretary in 2010. The service works with women offenders to reduce their levels of reoffending and reconviction, and to help them to lead fulfilling lives in the community. At the launch of the project, the justice secretary commented that women

“need access to multiple services and forms of support in order to reduce reconviction rates.”

However, the commission notes that Scotland’s public service landscape is “unduly cluttered and fragmented”. Clearly, much more needs to be done.

There are countless examples of young women falling into the justice system because of financial exclusion, inability to access housing or health services—in particular, mental health services—or lack of family support. I disagree with Margaret Mitchell on the validity of short sentences for women in such situations. As many speakers have highlighted, it is indeed a gender issue.

If the shift is to happen, we must put in place solutions systematically. I received an e-mail today from the Scottish Quaker community justice network urging us to support the thrust of the report. It said:

“Any financial costs in making such changes will more than be met by the reduced social costs to society of finally breaking the cycle of most women’s offending and its collateral impact on their families.”

As we have heard from many other members, this is not all about cost; it is in part about how structures and support are organised. The executive summary of the commission’s report, which Roderick Campbell highlighted, refers to prevention and the early years, even though that was not in the commission’s remit.

From my time many years ago working in a unit for pupils who had been excluded from school, I recall the arrest of one of my pupils, who was stopped from going out of a supermarket with a frozen chicken under her jacket in the hope that the security guards would let her pass thinking her to be heavily pregnant, even though she was only 14 years of age at the time. That girl was forced to act as a young woman far too early, not responsibly and, indeed, not legally.

However, I come back to the phrase “criminalisation of distress”. Let us sort it out

together for Scotland's girls and women who are on the edge.

16:25

Alison McInnes (North East Scotland) (LD): I am pleased to be able to take part in the debate. Like many other members, I have consistently pressed the cabinet secretary for action on the disgraceful conditions in Cornton Vale.

In 2009, Her Majesty's chief inspector of prisons declared the prison to be in a state of crisis, citing overcrowding, two-hour waits for the toilet, cold meals, lack of activities and a deep problem of lack of prisoner purpose and activity, which was impeding rehabilitation.

A follow-up inspection report by the chief inspector in 2011 said that little progress had been made and that there was an immediate need to address overcrowding. It also highlighted several other areas of concern, such as limited access to activities or offending behaviour programmes and high levels of mental health problems, as we heard earlier. In addition, it highlighted something else that has become glaringly obvious to all of us who are concerned about the conditions at Cornton Vale: the lack of strategic prioritisation of the prison by the Scottish Prison Service.

Only yesterday, Brigadier Monro published a further follow-up report. Although it notes some progress, four of the original recommendations and 10 of the original action points have still not been satisfactorily implemented more than two and a half years after the first report. Many prisoners still lack access to clean bedding, access to clean laundry or even basic privacy. Whatever crimes they have committed, it is deplorable that they continue to be denied those basic human dignities.

The latest inspection report also highlighted the unacceptable use of silent cells. The fact that, despite previous warnings, extremely vulnerable prisoners continue to be placed in cells with a single mattress on a concrete plinth, no ventilation and no natural light, shows that the management culture in the Prison Service has still not changed. I have been concerned by the culture of complacency in the SPS and the lack of direction from the cabinet secretary, who has routinely maintained that those failings are operational matters for the SPS. Therefore, I hope that the Angiolini report will mark a change of attitude in the SPS.

I am delighted that the commission recommends that Cornton Vale be replaced with a new, smaller specialist prison for the most serious offenders, and that most of those who are on remand or serving short-term sentences should be

held in local prisons. I agree whole-heartedly with that.

However, if we are to reduce reoffending, we must look beyond the management culture and fabric of Cornton Vale. That is why I welcome the comprehensive nature of Dame Elish's report and commend all the members of the commission for their insight.

We have 37 recommendations, which are radical in their scope, and there is much with which everyone can agree. The report considers what happens to women at every stage through the criminal justice system, from when they are only at risk of offending and when they are at the point of arrest, through to sentencing options and resettlement on release from prison.

The report also urges us to address the factors that contribute to women's offending behaviour, and stresses the value of offering women new life choices and valuable learning experiences so that we help them to develop confidence and self-esteem that will reduce the risk of their reoffending. In that respect, the report echoes what Baroness Corston called for some years ago, which was

"a seamless continuation of care"

inside and outside prison and a focus on women's accommodation needs. She suggested that the problems that lead to women's offending respond far more to casework, support and treatment in the community than to imprisonment.

It is clear that the criminal justice system utterly fails women who find themselves subject to it. The failures that the report exposes impact not only on women offenders, but on the communities in which they live and into which they resettle, the victims of their crimes and—this is perhaps the saddest thing—their children, who themselves become vulnerable. We know that approximately 30 per cent of children with imprisoned parents will develop physical and mental health problems and that there is a higher risk of those children also ending up in prison.

The report sets out clearly why we should take a gender-specific approach to dealing with reducing offending. It has been demonstrated that services for women need to resonate with their needs and experiences and that simply adapting programmes, interventions and services that have been developed for male offenders is unlikely to meet appropriately the complex needs of female offenders.

We have already heard that women offenders are themselves often victims of severe and repeated physical and sexual abuse. There are shocking levels of mental ill-health and self-harm

in prison. We know that 80 per cent of those who are in Cornton Vale have mental health problems.

I support the approach that is outlined in the report's parts 3, 4 and 5 on service redesign, alternatives to prosecution and alternatives to remand. Short-term prison sentences have little or no impact on reoffending, with 70 per cent of women offenders who receive a prison sentence of three months or less reconvicted for an offence within two years.

I have no doubt that, for minor offences, prison is rarely the right answer. It is far better that community-based schemes, whereby offenders contribute locally to making reparations, be the option of choice. Work in the community that challenges and changes people for the better is a positive and constructive way forward.

The commission rightly points to the vital role of throughcare. Roderick Campbell mentioned the work that we carried out on that on the Justice Committee.

The one recommendation that gives me pause for thought is the setting up of a national community justice service. Such centralisation seems contrary to the rest of the report, which emphasises a tailored community-based response. Criminal justice social work is rightly part of the local government family and the development of close links between criminal justice services, social work services, housing, education, and drugs and alcohol services has meant that progress has been made on tackling the root causes of crime. I am concerned that setting up a national service would be expensive, disruptive and would lead to the loss of such integration of local services. However, the fragmentation and confusion that are illustrated in the report mean that the issue must be addressed in some way, so we must further consider the matter.

The report has some frank words to say about the lack of leadership that has existed until now. It will certainly take strong and sustained leadership to make many of the recommendations work, but investment that reduces reoffending will benefit all of our communities and produce lasting results that will make Scotland a fairer and more compassionate country. The Liberal Democrats will work with the Government to realise that goal.

16:31

Sandra White (Glasgow Kelvin) (SNP): I think that members will all agree that this is an important debate. The speeches have been excellent and have covered the commission's recommendations well.

Members have mentioned David McLetchie's speech. I was not going to do so, but it is important that I, like others, distance myself from some of his remarks.

I sincerely thank all those who produced the report. They have done an excellent job. As many members have said, we have been looking for such recommendations for a number of years, so I welcome the report.

Women make up 5 per cent of the overall prison population. The vast majority are reoffenders who have addiction issues and mental health problems and have experienced terrible social circumstances. Most are certainly not a threat to society; as the cabinet secretary said, most of them are, unfortunately, a threat only to themselves. That is why I believe that the recommendations in the report—radical though they may seem to some people—are correct. Alternative treatment must be explored and offered to women who would benefit from that.

When I was a member of the Equal Opportunities Committee in the previous session of Parliament, I visited Cornton Vale along with other members—others have mentioned that visit—and saw at first hand the conditions in the prison. There was a lack of privacy: the women had to queue up for a shower, and the shower curtains were missing; and they had to ask to go to the bathroom, which had a half door that gave no privacy and was very demeaning. That issue is covered in the report. Sports facilities were practically non-existent and were unfit for anyone who wanted to get in any form of exercise. Unfortunately, the situation is still the same.

We were also concerned by the lack of family visiting facilities and the very poor space where families could come to visit. We must bear it in mind that Cornton Vale is a women's prison and that the women's children visit them. That is the only contact that some of the women have with their school-age kids. That issue must be explored. Unfortunately, as others have said, very little support has been forthcoming from the Scottish Prison Service. I implore the SPS to create a visitor centre—perhaps the cabinet secretary could also implore it to do so. We obviously hope that Cornton Vale will not continue as it is now, but in the meantime some improvement would be excellent for the women.

Many members have mentioned statistics and so on, but I will concentrate on the visit to Cornton Vale that the Equal Opportunities Committee undertook in the previous session of Parliament. The issues that I have raised were of concern, but of more concern were the women themselves and the experiences that they had gone through. We were, rightly, not allowed to ask what their crimes were, but the women were anxious to speak to us,

individually or in groups, and tell us about their experience of life inside and outside prison.

The majority of the women were in prison for low-level crimes. Margaret Mitchell mentioned the revolving-door situation, and many of them spoke about that, too, saying that they could not find a way out. Most of the women had suffered from domestic abuse and other forms of abuse, mental health problems and addiction.

Margaret Mitchell and others will remember the woman who was in what I believe is called a silent cell—Alison McInnes mentioned that—with just a mattress on the floor. She was very much suffering from mental health problems. She could tell us all the medication that she was on and all the medical terminology for her condition, yet she was sitting on a mattress in a bare cell. She should never have been in prison; she should have been in a hospital, getting care.

I was chilled to the bone when I spoke to a woman who would not be out of prison in time to see her four kids at Christmas. She had reoffended but what really got me was that she felt safer in prison than outside, because of the environment that she lived in. She was willing to risk not having Christmas with her four kids because she was terrified of what awaited her outside. That was chilling.

We have to think about new ways of treating women in prison. Some of those women were institutionalised. It is quite chilling to think that someone felt safer in prison, with its lack of amenities, than they would feel outside. That is a damning indictment of the society that we live in. I endorse everything that is in the Angiolini report. I would have thought that anyone would rather be outside, enjoying Christmas with their children, than in prison, queueing up to go to the toilet or have a shower, yet those women said that they felt safer in prison. That is institutionalisation, and we have to do something about it.

The Presiding Officer (Tricia Marwick): Before we move to the winding-up speeches, I note that the following members took part in the debate but have chosen not to be present for the wind-up speeches, which I consider to be a gross discourtesy: Christina McKelvie; Maureen Watt; and Roderick Campbell. I hope that their whips will take note.

16:37

Annabel Goldie (West Scotland) (Con): It is a privilege to take part in the debate. There have been many excellent speeches. I congratulate Dame Elish Angiolini not only on producing a well-researched and robust report but on her clear and uncompromising message that action is necessary. Her insistence on that point is relevant

and timely because, having been a member of this Parliament since 1999 and having spent part of that time as convener of the Justice 2 Committee, I know that the issues of the rehabilitation of offenders, male and female, and the complete inadequacy of the preparation for their release from prison and of the support that is available to them on their return to the community have been regularly raised and discussed. Others have made that point. Significantly, as we heard from Margaret Mitchell, in 2009, the Equal Opportunities Committee produced a thorough and comprehensive report, "Female offenders in the criminal justice system". Looking at the general thrust of the Angiolini report, I see that it recognises and addresses many of those issues in a thoughtful and practical manner. I commend her for that.

I certainly sympathise with Elish Angiolini's call for action, because progress to date has not been impressive. Elaine Smith, Richard Simpson and Margaret Mitchell made that point. Indeed, Elish Angiolini's report and the report of Her Majesty's chief inspector of prisons beg two pertinent questions: what has the Scottish Government been doing over the past five years; and, much more significantly, what has the SPS been doing over the past 13 years since devolution began? The SPS has witnessed the discussions, debates and expressions of concern since 1999, in this Parliament and beyond, it has heard the calls for improvements, innovation and change and it has seen the disturbing levels of reoffending, yet it has looked lumbering and unresponsive and has displayed glacial progress when reacting to events. The minister should feel distinctly uneasy about that culture of inertia. Maureen Watt and Alison McInnes clearly share my unease about it.

I observe that many of the recommendations in the report apply equally to male and female prisoners. It is important to recognise that the approach to criminal justice in Scotland needs to be changed and improved across the board, and I hope that the Scottish Government will be sensitive to that and cognisant of it in taking the report forward.

That said, the report rightly identifies that there are specific circumstances and challenges that are common among and particular to women prisoners. Many members commented eloquently on that, and it is an important distinction to make, particularly when the women are mothers. To me, addressing the needs of the children is every bit as important as addressing the needs of the prisoners, and often those needs are mutual.

I therefore feel positive about service redesign involving community justice centres, multidisciplinary teams and supported accommodation. However, let us be clear about

how they will engage with community justice authorities and let us ensure that we eliminate duplication or replication of function or service. On that issue, I share Alison McInnes's concerns about some of the proposals for further bureaucracy. The proposals for new national bodies need to be examined carefully. We have a Scottish Parliament, a Scottish Government and a Scottish Prison Service, and it seems to me that they—particularly the SPS, if it is functioning effectively—ought to be able to embrace many of the responsibilities.

I warmly welcome the focus on mental health services, the recognition of borderline personality disorders and the need for improved and timeous psychiatric reports. The proposals in those areas have potential to deliver huge benefits. Mark McDonald made a thoughtful contribution in that respect.

I am not hostile in principle to alternatives to prosecution, which might play a useful role, but they must not become the automatic, default position for all classes of lower-level offending simply because of a balance-sheet-driven approach. The public interest might require that some offenders are still prosecuted and, on conviction, imprisoned.

The alternatives to remand deserve serious consideration, and improvement to community reintegration is years overdue. I fully support the recommendation that, on release, a woman should have immediate access to benefits and safe accommodation. Without those fundamental supports, it is irresponsible to release her from prison.

I have left the issue of prisons to the end. It is genuinely perplexing. First, and importantly, the report states explicitly:

"There are women who should be in prison to protect the public and to mark the seriousness of their crimes."

The report acknowledges that by proposing a new national prison for women offenders. It anticipates that the facility will be smaller than Cornton Vale. If many of the changes that are proposed in the report work, pressure on prison capacity will reduce, but, as my colleague David McLetchie said, there is still a significant challenge. Recent figures show that the numbers of women who commit non-sexual crimes of violence—that is homicides, attempted murders, serious assaults and violent robberies—are extensive, and we must be sure that we have the prison capacity for that cohort of serious offenders.

The Presiding Officer: The member should wind up.

Annabel Goldie: Finally, do we need to investigate whether Cornton Vale can be

modernised, partially rebuilt or reconfigured? Perhaps it is so defective that those things cannot be done, but I would be grateful if the minister could clarify that.

I support the report and look forward to the Scottish Government's progress report.

16:44

Jenny Marra (North East Scotland) (Lab):

This afternoon, we have heard support from the majority of members in the chamber for the recommendations in the commission's report. I have a lot of sympathy with David McLetchie's view that alternatives must also be found for men in the prison system. On a recent visit to Perth prison, I spoke to a young man in the reception area who had just come from court. Deeply distressed, he wanted to get a message to his brother in B hall. Intergenerational offending and indeed offending in the same family are found among male and female prisoners throughout our system.

We also share Mr McLetchie's hope that the latest chief executive of the Scottish Prison Service will bring more focus to the issue of female offending, as covered in the commission's report, and preside over better governance of the SPS.

My colleague Elaine Smith made a passionate and informed case. She pointed out that, like prison systems throughout the world, our prison system in Scotland was set up for men. With her many years of experience, she has called for alternative methods of dealing with female offenders, which chimes well with the recommendations in the report.

My colleague Claudia Beamish made powerful comments about the "criminalisation of distress". I think that, across the chamber, we all understood her comments.

Labour members agree with Alison McInnes, who drew a link between Government responsibility and the management of the Scottish Prison Service. Policy and operational matters are perhaps not so easy to define and divide in relation to the complex needs of offenders such as those whom we have been talking about.

My colleague Mary Fee called for a child or family impact assessment at the point of arrest or custody, reducing female imprisonment rates and allowing judges and courts to make more informed decisions when they sentence offenders.

Kenny MacAskill: The Government sought to do that in the previous session, but it was opposed by Labour. I look forward to a conversion along the way.

Jenny Marra: As the cabinet secretary knows, I was not an MSP in the previous session—*[Interruption.]* I conclude from what colleagues on the Labour benches are saying that what the cabinet secretary said was perhaps not exactly the case. We will certainly look at the proposals that the Government brings forward in relation to the contribution by my colleague Mary Fee. I pay tribute to her for all her work with families who are affected by imprisonment. I am sure that she will continue to press the cabinet secretary for those important needs assessments.

My colleague Richard Simpson called on the Government to agree a set of targets. We have talked about the issues for a long time, and I will go through them again for the cabinet secretary. They include an appointment on the Scottish Prison Service board to deal with female offenders; a visitors centre in Cornton Vale; a successor to the prison visiting committees with a good monitoring function; early intervention services relating to drugs and alcohol; and good continuity in management. I hope that the minister will refer to those calls in her closing speech.

The report proposes radical change in how we deal with women offenders and reiterates a common view that, to tackle offending, we must do more than simply incarcerate. Labour asks the Government to harness the growing body of opinion and act on our mutual support for Angiolini's recommendations.

Labour strongly welcomes the commission's focus on the need to tackle the underlying causes that lead women to offend and subsequently reoffend by introducing a package of measures such as community justice programmes, multidisciplinary teams and supported accommodation. We believe that space will always be reserved in prison for any person who presents a threat to the public, but that prison simply does not work for a large proportion of women offenders.

Like many of my Labour colleagues, I went to Cornton Vale in February this year. I spoke to the prisoners and staff, and I have seen for myself the damage that has been done to women and their families through the manifestation of a culture that ignores the complex needs of women offenders.

In the context of our discussion of Angiolini's recommendations, it is useful that Hugh Monro's follow-up report on Cornton Vale has been published this week. It gives us further evidence against which to consider the commission's proposals. For example, despite progress having been made on working with prisoners with complex mental health needs, Hugh Monro stated:

"Some of these women might be better located in alternative specialist facilities."

He went on to urge that a long-term solution for prisoners with complex mental health issues be found.

We very much welcome the key focus on mental health in the commission's report. Dame Elish has made a series of recommendations to improve the harrowing and stark reality of the lives of the hundreds of women who find themselves incarcerated. With that evidence, it is inconceivable that the Government should not act. The cabinet secretary has said that he will act on the report, and I very much welcome that.

As my colleague Lewis Macdonald pointed out, the Government already has blueprints that it can use to take immediate action on the commission's recommendations. For example, community justice projects created by Labour, such as the 218 centre in Glasgow, are proving to be hugely successful in reducing reoffending rates. When, at last week's First Minister's questions, I asked the First Minister whether he would consider expanding those centres throughout Scotland, he replied that "good ideas" would be accepted. The report contains many good ideas, and Labour believes that the Scottish Government should take action now and set the wheels in motion on initiatives that are set out in the report to ensure that in June—and in six months' time, when the cabinet secretary has to come back to the chamber—we can see real progress.

For too long now, we have known about but not dealt with the harrowing underbelly of female offending. I urge the Government to find the political will to make the bold changes that are necessary because, in that work, it will have our support.

The Presiding Officer: I call Roseanna Cunningham to wind up the debate. Ms Cunningham, you have until 10 o'clock. *[Interruption.]* I mean 5 o'clock, of course.

16:51

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): I had to hesitate before I could say thank you, Presiding Officer.

I am grateful to members for their speeches in what has been a good debate. It is quite clear that women offenders are a matter of concern across the chamber. In bringing the issue to Parliament, the Government intended to encourage all members to make their views known and, from their comments, they clearly join the Government in thanking the commission for its hard work.

In its report, the commission provides a compelling, commonsense vision for the future of the criminal justice system in Scotland. It chose to

be ambitious and aim for changes that would genuinely change Scotland for the better, and it clearly looks to this Parliament to rise to that challenge.

The commission's proposals are neither simple nor straightforward. It has looked closely at the criminal justice sector and asked how each part can contribute to the achievement of more positive outcomes. As the report makes clear, the roots of women's offending run deeper than just criminal behaviour. Very often, there are problems of prior abuse, addiction, deprivation and mental illness. Such issues must be understood and addressed if women are to be helped to genuinely rehabilitate themselves and reintegrate successfully into society. That issue will not be resolved quickly and there is no simple solution that will solve every aspect of the problem.

There has been considerable discussion of members' agreement with the recommendation to demolish and replace Cornton Vale. As he has already indicated, the cabinet secretary has tasked the SPS with considering how all the commission's recommendations on prisons could be put into practice. However, the truly important question is not just what would be demolished, but what would be put in its place in terms of not only bricks and mortar but the structures of our communities.

We need to build up our public services' capability to address the deeper concerns that relate to women offenders and to build the public's confidence that such an approach is appropriate and that the methods are both robust and cost-effective. The commission's proposals would not only ensure that offenders repay society for their crimes but provide them with a real opportunity to turn their lives around. That is, of course, the goal that we are all hoping to achieve.

As a result, the Government will engage with partners in the criminal justice sector to agree how new structures and new ways of working might realise the commission's aims and ambitions. It will also engage with the wider public sector, because this is a challenge for the whole of Scotland to respond to. Clearly, those working in health, mental illness, addiction, employment, housing and across the voluntary sector can play a role and, indeed, members have mentioned those services. This is not just a matter of criminal justice—of courts and social work—alone. Just as women offenders' problems have consequences for many Scottish families and then for their communities so there is a need for all parts of society to take a hand in responding effectively to the concerns that have been raised.

I turn to some of the specific points that have been made this afternoon. I thought that Lewis Macdonald was quite right to emphasise the huge

amount of hard work that will need to be put in. Those of us who have been members of Parliament for more than one or two years will know that we have been grappling with the issue over the lifetime of the Parliament. If the job was easy, it would have been done by now. We must all recognise that Lewis Macdonald is correct when he says that the problem requires hard work.

I thought that David McLetchie's speech was predictably depressing; he seemed to be making a thinly veiled call for more women to be locked up, as if that was somehow a solution to the problems that we face. It is not. He must realise that. He was just taking the easy line.

David McLetchie also made a point about new non-executive members of the board—I think that he was talking about the possibility of such members having a specific function. When the cabinet secretary meets the new chief executive they will discuss that recommendation, among other topics, so there might be some movement on it. We must allow the new chief executive who is coming in some time to get into the job properly.

Christina McKelvie rightly emphasised the need to break the cycle of reoffending but also to prevent the process from starting in the first place. That is a very important aspect. In contrast to David McLetchie, she reminded us that only 2 per cent of female offenders are in prison for violent crime, which is the most serious of all crimes.

David McLetchie: I am not really sure where the 2 per cent figure comes from; perhaps the minister could explain that as well as how it fits with the fact that in one year alone—2010-11—there were 321 instances of non-sexual crimes of violence committed by women.

Roseanna Cunningham: The 2 per cent figure comes out from the Angiolini commission; I am relying on that information. I will discuss the detail with David McLetchie afterwards, but as he knows, in reality, sometimes behind the statistics are multiple incidents that might relate to only one or two individuals. We are talking about female offenders—we are talking about people.

Women themselves are victims of crime. That is not news—it was one of the big things that we were talking about back in 1999 and 2000. As Roderick Campbell said, most women who are in prison were themselves victims of crime in their childhood and as they were growing up.

I welcomed Elaine Smith's speech because she has a long track record on the issue. There is a question about who gets sent to prison. We have made some progress: 10 years ago, the debate was about the number of people who were in prison because of fine defaults—[*Interruption.*]

The Presiding Officer: One moment, minister. Could members who are coming into the chamber please do so quickly and quietly?

Roseanna Cunningham: Richard Simpson pointed out that the position has changed markedly in the intervening period. We have made some progress; let us not pretend that we have not.

A great many similar, good points were made by a number of members, and I want pick out one or two in particular. First, Mary Fee made a point about child impact assessments. There was some consternation among the Labour members about the fact that they had opposed that suggestion during a previous parliamentary session. I am afraid to say that they did indeed oppose it in committee, during scrutiny of the Criminal Justice and Licensing (Scotland) Bill. The Government tried to introduce such a measure, but it was voted down by a combination of Opposition members. Perhaps those members should go away and look at the rationale behind their decision.

Secondly, I commend Claudia Beamish for a particularly strong and effective speech. If we take away two phrases from today's debate, they will be from her speech: "criminalisation of distress", and "falling into the justice system", which is an apt way to describe what happens at the start of the process.

I have probably given rather short shrift to many other members who also made good speeches. I have referred to many of the debates that we have had in the past and, like Annabel Goldie, I feel that I am a veteran of such debates. I reiterate the point that that tells us that if the job was easy, it would have been done by now. The Government wants to tackle the problem as strongly and as effectively as possible for the future. Prison is not the right response to women who commit minor offences, and we look for members' support for that position. For many women offenders, only a robust community sentence will ensure that they are rehabilitated or that they repay their debt to society. It just takes the political will—and support—to act.

Today's debate has shown that almost all the other parties, and probably almost all the members of the party that is a little recalcitrant, share our concern, so I look forward to receiving support from across the chamber in the future.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are up to three questions to be put as a result of today's business. In relation to the debate on localism, I remind members that, if the amendment in the name of Derek Mackay is agreed to, the amendment in the name of Sarah Boyack will fall.

The first question is, that amendment S4M-02687.1, in the name of Derek Mackay, which seeks to amend motion S4M-02687, in the name of Jackson Carlaw, on localism, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Brian (Aberdeen Donside) (SNP)
 Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (North East Scotland) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)

McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Urquhart, Jean (Highlands and Islands) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Eadie, Helen (Cowdenbeath) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Lothian) (Con)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Park, John (Mid Scotland and Fife) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 62, Against 43, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Sarah Boyack falls.

The next question is, that motion S4M-02687, in the name of Jackson Carlaw, on localism, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Brian (Aberdeen Donside) (SNP)
 Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (North East Scotland) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Urquhart, Jean (Highlands and Islands) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)

Wilson, John (Central Scotland) (SNP)
Yousaf, Humza (Glasgow) (SNP)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Gavin (Lothian) (Con)
Carlaw, Jackson (West Scotland) (Con)
Davidson, Ruth (Glasgow) (Con)
Eadie, Helen (Cowdenbeath) (Lab)
Fee, Mary (West Scotland) (Lab)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Findlay, Neil (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Goldie, Annabel (West Scotland) (Con)
Harvie, Patrick (Glasgow) (Green)
Henry, Hugh (Renfrewshire South) (Lab)
Hume, Jim (South Scotland) (LD)
Johnstone, Alex (North East Scotland) (Con)
Johnstone, Alison (Lothian) (Green)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
Macdonald, Lewis (North East Scotland) (Lab)
Macintosh, Ken (Eastwood) (Lab)
Marra, Jenny (North East Scotland) (Lab)
Martin, Paul (Glasgow Provan) (Lab)
McArthur, Liam (Orkney Islands) (LD)
McDougall, Margaret (West Scotland) (Lab)
McGrigor, Jamie (Highlands and Islands) (Con)
McInnes, Alison (North East Scotland) (LD)
McLetchie, David (Lothian) (Con)
McMahon, Michael (Uddingston and Bellshill) (Lab)
McNeil, Duncan (Greenock and Inverclyde) (Lab)
Milne, Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Park, John (Mid Scotland and Fife) (Lab)
Pearson, Graeme (South Scotland) (Lab)
Pentland, John (Motherwell and Wishaw) (Lab)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Scott, Tavish (Shetland Islands) (LD)
Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 61, Against 44, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament recognises the transformation of relations with local government over the last five years from one of central government control to a successful partnership arrangement based on mutual respect, as demonstrated throughout the last five years by the historic concordat agreed in 2007, the reduction in ring-fenced funding empowering local government, the introduction of single outcome agreements and the joint development of policy, most recently in relation to the abolition of council tax benefit, and notes that this relationship was reaffirmed following the 2011 Scottish election, with local government maintaining its share of the Scottish Budget in 2011-12 and local government's share of the Scottish Budget by the end of the current spending review period being higher than it was in 2007-08, a review of community planning and single outcome agreements, planning reforms and the ongoing development of the proposed Community Empowerment and Renewal Bill.

Robot-assisted Surgery

The Deputy Presiding Officer (Elaine Smith):

The final item of business is a members' business debate on motion S4M-01932, in the name of Richard Baker, on UCAN's campaign for robot-assisted surgery. The debate will be concluded without any question being put.

Motion debated,

That the Parliament congratulates UCAN, the north-east-based urological cancer charity, on its bid to raise £2.5 million by 2013 in order to bring to the area pioneering robotic equipment for the provision of keyhole surgery; understands that three of the four most common cancers, prostate, bowel and bladder, as well as gynaecological conditions such as endometriosis, can be treated using robotic equipment; believes that this equipment will enable the use in Scotland of the most advanced technologies for minimally invasive surgery and that this will be of huge benefit to patients in minimising the impact of surgery; welcomes the aim of UCAN, which is to create a theatre suite at Aberdeen Royal Infirmary with two integrated operating theatres that will have the capacity for robot-assisted surgery, and hopes that this campaign will receive support throughout the north east.

17:04

Richard Baker (North East Scotland) (Lab): I thank members from all parties in the Parliament who have supported my motion for debate. I know that UCAN greatly appreciates the support that it has had from across the political spectrum in the north-east for its campaign for robot-assisted surgery and for its broader work for cancer patients in our part of Scotland.

The campaign that UCAN launched to establish robot-assisted surgery for patients at Aberdeen royal infirmary is an initiative that builds on the success that the charity has already had. Many members who are present will have visited ward 44 at Aberdeen royal infirmary, where UCAN has already done so much to improve the difficult experience of treatment for urological cancer patients.

UCAN was launched in 2006 by two consultant urological surgeons who are based at ARI—Sam McClinton and James N'Dow—with the aim of adding value to the national health service by raising £2 million over three years to create a recognised centre of excellence for urological cancers in the north of Scotland. They saw a need to raise awareness of urological cancers, to make a diagnosis as early as possible and to improve the patient experience of care, treatment and aftercare.

Through the charity's work, facilities at ward 44 have been greatly improved and substantial refurbishment has been carried out. There is now an office for staff and an information point for patients, as well as a lounge where patients and

visitors can relax. That makes a huge difference for patients who spend a long time on the ward and for their families, and it helps to make the experience more comfortable and that bit less traumatic. For example, patients who might previously have been given the difficult news about their prognosis at a bed that was separated from others on the ward by only a curtain can now be told in the privacy of a separate room. That struck me as important on a human level.

The improvements have been made because of the commitment of staff at ARI to their patients and the tremendous efforts of volunteers whose lives have been touched in many ways by cancer. They have a clear vision of how they want the patient experience to be improved and they have displayed a can-do spirit. That is epitomised by the work of leading local businessman George Stevenson, whom many of us will know, who has made huge efforts on behalf of UCAN. George is one of those people who simply will not take no for an answer. Even I felt a pang of sympathy for NHS Grampian's estate department when George told me just how plain he had made it that he would not take no for an answer in relation to many of his goals for refurbishing the ward. That spirit and the determination to get things done have been crucial to UCAN's success.

The approach has led the charity to campaign for robot-assisted surgery to be based at ARI, as it offers the opportunity for a step change in the treatment of those whose conditions would benefit from the new surgical technology. The robotically assisted surgical system is an advanced tool that enables precision surgery to be carried out for many more patients and which speeds up operating times and reduces recovery times. Three of the four most common cancers—prostate, bowel and ovarian—as well as gynaecological conditions such as endometriosis, can be treated using the robotic equipment.

Professor Sam McClinton, who is consultant urological surgeon at ARI and the chairman of UCAN, has said:

"Robotic-assisted surgery is the best technology currently available for minimally invasive surgery and we want to ... buy this advanced equipment and the updated theatres to properly house it."

That is why the campaign to raise £2.5 million has been launched. The money will fund the purchase of the new technology and the establishment of two operating theatres that are required to enable its use.

Let us be clear about the advantages that the technology offers to patients. Minimally invasive surgery has been proven to offer benefits for clinical outcomes and patient satisfaction, with a lower risk of post-operative wound infection; less post-operative pain; shorter post-operative

recovery and a shorter stay in hospital; a reduction in the use of blood products; and a more rapid return to normal activity and work. The advantages that the technology brings would make such a difference to patients. Of course, if patients recover from operations more quickly, that brings benefits to the NHS by freeing up bed space and other resources.

Currently, 26 robotically assisted surgical systems are in use in England, but as yet there are none in Scotland, so the scheme would be a first for Scotland. Ministers will of course want to be sure that the use of the technology will improve treatment in the way that has been outlined. I am aware that ministers must make difficult decisions on investment in these testing times for public finances, but I believe that the evidence that UCAN has established of the benefits to patients from the use of the systems elsewhere makes the case persuasively.

UCAN is launching the fundraising efforts to bring the technology to Scotland, and I hope that ministers will assist in whatever way possible. The ambition to raise £2.5 million by the end of next year is a challenging one, but significant donations have already been pledged, and thousands of pounds were raised in just a week of a fundraising website going online. There are encouraging signs for the campaign. I hope that the Scottish Government will support and work with the charity, so that, if there is a funding gap at the end of the campaign, it will explore how that might be bridged.

The hope must be that, if the use of the technology can be established in Aberdeen, other patients in Scotland will in time benefit, too, and the experience of its use in the north-east will lead to it being used in other hospitals. I know that prostate cancer campaigners in Edinburgh are very interested in the benefits that the surgical technology could bring.

Let us congratulate UCAN on its efforts in this important campaign, which I know is already supported by many members across the chamber. I hope that the campaign will win favour with ministers as well. Ultimately, we all want the best treatment that we can give patients in the north-east and in Scotland as a whole. The technology and UCAN's campaign offer us that opportunity.

17:11

Kevin Stewart (Aberdeen Central) (SNP): I congratulate Mr Baker on securing the debate.

Aberdeen and the north-east have a proud tradition of philanthropic giving to health services in the area. For example, Foresterhill came into being as a result of large donations. In recent times, we have had Friends of ANCHOR—the

Aberdeen and north centre for haematology, oncology and radiography—the Archie Foundation and UCAN. Mr Baker is right to pay tribute to Dr George Stevenson for the efforts that he has made in that regard, and I also join the member in paying tribute to Professors McClinton and N'Dow. The campaign already has a huge amount of support in Aberdeen and the north-east.

Some time ago, UCAN was helped by a grant from the common good fund and, just recently, it received money from the Lord Provost's Charitable Trust. It will be the main beneficiary of money raised from the Crathes vintage car and motorcycle rally, and Fraserburgh football team members decided to pose naked recently, covering their modesty with footballs, to raise money for the campaign. I, too, have made a donation. I have no intention whatsoever of posing with a football covering my bits and I am sure that that is a great relief to everyone.

Mr Baker listed many of the benefits of this robot-assisted surgery. The key thing for me is the benefits for patients if it comes into play, which I am sure will happen. The huge benefits for the patients include smaller surgical incisions, of 1in or less; less blood loss during surgery and less need for blood transfusion; reduced post-operative pain and discomfort; shorter hospital stays; faster overall recovery; earlier restoration of urinary and sexual function; and less cosmetic scarring.

There are also huge benefits for the surgeons who would use the equipment: enhanced 3D visualisation; improved dexterity; increased range of movement; greater surgical precision; improved access; consistent performance; the simplification of many existing MIS techniques; a shortened training time for MIS procedures; and less physical demand on the surgeons.

UCAN has made some great advances since it came into being at ward 44 in 2008. As Mr Baker rightly pointed out, a recent refurbishment was led and scrutinised by Dr Stevenson. Like Mr Baker, I do not know how the estate staff at the hospital coped with that. On a recent visit to the Parliament, Dr Stevenson inspected the woodwork—that is the way of the man. He is to be greatly respected for the efforts that he puts in.

I named some organisations that are rallying behind the campaign. I hope that there will be more of that and that the target is reached sooner rather than later.

17:15

Lewis Macdonald (North East Scotland) (Lab): I, too, congratulate Richard Baker on this debate on UCAN. I am delighted to have the opportunity to echo his praise of the excellent work that UCAN is doing to raise funds for

groundbreaking new medical facilities at Aberdeen royal infirmary. That fundraising is progressing well, but the charity will need continued support if patients in Aberdeen and the north-east of Scotland are to have access to the best possible surgical treatment for prostate, bowel and bladder cancer.

As Richard Baker said, UCAN has worked to provide not only advanced treatment options, but support and counselling to patients and relatives after diagnosis. It is to their credit that the staff at UCAN—and those who support the charity, as has been said—never rest on their laurels. They constantly seek new ways to improve cancer patients' lives. The campaign to raise funds for technologically advanced robotic equipment is simply the latest in a series of ambitious targets, all of which have been met.

As the Deputy Minister for Health and Community Care in 2006, I had the pleasure of contributing to an early initiative that dovetailed with the launch of UCAN—the installation of positron emission tomography imaging equipment to improve cancer diagnosis and treatment at the ARI. In 2008, I was delighted to lodge a motion to congratulate UCAN on a successful application for grant funding of more than £500,000 from the Big Lottery Fund, which allowed the charity to develop its vital support facilities for patients and their families, which we have heard about this evening. I hope and trust that I will soon welcome the news that UCAN has reached its latest fundraising target and that cancer patients in the north-east will be able to benefit from the latest surgical techniques, which are aimed at improving not only their chances of survival but—importantly—their post-operative quality of life.

As we have heard, the possibilities for the equipment—the first of its kind in Scotland—extend even beyond treating cancer, as robot-assisted surgery could be used in cardiac, gynaecological and paediatric procedures. UCAN's success in its campaign would not only be great news for cancer patients and their families, but would add to the reputation of Aberdeen royal infirmary as an innovative and enterprising teaching hospital that is willing to embrace new technologies in an effort to save more lives. Long may that continue.

As all of us—particularly those from the north-east—recognise, remaining close to homes and families while undergoing treatment is important for cancer patients in Aberdeen and the north-east. People will of course travel to hospitals in Edinburgh and Glasgow for treatment and procedures if they must, but that is physically demanding and emotionally difficult for all concerned. UCAN's efforts to improve the facilities

that are available in the north-east are to be commended for the wider benefits that they bring.

I have no doubt that, through the hard work of the charity and its supporters, and the generosity of people in the north-east—to which Kevin Stewart referred—UCAN will again succeed in reaching its fundraising target. The hard work of charities such as UCAN is a powerful weapon in the fight against many of Scotland's health problems.

I hope that the minister agrees that the efforts of such charities need to be matched by investment from the Government, as with the PET imagers six years ago. A successful fundraising campaign will save lives not just in Aberdeen and the north-east but across the whole country. Anything that can be done to help to tackle Scotland's poor record on cancer should be a priority for us all.

17:19

Nanette Milne (North East Scotland) (Con): I commend Richard Baker for securing the debate. I have disagreed vehemently with him and his Labour colleagues on a number of issues in Aberdeen recently, but we are at one in praise of UCAN and its on-going fundraising campaign. I am delighted that he has brought this unique and excellent charity to Parliament's attention.

As a young anaesthetist in Aberdeen royal infirmary many years ago, I gained a fair bit of experience in my regular gynaecological list of the traumas of major surgery such as hysterectomy and pelvic floor repair. I was also involved in colorectal surgery and prostatectomy. Patients often had to be transfused to replace blood that had been lost, and they were left with sizeable abdominal wounds that took weeks or months to heal enough to let them return to work and their daily lives. Laparoscopy was just beginning to be pioneered as a minimally invasive procedure, and the subsequent development of keyhole surgery has revolutionised procedures such as cholecystectomy and other major abdominal surgery, which has led to early recovery, fewer surgical complications and shorter stays in hospital. The more recent development of robot-assisted surgery has taken minimally invasive surgery a stage further by allowing more surgeons to be trained more easily to undertake complex surgical procedures and benefiting an increasing number of patients, as a result. These are changed days, indeed, since my early medical experiences.

No one visiting the UCAN care centre in the urological ward in the ARI could fail to be impressed with the care of the patients as they embark on their journey following diagnosis of prostatic and other urological cancers. In the calm

and pleasant surroundings of the unit, which were provided in great measure thanks to the generous philanthropy of George Stevenson and his company and others donating to the UCAN charity, patients have their conditions and treatments explained to them. They also meet up with patients who have experienced what they are embarking on, which takes much of the mystery and fear out of what lies ahead. That peer support is freely given as they progress through their journey of care.

UCAN works hard, too, to raise awareness of prostate cancer, by encouraging the early diagnosis that can make such a difference to the prognosis of that cancer, which is very common in men. Surgeons working in the urological unit have become extremely skilled in operating on those patients using minimally invasive techniques. The next move is to take that a stage further by introducing robot-assisted surgery. When I visited the unit, I was most impressed by the possibilities of that technique—as explained to me by the consultant who demonstrated them to me—not only in urology, as we have heard, but in several other specialist areas as well.

UCAN's efforts to procure the equipment for Aberdeen are ambitious and very worthy of support. The £2.5 million that UCAN aims to raise by next year will allow the installation of the robot in the new theatre suite that is required to house it and will bring high-precision robot-assisted surgery to the north-east. That will bring benefit to many local people who require specialist surgery by allowing many more to be treated, and by speeding up operating times and reducing recovery times.

Many people believe ideologically that NHS provision should come entirely from the public purse, but the £2.5 million that is required to ensure the success of the UCAN project is simply not available within the NHS budget. Those who are spearheading the fundraising efforts are to be highly commended for bringing the latest in advanced surgical technology within the reach of patients in the north-east of Scotland, Orkney and Shetland.

I wish UCAN every success in this exciting project and hope that it acts as an exemplar for community-minded people in other parts of Scotland, allowing more NHS patients to benefit from techniques and equipment that are currently beyond the reach of the public purse but which, by reducing recovery time and complications, not only can help more patients, but can result in savings within pressured NHS budgets.

17:23

Dennis Robertson (Aberdeenshire West) (SNP): I echo the sentiments that have been expressed by the members who have spoken before me. It is to Richard Baker's great credit that he has brought this members' business debate to Parliament this evening.

I am not going to attempt to do what Nanette Milne did and describe many of the surgical procedures. Although I am sure that Dr Simpson would be able to pronounce them, I certainly could not without a sheet in front of me.

We have heard of the benefits that UCAN will, we hope, deliver to patients once the targets have been achieved. I have had keyhole surgery, and the benefit to me as a patient was immense. The surgery was less invasive, I was in hospital for less time, which freed up a bed, and I was back home with my family in support much sooner than I would have been had I undergone a more invasive procedure.

I am impressed with UCAN's approach not only to the patient, patient care and post-operative care, but to the families. The specialist staff can advise, inform and counsel not only those who will be going through the procedure, but their families and friends so that everyone can fully understand what is happening with the procedure and what post-operative care is intended.

It is incredibly important that we have that type of facility for patients. Kevin Stewart and Lewis Macdonald—indeed, I think everyone who has spoken—talked about Dr Stevenson's immense work to try to ensure that the work happens.

We must try to ensure that the type of procedure that we are considering is the way of the future. We are introducing 21st century technology, and when we think about the invasive surgery of the past it is quite mind boggling that robotic procedures will be carried out on patients in theatres. I can hardly get my head round that. The approach requires immense skill on the part of surgeons, so training is important.

There is no doubt that the benefits to patients will be immense. Early diagnosis, early intervention and early procedures mean that there is a greater chance of patient survival.

I wish UCAN all the success that it needs if it is to achieve its goal and get the funds that it requires for a most innovative 21st century technology, which will benefit patients in Aberdeen and the north-east.

17:26

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I am glad to have the opportunity to join so

many members from the north-east in welcoming the UCAN initiative.

Prostate cancer is a significant problem, and radical prostatectomy, when surgery is the preferred option, has problems, including interference with neurological pathways, which can result in erectile dysfunction and a degree of incontinence. As Nanette Milne said, there can also be significant blood loss.

There is a need to consider all forms of management of the condition. I recently chaired a meeting on behalf of the prostate cancer group in my constituency, and I was interested to learn that the group is concerned to ensure that there are effective managed care networks, through which consideration can be given to all forms of treatment of prostate cancer, including watchful waiting, chemotherapy, radiotherapy and surgery in its different forms—of which robotic surgery is the newest.

Robotics are an intriguing development, which I first came across in relation to work in the American military, which was doing robotic surgery remotely. The potential for remote surgery in Scotland, and elsewhere, in the future might be significant.

I welcome the briefing from UCAN. I was particularly interested in the comparative study of twins Jim and Sandy. One of the twins was operated on through robotics, in the south; the other was operated on in the more traditional way. Single-case studies of that sort are often undervalued, although they can point the way towards more robust studies.

I commend UCAN's theatre suite initiative. The approach should be carefully monitored and evaluated, and if it is successful the facility should be used to train surgeons from throughout Scotland. The important point is that charities such as UCAN and enthusiasts such as Dr George Stevenson—who is clearly an enthusiast of enthusiasts—are extremely welcome, in partnership with the NHS. I sound a note of caution, to which I am sure the minister will pay heed. It must be clear that the running costs will be met by the charity or by the health board. Before the money is raised and the equipment put in place, I am sure that there will be a proper business plan, which I am sure will be approved.

The principle of partnership between charity and the NHS is an important one, particularly in times of austerity such as this, and should be encouraged. Partnership in the health service is perhaps most exemplified in the hospice movement, where there is a triple partnership. Local people who want a community hospice raise money, and through gift aid, Government can enhance and augment the money that is raised.

Such an approach can be taken to gifts to UCAN. The triple lock on the system is the approach that Michael Forsyth introduced—I must say to Nanette Milne that I do not often praise him—whereby money that is raised by the community is matched pound for pound by the Government, on an ongoing basis. That approach saved the hospice movement in the 1980s, when there were great problems with finance, and there was no such initiative in England. That mechanism is an important one and I commend it to the minister as a potential area to look at.

I note that the technique can be used for other operations, such as those for bowel cancers, for which I understand the keyhole techniques can be enhanced. It can also be used for gynaecological operations, including for endometriosis. The potential benefits to patients of minimally invasive procedures that are enhanced by robotics are clear, as are the other gains to the patient that Richard Baker outlined. There are accompanying benefits, such as more rapid rehabilitation and shorter hospital stays, which benefit the health service economically as well. I therefore hope that there will be a proper economic evaluation of the procedure as we go forward.

I welcome the motion and commend the UCAN campaign.

17:30

The Minister for Public Health (Michael Matheson): The debate has been very interesting. It is not every day that we get the opportunity in Parliament to discuss robotic surgery. A number of members rightly expressed their interest in the area and the important issues that we face in that regard, particularly some of the challenges around prostate cancer among men in Scotland.

I thank UCAN for the work that it has undertaken. Richard Baker set out clearly the work that UCAN is doing on robotic surgery, but he also highlighted the extent of its wider work. UCAN has secured a considerable amount of public money in a very short period of time, during which there has also been considerable financial restraint. Kevin Stewart referred to one way in which UCAN is raising money, but I do not wish to dwell on that. However, it illustrates the innovative ways in which UCAN is trying to raise funds.

UCAN has developed a strong reputation in the north of Scotland for its broader work and its commitment to raising awareness of neurological cancers and helping to ensure that people who have symptoms get early diagnosis. That fits very well with the Government's approach in the detect cancer early programme. We know that the earlier the diagnosis of such cancers, the more likely we are to succeed in effective treatment. That is the

hard edge of that area of work, but UCAN also plays an important role in helping to support families and individuals in dealing with some of the difficulties that can arise from ill health. That work is greatly appreciated and UCAN should be congratulated on its extent.

Members across the chamber will recognise that our vision for the Scottish health service is that, through our quality strategy, Scotland will be a world leader in healthcare quality with a health service that is person centred, safe and effective. All three of those dimensions play very well with the subject that we are debating. Quite rightly, we all want to see the most modern, leading-edge treatment that is effective for patients with a variety of conditions. We should recognise that such work is often led by clinicians on the ground, who see the progress that can be made by the introduction of new means of treating patients. The clinicians are often the catalysts and drivers of such reforms in the health service.

In deciding whether to introduce new treatments, whether they are drugs or technologies, to the NHS we need to ensure that the decision is based on sound evidence of safe use and clinical and cost effectiveness. I am sure that all members recognise the Scottish Medicines Consortium's international reputation in this area. Health boards are often keen to look at developing services in which there are advances in technology; that includes partnerships with charities to introduce technologies that can assist patients within their own area.

However, members will also be aware that, in Scotland, the evidence on clinical effectiveness is gathered, assessed and disseminated independently of the Scottish Government by Healthcare Improvement Scotland in guidelines, evidence reports and health technology assessments. That work is managed by a range of organisations, including public partners such as the Scottish intercollegiate guidelines network and the Scottish health technologies group.

In this instance, the Scottish health technologies group will provide advice to NHS Scotland on the results of a health technology assessment that is currently being undertaken by the University of Aberdeen, comparing robotic versus laparoscopic surgery for localised prostate cancer. We expect to have that report in September this year, at which point we will be able to evaluate how we move forward with such surgery in the NHS in Scotland.

That review process includes an expert panel in the field. It also involves patient representatives, clinical users, managers of technology and clinicians who have recently been trained in the area of expertise. They must carefully consider how the approach is developed. That work at the

health services research unit at the University of Aberdeen is supported by the chief scientist's office at the Scottish Government.

In the meantime, I reassure members that the absence of a specific service, treatment or technology in Scotland does not mean that it is not available to people who live here. It is quite the contrary, as a patient—whether a man or a woman—who needs robotic surgery continues to be able to access it through an individual patient treatment request if their clinician identifies it as appropriate.

That process enables a clinician to set out the clinical case for a particular treatment or treatments, which is then considered locally by an individual review panel. Members will appreciate that the Government is not directly involved in the process. However, I emphasise that, when it is clinically assessed as being required, there is always the option for such an individual patient treatment request to be made.

I thank all members for their speeches. I assure them that, when we receive the report in September, we will consider it in detail and consider what further progress we can make on robotic surgery within the NHS in Scotland.

I again congratulate UCAN on its outstanding work and the way in which it has been able to improve the overall treatment for patients in the north-east of Scotland. I wish it well with its continued fundraising work.

Meeting closed at 17:37.

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