



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# MEETING OF THE PARLIAMENT

Thursday 20 September 2012

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# Scottish Parliament

Thursday 20 September 2012

[The Presiding Officer *opened the meeting at 11:40*]

## Scottish Government Question Time

### General Questions

#### Binge Drinking

**1. Annabel Goldie (West Scotland) (Con):** To ask the Scottish Government what plans it has to deal with the reported increase in binge drinking at home. (S40-01276)

**The Cabinet Secretary for Health and Wellbeing (Alex Neil):** The increase in home drinking in recent years has been driven by the availability of cheap alcohol that is sold in the off-trade—mainly in supermarkets. The introduction of minimum pricing will raise the price of the cheapest alcohol. Our proposed 50p per unit minimum price will have a significant impact on the alcohol that is sold in the off-trade.

We have already taken action that contributes to reducing binge drinking. That includes reducing the opening hours of licensed premises, providing powers for licensing boards to consider the overprovision of licensed premises in their areas and introducing a ban on quantity discounts in the off-trade.

**Annabel Goldie:** In Renfrewshire and Inverclyde, the police are increasingly being called to attend at very violent incidents that arise from binge drinking in the home. Usually, the perpetrator has a history of antisocial behaviour that is known to the landlord. Will the cabinet secretary ask his colleague the Minister for Housing and Welfare to consult housing associations on how engagement with local police might be earlier and closer when such antisocial behaviour becomes apparent, to avoid its escalation into the troubling pattern of violence that is emerging?

**Alex Neil:** The member raises a valid point. We have worked with housing associations and councils, in their role as landlords, to try to tackle the situation.

Some communities have a particular problem in the private rented sector. Social landlords feel a social responsibility, but some landlords in the private rented sector do not feel such a great responsibility. The Private Rented Housing (Scotland) Act 2011, which will come into force

this year, will give local authorities new powers to ensure that landlords in the private rented sector are forced to take a much more robust approach to dealing with any tenants who engage in antisocial behaviour.

**Stuart McMillan (West Scotland) (SNP):** Does the cabinet secretary agree that the Alcohol Focus Scotland report that was published last week, which showed that alcohol-related harm costs Scotland £3.6 billion per year, indicates clearly that licensing boards should carefully consider implementing as standard the use of the powers that the Licensing (Scotland) Act 2005 gives them, such as those on overprovision? Does he agree that consideration should be given to strengthening the legislation to encourage local authorities to use such powers?

**Alex Neil:** The latter point is primarily a matter for my colleague the Cabinet Secretary for Justice. However, I agree with the general drift of the member's questions. Many areas have overprovision, which contributes to the problems that are associated with alcohol.

As the new Cabinet Secretary for Health and Wellbeing, I emphasise the impact on the health service and particularly on our accident and emergency services, in which a high proportion of admissions relate to drink and the abuse of alcohol. I will take forward that issue, on top of the initiatives that my predecessor took.

### Proposed Procurement Reform Bill (Sustainability)

**2. Marco Biagi (Edinburgh Central) (SNP):** To ask the Scottish Government how the procurement reform bill will incorporate and advance the principles of sustainability. (S40-01277)

**The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon):** Sustainability is at the heart of our public procurement reform programme. The bill will signal the important role that sustainable public procurement can play in supporting our economic recovery. It will call for a culture change in how public bodies procure goods and services, to deliver social, environmental and community benefits. The consultation paper on the bill proposes measures to support innovation, create jobs and ensure that procurement processes and systems are transparent, streamlined and business friendly.

**Marco Biagi:** When the bill was first mooted, it was primarily a sustainable procurement bill. Its scope has now expanded to adapt to circumstances. Will the Deputy First Minister provide further and clearer reassurance that the bill will serve effectively all three functions—the

social, environmental and community functions—that she set out?

**Nicola Sturgeon:** I hope that I can reassure Marco Biagi on that point; I know that he has a close interest in the issue, and I would be happy to meet him as work progresses to discuss his perspective in more detail.

As Marco Biagi said, the sustainable procurement bill was an early working title that has now been changed to the procurement reform bill, which better reflects the overall aims. The bill's title is ultimately a matter for the Parliament, but we are clear that, whatever it is called, the bill will seek to make clear the legislative framework for procurement decisions and support the greater use of social and environmental benefit clauses.

It is important to note that the consultation seeks views on placing an overarching duty on public bodies to act in a way that promotes economic, social and environmental wellbeing through procurement activities. I hope that I can reassure Marco Biagi today and as the work progresses that sustainability is very much at the heart of our plans.

**Linda Fabiani (East Kilbride) (SNP):** What input have the relevant professions had in the formulation of the procurement pre-qualification questionnaire?

**Nicola Sturgeon:** I am happy to write to Linda Fabiani with a detailed response on specific stakeholders, but I can assure her on the point about pre-qualification questionnaires, which are extremely important in the procurement process and in the decisions that we are about to take. In the process of reforming the procurement process that was begun by my predecessor, Alex Neil, it will be essential to hear the views of stakeholders, especially those whose livelihoods may depend on our getting that process right.

Already this week I have discussed with construction interests the particular concerns that they would like the process to address. I extend to Linda Fabiani the offer that I made to Marco Biagi—I would be delighted to meet her to hear the concerns and suggestions from her constituents with regard to that work.

### **Immigration (Families)**

**3. Jean Urquhart (Highlands and Islands) (SNP):** To ask the Scottish Government what assistance it can give to families with children where some family members are required to leave the country due to their immigration status. (S4O-01278)

**The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan):** Where the child of an immigrant family remains

legitimately in Scotland after their parents or carers have been removed on grounds of immigration status, local authorities are required by parts I and II of the Children (Scotland) Act 1995 to safeguard and promote the welfare of children in their area who are in need, and to offer necessary support to their families. That can include a range of interventions, which include formally looking after a child if that is appropriate.

The Scottish Government encourages public authorities to follow the getting it right for every child approach to address the needs of the child in question, and to take action through co-ordinated planning and reviewing progress. Our proposals for the children and young people bill seek to strengthen that approach.

In order to support those who are seeking asylum or who have been granted refugee status, we are providing funding of £1.65 million from 2012 to 2015 to the Scottish Refugee Council in order to provide information and support.

**Jean Urquhart:** Can the minister confirm that children and young people in education are supported by their school in situations in which some members of their family are required to leave the country due to immigration status?

**Dr Allan:** Yes. Local authorities have a responsibility in that area, but the Scottish Government works with them to ensure that such support is provided.

The Government provides support to a number of agencies that work in that area, such as bridging the gap, the greater Pollok integration network, Maryhill citizens advice bureau, the Maryhill integration network and others. We are also providing more than £800,000-worth of support between 2012 and 2015 to those organisations that work in schools and elsewhere.

### **Business Start-ups (Kilmarnock and Irvine Valley)**

**4. Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government what plans it has to encourage new business start-ups in Kilmarnock and Irvine Valley. (S4O-01279)

**The Minister for Energy, Enterprise and Tourism (Fergus Ewing):** The Scottish Government's central objective is to build sustainable economic growth. To that end, the small business bonus scheme assisted approximately 1,500 businesses throughout East Ayrshire last year, and the business gateway supported approximately 280 new start-ups.

**Willie Coffey:** The minister is right to highlight the positive effect that the small business bonus scheme is having. However, some difficulties remain in the crucial first year of establishing a

business. Will the minister consider that further to see whether any additional help and advice could be offered that might allow more small businesses to get through that important first year?

**Fergus Ewing:** Willie Coffey is right to point out that these difficult economic times make life hard for small businesses. That is why the small business bonus—which has helped some 85,000 businesses in Scotland with a maximum of £4,500 assistance per business per annum, which is £3,000 more than is available in England—has been of such massive help to small businesses throughout the country. In fact, as a former small business owner and manager, I cannot think of any policy that has done more to help small businesses since 1707.

### **Strathclyde Partnership for Transport (Meetings)**

**5. Michael McMahon (Uddingston and Bellshill) (Lab):** To ask the Scottish Government when it last met Strathclyde partnership for transport and what issues were discussed. (S4O-01280)

**The Minister for Transport and Veteran Affairs (Keith Brown):** The Deputy First Minister met Strathclyde partnership for transport on Monday to mark the refurbishment of Hillhead station as part of the subway modernisation programme to which the Scottish Government is contributing up to £246 million. They discussed subway modernisation and the artwork at Hillhead station.

**Michael McMahon:** Recently, both Holytown and Whitehill in Hamilton—two of the most isolated communities in my constituency—lost vital bus services. I understand that SPT has submitted to the minister a 10-point plan that attempts to improve the delivery of commercial bus services for the ordinary passenger and local communities. Among its recommendations, the document advocates that a statutory obligation be placed on bus companies to consult public transport authorities in advance of proposed service cuts, leading to proper engagement with elected members and communities to protect bus users in places such as Holytown and Whitehill. Does the minister agree that the current free-for-all in the market, which is adversely affecting most local communities, is no longer sustainable and that the SPT 10-point plan should be given serious consideration?

**Keith Brown:** The SPT 10-point plan is being given serious consideration and is the subject of discussions within the bus service users and providers group, which we have established not just for that purpose but to look at bus issues generally. The member raises the issue of bus services being reduced in some localities. We

have almost exactly the same, largely deregulated system of bus provision that we had under the previous Administration, and it is up to individual bus operators to decide which services to provide. If they are going to change services, there is an obligation on them to give notice to the traffic commissioner for Scotland. The member suggests that there should be a wider consultation before that happens, and that is being given active consideration.

### **Drug Misuse**

**6. John Scott (Ayr) (Con):** To ask the Scottish Government how the Minister for Public Health plans to help people who misuse drugs. (S4O-01281)

**The Minister for Public Health (Michael Matheson):** Drug misuse is a complex issue that requires the close collaboration of health, education and justice policy. Since 2007, we have implemented a number of measures to tackle drug misuse. We have turned waiting times for drug treatment from as long as one year for an appointment to a maximum three-week wait to access treatment, and we are on target to deliver that by March 2013. We have increased funding to front-line drug treatment and recovery services by 20 per cent, to a total of £162 million. We have also developed a prevention and education programme that has resulted in the lowest level of reported drug use among young people in a decade.

**John Scott:** The minister will be aware that, last year, there were 47 drug-related deaths in Ayrshire and Arran, which was an increase from 31 the year before and was one of the highest levels, by population, in any health board in Scotland. Heroin was implicated in 16 of those deaths, and methadone was implicated in 26 cases. In addition, the number of methadone prescriptions increased from 46,000 to 56,000 between 2008 and 2011. While in 2008-09 there were—

**The Presiding Officer (Tricia Marwick):** Can the member just get to the question, please?

**John Scott:** Although I accept that methadone may have a place in drug rehabilitation, what further changes will the minister pursue to reverse that extremely concerning trend?

**Michael Matheson:** It is important to recognise that any drug-related death is a tragedy. We must take a range of measures to tackle effectively the scourge of drug misuse in our society, and it is important that all Government portfolios that have a role to play in the area work together constructively to ensure that that happens.

The Minister for Community Safety and Legal Affairs has been considering a number of

measures that could be taken to ensure that the methadone programme is robust and is being used appropriately. I am sure that John Scott and other members recognise that there is no single solution to the issue and that clinicians and others who work with people who have a misuse problem must have a range of options available to use in tackling a person's drugs habit. No doubt we will continue to consider what measures must be taken to address the issue.

### **Atos Work Capability Assessments**

**7. Kevin Stewart (Aberdeen Central) (SNP):** To ask the Scottish Government, in the light of the possible impact on its anti-poverty strategy, what discussions it has had with the United Kingdom Government regarding its contract with Atos for carrying out work capability assessments. (S4O-01282)

**The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon):** The Scottish Government has regular contact with the UK Government on a range of welfare issues. Michael Matheson wrote to Lord Freud, the Minister for Welfare Reform, on 11 June highlighting concerns about assessments.

Contracts for the work capability assessments relate to the reserved areas of welfare and benefits. As such, they are funded and awarded by the UK Government.

**Kevin Stewart:** Does the cabinet secretary agree that the £206,703,507 that the Atos contract to administer assessments for personal independence payments in Scotland, northern England and the Isle of Man costs the taxpayer, could be better spent paying for 55,332 vulnerable people's disability living allowance for a year—an average weekly payment of £71.84—and that that flawed Department for Work and Pensions contract—

**The Presiding Officer:** I think that we have the question. I call the cabinet secretary.

**Kevin Stewart:** —is a complete waste of money?

**Nicola Sturgeon:** Kevin Stewart raises an extremely serious point. Every member of the Parliament will be aware of concerns such as those that he raises being communicated regularly by their constituents.

The Scottish Government has made clear its continuing concerns about the work capability assessment that Atos Healthcare administers on behalf of the DWP. Although Atos Healthcare delivers the assessments within the terms of its contract with the DWP, it is ultimately the Department for Work and Pensions—the UK

Government—that is the decision maker on all disability benefit claims-related issues.

Some of the concerns that Kevin Stewart and others have communicated underline why it would be so preferable for the Scottish Parliament to be the decision maker on all matters that relate to welfare.

### **Broadcasting**

**8. Ken Macintosh (Eastwood) (Lab):** To ask the Scottish Government whether it will publish its plans for broadcasting in an independent Scotland before the referendum. (S4O-01283)

**The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop):** Full details of the Government's proposals for independence will be provided in the white paper to be published in November 2013.

**Ken Macintosh:** I thank the culture secretary for her reply, although I had hoped that she would expand on the plans that the First Minister outlined at the broadcasting conference in Edinburgh last month, when he said that he intends to replace the BBC in Scotland with the equivalent of the Irish broadcaster, Raidió Teilifís Éireann, but potentially part funded by advertising.

How will losing programmes such as David Attenborough's "Frozen Planet", Ken Bruce on Radio 2, Radio 5 Live's coverage of the Olympics or access to the network of BBC correspondents throughout the country and in every country throughout the world improve the broadcasting or listening experience for most Scots? What benefit—

**The Presiding Officer:** I think that we have the question, Mr Macintosh.

**Fiona Hyslop:** With independence, the people of Scotland will be able to enjoy more home-grown content, including a Scottish national broadcaster that will build on the existing staff and assets of BBC Scotland, while enjoying the same programmes and channels as they do now.

I say to Ken Macintosh that the biggest threat to the BBC currently does not come from the Scottish National Party Government; it comes from the United Kingdom Government. Does he want a future tied to the UK Government and 10 per cent jobs cuts? That is the biggest threat to the BBC.

### **Air Discount Scheme (Business Community)**

**9. David Stewart (Highlands and Islands) (Lab):** To ask the Scottish Government what recent discussions it has had with the business community about the air discount scheme. (S4O-01284)



**The Minister for Transport and Veteran Affairs (Keith Brown):** David Stewart may be aware that I visited the Western Isles in July, when I announced the extension of the discount scheme to volunteers and employees of third sector organisations.

While I was in Stornoway, I met senior members of the council and local business interests. We discussed the air discount scheme.

**David Stewart:** Will the minister reintroduce business to the scheme to ensure that we kick-start the economy in the north?

**Keith Brown:** I have answered that question a number of times. We cannot do that, as the scheme, as described by the European Commission, is for “aid of a social character”. It does not apply to businesses. That is why we have extended it as I described. I say to David Stewart, who has raised the issue a number of times, that if he can put forward a legally based proposition in a budget, we will see whether he is serious about the matter or is just posturing politically.

## First Minister's Question Time

12:00

### Engagements

**1. Johann Lamont (Glasgow Pollok) (Lab):** To ask the First Minister—ministerial code permitting, of course—what engagements he has planned for the rest of the day. (S4F-00858)

**The First Minister (Alex Salmond):** I will be in the chamber to hear the Cabinet Secretary for Finance, Employment and Sustainable Growth delivering a budget for economic growth and job creation in Scotland.

**Johann Lamont:** The First Minister said that last time, of course, and the evidence in that budget proved that that was not the case.

We know that we will hear John Swinney's budget this afternoon. Last year, he presented a budget that outlined engineering giant Doosan's investment in Scotland but by the time we voted on the budget, John Swinney and the First Minister both knew that that company had changed its plans. When did the First Minister find out about Doosan's decision? Why did he not tell Parliament?

**The First Minister:** Doosan's request to keep its plans commercially confidential had to be respected by the Scottish Government. If Johann Lamont is seriously saying that she would not respect such requests from companies, I rather think that she is a long way from political office.

I know that Johann Lamont will want to acknowledge the outstanding success of Scottish Development International, which this year has once again demonstrated the top performance for inward investment across these islands. Indeed, the latest Ernst & Young survey demonstrates that Scotland beat even London in inward investment. That sort of effort from our agencies should be congratulated, not demeaned.

**Johann Lamont:** That is very interesting, but it is not the answer to the question that the First Minister was asked—so nothing new there.

The First Minister knows when he was told about Doosan's decision and he knows that it was wrong not to tell the Parliament about Doosan's cancellation, but he just does not want us to know the truth. That is why he has refused to answer any freedom of information requests on the issue.

The refusal to answer questions is not just the First Minister's style every Thursday at First Minister's question time; it is increasingly the style of his whole Government. That is why the number of appeals against ministers refusing to release

information has risen by 175 per cent in the past year. Why is that? Is the First Minister getting even more secretive, or does he have even more to hide? *[Interruption.]*

**The Presiding Officer (Tricia Marwick):** Order.

**The First Minister:** I have information on the Scottish Government's performance under freedom of information since we took office. Johann Lamont will not mind if I compare that performance with the performance in 2005.

The number of responses on time has gone up from 75 to 82 per cent, which is a pretty good performance, and the performance on releasing information, which is Johann Lamont's real concern, has gone up from 69 to 71 per cent. That is a rise from the secretive days of the Labour-Liberal Administration in Scotland. On appeals, judgments in favour of the Government have gone up from 68 per cent under Labour to 72 per cent under the Scottish National Party. On all those criteria, the Government is performing better on freedom of information than the Government that Johann Lamont was proud to serve, which refused to give the people information in a whole range of important areas. *[Interruption.]*

**The Presiding Officer:** Mr McNeil, I would appreciate it if you would stop shouting across the chamber.

**Johann Lamont:** All of that is very interesting. *[Interruption.]*

**The Presiding Officer:** Order.

**Johann Lamont:** However, the First Minister is always interesting, creative and enthusiastic, until we go back and look at the figures later.

What the First Minister has to explain is why Rosemary Agnew, the Scottish Information Commissioner, has said that we are in a worse position in relation to rights to information than we were when the Freedom of Information (Scotland) Act 2002 was passed. It is not me who is saying that; it is the Information Commissioner who is saying it. I suspect that I would trust her figures before those of the First Minister. Of course, this is a First Minister who cannot be straight with or have respect for the Scottish people. He refuses to tell us what advice he has on an independent Scotland's place in Europe. Incredibly, he has even today taken the Information Commissioner to the Court of Session to try to shut her up, just like when he spent hundreds of thousands of pounds of taxpayers' cash—our cash—against official advice to stop the public knowing the truth about his tax plans.

At a time when families across the country are paying the price for his budget cuts, why is he spending hundreds of thousands of pounds of

Scottish people's money to stop the people of Scotland finding out what he is doing?

**The First Minister:** I come here every week expecting Johann Lamont to ask about the economy and poverty, but she never asks about any of those matters in First Minister's questions. *[Interruption.]*

**The Presiding Officer:** Order.

**The First Minister:** Can I protect the Information Commissioner from the partial quoting of Johann Lamont? What she actually said was that she was worried about a deteriorating position because of the propensity of local authorities in Scotland to set up arm's-length bodies. Which council in Scotland has set up more arm's-length bodies than any other? Glasgow City Council. Incidentally, I will be extremely sympathetic, once we get the Freedom of Information (Amendment) (Scotland) Bill through the Parliament in this term to make the legislation more robust, to the Information Commissioner's request to extend the legislation to arm's-length bodies that local authorities have set up.

I should correct what Johann Lamont tells us. The Information Commissioner has gone to the Court of Session today looking for an urgent disposal of the case and we agree with her—we think that there should be an urgent disposal of the case. It is the other way round.

Johann Lamont also wanted to know why there might be more appeals under freedom of information. It might be that there are more requests under freedom of information. I have been doing a bit of research and I find that one person—a Labour researcher—is responsible for over 14 per cent of all the freedom of information requests. Unfortunately, I cannot tell members who this person is because he has asked to remain anonymous. *[Laughter.]*

**The Presiding Officer:** Order.

**The First Minister:** Such is the Labour Party's commitment to freedom of information. *[Interruption.]*

**The Presiding Officer:** Order.

**Johann Lamont:** Can I advise the First Minister not to judge his success in that answer by the cheering from his back benchers? He might want to get out a bit more, head for George Square and ask people there what they think of that as an answer to the question. Of course, the First Minister could resolve the problem this morning in the court—he says that the Government agrees with the commissioner and wants to speed things up—because all he needs to do is ask his law officers' permission to give the information to the people of Scotland. Then the Government would not need to be in court at all.

It is no wonder that the Information Commissioner said this week that it is simply not acceptable that citizens' rights continue to be eroded. The fact of the matter is that the First Minister says that spending on colleges has gone up when he has cut it; Audit Scotland is investigating the national health service because it does not believe his figures; and he uses taxpayers' money to go to court to stop the public knowing the truth not just about Europe but about anything that he finds an inconvenient truth. The First Minister wishes that I would ask him the right questions. The people of this country wish that he would start answering questions. We have to ask him a question that people across the country are asking: why cannot this First Minister be straight with the Scottish people?

**The First Minister:** On the specifics of the European question and legal advice, I think that my comments last week, when I pointed out that the white paper will be informed by the legal advice at that time, offer a solution on providing the information to the Scottish people and complying with the terms of the Scottish ministerial code. I know that Johann Lamont would think it a tragedy if I were to break the ministerial code, and that she would not really want that to happen.

I was not judging the success of my previous answer on the basis of the cheering from the back benches; I was judging it on the basis of Johann Lamont's countenance, which was extremely worrying. If I am not careful, I will end up on leave with Rami Okasha or swimming with the fishes with Colin Smyth. If people get removed for insubordination within the Labour Party, goodness knows what would happen if Labour ever inflicted on the people of Scotland the misfortune of its being back in government.

### **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-00856)

**The First Minister (Alex Salmond):** The Deputy First Minister and I had a productive meeting with the Prime Minister and the secretary of state only yesterday and the Deputy First Minister will meet the secretary of state again next week.

**Ruth Davidson:** I find it extraordinary that a political party's attempt to get information out of the Government of the day should be worthy of roars of laughter and derision from the Government. This is a Government that has been trying to block information being passed to the public.

I also find it extraordinary that the First Minister wanted to compare this year with 2005. I have the

figures in front of me. I do not know whether he was talking about 2004-05 or 2005-06, but in those two years the number of appeals that the then Government blocked was 166, compared with the past two years, when the number has gone up to 215.

The case has cost us a six-figure sum—and that is before the two days scheduled in the Court of Session, so the cost is continuing to rise. Before the election last year, the First Minister spent more than £100,000 of taxpayers' money to keep from voters his plans for a local income tax. How much of the taxpayers' hard-earned money are he and his ministerial team spending to shore up his secret society and deny the people of Scotland information to which they are perfectly entitled?

**The First Minister:** I point out that it is the Scottish Information Commissioner who is going to court today, by agreement with the Scottish Government, because she wants an urgent disposal of the public interest element in freedom of information requests. I also point out that the Scottish Government accounts for a minority of the public interest questions that are to be settled in relation to freedom of information.

Ruth Davidson asked about the figures that I have. They are annual figures. The point that I was making was that performance on information released, that is, the amount of information that is given to the public, is at 71 per cent, which represents a rise. Responses on time—incidentally, many appeals take place because of the lack of a timeous response—have risen from 75 to 82 per cent. On the adjudication of appeals, there is a rising trend in favour of the Scottish Government's interpretation of the Freedom of Information (Scotland) Act 2002.

I welcome the Conservative Party's new-found conversion to freedom of information. Perhaps I am open to correction from the new direction of the Conservative Party led by Ruth Davidson, but the Conservatives were the people who were least in favour of freedom of information and most suspicious of giving out any information at all.

I know that, despite the better together campaign and the alliance of the Labour Party and the Conservatives, Ruth Davidson welcomes the fact that, on every criterion, the Scottish National Party Government's performance on freedom of information exceeds that of the Labour-Liberal Administration that went before us.

**Ruth Davidson:** I asked about cost, but I guess that the First Minister is keeping that secret too.

We know about the two cases that have cost more than £100,000 each, but the Government has not told us that there have been 500 more appeals since the First Minister came to power. Is he so paranoid that even the smallest details are

being blocked, such as requests about who he had been to the theatre with? *[Interruption.]*

**The Presiding Officer:** Order. Settle down.

**Ruth Davidson:** If the First Minister is as open as he says he is—he appears not to be—then, at the risk of sparking yet another costly legal action against the interests of the people of Scotland, will he tell us, for example, what legal advice he has received about an independent Scotland leaving NATO?

**The First Minister:** In 2006, 8 per cent of cases went to appeal; in 2011, 6 per cent of cases did so.

Ruth Davidson must take on board the point that I was making about the increased volume of requests. I am sure that no Conservative researcher is solely responsible for 14 per cent of FOI requests.

I confirm that I have not been to the theatre with any member of the Conservative Party parliamentary group, and I have no intention of doing so. With that reassurance, I hope that I have put Ruth Davidson's mind to rest.

**Liam McArthur (Orkney Islands) (LD):** The First Minister will be aware of SSE plc's decision last week to close the grid in Orkney to new connections and effect a moratorium that risks a loss of revenue and jobs to the islands, as well as posing a threat to investor confidence in Orkney's hard-won reputation as a hub for renewables.

I am grateful to Fergus Ewing for his positive engagement with me and local stakeholders in seeking to identify technical, regulatory and other solutions, but it will take time for those solutions to be put in place. I therefore ask the First Minister to make urgent representations to Ian Marchant at SSE to ensure that everything possible is done to accelerate that process, alongside any steps that may be taken more immediately. In particular, will the First Minister support an urgent review of proposals by Orkney Islands Council that could facilitate a switch away from fossil fuels, increase electricity demand, and thereby help alleviate the grid constraints?

**The First Minister:** I thank Liam McArthur for raising the issue. Orkney has massive renewables potential, and I know that when Scottish Cabinet colleagues were in Kirkwall recently, they were impressed by the work that has been done there. We recognise that grid capacity in Orkney and the moratorium on new connections that was recently announced by the network operator are a cause for concern.

This week, I raised the issue of island connections with the secretary of state at a meeting in London. I put together the proposal—on the precise issue of connection charges which,

as Liam McArthur, well knows, is directly related to this issue—for a working group involving the Scottish and United Kingdom Governments and the island councils, in consultation with the network operators, to try to resolve the issue of grid capacity and future charging, to allow the renewables potential of the northern isles to be unleashed. The secretary of state was interested in that suggestion, and I hope that it can be taken forward, because it is in the interests of the northern isles and all Scotland that our island communities' economic potential contributes to the whole Scottish nation.

**David Stewart (Highlands and Islands) (Lab):**

The First Minister will be well aware of the severe fuel crisis in the Western Isles, where garages are running out of petrol and diesel, and motorists are forced to accept rationing at the pumps. That, of course, has severe consequences for emergency vehicles and the public they serve. Will the First Minister agree to meet Scottish Fuels urgently to help find a solution for the Western Isles?

**The First Minister:** Mr Swinney has been in touch with Scottish Fuels. I know that the issue relates to the tanks in South Uist and the work that is needed to address that situation, so we agree to that meeting, we will pursue the matter and I hope that we will find a solution.

**Angus MacDonald (Falkirk East) (SNP):** The First Minister will be aware that May Gurney, which is a major employer in Falkirk, as well as in Dundee and Aberdeenshire, has announced that up to 250 jobs are at risk as a result of a reduction in work received from one of its major clients. With the company pledging to work with employee representatives and its other clients in an attempt to minimise the number of job losses, will the First Minister ensure that the Scottish Government offers whatever support it can to give May Gurney and its employees support at what is, understandably, a difficult time for them?

**The First Minister:** I share the member's concern about yesterday's announcement by May Gurney regarding Scotia Gas Networks. The issue relates to the amount of contracted work from the regulator to reinforce the gas network in Scotland. I am deeply concerned about the reduction in that contracted work from the regulator and about the impact that that may have on employees and their families and the surrounding areas of Dundee, Falkirk and the north-east.

Yesterday, I spoke to Michael Thompson, the managing director of May Gurney, and I immediately offered support through partnership action for continuing employment—the PACE programme initiative—for those employees who may be affected by redundancy. In addition, as there are key skills involved in the reinforcement of the gas network that are certainly transferable to a

number of other industries, including the water and electricity industries, I have undertaken to be personally involved in seeing the maximum amount of transfer take place to mitigate the number of job losses in Falkirk, Dundee and the north-east.

### **Government Funds (Improper Use)**

**3. Annabel Goldie (West Scotland) (Con):** To ask the First Minister what safeguards exist to protect taxpayers against improper use of public funds by Government agencies. (S4F-00870)

**The First Minister (Alex Salmond):** The Scottish Government is committed to the highest standards of accountability across the public sector, as is evidenced by six consecutive years of unqualified audit opinions from the Auditor General for Scotland on the Scottish Government's consolidated accounts.

**Annabel Goldie:** Scottish Enterprise has been demonstrating its own imaginative approach to stimulating economic growth in Scotland and protecting the taxpayer, with junior employees withdrawing thousands of pounds on the organisation's corporate credit cards for personal use. How some businesses would love that kind of flexible friend. If that is the experience at Scotland's enterprise agency, heaven knows what may be going on elsewhere in the public sector.

Will the First Minister instruct an urgent investigation into use of corporate credit cards by his Government agencies, to ensure that more robust safeguards for protection of the taxpayer are applied across the board?

**The First Minister:** Let us remember that Audit Scotland contrasted the high level of commitment to the national fraud initiative in Scotland with the level of compliance from the UK Government.

Internal audit at Scottish Enterprise identified some non-compliance issues in relation to use of corporate credit cards for personal use, but given the requirement on those concerned to settle the bill personally, Scottish Enterprise suffered no financial loss as a result. It has increased the frequency of its review processes to ensure that any future non-compliance is highlighted and addressed quickly. The situation is not quite the dramatic one that Annabel Goldie suggested in her question.

### **National Tennis Centre**

**4. Jim Eadie (Edinburgh Southern) (SNP):** To ask the First Minister whether the Scottish Government will consider establishing a national tennis centre. (S4F-00863)

**The First Minister (Alex Salmond):** I was delighted to meet Andy and Judy Murray last

Sunday. It is clear that both of them are passionate about developing tennis in Scotland. In order to ensure that youngsters make the most of their talent and potential, they need to have greater access to facilities and coaching.

We had a positive discussion about their idea for a tennis academy, as well as on how to improve existing facilities and the overall level of interest in tennis, all of which is certainly in line with the Scottish Government's ambition to increase young Scots' participation in sport. We will be exploring that with the Murrays and their team over the next two months, and we hope to make an announcement in that regard in the near future.

**Jim Eadie:** I thank the First Minister for that answer. Will he take the opportunity to congratulate Craiglockhart tennis centre in my constituency, which has the largest junior tennis participation programme in the whole United Kingdom? Can he assure me that the Scottish Government is doing all that it can to provide facilities for tennis and grass-roots sport for all ages and all abilities across the whole of Scotland, in order to ensure a lasting legacy from the Commonwealth games in 2014?

**The First Minister:** Yes. Jim Eadie is quite right to draw attention to the successes that have been achieved in tennis. A range of figures on participation and the number of coaches tell us that tennis is—for understandable reasons—very much on the up in Scotland. I can give the member the assurance that he seeks.

However, in the context of the creation of a wider range of sports facilities, we should also reflect on the substantial contributions that have been made to the Sir Chris Hoy velodrome and the indoor sports arena in Glasgow, the £55 million investment in world-class facilities in the Aberdeen sports village, the Toryglen sports complex and, of course, the refurbished Commonwealth pool here in Edinburgh. All that will be added to by the facilities that are being built for the Commonwealth games and by the £25 million that has been committed to Scotland's first-ever national performance centre for sport, which will have a football academy at its heart. All those initiatives bode well for the future, both for participation and for the excellence of sport in Scotland.

**John Pentland (Motherwell and Wishaw) (Lab):** North Lanarkshire Council, which is one of Scotland's leading local authorities, has announced that 1,300 job losses, many of them in my Motherwell and Wishaw constituency—

**The Presiding Officer:** I am sorry, Mr Pentland, but that is not what the first question was about.

We are talking about a tennis centre. Could you resume your seat?

### **This is Nursing Campaign**

**5. Dr Richard Simpson (Mid Scotland and Fife) (Lab):** To ask the First Minister whether the Scottish Government supports the Royal College of Nursing's this is nursing campaign, celebrating the professionalism and compassion of nursing staff. (S4F-00865)

**The First Minister (Alex Salmond):** Scotland's nurses and other national health service staff do extraordinary work day after day and deserve our whole-hearted and united support. I am pleased to record my personal support, the support of the Government and, I think, the support of the Parliament for the Royal College of Nursing's this is nursing campaign, which, as Richard Simpson rightly said, celebrates the professionalism and compassion of nursing staff.

**Dr Simpson:** I am sure that the whole Parliament would join the First Minister in praising our hard-working nursing staff. However, I ask the First Minister whether he agrees with his back benchers, who said yesterday that the Royal College of Nursing was wrong when it stated that nursing staff numbers are now at their lowest since 2005. Is the First Minister asking the public to believe that axing 2,500 nursing posts is having no direct effect on the ability of our nurses to deliver the quality of patient care to which they aspire and which the RCN campaign celebrates?

**The First Minister:** That is not what the SNP back benchers said. What they said was that in Scotland there are more qualified nurses and midwives per 1,000 of the population than there are in the rest of the United Kingdom. The figures are 7.9 nurses and midwives per 1,000 members of the population here, compared with 5.9 in England, 7.2 in Wales and 7.6 in Northern Ireland.

There are currently more nurses and midwives in post than there were in nine of the 10 years during which Labour was in government in Scotland, in the great boom years for public spending. Now that we have the detail, which we got last week, on national health service staffing in Scotland, I hope that the Labour leader will withdraw her constant and inaccurate remarks that fewer staff are employed in the national health service than were employed when the Scottish National Party took office. It is clear from the statistics of last week that more people are employed in our national health service now than when the SNP took office. I know that Johann Lamont and Richard Simpson will be anxious to correct the record at the earliest possible opportunity.

### **Nanette Milne (North East Scotland) (Con):**

To follow on from Richard Simpson's point, I ask the First Minister for his reaction to the experience—including mine, as stated yesterday—of members that the number of nursing staff on night duty on hospital wards falls short of patients' needs and expectations and leads to unnecessary pressure on front-line staff.

**The First Minister:** Obviously, these are times of extraordinary economic stringency. Despite the determination of this Government and its achievement in protecting the revenue budget of the national health service in real terms—which has not been done by some other Administrations in these islands, and people would have considerable doubts about whether a Conservative Administration would have managed such an achievement—our national health service is still under pressure. That is all the more reason, therefore, to celebrate the record achievements and the range of indicators that show that our national health service staff—our nurses, our doctors and the whole range of staff throughout the national health service—are performing exceptionally for this country in difficult times.

### **Mackerel Fishing**

**6. Mark McDonald (North East Scotland) (SNP):** To ask the First Minister what the Scottish Government's position is on the study published by the New Economics Foundation relating to a halt to mackerel fishing. (S4F-00859)

**The First Minister (Alex Salmond):** The Scottish Government agrees with the report that fishing at sustainable levels would result in increased profit for the industry. That is why we are working with fishermen and moving towards fishing at maximum sustainable yield. It has to be said that the benefit of the transitional approach that we are working on in partnership with fishermen is that the skills of our fishermen and their market capacity are not lost—key factors that are not considered in the report.

On mackerel and sustainability, the entire Parliament should unite in congratulating Scottish and, indeed, Norwegian fishermen on their having fished that stock sustainably over a period of many years, and we should unite in our demand to ensure that the European Union comes to an agreement with Iceland and the Faroes on the current totally unsatisfactory overfishing by those fishing communities. That is why there has to be a resolution of the crisis and implementation of sanctions as soon as possible.

**Mark McDonald:** The report has caused considerable concern in north-east communities, where mackerel fishing is a key part of the industry. Will the First Minister advise what the Scottish Government is doing to influence the UK

Government and others to ensure that some of the more extreme approaches that are outlined in the report do not gain traction elsewhere and are not pursued? Does he agree that it would be easier to advocate on behalf of the Scottish fishing industry if we had a seat at the top table as an independent Scotland at the heart of Europe?

**The First Minister:** Richard Lochhead has been doing an extraordinarily good job in making the case for Scottish fishing communities. Of course, it would be much easier for him to do that job if he was not prevented from speaking at some European council meetings, as he has been. Given that Scotland holds three quarters of the UK's mackerel quota, it seems to be illogical that ministers who are responsible to this Parliament do not have a full seat at the council, when making decisions on the industry's future. It is surely self-evident that a Scottish minister who is responsible to this Parliament, and who represents and is answerable to Scotland's fishing communities, should be able to make the case as a member of the European Union.

**Claudia Beamish (South Scotland) (Lab):** The report has rightly been slammed by fishing organisations. However, on fishing stocks, is the First Minister able to update us on what the Scottish Government is doing to ensure a continued supply of mackerel to supermarkets and other outlets? Can he confirm that the meeting with the supermarkets that was promised by his Cabinet Secretary for Rural Affairs and the Environment has taken place?

**The First Minister:** I will get Richard Lochhead to respond directly to, and update, Claudia Beamish. Over the past few years, he has had many meetings with supermarkets, with enormous success for Scottish food and drink.

The key issue with the mackerel stock is resolution of the situation with the Faroes and Iceland. Given that the stock, which has been fished sustainably for many years, is one of the most profitable that is available to our fishing communities and, therefore, our supermarkets, we must get a resolution to the overfishing that is taking place, outwith the boundaries of international law, by Iceland and the Faroes. That is why Richard Lochhead has been pushing so strongly to get action by the European Union, which—along with compliance with international regulation—is the way to ensure sustainable supplies for our fishermen to catch and our consumers to eat.

## Draft budget in Professional Legal Practice (Access)

**The Deputy Presiding Officer (John Scott):**

The next item of business is a members' business debate on motion S4M-03569, in the name of Sarah Boyack, on fair access to the legal profession. The debate will be concluded without any question being put. I remind members to press their request-to-speak buttons as soon as possible and those leaving the gallery, and indeed the chamber, to do so as quietly as possible to allow the debate to proceed.

*Motion debated,*

That the Parliament considers that the Diploma in Professional Legal Practice is an essential requirement for students embarking on a career in the legal field; is concerned that there is an access issue for students on low incomes due to the lack of loans to cover maintenance costs; understands that this restricts all applicants studying for the diploma, irrespective of financial vulnerability and need; understands that the Postgraduate Tuition Fee Loan, to be introduced for 2012-13, covers the cost of tuition for up to a maximum of only £3,400, despite course fees being considerably higher; considers the Professional and Career Development Loan to be an unsuitable alternative source of funding for many low-income students due to interest levels and restrictive repayment conditions, and believes that these measures limit the career path for many students in Lothian and across the rest of the country and do not widen access to the legal profession.

12:33

**Sarah Boyack (Lothian) (Lab):** First of all, I thank the students from the campaign for fair access to the legal profession who got in touch to alert me to their concerns about changes to funding for students who wish to take the diploma in professional legal practice. Without their commitment, we would not be having this debate. I also thank colleagues across the chamber for being prepared to sign my motion and support my call for action.

Changes to loans available for the DPLP have made it harder for students from low-income backgrounds to become lawyers. Although there are more loans, they are smaller and do not begin to cover students' living costs. The changes simply make a bad situation worse. Answers to parliamentary questions that I have lodged suggest that the situation was not expected and is actually an unintended consequence; nevertheless, it needs to be addressed.

I was first alerted to the challenge facing students by my constituent, Helen. Although an award-winning student, she is now £20,000 in debt. Students should not have to face such huge financial barriers. As the National Union of Students reports, five times as many entrants to LLB degrees come from the least-deprived

backgrounds as come from the most-deprived backgrounds. If a student wants to become a qualified lawyer, the postgraduate diploma is essential, as it provides the required vocational skills and knowledge.

It is interesting that in England, universities are increasingly incorporating those vocational elements into undergraduate degree courses. In Scotland, we now have a major access problem for students on low incomes, due to the lack of decent loans to cover maintenance costs. The DPLP is only one of seven years of commitment that the vast majority of potential Scottish lawyers must sign up to: the four-year honours degree; the DPLP; then two years' professional practice on very modest salaries of around £16,000. Seven long years is a very long time for people to have to support themselves and possibly their family; the cost of paying that back is substantial.

It should concern us all that the postgraduate tuition fee loan, which was introduced for 2012-13, covers the cost of tuition for up to a maximum of only £3,400, despite course fees alone being considerably higher. It is not cheap, which means that students have to borrow money from elsewhere or have already saved the thousands that are required to pay their fees and support themselves. The postgraduate and career development loan is an unsuitable alternative source of funding for students from low-income backgrounds because of interest levels and restricted payment conditions, which are a major barrier to those students. Repayment of the loan begins almost immediately after graduation, irrespective of a student's income, and in the current climate there is no guarantee of gaining employment in the legal profession and affording the repayments. Banks are charging higher fees and interest rates, and are much more risk averse. The measures limit the career options of many students in Lothian and across the country. They certainly do not widen access to the legal profession.

It has been suggested to me that I should not be concerned, as the income generation opportunities for lawyers are excellent. That may be the case for some, but should that be the driving motivation for all our prospective lawyers? What price social justice? What sort of legal system will we end up with? The profession will end up the preserve of those who can afford seven years of limited income and to build up significant debt, which is not an attractive prospect during a recession.

An inevitable consequence of the expense of the DPLP is that it forces graduates to seek the legal traineeships that will lead to the maximum financial returns. I am told that the majority of trainees end up working for larger legal firms in Edinburgh; less than 10 per cent of them work for

sole practitioners. That has clear implications for the provision of legal services in less commercially viable areas. In rural areas, health boards can commission staff to work as doctors in communities. What about the provision of legal services in rural areas? In the long run, what will attract people to set up practices when there are much more lucrative options to be followed in our cities? The channelling of new graduates into large legal firms also has implications for less lucrative fields. As an MSP, I have referred many constituents to students at the University of Edinburgh for free legal advice. Will students be able to provide that service in future, when they will have to work?

Affordable access to legal advice is already hard to come by. Spreading loans more thinly and offering a lower amount will mean that students who come from lower income circumstances will be deeply disadvantaged. We should be concerned not just for those students, who will find it harder to stay the course over the full seven years, but for the health of the profession as a whole. As the campaign for fair access to the legal profession put it,

"A representative legal profession underpins a fair legal system and a just society."

I welcome the support of NUS Scotland, which has added its voice to the call for Scottish Government action. In the responses to all the parliamentary questions that I have asked, I have not seen any acknowledgement from the Scottish National Party Government that it understands the concerns. We all know that money is tight. Surely, that is all the more reason to have a proper rationale for how investment in the next generation of lawyers is spent.

I hope that the Minister for Learning, Science and Scotland's Languages commits to act. Scotland cannot afford a legal system that is closed to all except those from the highest-income backgrounds; it is not fair and it will not lead to a legal system that is built on the principles of access to all. It will not let us build the Scotland that we all aspire to. I propose that a summit is convened that pulls together students, NUS Scotland, the Law Society of Scotland, representatives from a variety of legal firms and universities and members of the Justice Committee and the Education and Culture Committee. A range of solutions could be developed and there would be no loss of face for the Cabinet Secretary for Education and Lifelong Learning were he to do it. We would welcome and support his actions and then find a way forward together. We have to do better. We need a legal system that is open and accessible. That is important for our students who are struggling now and for generations to come.



12:40

**Marco Biagi (Edinburgh Central) (SNP):** I thank Sarah Boyack for securing the debate, although it is quite ironic to be hearing about access to university from the party that introduced tuition fees.

I believe that it is important to have a legal system that is open to all, and I also believe that it is important, more widely, to have a postgraduate system that is open to all. I recognise that we already have the best-funded postgraduate system in the United Kingdom, but there is no incompatibility between recognising that and arguing that we could do even more.

I will go straight to a suggestion that might interest potential postgraduate students, whether they are studying law or any other subject.

According to the spending plans that are currently set out, the annually managed expenditure for net student loans advanced will rise from £408.3 million next year to £468.3 million the year after. Assuming that inflation of current commitments and all else is equal, that should leave around £50 million in genuine additional resource. That is a rare thing in government these days, and there will be many deserving student causes knocking at the minister's door for a share of that funding. We have already seen an unprecedented uplift in core living-cost support for undergraduates this year, and my inbox is twitching in anticipation of more e-mails asking for further increases. There is also the long-standing question of part-time students. It is clear that postgraduates are not making the only demands on funds, but postgraduates are expected to undertake full-time studies with limited support from public funds, especially for living costs. On their behalf, let me make a gentle tap on the door.

The recent European Commission report entitled, "National Student Fee and Support Systems, 2011/12", showed that Scotland and the rest of the UK were poles apart for student funding, with the UK having the highest undergraduate tuition fees in Europe, and Scotland ranking alongside mainstream social democratic nations such as Austria, Denmark, Finland, Norway and Sweden in upholding free access to an undergraduate education. That is good news, because it shows that the supposedly irreversible trend towards ever-higher fees—which have been backed by Administrations of many colours—is no such thing. However, the report noted that Scotland was the only one of those five nations to charge routinely for what it called "the second cycle", or postgraduate education.

Postgraduate education is fragmented and unregulated. However, there is a creativity to the chaos of courses, whether they are professional,

applied or purely academic. In some cases, professional bodies pick up the cost, and it is fair to ask why the legal profession—not one known for its penury—does not carry more of the cost of professional legal training, as happens in accountancy.

It would be impossible to consolidate all of those arrangements into one overarching entitlement without tampering with the healthy variety in the sector in a way that would not be helpful. However, with the resources that are available—and bearing in mind the other competing priorities—I think that some form of creative, targeted and well-designed funding scheme to help to expand access to postgraduate education by funding fees and living costs for individuals from lower-income backgrounds is not beyond the wit of man. Of course, if it is not beyond the wit of man, it is definitely not beyond the wit of the Cabinet Secretary for Education and Lifelong Learning. Therefore, I simply suggest to the minister and the Government that, when they come around to considering the student loans budget for 2014-15—an enterprise that is soon to be under way if it is not already so—they consider seriously whether such a scheme to help postgraduates in the round can be developed. That would be entirely in keeping with the Scottish Government's already exemplary record in opening the doors to higher education.

12:44

**Lewis Macdonald (North East Scotland) (Lab):** Tomorrow marks the start of the legal year. I—and various colleagues, no doubt—will join members of the legal profession in marking that important point in the calendar. It is therefore a good moment to reflect on the nature of the profession and its important role in wider society. I congratulate Sarah Boyack on giving us that opportunity in today's debate.

As Sarah Boyack pointed out, the costs of entry to the legal profession can be a formidable barrier to access. Aspiring lawyers from low-income backgrounds have to be prepared for seven years of study and training before they can earn enough to begin to pay back their costs, if they are lucky enough to secure a permanent job in the current climate. The diploma in professional legal practice is part of that. Unlike the situation with many other postgraduate qualifications, law students have no choice but to complete the diploma if they want to go on to become solicitors.

That means that the funding system must be carefully designed to ensure that the diploma year is affordable for poorer students. Sadly, as the campaign for fair access to the legal profession has pointed out, the funding system is moving in the wrong direction. That campaign is led by law

students from across Scotland, including my home city of Aberdeen. Other North East Scotland members will be aware of the great work that law students have done through the Aberdeen law project to help people to access justice, including no-liability legal advice through members of the Scottish Parliament and the Westminster Parliament to their constituents.

The concern for social justice that motivates those students underpins the campaign. Law students who are concerned about access to justice for clients on low incomes are right to highlight the issue of access to the legal profession for students from families of modest means. Socially aware law students such as those in Aberdeen might, after completing their diploma, go on to train in law centres, the public sector or the Procurator Fiscal Service, all of which do essential work but which do not in general offer the prospect of large financial returns in the way that the largest law firms can do.

To enable graduates to make that choice, it is important that the Government should seek to mitigate the obvious disadvantages that students from poorer backgrounds face. However, campaigners believe that the changes that are being made strike the wrong balance by providing loans to more students, rather than providing larger loans to students who need them most. Further, the loans are enough to help meet the costs of fees alone, and diploma students have lost access to maintenance support in the past couple of years, so the scale of debt that they will have to take into their professional lives will be all the greater.

I hope that nobody seriously pretends that it is possible to secure higher education on a large scale without students incurring debt. The issue is how much debt, and whether it is so great and over so long a period as to make that particular route of study unaffordable to large numbers of people. That is the risk with the diploma, but it can be avoided if the Government will at least recognise that there is a problem.

There are a number of possible solutions, as Sarah Boyack has said. The diploma year could be incorporated into the first degree, as happens elsewhere and as applies to the equivalent stage in education and training in medicine or dentistry. Alternatively, diploma students could be allowed to apply for a student loan to cover their living costs as well as their fees, as postgraduate student architects and teachers can do. I hope that ministers will at least recognise that there is a problem and decide to act on Sarah Boyack's suggestion of a summit involving all those who have an interest in improving access to the legal profession. As Sarah Boyack has said, if ministers do not do that, we will all be the poorer for it.

12:48

**David McLetchie (Lothian) (Con):** The debate is about how we ensure that students who have the ability and desire to become solicitors in Scotland are not deterred by a lack of financial support. I note that the Law Society of Scotland and the campaign for fair access to the legal profession, which represents all 10 Scottish universities that offer undergraduate law degrees, have expressed concern about the Scottish Government's policy.

As members have said, the diploma in professional legal practice is a postgraduate course that is compulsory for people if they are to qualify as a solicitor in Scotland. For 2012-13, the fees for the diploma are between £5,200 and £6,300. In the previous academic year, 300 of the most able students received Student Awards Agency for Scotland grants of £3,400, and the remaining 358 students were fully self-funding.

The Scottish Government announced last year that this arrangement would change and that all students taking the diploma would receive a loan of up to £3,400. In typical fashion, this was loudly trumpeted by the Cabinet Secretary for Education and Lifelong Learning, Michael Russell, as more than doubling the number of diploma students who would be funded. The reality is that while more students will receive funding by way of loans, but not grants, the level of loan support is grossly inadequate, particularly for a course which is a requirement in order to qualify for a profession. Fees for the diploma for 2012-13 are between £5,200 and £6,300, while the maximum loan is only £3,400. The support available is therefore too limited to help those students who cannot fund themselves.

The Scottish Government argues that alternatives are available in the form of professional and career development loans. However, those loans attract commercial interest rates, they must be paid back regardless of subsequent employment and they are not available to all. Further, the Government's proposed funding arrangement for the diploma treats law students unfairly in comparison with students taking similar postgraduate professional courses. Architecture, teaching, medical, veterinary and dental students receive maintenance loans for their entire pre-qualification studies, yet law students, for whom the diploma is essential in order to qualify, receive a loan towards roughly half the cost of the course only.

On the latter point, the Scottish Government appears to have fallen prey to the one-size-fits-all mentality. The postgraduate loan of up to £3,400 will apply to postgraduate courses with very different levels of fees. The diploma, typically, has a fee in excess of £5,200, but the majority of other

courses funded by the loan have fees of £3,400 or £3,750. It seems unfair that a diploma student only has access to the same maximum loan as a student studying a course costing up to £2,000 less. In general, these are highly specialised courses and while some Scottish ministers might benefit from a course in corporate communications with public affairs from Robert Gordon University, such a course—unlike the diploma—is clearly not essential for career progression.

The campaign for fair access has identified this inconsistency. It argues that the Scottish Government's policy will discourage law students from low-income families from entering the legal profession. As one who did so under those circumstances, I find that a particularly disturbing prospect.

An analysis of Universities and Colleges Admissions Service data by the Law Society of Scotland suggests that relative to all other subjects, law performs slightly worse in terms of the proportion of students from lower income groups. There is a risk that the Government's policy will make matters even worse.

Equity is the issue at the root of this anomaly. One group of students undertaking a professional qualification is subject to a different funding regime, which can only impact negatively on access to the legal profession.

12:53

**Jenny Marra (North East Scotland) (Lab):** I thank and congratulate my colleague Sarah Boyack for bringing the debate to the chamber. The debate is perhaps the only way that we will get a proper airing of this issue, because it falls between two of the Government's portfolio areas—education and legal affairs. I believe that it is an issue for justice and legal affairs, because the new funding structure for the legal profession will lead to creeping elitism in the profession. At present, a student who is studying for the legal diploma can take a loan to cover half the £9,000 fees. However, they are not entitled to apply for a student loan to cover maintenance costs and the only option is a career development loan at commercial rates.

I will explain why that is a problem. A fifth-year student at school, from a low-income family, having gained good grades in her highers, will be looking at options to study at university. She will have worked hard and gained good enough grades to study law. She will be investigating the total cost of such studies up to the point at which she will be able to begin working. As my colleagues have said, a law graduate cannot start practising law without the legal diploma, so the pupil factors those costs into her calculations.

The cost of the legal diploma is prohibitive. My pupil in question eliminates law from her considerations. A student from a richer family, who will be able to rely on their parents to see them through the more expensive diploma, presses on with their law application, in the knowledge that it will be more expensive but that their private circumstances will see them through.

Apart from the inequality that that situation creates for students, it results in a more homogeneous and more privileged legal profession. Why is that a problem? If we have an increasingly privileged legal profession that has no experience of, limited appreciation of and limited empathy with some of the difficult and chaotic circumstances in which people find themselves, the profession's ability to properly represent its clients and society's interests will be weakened. Like the Parliament, the legal profession needs a range of people who have different stories, privileges, testing times and financial circumstances to produce balanced and sensible remedies and judgments to benefit everyone in society.

The Cabinet Secretary for Education and Lifelong Learning has dismissed concerns that I have raised about the subject in the chamber before, but I tell the minister that there are law professors and practising lawyers working in Scotland today who are very concerned about the new funding arrangements and who have made representations to me and my colleagues.

The cabinet secretary has drawn an arbitrary line between undergraduate and postgraduate study. That is far too simplistic and has consequences—they are perhaps unintended, but they are consequences nonetheless. I suggest that the cabinet secretary might want to reconsider the funding structure for law students and others, such as educational psychology students, who are similarly affected by the arbitrary cut-off between undergraduate and postgraduate study.

The minister might want to consider a structure that guarantees consistent funding arrangements from the start of study to the point of entry into professions, when people can start to earn money. Only when funding is consistent will students from poorer backgrounds be able again to consider studying law to the point of entry to the profession.

I back my colleague Sarah Boyack's call for a summit to discuss the matter fully and find a solution, but the minister could quickly make a difference to the situation by allowing students to apply for maintenance loans to cover their maintenance costs.

12:57

**Roderick Campbell (North East Fife) (SNP):** I refer to my declared interest as a member of the Faculty of Advocates.

I congratulate Sarah Boyack on securing this members' business debate and bringing the issue to the chamber. I also acknowledge the CFALP's professional campaign.

I have raised the subject in correspondence with the cabinet secretary and at question time in the chamber on 31 May. It is safe to say that the issue is not going to go away. Of course, we have as a society moved a long way from the days when prospective lawyers paid premiums for their apprenticeships, even if minimum salaries for trainees and the diploma itself are comparatively modern phenomena—that depends on people's age.

However, students who undertake the diploma in professional legal practice are at a particular financial disadvantage when they are compared with their peers who seek to qualify as doctors, dentists and vets. That is partly because of the nature of the law degree. Traditionally, it has been perceived as an education in itself, unlike the training for vets, dentists and doctors. Accordingly, the smooth transition to the diploma as part of essential professional training is obscured. However, the diploma should not be considered to be just another postgraduate degree—to that extent, I disagree with the National Union of Students.

The cabinet secretary has made the Scottish Government's position clear and has talked about tough choices. In contrast, the CFALP refers to the position on loans for fees and to the benefit that some DPLP students will receive under the new postgraduate arrangements. The campaign group has a point, although a loan for tuition fees might not be a consideration at all for the wealthiest.

The debate is about not just fees and loans but the make-up of our legal profession. As the campaign group has pointed out, the socioeconomic profile of entrants to the legal profession is narrow and there are disproportionate numbers from the wealthiest in our society. Without a doubt, we have a long way to go to reach the point at which the legal profession reflects the economic and social diversity of modern Scotland.

Despite tuition fee support, the reality is that poorer students might well be deterred from the DPLP not only by the maintenance issue but by the substantial difficulties in obtaining training contracts and the rather slim chance of getting a firm to support them on the diploma. We must acknowledge that, by reforming the postgraduate student allowances scheme, the Scottish

Government was able to extend support for tuition fees with postgraduate loans for about 5,000 full-time and part-time students. That has not been replicated elsewhere in the United Kingdom.

The cabinet secretary has argued in previous answers to me that living cost support should be available through personal career development loans. Those loans are, to my knowledge, offered by three high street banks, and may be an attractive source of income to students who will have a handsomely paid job immediately after graduating. Unfortunately, however, that is not a prospect that many young people expect.

Career development loan repayments must commence immediately after graduation, and the banks advise students that they must ensure that they can afford monthly repayments before agreeing to the terms of the loan. Many students cannot make that commitment.

I fully accept that the diploma should not be for the faint-hearted, particularly in current times when training contracts are very difficult to obtain, and no one should embark on the diploma without a full appreciation of the risks involved. I remind members that to proceed to the bar and the Faculty of Advocates requires not only a diploma, but generally speaking a period of devilling of around eight months, which is unpaid, although a few comparatively modest scholarships or bursaries are available. That will certainly deter young—and many not so young—lawyers from humble backgrounds from taking that path.

More generally, we ought to look at the experience south of the border when considering alternatives to the LLB. Modern apprenticeships are increasingly being pioneered by some large firms in the south, which operates as a financial benefit to the new apprentices.

**The Deputy Presiding Officer:** I would be grateful if the member would draw to a close.

**Roderick Campbell:** It is not entirely clear how far the Law Society of Scotland is championing that concept in Scotland.

In conclusion, it is clear to any reasonable person that the Scottish Government is under enormous pressure, but I hope that the cabinet secretary will continue to keep the issue under review.

**The Deputy Presiding Officer:** Because of the number of members who still wish to speak in the debate, I am minded to accept a motion under rule 8.14.3 to extend the debate for up to 30 minutes.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended for up to 30 minutes.—[*Sarah Boyack.*]

*Motion agreed to.*

13:02

**Graeme Pearson (South Scotland) (Lab):** I congratulate Sarah Boyack on bringing the debate to the chamber, and I feel sure that the minister will have realised by now that there is a genuine problem to be resolved.

It is important that we have confidence in our justice system and believe that those who are responsible for administering and delivering justice on our behalf, by legislation or precedent, do so with a degree of empathy as well as skill. Is that confidence undermined if only those of means can seek employment in the legal profession and, by consequence, the judiciary? Is it important that those who make up the legal profession are there because of their knowledge, skill and talent alone rather than the financial support that they were lucky enough to receive from family? If we believe that it is, it is surely important that there is fair access to the legal profession for people of all backgrounds.

Does the present system deliver that fair access? A diploma in professional legal practice is as essential to practising law as the professional graduate diploma in education is to teaching. However, students who are studying for the education diploma can apply for maintenance loans, and their fees are paid by the Scottish Government. The same applies to students who are studying for certain postgraduate diplomas in architecture.

Students who are studying for a diploma in professional legal practice, on the other hand, apply for a tuition fee loan of £3,400, which covers approximately half the cost of the fees and materials, depending on the institution that the student attends. There is no longer any support for maintenance for those students, and if any student does not have funds to pay the balance of the fees and materials, they are directed to a bank to apply for a professional and career development loan. If they are successful in obtaining such a loan, it will be lent at commercial rates and must be paid back from one month after graduation, irrespective of the person's employment situation.

The changes been introduced by Government with great haste and—in the Law Society of Scotland's view—inadequate consultation. The disparity is clear. The Law Society of Scotland is concerned about any move that risks discouraging talented students from progressing with their ambition of becoming a solicitor because they are unable to fund their studies or are reluctant to take on further debt. I share those concerns and the concerns of fellow members in this chamber.

At the end of their university studies leading to the diploma year, many students will have as much as £15,000 in student loans. The thought of

an additional debt for a student with little means of financial support is worrying for the young person concerned in the current financial climate, but should be of greater concern to this chamber. I hope that the minister reconsiders.

13:05

**Liam McArthur (Orkney Islands) (LD):** I add my congratulations to Sarah Boyack on securing the debate. I welcome the opportunity to participate and thank those who have provided briefings.

As the Cabinet Secretary for Education and Lifelong Learning never tires of reminding the chamber, one of the central principles of Scottish education is that academic ability should always be prized above the ability to pay. By removing all grants for law diploma students and preventing them from making use of affordable, accessible loans to cover living costs, the Scottish Government—despite Mr Biagi's loyal assertions—is failing to honour that principle.

Not surprisingly, NUS Scotland has confirmed its support for the campaign for fair access to the legal profession and the wider aim of ensuring that access to any profession is based on talent, not financial circumstances. That reflects the growing support for the campaign, including that of the Scottish Young Lawyers Association, which has criticised not only the discrepancies in treatment between those entering the legal profession and those entering other professions, but the lack of consultation in advance of the changes—a point that was made by Graeme Pearson. Although I am inclined to agree with NUS Scotland that there should be an expectation that institutions will do more to support legal diploma students and that there is still an important role for potential employers, as in the rest of the UK, that does not absolve the Government of responsibility for those students.

The supply of law diploma students may remain adequate, but they will come from an increasingly narrow section of society—that runs contrary to the access agenda that ministers are pursuing more generally, which enjoys cross-party support. Sarah Boyack and Roderick Campbell, I think, made some interesting observations about disincentives to pursue less well-paying careers in rural practices.

A point that has particularly angered those heading up the campaign for fair access to the legal profession and others is—as David McLetchie suggested—the extent to which law graduates appear to be being singled out. For example, postgraduate architecture students already benefit from five years of loan support, as do those who are training for the medical, dental

and veterinary professions. Although, as the Law Society of Scotland states,

“In order to qualify and practice as a solicitor you must complete the Diploma in Professional Legal Practice”,

similar support is simply not available to those students. The diploma is essential, as it acts as a vocational bridge between the academic degree and the practical experience of a traineeship and allows students to develop their practical skills in a real-life but controlled environment.

It is difficult to see ministers’ objection to levelling the playing field and ensuring that the DPLP students who most need financial support receive it. Extending the provision of a means-tested student loan for an extra year for those students would be simple to administer and would adhere to the precedent set for other required professional postgraduate programmes. Such a proposal would result in just 0.75 per cent more student loans for SAAS to authorise, but it has the potential to widen markedly access to the legal profession.

I appreciate that the sector itself could and should do more. Indeed, that has been recognised in my discussions with the leaders of the campaign for fair access to the legal profession. Perhaps, therefore, a solution lies in ministers’ agreeing to address the anomaly over the immediate term but tasking the profession to come up with a workable model that can be put in place for the medium to long term. A summit such as that which Sarah Boyack suggested may be a logical catalyst for those discussions. By making clear the time-limited nature of any support, ministers could send a strong message that they expect to see the issue resolved sooner rather than later. That would also send a welcome signal of the Government’s commitment to widening access across the board, including for those who seek to pursue legal careers.

In its briefing, the campaign for fair access to the legal profession states that

“a legal system cannot hope to fairly reflect the needs and interests of all elements of society if it is drawn solely from one section of that society”.

It is difficult to argue with that sentiment. I am pleased to support the motion and congratulate Sarah Boyack on helping to shine a light on the issue. I look forward to hearing the minister’s response on a problem that, as Roderick Campbell rightly observed, will not go away.

13:10

**Kezia Dugdale (Lothian) (Lab):** Like other colleagues, I thank my friend Sarah Boyack for bringing the motion to the chamber. I welcome the opportunity to talk about widening access in a more general sense. I look forward to more

debates of that nature in the chamber in the coming months, as we will talk about higher education quotas in line with the Government’s legislative programme.

Members can tell by the number of Labour MSPs who are in the chamber that there is a real appetite to examine the issues behind widening access that are not simply about tuition fees. I have a long-standing interest in, and passion for, widening access, through my previous roles at Edinburgh University Students Association and at the National Union of Students. I am also a law graduate, so I will talk about the issues that face law students today.

However, I will first address Marco Biagi’s speech. He said that Labour MSPs had a cheek to bring the issue to the chamber because of tuition fees. When will the SNP understand that widening access is about much more than tuition fees? There are many issues behind it.

Marco Biagi stood up and said that his Government has an exemplary record of opening the doors to higher education. However, only 3.9 per cent of the students studying law in his constituency at the University of Edinburgh come from the most deprived backgrounds in Scotland. That is the second-worst record in Scotland. The only university that does worse than that is the University of Aberdeen, which is the institution that I went to. I will talk about that in a second.

Widening access can be about a number of things. It can be about the course choices that somebody has at school, the aspirations or fears that their parents have for their future, the encouragement that they get from their school and teachers or whether they really think that university is a place for them.

There is an issue with getting people from the legal profession into classrooms at the earliest stage to talk about different legal careers. When I went to study law, I was inspired by “Ally McBeal”, which was the big television programme at the time. I wanted to be a courtroom lawyer like the character Ally McBeal. Only when I got to university did I realise that criminal law or courtroom law was only one sixteenth of the LLB programme that I was there to study and that I had to do tax law, family law and trusts—all the things that bored me senseless for four years at university.

There is an important point in that: students need to understand the type of education and experiences that they will have at university before they get there. That has a lot to do with retention. It has to do with what happens to students when they get to university and their ability to stay there.

In the short time that I have left, I will comment on cost and culture. At the University of Aberdeen,

I was surrounded by people who were privately educated. I come from a middle-class background—both my parents are teachers and I went to a state school—but I still found that incredibly intimidating. I ask members whether they can imagine what it would be like to go into that environment if they came from a really deprived background. I do not know how people would cope. I simply cannot get my head around it.

From day dot—from the word go—at the University of Aberdeen, all the law students from privately educated backgrounds were already on a mission to secure their traineeships. It was all about accessing the next path into their careers. They were able to work for free at legal firms over the summers and build up the work experience that I and my friends could not get because we had to work during the summer to get enough money to stay at university and continue studying.

Such networks open and continue to grow when someone is at university. Widening access goes right through a person's entire education. We need to address many cultural issues about opportunities and networks.

The final issue is cost. Students who study law have huge amounts of initial, up-front costs for the textbooks that they must access. In my first two weeks as a law student, I spent hundreds of pounds buying books. It is not possible to buy them second hand. They change every year because, by its nature, the law changes every year. We do not give students the ability to cope with those additional costs.

Those are only two issues. There are a range of issues, and I strongly urge the minister to take on board Sarah Boyack's request for a summit and make some serious progress on widening access.

13:14

**Alison Johnstone (Lothian) (Green):** I thank Sarah Boyack for bringing this extremely important topic to the chamber. The question of who has access to a career in the legal profession must be of concern to all who are interested in social and legal justice in Scotland.

I congratulate the campaign for fair access to the legal profession on presenting such a clear and compelling case and thank the Law Society for its briefing on the issues that face those who aim for a career in the profession.

The campaign's steering group represents law schools in Scotland that offer undergraduate LLBs across their campuses. The campaign has been covered supportively by the *SCOLAG Legal Journal*, including at the start of this year, when the changes in funding to postgraduate

professional legal education were announced. It is regrettable that there was no consultation prior to that announcement, as representatives from universities and the professional and student bodies would have warmly welcomed such an opportunity, and their expert input might have laid the foundations of a sustainable and practical funding arrangement. It certainly remains the case that the issue of proper and fair funding for professional legal education has not been dealt with satisfactorily, but that can be remedied. I, too, support Sarah Boyack's call for a summit with those parties.

The Government has stated that the decision is a budgetary decision, so there is a choice. It has also suggested that the decision will not be reversed, but the issue is too important to go unaddressed and unresolved. I ask the minister to look at the matter again. The lack of certainty around funding is a major issue for students. Those who undertake undergraduate study need to know just how much postgraduate study will cost. There is great uncertainty about affordability for too many students who are on courses in which such postgraduate study is compulsory.

Our legal profession is an integral part of our civil and criminal justice systems. It is the source of advice and representation for our citizens. Our judiciary is drawn from it, so it is hugely important that the profession is inclusive and open to and representative of Scottish society in all its diversity. The abolition of the maintenance grant in 2010 and the replacement of the fees grant with a capped tuition fee loan of £3,400 means that that diversity is unlikely to be achieved.

NUS Scotland has prioritised widening access to all levels of higher and further education. Its research shows that only just over 8 per cent of the LLB intake come from the 20 per cent most deprived areas. As we have heard, the figure for the city of the Parliament does not reach even that lowly level. With tuition fees of up to £6,000 or more and the Government's own estimate of living costs at more than £7,000, DPLP students are required to find £9,000 of their own or their family's money to study. For many people, that will be simply impossible without a commercial loan. Will all banks be willing to risk putting up cash when many students have no guaranteed traineeship? The students themselves must try to secure funding that will need to be repaid at commercial interest rates. As well as studying, they must try to secure a traineeship, and many will have to find work when their course timetable or possibly even their childcare arrangements permit them to do so in order to fund the majority of that compulsory qualification. We offer far greater support to other professions that have similar training requirements.

It is unrealistic to suggest that the additional strain will not affect the diversity of those who seek entrance to the profession, and it is absolutely right that we continue to question whether our legal profession is fair, inclusive and representative. NUS Scotland has stated that there is a serious problem with access to law at the undergraduate level, which should concern all those who wish to see a more representative profession and judiciary. The lack of support at postgraduate level will exacerbate the problem.

If financial status is a deciding factor for or bar to entry, the profession cannot be said to be open to all, unless, as the *SCOLAG Legal Journal* has pointed out—borrowing a phrase from Sir James Mathew LJ—it is

“open to all—like the Ritz hotel!”

13:18

**Drew Smith (Glasgow) (Lab):** I thank Sarah Boyack for lodging the motion. Students at the University of Glasgow have raised the issues with me, and many of the concerns are common. I want to use my time to talk about why we need people from the broadest range of backgrounds in legal practice.

As Kezia Dugdale rightly reminded us, the law is not all about criminal defence—we should be thankful for that—and crime is not simply an issue for more disadvantaged communities. However, it remains the case that people from less advantaged backgrounds are more likely to find themselves drawn into activities that are on the wrong side of the law. Equally, people who live in less advantaged areas are substantially more likely to be victims of many kinds of crime. I am not saying that a person has to live on a council estate in order to understand the issues—I am sure that David McLetchie will be pleased to hear that that is not my argument. However, Jenny Marra and Alison Johnstone were right to remind us that, just as in politics, it helps if those involved in our legal system recognise the communities and families that they work with rather than see them as a class apart.

The minister will no doubt argue that a move from grants to loans to assist students studying for the legal diploma will allow us to support more individuals. However, the Scottish Government must recognise that the view of almost everyone else is that the changes will not result in a widening of the mix of people in the law. Since I assume that the Scottish Government accepts—it is well evidenced, as Rod Campbell highlighted—that the law is a profession in which the mix of people in practice is already not as it should be, the Government must then consider extremely

carefully the criticisms that are being made of its policy.

Students studying law are more likely to drop out of the subject if they come from a poorer background, and students from poorer families are more likely to be concerned about debt. They are then less likely, even at the moment, to try to obtain their diploma, because they are more concerned about whether they will find a traineeship at the end of it. Ultimately, they need to find a job with more urgency than others who can afford to take the traineeship risk. Legal traineeships are unbelievably difficult to find in the current environment. It is to the Government's great discredit that that is a significant problem in schemes such as the Crown Office and Procurator Fiscal Service scheme, as well as schemes in commercial practice.

Law graduates are faced with the likelihood of unemployment at the end of their diploma, which is of time-limited value, or at the end of a traineeship when they find that they have been used as cheap labour and are disposed of for the next trainee. Any new barrier on the route to legal practice will have the effect of making law graduates from less well-off backgrounds less likely to try to enter practice. That is a legitimate concern to which the Scottish Government should listen.

I am aware of law students who have argued that the Law Society should abandon the minimum recommended salary for legal trainees because middle-class law graduates think that that is a barrier to small firms offering them traineeship opportunities. The implications of such a move for less well-off graduates are simply appalling: it would serve to extend the iniquities in the profession.

I say to the minister, the Law Society, the profession and the universities that they must take heed of Sarah Boyack's call both for a coming together that recognises that access is being eroded and for a clear action plan to ensure that at the end of the recession we are not left with a legal community that looks more like the profession in the 1950s than the profession in 2005. If that means thinking again about the move from grants to loans, the Government should consider that. Equally, if it means a change in the way in which we train lawyers—a questioning of whether a seven-year journey from undergraduate to practice-qualified solicitor is reasonable and whether we as a society are prepared to support law students in the same way as we continue to support medical students and others—we should consider that.



13:22

**The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan):** I am grateful to Sarah Boyack for raising the matter in Parliament and for the considered contributions of members to the debate—not least those of David McLetchie and Jenny Marra, to name but two.

We have a long tradition in Scotland of aiming to provide excellent education. That excellence is in abundance at the postgraduate end of the scale. It has been a policy of the Scottish Government to support as many people as we can in that regard. Education plays a huge part in underpinning Scotland's international competitiveness, particularly when we can prioritise postgraduate study around some of the key subjects that drive our economy and social improvements, such as life sciences, engineering and teaching.

Without minimising the financial pressure that clearly exists for many students, it is true to say that Scotland is the only Administration in these islands to provide support across a comprehensive list of postgraduate disciplines, including law, which is the subject that we are debating today.

This year, the postgraduate students allowances scheme will support around 5,000 students studying more than 450 postgraduate subjects at 18 institutions. However, that was not always the case. Support for law and other subjects has evolved over a number of years and prior to the changes that we introduced two years ago, after consultation with representatives of the universities and the Law Society, the system supported only about 1,800 postgraduate students in Scotland with living and fee costs. To broaden that out—I remind members that the total number of students in higher education in Scotland is nearly 300,000—the Government removed the living costs element and used the money to support more students with their fees. That raised the number that we could help to around 2,700.

Support was still provided on a discretionary basis, however, and this year we developed the arrangements such that Scotland-domiciled and European Union students who follow a designated course of study in 2012-13 can apply for a non-means-tested loan of up to £3,400, which can be put towards the cost of their tuition fees. We estimate that, with the improved arrangements, the number of students who benefit from our postgraduate support arrangements will increase to around 5,000. Approximately 700 of those students will be law students.

There is a need for the legal profession to give more thought to how it supports people who want to enter the profession, as Liam McArthur and other members said.

The Government is not promoting bigger numbers at the expense of wider access, as is suggested in the motion. Widening access is a priority for the Government. We committed in our manifesto to introducing statutory agreements that would force the pace of change, and that commitment will be taken forward in the post-16 bill that we plan to introduce later in this parliamentary session. In relation to widening access, significant resources are required, so we must prioritise. Our priority is to get as many students as possible through a first degree at undergraduate level. That remains our objective, despite the budgetary pressures to which Rod Campbell and other members referred.

**Lewis Macdonald:** Will the minister at least acknowledge that by withdrawing support for living costs from postgraduate diploma law students he has limited people's ability to access the course, and that the issue would be worth looking at again?

**Dr Allan:** The Government wants to keep up a dialogue with students and the profession on that. However, it must be acknowledged that in Scotland we have what is widely recognised—by the National Union of Students and others—as the best package of student support in the UK. In practice, that means that students finish their first degrees with, on average, less than half the level of debt that is built up by students who study in England. Completion of a first degree with a relatively low amount of debt is therefore the starting point for our postgraduates.

Universities are autonomous bodies, which is relevant in the context of Lewis Macdonald's interesting suggestions about reforming the shape of law degrees.

In Scotland we are funding 400 more undergraduate places this year, when acceptances at English universities have fallen by nearly 50,000 as a direct result of the UK Government's policy and its betrayal of a generation of students through the introduction of fees.

**Drew Smith:** Will the minister give way?

**Dr Allan:** No. I am concluding.

Budgetary realities mean that we are not able to provide living costs support to postgraduates on top of the fee support and teaching grant support that we provide. After postgraduate students have met their living costs, they will still have less debt than many graduates elsewhere in the UK.

That is the reality of how we support higher education in Scotland—it is not to minimise the financial pressures on individual students. I thank Ms Boyack for raising this important issue in the

Parliament. The dialogue with the student body and the profession will continue.

14:30

*On resuming—*

13:28

*Meeting suspended.*

## **Draft Budget 2013-14**

**The Presiding Officer (Tricia Marwick):** The first item of business this afternoon is a statement by John Swinney on the draft budget for 2013-14. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

**The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney):** The draft budget for 2013-14 that I outline today maintains the course set out in the spending review 2011 and continues our track record of effective stewardship of Scotland's public finances. I look forward to Parliament's scrutiny of our budget proposals ahead of the budget bill in the new year, and I will work with other parties to build as much consensus as I can around the Government's spending plans.

As Parliament is aware, Scotland continues to face significant challenges as a result of global economic conditions and the United Kingdom Government's approach to the public finances. The settlement that we received in the UK spending review is the toughest since devolution. Over a four-year period between 2010-11 and 2014-15, the Scottish Government budget is being cut by more than 11 per cent in real terms and, within that, our capital budget is being reduced by a third.

The position in 2013-14 is particularly challenging, with a cash-terms decrease in the total departmental expenditure limit budget compared with the previous year. It represents the fourth consecutive year in which a real-terms reduction has been imposed on the Scottish Government's DEL budget.

In June 2010, when the Office for Budget Responsibility set out its initial forecast for the UK economy, it predicted growth of 2.8 per cent in 2012. Members can contrast that with the International Monetary Fund's most recent forecast for growth of just 0.2 per cent in 2012 and the latest Organisation for Economic Co-operation and Development forecast for a decline of 0.7 per cent.

UK gross domestic product has now contracted for three consecutive quarters, with a total decline of 1.2 per cent. The decline has been driven by a sharp fall in the construction sector, which has fallen by 8.7 per cent over that period. That data reinforces the case that the Scottish Government continues to make, which is that a different strategy is required from the UK Government.

When economic conditions remain fragile, shovel-ready capital investment can provide an immediate short-term stimulus—in particular to the construction sector—as well as providing a range of long-term benefits to the people of Scotland from better housing, schools and hospitals. That is why, yesterday, we and the other devolved Administrations called on the UK Government to consider again the case for a targeted fiscal stimulus that can support infrastructure investment and create the jobs that our country needs.

Global economic conditions continue to impact on economic confidence. Business investment remains considerably below pre-recession levels, while household incomes remain under pressure. We are therefore focused on enhancing confidence in order to encourage private sector investment and growth and to help households where we can.

While the UK Government refuses to change course, this Administration will continue to do all that we can within our powers to deliver growth and support jobs. Over the past 12 months, we have acted decisively to achieve that.

Last September, we published the Government's economic strategy and a spending review that set out substantial investment in infrastructure and measures to tackle unemployment.

In the face of the cuts being made to our capital budgets, we are boosting conventional capital investment through the £2.5 billion pipeline of infrastructure projects that will be delivered through the non-profit-distributing model; switching more than £700 million from resource budgets to support capital spending; and supporting a range of innovative finance initiatives, such as the national housing trust.

Overall, our major investment programmes support thousands of jobs across Scotland. From many examples, here are two compelling cases that reinforce the strength of this Administration's approach. First, 95 per cent of our annual transport budget of nearly £2 billion was last year invested back into the private sector, supporting more than 25 per cent of civil engineering contracts in Scotland and more than 12,000 jobs. Secondly, it is estimated that our housing investment budget of more than £750 million over three years will generate around £3 billion of economic activity and support up to 8,000 jobs each year.

The spending review also provided significant investment in skills and education for post-16-year-olds, including through our opportunities for all initiative, which guarantees a training opportunity to any young person between 16 and 19 who is not in education, employment or

training. It provided for a record 25,000 modern apprenticeships opportunities, all linked to real jobs. Completion rates have increased to a record 75 per cent and nearly 55 per cent of our 16 to 24-year-olds are now employed, compared with a UK average of 51 per cent. In total, from 2007 until the end of this spending review period, we will have invested almost £5 billion in colleges. That is 45 per cent more in cash terms than the investment made under the two terms of the previous Administration.

The spending review confirmed decisive support for business, including boosting international activity with great success in food and drink exports, the use of the Scottish Investment Bank, the establishment of enterprise areas and the most generous package of business rates relief in the UK valued at more than £2 billion over five years, with the small business bonus scheme providing support to more than 85,000 business properties.

At a time when household budgets and public services are under pressure, the spending review also provided funding to deliver key commitments we have made to the people of Scotland: working with our local government partners to uphold the council tax freeze; supporting Scottish students into higher education through our policy of no tuition fees; free prescriptions; support for concessionary bus travel; ensuring a Scottish living wage for employees covered by our pay policy; protection for the NHS budget; improving the quality of our schools through curriculum for excellence; maintaining teacher numbers in line with pupil numbers; and provision for 1,000 additional police officers. I confirm to Parliament today that our draft budget will ensure the delivery of all those commitments in 2013-14. This is a Government that delivers on its promises.

The spending review also put public service reform at the heart of this Government's approach to the public finances and the economy. Our programme of reform is helping to ensure that public resources are used to best effect in meeting the needs of the people of Scotland. In particular, we made it clear that a decisive shift to preventative spending is essential to improving outcomes and ensuring the long-term financial sustainability of our public services. In partnership with local government, we have made more than £500 million available to three change funds to support early years and adult social care and to tackle reoffending. The draft budget announced today provides an update on those funds, illustrating the progress that can be made in driving change across mainstream service delivery.

Looking forward, I confirm today that single outcome agreements will incorporate a long-term

prevention plan that makes a commitment to increase the resource invested and reinvested over time in preventative interventions. This budget also confirms that we are on track to deliver our ambitious programme of police and fire reform, and it reflects agreement with local authority partners about the transfer of funding for those services.

We set out in the spending review an approach that supports economic recovery. We continue to believe that approach is right for Scotland, but we must remain vigilant to changing economic conditions and respond decisively.

In developing the draft budget for 2013-14, I have scrutinised in detail what scope exists to create additional financial flexibility across the Government's responsibilities in order to provide further stimulus. I have reached the following conclusions.

Scottish Water has delivered significant improvements to services over the past 10 years. With an annual turnover in excess of £1.1 billion, it employs some 3,500 staff and sustains 20 per cent of the Scottish civil construction industry. Following four years of water charges being frozen in Scotland, average household charges are now £52 lower than the average in England and Wales and a significant capital investment programme has been sustained to improve the quality of water services in Scotland.

Against that background of high performance and efficiency, I have reconsidered Scottish Water's financial position and have agreed with the enterprise that we can reduce our lending by £45 million in 2013-14, with no detriment to either services or its investment programme. Furthermore, Business Stream has confirmed that it will be in a position to repay the loan made to it in 2008, thus allowing me to redeploy resources of £28 million over the next two years. These steps demonstrate beyond doubt the value of retaining Scottish Water in public ownership.

I have reviewed the benefits of our robust approach to the management of major infrastructure projects, such as the Forth replacement crossing. Because of the good progress that has been made, I can release budget contingency of £20 million on that project this year.

I have taken into account the efficiencies that the Scottish Futures Trust is helping us to deliver in our overall capital programme. Over the past three years, the SFT has delivered a total of £371 million in savings and benefits to the people of Scotland, and we expect further efficiencies in the future, including efficiencies in the school building programme.

Furthermore, as a result of general efficiencies in our spending last year, I can carry forward more than was originally planned through the budget exchange mechanism, which will free up nearly £40 million of additional resources to be deployed in 2012-13. Specific programme expenditure is also available to the Scottish Government through the green deal and housing loans. That amounts to about £31 million for deployment this year and next year.

With support from all Government portfolios, I have considered the scope for redirecting resources in existing budgets, within the tight financial parameters that apply. I have also considered our position on non-domestic rates. The Government has introduced several proportionate measures that will generate valuable income, including the public health supplement.

We continue to keep under review the income projections in the draft budget for 2013-14. In last year's spending review, we put in place a package of measures to help to regenerate town centres and encourage empty properties to be brought back into use. As part of that, the changes that we are making to empty property relief have a key role to play.

In listening to business, I recognise that we can do more. To incentivise further the bringing of empty properties back into use, the Minister for Local Government and Planning lodged yesterday an amendment to the Local Government Finance (Unoccupied Properties etc) (Scotland) Bill that will, if agreed to by Parliament, allow those who bring premises back into use to be rewarded with discounts on their rates bills.

I confirm to Parliament that we are progressing the implementation of the additional powers that are set out in the Scotland Act 2012. An additional £3.5 million has been allocated in the budget to meeting implementation costs in 2013-14.

By exploring all avenues, I have taken steps that enable me to make a number of further spending announcements today that will support our immediate priorities of boosting capital investment; taking direct action to tackle unemployment, particularly among young people; and continuing to enhance economic confidence by encouraging private sector investment.

In February, we announced a package of £380 million of capital spending over the period to 2014-15, with a focus on transport, housing, digital and maintenance projects. In June, we announced a package of investment in shovel-ready projects valued at £105 million in 2012-13, which is targeted towards renewables, housing and transport. The second year of that package will include substantial further investment in

renewables, road improvement, regeneration, culture and tourism projects.

I confirm today that we will provide an immediate stimulus to the construction industry, with further capital investment in affordable housing of more than £40 million over this autumn and next year. *[Applause.]*

**The Presiding Officer:** I would be grateful if members saved their applause until the end of the cabinet secretary's statement.

**John Swinney:** The provision of substantial capital investment in housing and the delivery of more homes more efficiently than was ever achieved under the previous Administration mean that 6,882 new affordable homes were delivered last year. That demonstrates that the Government is on track to build the homes that our people require.

To boost further the construction industry, we can expand the number of schools that are being built through Scotland's schools for the future programme. We will increase the number of schools that are being built from 55 to 67 and we will build them sooner.

The Cabinet Secretary for Education and Lifelong Learning will confirm the detail of the plans shortly, but I can tell Parliament that I have authorised the financing of more rapid delivery of the programme by bringing forward £80 million of planned investment from future years into this spending review period, through the NPD model. That will further increase the total number of schools that the Administration is delivering. In the past four financial years, 358 schools have already been built or refurbished. That is more than the previous Administration delivered in eight years, and we have halved the number of children who are in crumbling schools.

More generally, our partnership with Scotland's local authorities remains central to the Government's delivery programme. Local government's capital investment programme has a key role to play. I know that Parliament will welcome the joint commitment that the First Minister and the president of the Convention of Scottish Local Authorities have made today to work together whenever possible to increase or accelerate capital investment to support economic recovery.

This Government has long argued that investment in the green economy can deliver multiple economic and environmental benefits. In today's budget, I am announcing a total of £30 million of funding over this year and next for a programme of energy efficiency measures that will tackle fuel poverty, contribute to meeting our climate change targets and provide opportunities for small and medium-sized construction firms.

The package will focus on supporting domestic households to improve home insulation, along with measures to increase energy efficiency in the public sector. We are continuing our course of additional investment in sustainable and active travel by providing further funding of £2.5 million next year for hybrid buses.

Despite the economic challenges that we face, the Government remains focused on opportunities for growth and on encouraging the development of Scotland's growth sectors. For example, there has been recent success in tourism—a sector that contributed £2.9 billion to gross value added in 2010—with a 5 per cent increase in visitor numbers over the year to March 2012. With that in mind, I announce fresh investment of £1.5 million in high-yield marketing to be carried out by VisitScotland in this financial year.

Our cultural assets are also a huge strength. That is epitomised by the wonderful success of the national museum of Scotland, which has attracted more than 2 million visitors since it reopened. I am therefore pleased to announce additional investment next year of £1 million in the maintenance of historic buildings throughout Scotland.

The forthcoming Commonwealth games present a vital opportunity to strengthen our global profile while bringing health and other benefits closer to home through the potential impact on participation in sport and the wellbeing of our people. Building on the momentum that has been provided by the Olympics, the Paralympics and the promise of the Commonwealth games, and recognising the impact that sporting success can have, I have allocated an additional £1 million next year to support Scotland's elite athletes in the run-up to the games.

We are committing an additional £6 million across this year and next to deliver further improvements to Scotland's cycling infrastructure, which will focus on our community links initiative. As well as supporting our health and wellbeing agenda, our investment in cycling adds further strength to our efforts to tackle climate change, which will also be enhanced by new funds for peatland restoration. I am pleased to publish alongside the budget the latest carbon assessment of our spending plans.

I am also publishing today the Government's equality budget statement, which highlights the negative impact of the UK Government's welfare reform agenda—an approach that runs contrary to our determination to create a fairer Scotland. We are responding as best we can, with our local authority partners and within our legislative competence, to mitigate those threats.

This budget confirms additional resources of £23 million next year to mitigate the cut to council tax benefit from the UK Government. We will continue to engage with the Department for Work and Pensions about the successor arrangements for the social fund.

Nowhere is the case for independence made more clearly than in the contrasting approaches and ideologies of this Government and its counterparts in Westminster in the area of welfare reform. Scotland is a country that more than pays its way in the world, and we will continue to take a distinctive course that prizes effective use of public money but also reflects our core value that we must support the most vulnerable in our society.

Over the past three years, our policy of pay restraint has helped to support thousands of public sector jobs, while the Scottish living wage and our pay awards have protected the incomes of those who earn the least. By continuing to implement core economic and social commitments through our social wage—commitments that include the abolition of prescription charges, free higher education and personal care, and the freeze in the council tax—we have sought to help households throughout Scotland.

I am publishing today, alongside the budget, our pay policy for 2013-14. Last year I said that I would seek to ease pay restraint and, following a two-year freeze in basic pay, I am able to announce a modest increase for most employees.

The pay policy caps increases in total costs of basic pay awards at 1 per cent in 2013-14, but with priority for those earning less than £21,000 to ensure that they receive increases of more than that, and with the retention of the freeze in basic award for those who are earning more than £80,000 a year.

Our policy includes a commitment to continue to implement the Scottish living wage not just in 2013-14, but over the remainder of the current session of Parliament. We renew today our commitment to a no compulsory redundancies policy to provide certainty for public sector staff. Those measures will help to enhance economic confidence, provide security to thousands of workers, and support jobs and activity across the economy.

A vital part of our efforts to create a fairer society must be the support that we provide to our young people, particularly in the current economic climate. Although the latest figures show a welcome rise of 1 percentage point in Scotland's youth employment rate, the rate of youth unemployment remains far too high at 24.3 per cent. In developing today's budget, I have been determined to do more to support those who are looking and training for work.

First, to maintain our commitments to keep student numbers at 2011-12 levels and to provide the necessary student support, I announce today further funding of £17 million for college education. Secondly, I will allocate resources to establish an energy skills academy to support the development of skills for a diverse Scottish energy economy in oil and gas, renewables, thermal generation and carbon capture and storage industries.

Thirdly, although we have taken a number of steps to support young people, we must create more opportunities for them to secure jobs. One of the key groups who require assistance are 18 to 24-year-olds who have been unemployed for three to nine months. We will put in place an initiative supported by £15 million of Government funds and matched by European structural funds and employer contributions. The initiative will work across Scotland and will be focused on the small and medium-sized enterprises in the private sector. As a consequence of that co-operative approach, the Government will assist in the creation of up to 10,000 jobs for young people in the private sector. Those measures confirm our absolute determination to do all that we can to support the young people of Scotland.

The Government has today published a draft budget that honours the commitments that it has made to the people of Scotland and that, within tight parameters, provides for additional measures to support economic recovery. I have today announced investment in infrastructure, the green economy, skills and employability of around £0.25 billion. In this budget, I confirm that the Government will do all that it can to focus its resources on driving forward Scotland's economy. I commend the budget to Parliament. *[Applause.]*

**The Presiding Officer:** Order. The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow around 40 minutes for questions.

**Ken Macintosh (Eastwood) (Lab):** Last year, the cabinet secretary stood up in the Parliament and announced what he described as a budget for jobs and growth. He said that he planned to steer Scotland "a distinct course". One year on, the rate of unemployment in Scotland is higher than the UK average and our country has sunk back into recession for the second time under his stewardship. That is certainly "distinct".

In fact, the decisions taken by this Scottish National Party finance minister and this SNP Administration have cost 30,000 public sector jobs over the past year alone, yet he stands before us today with no hint of humility and no hint of an apology. The worrying truth is that this finance minister seems content to pass the buck—either to blame Westminster for all our woes or to pass

responsibility for all his cuts to our local authorities.

In his statement, Mr Swinney talked of partnership with our councils. He did not mention that they will have to bear the brunt of his cuts—he did not even have the courage to mention that. He has transferred across the police and fire budget. I ask him to clarify what the real-terms cut to our local authorities is. How many care workers, nursery assistants and bin men are going to lose their jobs? How many older people are going to struggle for support? How many kids' schools will suffer? How do his decisions in any way ameliorate or mitigate the welfare cuts that are being inflicted by the UK Government?

The cabinet secretary is right to say that Scotland's young people are being harshly affected by his recession, so why did he slam the college door shut in their faces with last year's cuts to further education? The £17 million that has been announced this year does not come close to putting that right. Was the finance minister right then and is he wrong now, or is he right now and was he wrong then? He cannot be both.

One of the few scraps of good news in the budget is some help for the housing sector. However, given last year's cuts, the cabinet secretary is not even undoing the damage that he has wrought on the industry. Last year, 12,000 builders lost their jobs due to his decisions. Will he take a leaf out of the Welsh Assembly Government's book and use Government revenue to pay off interest on housing association and council debt, thereby freeing up capital?

Yet again, we have heard from the finance minister the droopy mantra, "It wisnae me." The Scottish people know better: it is him. When will he stop passing the buck, take responsibility for his actions and get Scotland working again?

**John Swinney:** Mr Macintosh asked about local authority funding. Under my stewardship as finance minister, local government commands a larger share of the budget than I inherited from all of his Labour predecessors in Scotland. That is the first myth debunked.

Secondly, let us consider housing. Between 2007 and 2011, the Government invested £2.3 billion in housing in Scotland. Between April 2003 and March 2007, the previous Labour Government invested £1.6 billion. In its last year, the Labour Government built 4,832 houses; in 2011-12, we built 6,882 homes. I will take no lectures about housing from a Labour Party that was so inefficient in house construction that it could not build houses. It needed the SNP to come into office and build houses for the people of our country.

On welfare cuts, I remind Mr Macintosh that he is joined at the hip to the people who are cutting welfare in Scotland. Every one of the Tories and Liberals over to my right is joined at the hip with Mr Macintosh, handing out leaflets together with him in Eastwood. They are cutting welfare and he is allowing them to get away with it.

What are we doing about it? As a result of partnership working with local government, we are putting money in to make up for the cut in council tax benefit. Local government has contributed to that. We are finding solutions for the people of Scotland, not posturing with the Tories like Ken Macintosh. *[Applause.]*

**The Presiding Officer:** Order, order.

**John Swinney:** I will not take a scrap of a lesson from Ken Macintosh about facing up to my responsibilities. I have set a balanced budget in the Parliament since 2007, and his lot has voted against every decent measure that has ever been brought forward. We will face up to our responsibilities and deliver for the people of Scotland. *[Applause.]*

**The Presiding Officer:** Order.

**Gavin Brown (Lothian) (Con):** I thank the cabinet secretary for an advance copy of his statement and the draft budget. I was particularly grateful for an advance copy of the draft budget because I found out on page 158 that the total Scottish Government budget is slightly more than £34 billion. The budget that Mr Swinney inherited in his first full year of office was £31.9 billion, so he has more than £2 billion more at his disposal than when he came to office, but he complains about savage cuts.

At best, the draft budget could be described as an artful budget. Let us consider the central theme of the economy.

On housing, for example, Mr Swinney takes out £100 million—that was not a manifesto promise—and thinks that the construction sector should be grateful because, today, he is giving it £40 million back at a time when it is struggling.

At a time of high youth unemployment, he takes £50 million out of the college sector but thinks that that sector should be grateful because, today, it is getting £70 million back.

There are reductions over the course of the spending review for the enterprise agencies and innovation; there is an enormous hit for rail infrastructure investment; and there are business taxes that were not promised in his manifesto in the form of the retail levy and the proposals on empty property rates.

If we add those things together, how on earth does the cabinet secretary justify his pre-budget

statements about putting every single penny that he can into the economy and being on an unrelenting pursuit of economic growth? The press release and the narrative simply do not match.

**John Swinney:** I will start with the numbers—Mr Brown and I always love to start with the numbers. If Mr Brown looks at page 2 of the budget document—not away at page 158—he will see all the details set out right up there. I have charted out information about the UK Government's spending review settlement and set out honestly and openly the consequentialists that we have had from the UK Government. It is shown that the total DEL budget in 2012-13 was £28.6 billion and it is now £28.44 billion, which is a reduction—a cut—in cash terms.

Mr Brown talked about what I have done with the housing budget. If he would care to look at all the numbers in detail—I am sure that he will do so—he will recognise that I have had to deal with the fact that the UK Conservative Government has reduced our budget for capital purposes by 33 per cent, or a third. That is the irresponsible act that we have had to deal with. There has been a 33 per cent reduction in the Scottish Government's capital budget in the teeth of an economic recession.

If Mr Brown listens carefully to the arguments that I marshal on this whole issue and the arguments that we marshal to the UK Government, he will realise that we marshal an argument that is about capital investment in the long-term future of the economy. That is a responsible thing to do, and I would have thought that the Conservative Government would have been attracted to it in recognising the severity of the economic circumstances. Mr Brown must acknowledge that, when his Government came to power, the forecast for the current growth in the economy was 2.8 per cent and that now, the forecasts range between -0.7 per cent and 0.2 per cent. That is the rationale for investing in capital projects in this country.

Mr Brown asked what I have done to support the economy. Some £2.5 billion of NPD capital expenditure has been brought forward. We have just announced more schools—Mr Russell will comment on that in the next few days—and there is an immediate stimulus for the housing sector. There is an initiative to support the employment of young people in the private sector, and there are all the modern apprenticeships. If my memory serves me right, the Conservatives voted against those. In an act of folly last year, they also voted against the small business bonus scheme.

**Gavin Brown:** Come on!

**John Swinney:** Mr Brown says, "Come on!", but I am afraid that those are the facts. Last year, the

Conservatives voted against the budget and against the small business bonus scheme.

**The First Minister (Alex Salmond):** Bring back Annabel Goldie!

**John Swinney:** The First Minister says, "Bring back Annabel Goldie!" It must have been a sensible leadership that took the decisions in the previous session. The Conservatives have lost their way in this session.

I hope that, in examining the detail of the budget, Mr Brown will acknowledge that I am doing exactly what he demands of me. I am using every lever at my disposal to invest in the economy. That is exactly what I have done this afternoon.

**Willie Rennie (Mid Scotland and Fife) (LD):** I thank the finance secretary for the advance copy of his statement and for the offer of talks yesterday. He knows that, last year, the Liberal Democrats worked constructively to deliver changes to the budget and that we secured extra funds for colleges, social housing and early intervention. I hope that we can work together again this year to protect those gains.

As Gavin Brown said, the budget is £34 billion. It has increased in cash terms, no matter what the finance secretary says about DEL budgets.

Mr Swinney said this morning that he wanted a "relentless pursuit of economic growth",

but the budget is a timid one, which has been proposed by a Government that is focused more on independence than on economic growth. If he was really committed to doing all that he can, he would make the necessary reforms to release £1.5 billion that is locked-up in the accounts of Scottish Water to invest in creating 100,000 new jobs in broadband, science, early intervention and energy efficiency. That is the kind of change that prioritises the economy. Will he make those reforms to release the money to create the jobs, or will he just be timid?

**John Swinney:** I will of course, as my letter to Mr Rennie, Mr Brown, Mr Mackintosh, Mr Harvie and Ms MacDonald yesterday confirmed, engage in dialogue with all the parties now that the Government has set out its proposals, and I will happily take forward those discussions. I would have thought that Mr Rennie might welcome the steps that I have taken to generate maximum impact from Scottish Water, which leverage out resources to be used in support of the economy that previously we did not think we would be able to bring into the budget. I would have thought that Mr Rennie would welcome that.

Mr Rennie again goes through the routine of asking me to privatise Scottish Water, but I have



told him on countless occasions that I will not privatise Scottish Water—not in any circumstances will I do that. Interestingly, when Mr Rennie's idea was put forward by the Liberal Democrats before the parliamentary election in 2011, *The Scotsman* put the proposal to the decision maker on the question, the Chief Secretary to the Treasury, Danny Alexander. *The Scotsman* reported that he

“failed to promise that the £1.5 billion the party—”

that is, the Liberal Democrats—

“claims would be freed up by the sell-off would not be clawed back by the Treasury from the UK government's block grant”.

It is a strange situation where you sell the family silver and do not even get to keep the proceeds. If Mr Rennie will forgive me, I will not take that approach. I will carefully ensure that the public finances of Scotland are marshalled in an effective way to support economic growth. I look forward to any suggestions that he may have as to how that may be enhanced in the weeks to come.

**The Presiding Officer:** Many members have asked to question the cabinet secretary, so I ask that questions be as brief as possible. In that way, I hope to get everybody in.

**Kenneth Gibson (Cunninghame North) (SNP):** I warmly welcome the cabinet secretary's statement. Once again he has produced a measured, innovative and positive budget for Scotland in challenging economic circumstances. He mentioned the need to focus capital investment on shovel-ready projects. Can he elaborate on how he will accelerate capital projects and what they will deliver for Scotland in employment, improved connectivity and growth? Will he tell members how much more he could achieve for Scotland and its people if this Parliament had the economic powers of an independent sovereign nation?

**John Swinney:** I set out in my statement the steps that I have taken—in the spending review last September, in January, in June and now today—to support projects that have been taken forward in all the areas to which Mr Gibson refers. Clearly, the impact of capital spending is felt acutely in the economy and it boosts the construction sector. I was interested very much in the comments of Ken Gillespie of Morrison Construction, who said the other day that

“construction feels that we have a stronger market in Scotland than we have elsewhere in the UK.”

That demonstrates that this Government has attached the priority necessary for capital expenditure and is creating jobs as a consequence.

On Mr Gibson's final point, I am constrained to operate within the resources that are set for me by the UK Treasury. I hope that I have demonstrated this afternoon that the Government is inventive about how we can release more resources to impact on the economy in Scotland. However, if we had the full powers of an independent country, we could achieve a great deal more for the people of our country.

**Richard Baker (North East Scotland) (Lab):** The cabinet secretary talked of the importance of switching £700 million from revenue to capital. Where then is the logic in the Scottish Government's decision to cut £350 million of investment from a vital rail infrastructure project—the Edinburgh to Glasgow improvement programme? That is investment from Network Rail's borrowing capability that trade unions and business organisations have made clear would also have boosted jobs and the economy. That was a shovel-ready project, so why is that one not going?

**John Swinney:** Mr Baker's search for any negative line of argument to put forward is somewhat familiar. He and his colleagues are ignoring the significant investment that Mr Brown talked about in Parliament yesterday, when he said that £650 million is being deployed in the Edinburgh to Glasgow improvement programme. Where is the welcome from the Labour Party for that shovel-ready project?

**Maureen Watt (Aberdeen South and North Kincardine) (SNP):** I welcome the resources that have been allocated to the energy skills academy, which will benefit all learning institutions in the north-east and beyond. Will the cabinet secretary give details of the overall funding package to colleges in the light of his commitments today?

**John Swinney:** The Government's commitments on college numbers will be fulfilled. We have increased resources for student support, which will be taken forward as part of the overall agenda on ensuring that every young person between 16 and 19 has access to an education or training opportunity if they cannot find employment for themselves.

The approach provides a secure foundation for the long-term future of the college sector in Scotland, and is in addition to the significant investment that the Government has made in the higher education sector, which gives the sector a certainty on funding that is not enjoyed by higher education institutions south of the border.

**Rhoda Grant (Highlands and Islands) (Lab):** I, too, welcome the energy skills academy, which I hope will build on the good success rate of North Highland College and Nigg Skills Academy. However, the cabinet secretary will be aware that

there is a shortage of graduate engineers. Will he remove the cap on university places for engineers?

**John Swinney:** I thought that Rhoda Grant was getting into territory that was slightly more positive about what has been said, but there must always be a negative. The Government's commitment to the energy skills academy is just one more illustration of how we are drawing together the work of all higher and further education institutions around the country, in a combined effort to ensure that Scotland can reap the rewards of the renewable energy opportunities that are coming to Scotland as well as the significant opportunities in the oil and gas sector. By working with the energy skills academy and ensuring that there is co-operation between all higher and further education institutions, we can deliver the skills that are required for those key sectors. The resources that I announced today will fulfil that commitment to the people of Scotland.

**Bruce Crawford (Stirling) (SNP):** Given the comments of Morrison Construction's Ken Gillespie about the stronger construction market in Scotland, to which the cabinet secretary referred, does the cabinet secretary think that his announcement today will reinforce such views and encourage the UK Government to follow the Scottish Government's plan of action, which is designed to meet the needs of the Scottish economy and the Scottish people?

**John Swinney:** Mr Crawford will be familiar with the Government's relentless pursuit of capital investment in the economy. In 2011, as we prepared the spending review, we faced a choice: we could follow the Conservatives' argument and accept a 33 per cent reduction in our capital budget; or we could create mechanisms and initiatives through the non-profit-distributing model. Doing the latter has enabled us to maintain the capital programme—for example, Mr Neil announced yesterday works at the Edinburgh sick kids hospital—as well as enabling other developments under the auspices of the SFT.

That is why we have a stronger market in Scotland for construction projects. We have provided the marketplace with continuity, but the Conservatives have damaged opportunities and the Labour Party has opposed us every step of the way as we have tried to build the capital programme.

As the First Minister said at the joint ministerial committee in London yesterday, the UK Government should change course and provide the necessary investment to support a capital programme that can encourage the development of the Scottish economy and create the marketplace that Mr Gillespie talked about yesterday in his interview.

**Mary Scanlon (Highlands and Islands) (Con):** Economic growth depends on a healthy and skilled workforce. Will the finance secretary ensure that more of the preventative spend measures are allocated to mental health services, given the current waiting times of 40, 50 or 60 weeks for therapy and psychological support for children and adults?

**John Swinney:** Mary Scanlon makes a fair point about the importance of mental health, which is an issue that she has championed in the Parliament since 1999. The Cabinet Secretary for Health and Wellbeing will have heard her point and I am sure that he will reflect carefully on it in relation to the direction that is given to health boards and other elements of the health budget. I point out that the Government has, of course, fulfilled its commitment to pass on to the health service the Barnett consequential that we said we would pass on in the 2011 election.

I am sure that Mr Neil will be happy to discuss with Mary Scanlon the point that she has raised.

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** Does the cabinet secretary intend to continue the living wage arrangements for the duration of the spending review? Will he uprate it in line with the living wage campaign's recommendations?

**John Swinney:** I confirm to Mr Beattie that the Government will maintain its commitment to the living wage and that we will uprate it when the appropriate detail is to hand. I expect that to be in November, and I will, of course, report to Parliament at that time.

**Kezia Dugdale (Lothian) (Lab):** Labour has long called for a job creation scheme for young people, so I welcome today's commitment to create 10,000 jobs for young people. Will the cabinet secretary clarify the match-funding arrangements? Will they lead to £30 million of investment in 2013 or 2014? The point was not clear. Will he define what he means by "a job"? Are we talking about full-time, permanent posts?

**John Swinney:** I welcome Kezia Dugdale's remarks; it would have been nice if her approach had been reflected by members on Labour's front bench—I leave that for them to reflect on.

On match funding, there will be £15 million of Government money, which I expect to be matched by European structural fund money. I expect the total pot available for the initiative to be about £40 million to £50 million.

On how I define "a job", this is about creating private sector employment in the country's SMEs, and we will work with the business community and other providers to ensure that we fulfil those commitments.

**Stuart McMillan (West Scotland) (SNP):** Will the cabinet secretary explain how the savings from Scottish Water will be made without any detriment to the capital investment programme?

**John Swinney:** We have given substantial capital funding to Scottish Water in recent years, and the agreed investment programme remains absolutely intact.

In recent years, Scottish Water has become increasingly efficient as an organisation, as I recounted in my statement, and in the procurement of its capital programme. Needless to say, in a time of economic constraint, it is possible to receive more competitive prices for particular contracts. As a consequence, it is possible for Scottish Water to achieve more with less money. Therefore, the investment programme can be delivered without the need for Government investment. The greater priority is to deploy resources in other areas of public expenditure.

That is the approach that I take throughout the annual budget monitoring process, so that I can guarantee that the money that we have allocated has been allocated in the most appropriate and effective way to secure the most effective outcome for the people of Scotland.

**Patrick Harvie (Glasgow) (Green):** The Government has consistently refused to raise revenue and instead simply hands on the UK Government's cuts. The cabinet secretary is now handing on a 1 per cent pay cap, which is exactly the position that George Osborne is taking south of the border. How much negotiation did the cabinet secretary undertake with the public sector unions in Scotland before making the decision on that 1 per cent cap? Will the unions agree it? Are they comfortable with his position of taking money from revenue and putting it into capital—money that could be used to support the lowest-paid public sector workers in Scotland?

**John Swinney:** I looked at Mr Brown as I listened to Mr Harvie say that the Government refuses to raise revenue. Mr Brown complains frequently when the Government tries to raise revenue—for example, through the public health supplement or the changes to empty property tax relief. It is just not the case that the Government is not prepared to raise revenue.

On Mr Harvie's point about public sector remuneration, I accept—as I have done consistently—the difficulties that a period of pay restraint causes for members of the public sector workforce. The Government has attached the greatest priority to the preservation of public sector employment at a time when public spending is under pressure. I have discussed that issue with the public sector trade unions on countless occasions. I saw them before I formulated and

agreed the pay policy with the Cabinet, and I see them regularly during the year.

It would be wrong of me to say what the public sector trade unions' opinion is about the shift from revenue to capital—that is for them to say. I have a duty to find ways in which we can deliver the economic opportunities that the people of our country require, and I think that it is a sensible decision to shift resources from revenue to capital to create such opportunities. I am happy to discuss that point with the public sector trade unions. We discuss these and many other issues regularly.

**Elaine Murray (Dumfriesshire) (Lab):** The £40 million of additional investment in housing is welcome, but the affordable housing supply budget fell by £86 million between last year and this year. The table on page 116 of the draft budget shows that spending on housing and regeneration is reducing in real terms, and the official housing statistics for Scotland show that the rented social housing figure fell from 6,099 in 2010-11 to 2,948 in 2011-12. How much of the £40 million will be made available for social rented housing? Will the Scottish Government rethink the level of housing association grant subsidy that is made available to councils and registered social landlords?

**John Swinney:** Dr Murray's last point is the most revealing one, because it gets to the heart of the point that I made to Mr Macintosh earlier. In the final year of the Labour Government, £562 million was spent and only 4,832 houses were completed. In 2011-12, £352 million was spent by this Government—I readily concede that that is a much smaller sum of money—but it built 6,882 houses. *[Interruption.]* Mr Neil points out that they were higher-quality houses.

My point is this: what our constituents are interested in is whether the Government can create the incentives and mechanisms that are necessary to build the houses that people need. The Labour Party must move on and realise that we need to deliver effective value in our public expenditure. I think that this Government is delivering exactly what the people expected. We said that we would deliver 30,000 affordable homes during the parliamentary session, and we are on course to deliver that commitment to the people of Scotland. The prediction was that it would require £610 million of expenditure to fulfil that Government commitment. We have allocated £760 million over a three-year period, so the Labour Party should just accept that what the Government is delivering in its housing programme represents greater and more effective value in constructing the houses that the people of Scotland need.

**Kevin Stewart (Aberdeen Central) (SNP):** The cabinet secretary has outlined new funding for youth employment, which I am sure will be welcomed by young people and SMEs in my constituency and across the country. What will all that funding deliver? What is the cumulative spending on providing opportunities for our young people?

**John Swinney:** The sum of money that will be involved in all the opportunities that are being created for young people in Scotland will be in excess of £1.4 billion. That includes a combination of our spending on higher and further education and some of the programme spending that I have announced. We are taking forward a multiplicity of interventions, whether through the provision of 25,000 modern apprenticeships—that was exceeded this year—the college places that we have put in place or the new employer recruitment initiative that we have set out. Mr Stewart can be assured that the Government attaches the highest priority to creating opportunities for young people in Scotland, and we will continue to do so.

**Neil Findlay (Lothian) (Lab):** By reinstating some of the cash crudely hacked out of the colleges budget, the cabinet secretary has admitted that the policy direction has been wrong. When will he overrule the Cabinet Secretary for Education and Lifelong Learning, reinstate the rest and give hope to the 10,000 young people on college waiting lists?

**John Swinney:** The education secretary and I work very co-operatively on trying to find the best way forward for the college sector in Scotland. Mr Findlay has to accept, as the colleges of Scotland have all accepted, the need for reform in the way in which colleges operate. We need to focus more on the needs of the individuals who are going through the learning experience so that we are able to provide opportunities for the people who are available and able to go to college.

On opportunities for young people, under this Government, for the first time ever, young people between the ages of 16 and 19 have a guarantee that they will have an education or training opportunity if they cannot find one of their own free will. I would have thought that Mr Findlay might have accepted and acknowledged that as a step forward for the young people of Scotland.

**Annabelle Ewing (Mid Scotland and Fife) (SNP):** On the key issue of the health service, can the cabinet secretary confirm how the Government has managed to continue its policy of protecting front-line NHS budgets?

**John Swinney:** As I confirmed to members earlier, the passing on of Barnett consequential to the health service is set out in the health budget arrangements. Within that budget, greater priority

has been given to the funding available to the territorial health boards in Scotland. As a consequence, there is a strong funding settlement in the budget to support the delivery of activities by Scotland's health boards in every community of our country.

**Jackie Baillie (Dumbarton) (Lab):** The Royal College of Nursing says that nursing levels are at their lowest point since 2005, with almost 2,500 nurses having been cut and patient care suffering. Today, the First Minister pledged his support for nurses. Will the cabinet secretary tell me how the real-terms reduction in the health budget that is set out in table 3.02 is consistent with the First Minister's view? How many more nurses and other NHS staff will lose their jobs as a result?

**John Swinney:** As the First Minister pointed out during First Minister's question time, Scotland has more nurses per head of population than any other part of the United Kingdom.

After Jackie Baillie's contribution to last year's finance debates, when she managed totally and utterly to contort—to a quite ridiculous extent—the proportion of our budget that was going into preventative expenditure, I will take no lessons from her about numbers.

**Margo MacDonald (Lothian) (Ind):** I thank the cabinet secretary for prior sight of the statement and his billet-doux of yesterday. I will be at him later, though, to suggest some spending for very good community sports projects.

I want to ask about the inflation rate in the NHS, which has been consistently two to three times more than that in the retail prices index and the consumer prices index, thus eating deep into NHS cash. Is it not time that the Government told private finance initiative groups that we can no longer afford to keep paying them the extortionate rates that they are extracting from the cabinet secretary's budget. I suggest calling them all in and telling them—especially the banks among them—that we are all in this together and that they will have their payments reduced, as workers and benefit claimants are having their incomes reduced.

**John Swinney:** Margo MacDonald has put forward a pretty good idea. If she would care to join me for the encounter, she would be very welcome.

In all seriousness, as I think Margo MacDonald knows, I have explored very carefully the nature of the contractual commitments that have been made under PFI schemes. If I could unpick any of those schemes I would, but they were so appallingly badly negotiated by my predecessors that in many cases the owners of those PFI contracts have the exclusive right to determine whether there is even a negotiation—I cannot insist on a negotiation in

some cases. Even if there was a negotiation and a change of financial arrangements, my predecessors negotiated the right for the owners of PFI contracts to retain some of the proceeds. I do not think that my predecessors did a very good job of negotiating PFI contracts.

**Neil Bibby (West Scotland) (Lab):** If the SNP is so concerned about accelerating capital spend, why did none of the cabinet secretary's SNP MP colleagues attend Monday's debate on the Infrastructure (Financial Assistance) Bill in the House of Commons?

The cabinet secretary also mentioned early years and children. Given the £4 million cut to the Scottish Government's children and families budget set out on page 58 of the budget document—not to mention the budget pressures on local authorities, which provide children's services—can he explain in more detail how he thinks this budget is good for Scotland's children?

**John Swinney:** The budget is good for Scotland's children because it draws together essential work on supporting children, particularly in the early years—as I set out last year in introducing the early years change fund—undertaken by local authorities, health boards and other key partners in the process to ensure that children in their early years get the most effective and joined-up support that they can obtain in our country. The Government has created a framework that brings together all the key partners to deliver the best options and solutions for our country's children.

**The Presiding Officer:** That ends questions on the budget statement. We move—

**Patrick Harvie:** On a point of order, Presiding Officer. I want to raise a point of order under rule 5.8 of our standing orders, which sets out that

“the Parliamentary Bureau shall ensure that sufficient time is set aside ... for consideration of draft budgets”.

As a member who is not represented on the bureau, I seek your assurance as to how that will be interpreted.

In last year's Finance Committee report on the budget, it was agreed that there was a need “to improve the presentation” of the climate change aspects of the budget and that, in particular, there was a need for a “read-across between relevant documents”—in other words, between the Government's report on proposals and policies under the Climate Change (Scotland) Act 2009 and the draft budget. Indeed, I see from one of the budget documents that were provided to members just an hour ago that the Government agrees. It says:

“this assessment needs to be read alongside the analysis contained in the Report on Proposals and Policies”.

Committees are being told to expect the RPP issued under the 2009 act some time in November. Will you ensure that when the Parliamentary Bureau sets aside “sufficient time” to consider the draft budget, that is understood as setting aside sufficient time to consider both documents together, as the Finance Committee and the Government have agreed is necessary?

**The Presiding Officer:** I thank Patrick Harvie for giving me notice of his point of order, which has enabled me to give the matter careful consideration.

Scrutiny of the Scottish Government's budget is a very important part of the Parliament's work. The process for considering the draft budget is set out in standing orders and business managers will in due course consider the timetable for its consideration under rule 5.8. The requirement on the Scottish Government to lay a report in Parliament on climate change policies and proposals is set out in the Climate Change (Scotland) Act 2009; there is no requirement in the act for the report to be published alongside the draft budget, although I accept that the member is entitled to make a case for that to happen and that he cites the Finance Committee's views on the matter. I suggest that the member raises his point with the conveners of the two relevant committees and any other relevant subject committee that might wish to make a case to the Scottish Government before the bureau considers timetabling matters.

## Community Sport Inquiry

### The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-04179, in the name of Duncan McNeil, on the Health and Sport Committee's inquiry into support for community sport. We are very tight for time and I call on Duncan McNeil to speak to and move the motion in a tight 10 minutes.

15:35

**Duncan McNeil (Greenock and Inverclyde) (Lab):** Today we have deliberately moved the goalposts, Presiding Officer, but at least the playing field is level—and, if you are lucky, it is even a state-of-the-art 3G playing field.

I should explain that this debate on grass-roots sport comes not on the back of a published report, but midway through an inquiry by the Health and Sport Committee. It is not the first time that a parliamentary committee has sought wider input in this way—my colleagues on the Education and Culture Committee would confirm that—but it is a first for the Health and Sport Committee. I would like to give a sense of the evidence that we have heard to date and I hope to do that within the allotted time.

The message is that the committee welcomes members' views, whether they are those of back benchers, ministers, or members of the cross-party group on sport. I am confident that the redoubtable convener of that group will have a thing or two to tell us later.

I do not know whether any members went along to salute our Olympic heroes in Glasgow or Edinburgh last weekend or were among the 15,000-plus who turned out to welcome Andy Murray home. That inspiration, bounce and energy is something that we all want to continue into the build-up to Glasgow 2014. It was well described by a witness from Active Stirling, who told the committee about Andy Murray tweeting his 400m "split time" as compared with Mo Farah's. It caused quite a stir online, apparently. The witness also said:

"It is not about someone trying to be a gold-medal tennis player or 10,000m athlete, but it is vital that we capture the motivation that performance sport can give to physical activity."

There was mention of a "double-strand pathway", which sounds high-falutin', but just means both focusing on the elite side and ensuring that my granddaughter will still want to go swimming when she is a teenager.

Our inquiry addresses three policy strands: the contribution of volunteers, the impact of sports clubs on their communities, and the importance of

facilities—or, if you prefer, people, participation and places. It is people—the volunteers and the can-doers—who make community sport what it is.

A gentleman from Argyll and Bute Council told us:

"community sport hubs are not about buildings ... They are about people".

Leisure and Culture Dundee said that sports development through the hubs was about nurturing volunteers to pursue their

"ambitions, dreams, visions, and aims".—[*Official Report, Health and Sport Committee*, 4 September 2012; c 2525, 2520.]

We were told that volunteers should be given clear information about what was being asked of them and what they could expect in return. Atlantis Leisure, which is widely seen as a paragon of community-led facilities, talked about taking

"the pain out of volunteering".

Its chairman told us that if administration was the issue, it would do the administration. He also said:

"If the netball girls said, 'We'd love to get new tunics, but we can't afford them,' we would get them tunics."—[*Official Report, Health and Sport Committee*, 11 September 2012; c 2585, 2586.]

He said that small things made a big difference.

Other witnesses spoke of the social value of local clubs. We were told that the clubs provide a network of volunteers, foster a sense of belonging, and bring people together through a sense of pride and collective purpose. It was even suggested that their strength can provide an indication of the levels of wellbeing in our communities.

Development of community sport hubs is the prevailing direction of policy, and we heard much that sounded positive in that regard. However, several witnesses advised us not to overlook the clubs and individuals—who we all know about—that do valuable work outside that model.

It is crucial that we increase participation, particularly among hard-to-reach groups such as young people in deprived areas, teenage girls, black and ethnic minorities, people with disabilities, those who have been put off sport at school and the older generation.

It was Mark Twain who said:

"I am pushing 60. That is enough exercise for me."

That might be apt in my case. However, as more of us live longer, such a view becomes less tenable. Indeed, one witness talked about a demand from the over-60s and over-70s for something called walking football, which, given his recent five-a-side injury, might be something for my deputy convener. I do not know what Bob

Doris would say to that—I think that he already practises it.

**Margo MacDonald (Lothian) (Ind):** For the member's information, I think that there are already volunteers available to take people through walking football. They are called Rangers.

**Duncan McNeil:** Margo MacDonald will not draw me on that one. I am feeling enough hurt as it is. I am still not ready to talk about it, and certainly not publicly.

We were told that accessibility is not just about affordability or proximity. A witness said that it is also about

“allowing people who are entering their working lives, and beyond that, to find time in their day to take part in sport.”—[*Official Report, Health and Sport Committee*, 11 September 2012; c 2608.]

At the other end of the age spectrum, Swimming Scotland reported that 25 per cent of children leave primary school unable to swim, and that that figure is highest in poorer areas. One of Save the Children's Scotland's ambassadors, 16-year old Stefanie, said:

“We're just asking for the opportunity to swim ... this is really important because it means you can stay safe, fit and connected.”

Teenage girls are one of the groups that it is notoriously hard to get into sport. NHS Scotland therefore chose to try something different in putting together the fit for girls project. Rather than seeing the girls as the problem, it asked whether it might not be better to seek their buy-in at the point of design. The Robertson Trust echoed the approach, pointing to the success of its girls on the move initiative, which it said was achieved by allowing the target group to have a say in the development of the programme in a way that ensured that the girls were able to take part in activities that were of interest to them, such as dance, boxercise and yoga. The result of that approach was an impressive rate of continued participation, promoting personal development alongside the girls becoming more active.

We frequently hear that there are not enough facilities, that they are expensive, that they are difficult to reach, or that they are of poor quality. Access to the schools estate and the facilities that are springing up appears to be a recurring theme in our evidence. Sportscotland is to report on the matter, and that report will be keenly read, even if it is published outwith the timeline of our inquiry.

Schools are part of what is out there—or, perhaps, what is not out there. I was amused to read a submission from Ayr United football academy. Asked to list three issues about facilities, it wrote:

“1) Lack of, 2) lack of, and 3) lack of—in no particular order!”

Surely we can address some of those problems.

Of course, even when there is somewhere for people to go, there is a concern about how the place will be treated. The secretary of Broxburn United Sports Club was relieved to report that his fears had gone unrealised. He said:

“When we built the new facility, I was really worried about vandalism, but nothing like that has happened ... in the two years since it opened. It has been great, and the kids treat it as their place now”.—[*Official Report, Health and Sport Committee*, 11 September 2012; c 2605.]

Before I finish, I want to touch on a theme that recurs through much of the committee's work: preventive health.

**The Deputy Presiding Officer:** It is your last minute.

**Duncan McNeil:** I should recognise that you have blown the final whistle and sit down.

**The Deputy Presiding Officer:** No, you have another minute.

**Duncan McNeil:** In that case, I will address the issue of preventive health.

A number of witnesses mentioned the idea of general practitioner referrals to sport, but the most progress has been made by Atlantis Leisure. Its chairman told us that although the project was only a year old, the results were already “stunning” and he described the project as “a game changer”.

I am conscious that a lot of our evidence so far has come from exemplar organisations. I think that committee members would agree that their enthusiasm and what they achieve in our communities comes across in their evidence. Their enthusiasm is infectious. However, we must recognise that we are dealing with the enthusiasts—the really committed people who are delivering.

I will definitely sit down before the Presiding Officer blows the final whistle.

I move,

That the Parliament notes that the Health and Sport Committee is undertaking an inquiry into support for community sport, focusing on the contribution of people, particularly the role of volunteers, the contribution of local sports clubs, both to the preventative health agenda and their communities, the role that community sports hubs should play in encouraging sport in local communities and the importance of places for sport in terms of availability, accessibility, affordability and the quality of facilities, and that, in order to inform its final report, the committee would welcome the views of all members on these key themes and what has emerged so far in evidence.

**The Deputy Presiding Officer:** Thank you very much. We are incredibly tight for time.

15:45

**The Minister for Commonwealth Games and Sport (Shona Robison):** I am very pleased to take part in the debate and welcome the Health and Sport Committee's inquiry into community sport.

I had the great privilege of attending the Olympic and Paralympic games. There were, of course, a considerable number of outstanding performances in both. As a nation, we saw some great performances from the Scottish Olympians within the team. Those athletes have inspired many to set themselves goals, work hard and be all that they can be. Of course, it is now about keeping the momentum going for two years towards 2014.

I was particularly pleased to hear in John Swinney's budget statement that we have an additional £1 million to support our athletes as they prepare for the games in two years' time.

One of the abiding memories of London 2012 is the contribution that was made by the volunteers—the games makers—and it was good to see many of them at the parade last Friday. The army of volunteers gave their time freely to support the delivery of what was undoubtedly the most successful Olympics and Paralympics ever.

There are undoubtedly lessons to be learned as we take forward our preparations for 2014 and reflect on the role of volunteers more generally. I know that the role of volunteers is an important area for the inquiry, because we must not underestimate the impact of volunteering in sport. Volunteers make a vital contribution to sport daily, from washing strips to sitting on the boards of governing bodies—it is all important. The voluntary sporting community comprises about a fifth of the population, who are members of Scotland's 13,000 sports clubs. That is an enormous effort and a cause for celebration—I reiterate that it is a key priority for the Scottish Government as we head towards Glasgow and beyond.

Sportscotland is working in partnership with Volunteer Development Scotland and other key stakeholders to ensure that the volunteer workforce is recruited, trained, supported and rewarded for its valuable contribution to Scottish sport and wider civic society. We cannot take volunteers for granted and we must ensure that we support them as best we can.

Elite athlete performance has been the focus of attention over the past few weeks as a result of the great performances that we have seen, but the most important outcome from 2012 and 2014 is the legacy and ensuring that Scotland becomes a more active nation. The need to tackle levels of inactivity in the population is well known. Although 72 per cent of young people meet the

recommended levels of activity, only 39 per cent of adults do. Of course, older adults are even more of a challenge.

**Hanzala Malik (Glasgow) (Lab):** Will the Government consider rolling out free places for our schools to enable youngsters to participate in sporting activities? More important, will the Government ensure that all the small groups and clubs throughout Scotland have facilities given to them free of charge until the Commonwealth games? That would be a good pilot project to enable us to see whether youths take up sport and to establish the benefits that would be created if we continued such an initiative in future.

**Shona Robison:** The community sport hubs are part of the solution to that, because one of sportscotland's requirements for a hub and the partners within it concerns affordability and ensuring that affordability issues are not barriers. It is not just a case of affordability; we need to ensure that hubs and the clubs within them are welcoming to everyone. That welcome is as important as the money or the physical access.

Physical inactivity kills more people worldwide than even obesity or alcohol excess. It is the cause of some 2,500 deaths a year in Scotland, costing the NHS more than £90 million a year. There is a big gain for us if we can get people to be more active. Progress is being made on the national physical activity implementation plan that I announced in May. That will explore opportunities to embed physical activities in all areas of Government policy. One such initiative is our investment in paths for all, which has succeeded in making 10,000 people a year more active through walking—a very simple activity. I was very pleased to hear John Swinney's commitment in the budget of £6 million additional funding for cycling initiatives, given that cycling is another easy way to encourage people to be more active.

Increasing opportunities for everyone to be more active lies at the heart of our legacy ambitions and sport has a role to play in that effort. Community sport hubs are very important and I was pleased that Duncan McNeil referred to the hubs in positive terms. In my view, they are the answer to unlocking some of our resources, whether that is in the schools estate or in clubs. We need to open those doors to wider membership.

The community sport hubs are very well located in the heart of communities. Our priority is to have 150 hubs established by 2016, with at least 50 per cent based in schools. Sportscotland is making great progress in supporting local authorities. A total of 66 hubs are now up and running, offering a wide range of sporting activities.



**Jenny Marra (North East Scotland) (Lab):** A number of community sport hubs are looking to take over buildings that are owned by city councils, for example in Dundee. I am sure that the minister knows about that. Will she work with the local authorities to make it easier for them to buy those facilities from the councils?

**Shona Robison:** We have begun to do that, and there will be further announcements on the community management fund in due course.

I highlight the importance of schools. We are making very good progress in the area of physical education and active schools, but there is more to be done. I announce that we will be developing a new sports strategy that is designed to increase activity levels among young people. Included in that strategy will be an examination of the role of competitive sport. I want to involve a new youth sport panel—many of whom have joined us and are in the gallery today—to help us inform and shape our policy on sport and physical activity. I hope that that initiative will be welcomed. I would be happy to speak to the committee about it in more detail when I give evidence next month.

Thank you, Presiding Officer. I look forward to hearing the comments of members across the chamber.

**The Deputy Presiding Officer:** I call Patricia Ferguson, who has a very strict five minutes.

15:53

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab):** I congratulate the Health and Sport Committee for holding this short debate and for the inquiry that it has commenced. I also congratulate the convener on his excellent exposition of the issues under consideration.

This has been a remarkable summer of sport, with tremendous athletes—too many to mention individually—participating in the Olympic and Paralympic games. As if that was not enough, Andy Murray proceeded to complement his Olympic medals with his first grand slam trophy.

Even great athletes have to start somewhere, and over the years I have listened to many of them talk about how their careers began. For some, it was an enthusiastic teacher at school who spotted their potential and for others, a parent encouraged them to get involved. For many, a particular coach whom they encountered early in their career set them on the path to success.

Not everyone will be willing or able to make a career in sport, but coaching staff are also crucial to the enjoyment of sport. I suggest that the committee give, in its deliberations, serious consideration to the role of coaching staff. Many are volunteer workers or parents who have taken

on the role because of the interest of their daughter or son. I cite as a good example Sapphire-Gymnastics Club in Glasgow, which is run by parents and has its own mums' gymnastic display team. We require coaches to be checked by Disclosure Scotland and we want them to be trained to a level that allows them to safely operate in their sport and it should not be any other way. It is a facility that all Scotland will be proud of. However, do we support people enough in the process? Is gaining qualifications too expensive for them? Is there a way to help them to continue and to recruit others to share the job?

Facilities are also key, and nowhere are they more important than in our schools. A school can be the community hub that supports an area's sporting life. In my constituency, John Paul academy now operates its own football academy for pupils. The minister might like to visit that, in connection with the announcement that she made today. That football academy is possible only because the school has the pitches for it and has extremely enthusiastic staff and pupils. I am sure that the committee will look at the availability of facilities and the cost to clubs of using them.

Duncan McNeil was right to mention the issue of encouraging women and girls to remain active throughout their lives. For many women and girls, the lack of quality changing accommodation to accompany what might be good playing fields or other sporting facilities can be a serious deterrent.

We have in my constituency the possibility of a paddle-sports centre being created on the Forth and Clyde canal, which would give people the opportunity to become involved in canoeing and kayaking. If the funding applications succeed, that facility could also help to keep elite paddlers in Scotland, as they would no longer have to enrol at the University of Nottingham to use the facilities there. The flexibility of facilities is also important.

As Duncan McNeil and the minister said, and as is identified in the motion, sport hubs are valuable tools. However, when we consider that the number of sports clubs in Scotland is at least 80 times greater than the number of planned hubs, it is clear that a lot more needs to be done to support our local clubs.

I said at the beginning of my speech that the committee is to be congratulated on securing this debate on grass-roots and community sport, and it should be, but I am genuinely disappointed that the Government has not yet arranged a debate that would give us all the opportunity to celebrate the outstanding achievements of our athletes in the Olympic and Paralympic games and, of course, Andy Murray's first grand slam victory.

The 80,000-plus people who turned out in cities across Scotland last weekend demonstrate that

enthusiasm has not waned, so I respectfully ask the minister to agree to a debate at the earliest possible opportunity—perhaps one without a motion, so that we need not divide.

**Bruce Crawford (Stirling) (SNP):** Will the member take an intervention?

**Patricia Ferguson:** I am in my last minute.

Such a debate would give us all the opportunity to celebrate this wonderful summer of sport and to discuss in a serious and considered way how we can harness all the interest and enthusiasm in order to ensure that Scotland has a sporting legacy that takes us to the Commonwealth games in 2014 and the youth Olympics in—I hope—Glasgow in 2018, and which leads to us all becoming part of a fitter and healthier nation along the way. I wish the committee well in its deliberations.

**The Deputy Presiding Officer:** Nanette Milne has a strict five minutes.

15:58

**Nanette Milne (North East Scotland) (Con):** Now that we are halfway through the Health and Sport Committee's inquiry into community sport, and now that governing bodies, clubs and participants in sport have made us aware of many of the issues that affect the success of community sport, I am pleased that we are having the debate, which gives members who are not on the committee the opportunity to present their thoughts on how we should encourage and support sporting activity in our communities.

Surely there could be no better time for looking at how we provide sporting opportunities for people of all ages in Scotland. We have a serious and increasing obesity problem, even among children and young people, and far too few of us achieve even the recommended minimum level of activity each week, despite knowing that a lack of physical activity is the greatest contributor to coronary artery disease.

Despite that background, we have just enjoyed a summer of fantastic sporting success in the United Kingdom, in which Scottish athletes featured highly on the Olympic medals table and which culminated in Andy Murray's enormous achievement of winning the 2012 US open.

We saw the excitement last week in London as the Olympians and Paralympians toured the capital city. On Sunday, large crowds of people were out in Edinburgh to applaud Sir Chris Hoy and other Scottish athletes. In Dunblane, the excitement of youngsters as they queued to meet Andy Murray was palpable. However, that buzz will fade. It might not happen until after the Commonwealth games, but fade it will, unless we

take steps to involve many more people in sporting activity.

Many of the people who have given evidence to the committee have stressed that activity must start in childhood and must be fun for participants. As Kim Atkinson of the Scottish Sports Association said:

"Primary schools provide the opportunity for ... every young person to be physically literate—to run, jump, throw, catch and swim ... if being regularly active is a cultural norm for children ... if it is fun and they develop confidence, that is a great start. If they decide in later life that they want to take part in sport A or activity B, they will have the skills and confidence ... and they will think that taking part will be fun."—[*Official Report, Health and Sport Committee*, 4 September 2012; c 2509.]

However, there are at present not enough qualified PE teachers in Scotland to help our youngsters to achieve physical literacy. There are only 1,500 full-time qualified PE staff in post, which is a drop of 7 per cent since 2007. That must be a concern for a Government that aims to ensure that all primary school pupils receive two hours per week of formal PE, and which has preventative spend as a key commitment.

It has been estimated that increasing physical activity by 1 per cent per year for five years would save nearly 160 lives per year, so increasing levels of participation in sport and physical recreational activity must be the cornerstone of discussions on a strategy for sport, and must link in with other policy areas such as health, education and the local environment.

Much of the evidence that the Health and Sport Committee has received so far has focused on two issues: volunteering and the development of community sport hubs. Volunteers are the lifeblood of the 13,000 sports clubs in Scotland, and they provide coaching, competition and development opportunities for young people at community level. Many do not even view themselves as volunteers, but merely as friends or relatives of club members who are just helping out. Skills of all kinds are required, including coaching, fundraising, secretarial work, training and participation in governance.

There are barriers to volunteering that could easily be overcome, such as a perceived lack of time, a lack of knowledge of how to get involved and a lack of confidence or support to start volunteering. The Scottish Sports Association is calling for more businesses to become involved by allowing employees time off for volunteering through a programme of employer-supported volunteering. That could be particularly useful in more deprived areas where it is harder to recruit volunteers.

Interest is growing in community sport hubs, which bring together in one place local sports

clubs, volunteers and other local groups such as schools and youth organisations to share facilities and information on becoming involved, and to provide access to local people. There are already a number of very successful ventures, which have inspired more and more local people to become involved in increasing numbers of activities. Those ventures should be used as role models to improve access and facilities throughout Scotland.

I like the suggestion from the Paths For All Partnership, that consideration be given to renaming community sport hubs as active community hubs in order to maximise accessibility, on the assumption that physical activity will stimulate further interest in sporting activity for people of all ages who might otherwise never become involved.

We live in potentially exciting times for our nation's health and wellbeing. I hope that the committee's inquiry will help to inspire communities to build on the excellent examples that already exist and to achieve a legacy of a fitter, happier, active and more community-spirited nation as an appropriate tribute to the recent successes of our magnificent sporting heroes.

**The Deputy Presiding Officer:** We move to the open debate, which is oversubscribed. I can give members a maximum of four minutes at present, but if they were to take a bit less time I would appreciate it.

16:03

**Richard Lyle (Central Scotland) (SNP):** As a former member of the Health and Sport Committee, I welcome the debate on support for community sport, and I compliment the convener and deputy convener on bringing the matter to the chamber.

Sport is the lifeblood of any nation. In Scotland, there are many sports, which are run by thousands of volunteers. I am informed that there are nearly 13,000 clubs and 150,000 volunteers running various sports clubs throughout Scotland. Volunteers are the unsung heroes and deserve all the help that Parliament can give in order to ensure that they can all take part in their sports, and to ensure that volunteers are encouraged. I welcome the committee's inquiry.

I welcome the support that the Scottish National Party Government is giving to sport through various projects, and the substantial funding that has led to much-needed facilities being built throughout Scotland. I compliment sportscotland on what it has given to and done for various clubs in Scotland.

Over the summer I was able, along with other members of the Health and Sport Committee, to

visit facilities that are being built in the east end of Glasgow to accommodate the 2014 Commonwealth games. The Commonwealth sports arena is a facility that will serve the people of Glasgow well, as it incorporates the Sir Chris Hoy velodrome, a sports track, sports halls, a sauna and a plunge pool. I am sure that members will welcome the millions of pounds that have been spent on the Glasgow area, and I am sure that the facilities and houses that have been built will enhance the life of people in Glasgow as a whole.

The Government has also provided significant money for the establishment of sport hubs, with nearly 141 to be opened. Sport hubs are a welcome addition to the facilities that are already available in schools. Most hubs have been implemented through the work of councils, and I commend the minister for her work in that field. Pardon the pun, please.

I note that the number of sport hubs that are to be provided is to be increased. I agree with sportscotland that every effort should be made to raise the number above even that. I quote the comments of Stewart Harris of sportscotland, who has said that he wants to be greedy:

"Every single secondary school in Scotland would be a Hub of some sort not just for sport but for ... community activities."

The governing bodies are doing a huge amount of work to support volunteers through partnership programmes and with support from sportscotland, working with local authorities and sports councils. Let us also not forget the work that is being carried out by NHS Scotland, which is adding in the design of sport hubs as a health-promoting resource that provides access to advice about smoking—I should maybe take that advice—healthy eating and alcohol. E-learning resources are also providing individuals with support and advice on the benefits of physical activity.

I think that I am going to beat four minutes, Presiding Officer.

Everyone must commit to aiding in the promotion of sport, and in helping in the work that is done by thousands of volunteers. I compliment the Health and Sport Committee on an excellent report.

**The Deputy Presiding Officer:** Many thanks. I am most grateful.

16:06

**Kezia Dugdale (Lothian) (Lab):** I welcome the opportunity to speak in the debate this afternoon. I also welcome the community sport hubs, which are a critical part of the agenda.

However, I will speak about the 13,000 clubs throughout Scotland that are a step below the hub

model, or would not benefit directly from it at the moment. I will talk about two clubs in Edinburgh with which I work closely. The first of those is Lochend Youth Football Club, which has huge ambitions to grow and develop as a local club. It is just 10 minutes up the road and has a fantastic view of the Salisbury Crags—it is a great place to visit if the minister is ever short of places to go.

The club is desperately keen to take more ownership of the facilities that it uses. It currently has its eyes on the Seafield pitches down in Malcolm Chisholm's constituency, which are currently run by Edinburgh Leisure. The club would like to take ownership of those pitches, as it is the only club that uses them just now and believes that it could run and maintain them better. Crucially, it would not have to pay the extortionate letting fees week after week. The club could do so much more with the facilities if it ran them, and as a Co-operative Party-sponsored MSP, I could not agree more with that. I will work directly with the club to help it to realise that ambition. That will be easier now that City of Edinburgh Council is run by both Labour and the SNP, who are committed to a co-operative council agenda.

The club could also be assisted greatly by the Government's move towards community ownership. There are many good examples throughout Scotland of clubs taking ownership of the facilities in which they operate, but the examples have often been born of crises, for example when a facility is closed by a local authority or needs help. We should see that agenda as being a progressive step for all community sports facilities. It should not be just about the crisis point; it should be about the development of clubs and helping them to become sustainable in their own right.

In June last year, the sport minister announced a community ownership support scheme worth £500,000 of funding. I asked the Scottish Parliament information centre to dig out a bit of detail about whether that money had been allocated yet. Sportscotland seems to think that it is coming in its direction, but it is not sure when and it does not really know whether it will administer the fund or when it will be able to start giving out that money. In fact, sportscotland is beginning to think that it might be linked to the Government's proposed community empowerment and renewal bill, which has now been delayed for a further year. So, it could be up to three and a half years before any of that money lands in the hands of the people who desperately need it. Can the minister comment today on how quickly clubs might be able to aspire to access that cash? It would be very welcome.

The other club that I will talk about is the City of Edinburgh Basketball Club, which is based in

Portobello high school. It has its own problems at the moment, because Portobello high school desperately needs a school building and there is a huge debate about the site for the new school. I am doing everything that I can to support it in finding a site. The City of Edinburgh Basketball Club has a huge number of young teenage women participating in a competitive team sport. That is fantastic and we should do everything that we can to support them. The club wants to grow and to have a more sustainable future. It is considering becoming a social enterprise so that it can access more pots of cash.

I am trying to bring together Lochend Football Club, the City of Edinburgh Basketball Club and Lochend Amateur Boxing Club into one east end team sport effort, so that I can help them to access funding streams that are currently just for multi-sport clubs.

There is a development worker in Social Enterprise Scotland who focuses on sports development. She does a fantastic job, but her post will exist for only six months more. It is part funded by sportscotland and part funded by the Robertson Trust, but I understand that the trust has removed half the funding for the future. The fact that the person who is charged with enhancing the sustainability of sports clubs is about to have her post taken away speaks to the issues that we are addressing. I would really like the minister to commit to extending that post and to addressing some of the issues that I highlighted.

16:10

**Gil Paterson (Clydebank and Milngavie) (SNP):** When taking evidence on support for community sport, the first and most vital factor that strikes us is that, without the army of volunteers, sport—and, for that matter, healthy activity—would grind to a halt.

We are blessed with 150,000 registered sport volunteers in Scotland, but it was evident from what sporting agencies, sporting professionals and volunteers who are involved in sport told the committee that, over and above those 150,000, there are many mums, dads and others who provide significant assistance but do not consider themselves to be volunteers.

One approach taken by those who seek to encourage more volunteering is to target parents who participate in sports in which their children are involved. Those parents have a number of skills that are invaluable but, sadly, once their children move on or give up on the sport, the parents also drop out. The aim is to find ways of encouraging them to continue to participate long after their children move on. One way to do that is to work

across sports, drawing on the strengths in one organisation or sport and spreading them across a host of others. That cuts down on duplicated models and ensures that the small pot of dedicated volunteers with experience is not spread too thinly.

Sport hubs provide an excellent opportunity to gather the best of volunteering talent from across the community so that the back-room staff—or, if I can use the term loosely, the voluntary administrations—are not duplicated sport by sport or club by club. Hubs also enable the use of facilities to the fullest capacity and ensure that they are as accessible as possible. For instance, if a school that is full of equipment, playing areas and gym halls is used only during school hours, that is a waste of scarce resources that could bring much benefit to the wider community.

Of course, there are barriers to be overcome if we are to use such facilities fully. School buildings that were built through the public-private partnership are an obvious example. The cost of hiring out space and equipment in such buildings is vastly overinflated, which is a clear barrier to local clubs. Also, some local authorities can be too precious about the use of resources in a school and restrict the times when the facilities are available or who is permitted to use them in the first place.

Sometimes, people in power take their eye off the ball and do not realise that schoolchildren need to be catered for not only during school hours, but outwith those hours. However, if schools truly become part of the community, behaviour in school and towards schools will be positive. An added benefit is the prospect that, if encouraged from an early age through school or local clubs, people will engage in long-term activity that will enhance their lives and lead to their volunteering in later years.

I was extremely impressed by the genuine enthusiasm and commitment of those from across the sector—the professionals, individuals and volunteers—who gave evidence. Their enthusiasm was palpable. The Parliament should recognise the hard work and commitment of professionals and volunteers that keep Scotland active.

I support the motion.

**The Deputy Presiding Officer:** I must point out to members that there really are no extra seconds available.

16:14

**George Adam (Paisley) (SNP):** I, too, welcome this debate on the Health and Sport Committee's inquiry into support for community sport. My time on that committee was oh so short. I was a

member for only two meetings, one of which was about this inquiry. I was there when Duncan McNeil heard about walking football for older people. I have been told that I have had that style of play for a number of years. It might be something to do with age.

I have been quite interested in getting hard-to-reach people engaged in sport in my constituency. This year, I played football with Brian Thomson, who is a constituent of mine and who has played football with St Mirren and the acquired brain injury group in Paisley. People can therefore talk to one other about all their issues and problems, get involved in sport and enjoy playing football. Seeing them progress has been extremely good. The group has got to the stage at which it is developing its own football club further; in fact, it is talking to the Scottish Football Association about having an acquired brain injury football league so that it can play other teams in a mini-SPL five-a-side league. I played for those players for an hour and a half and was very sore the next day. They played at a very good level and enjoyed the football. It showed the difference that such a project could make to their lives.

Another good example is the Renfrewshire street stuff project. Working with St Mirren, that project manages to take football, other sports and a rugby coach out to certain communities in which the police say that there are hotspots. The project can get people involved and see whether anyone has the ability and talent for sport. Indeed, simply being involved makes a massive difference to many younger people. I have gone to see things many times, and some of the stories would make members' hair curl. The work is extremely challenging, but it makes a big difference. In some areas, it has brought down antisocial behaviour by around 25 per cent, so it obviously works.

The minister was correct when she said that one of the biggest things in the Olympic games was the volunteers. It has already been mentioned that there are 150,000 volunteers in sport. They do not see themselves as volunteers, as they are involved with their clubs.

One of the biggest issues that came out was that the rugby organisations, particularly the Scottish Rugby Union, said that the club structure is the most important thing that they develop. The more established clubs have a community feel about them. I know that we are aiming for that with the hubs, but it is difficult and challenging for us to get all the clubs together in hubs. In the same evidence session, I think that it was said that a whole stack of clubs from different sports were working together in Broxburn.

In my area, the traditional Kelburne Hockey Club—which, incidentally, gave us Emily Maguire, who was a hockey bronze medallist this year—has

always excelled as a club and a sporting organisation because they have had generation after generation of talent and the involvement of generations of parents. We must find a way of ensuring that we get everyone together so that all the hubs are like that. In Paisley, we have reached the stage at which even the amateur boxing club is involved in one of the hubs. That means that it is engaging all the time. People talk to one another and know exactly what is happening with everything else.

Money is always a major issue, of course.

**The Deputy Presiding Officer (John Scott):** You have 30 seconds.

**George Adam:** I am aware of that, Presiding Officer.

We managed to put in £10,000 per hub from the local authority. We must ensure that we give all the clubs a reason for getting involved in the hubs so that there are benefits for them as sporting organisations.

In the time that I have been involved, I have seen the difference that can be made in people's lives, which is the most important thing. People can become healthier and be given an opportunity to be all that they can be.

**The Deputy Presiding Officer:** Thanks very much, Mr Adam. We are extremely tight for time, so speeches of up to four minutes would be welcomed. Less would be more in that regard. I will let members know about cuts that I will have to make.

16:19

**Jenny Marra (North East Scotland) (Lab):** The Minister for Commonwealth Games and Sport will not be surprised that I will start by talking about our campaign to bring the national football academy to Dundee, especially as I spent many days this summer running about wearing a T-shirt that said exactly that. She will also know that over 5,000 people have signed up to the campaign to bring the academy to Dundee and that nearly 1,000 people have e-mailed her letters outlining the reasons why it should come to our city. There is a lot of support for it in Dundee.

This summer the national football academy project was described as Dundee's sporting V&A, which is a sign that people are keen to make it happen. The working group, which is supported by the minister's Scottish National Party council colleagues in Dundee, is now at an advanced stage and has taken trips down to the centre in England to put our bid together. I am delighted that the minister outlined the timetable for the bidding process just a couple of weeks ago.

Dundee is united in wanting to bring the football academy to our city.

I want, though, to ask the minister a couple of questions about the budget commitments to the national football academy. Can she clarify in her closing remarks whether the funding will be available for the national performance centre? I have just totted up expenditure in the Scottish Government's budget for the young Scots fund, which amounts to £24.7 million over three years. However, if I understand it clearly, the Scottish Government promised £25 million to the national performance centre, so the commitment to the young Scots fund already falls slightly short. In addition, when giving evidence to the Education and Culture Committee last year, Fiona Hyslop committed other moneys to the tune of about £8 million from the young Scots fund for other cultural projects.

Those commitments are in excess of £32 million, but there is only £24.7 million in the budget over the next three years. I would be grateful if the minister could clarify in her closing remarks how much will be spent on the national performance centre, whether it will all come from the young Scots fund, which seems to be a bit elastic, and whether additional funds might be made available to fund it from the sports budget.

I was very excited this summer by our tennis success, so much so that when Andy Murray took on Roger Federer in the Wimbledon final, I decided to survey our tennis facilities in Dundee. I spent a day going round with a video camera—the video is online if anyone wants to see the state of our facilities. We had a lot of interest after posting it. For example, Judy Murray tweeted me and made the powerful comment, which Tennis Scotland representatives agreed with when I met them, that we need good facilities if we are not just to encourage children to try sport, but to maintain their interest and keep them coming back to sport.

I do not know whether the minister has had a chance to see the video, but it is clear from it that the facilities across our city are different in different communities. Indeed, in Lochee, the facility is rather disgraceful, being overgrown and having no lines on the courts.

**Shona Robison:** Is Jenny Marra trying to say that what she describes is a recent phenomenon? Does she accept that, if there is a problem with the facilities, it tends to go back a few years to a previous Administration's tenure?

**Jenny Marra:** The minister makes a fair point, because there has been underinvestment for years. However, it is about life chances and opportunities for our children, so she should look seriously at the issue.

16:23

**Mark McDonald (North East Scotland) (SNP):**

As I will join the Health and Sport Committee next week as a new member, I feel that I will join the inquiry in the role of a half-time substitute. I look forward to playing an active role in the remainder of the inquiry. I was not a member of the committee when I made my bid to speak in this debate, but that is how life works out sometimes.

I, too, was interested in the notion of walking football. It made me think that John Park has been telling tales about my midfield performances for the Parliament football team. I make him look quick, so that must be where the comment came from.

The Olympics and Paralympics over the summer made me cast my mind back to when I was an active member of Aberdeen Amateur Athletics Club, which was a good few years and a good few stones ago. However, I recall that when I was a member there was a young athlete there—a sprinter—who competed well as a young lad. His name is Neil Fachie, and he was a gold medallist in cycling at the recent Paralympic games. That emphasises Patricia Ferguson's point, which is one that I recognise. Elite athletes do not just happen; they often get their start in sport in community clubs, with the coaching and encouragement that they get at that level. As Patricia Ferguson said, often a keen PE teacher or other teacher who takes a sports club spots a child's potential to develop their skills.

Patricia Ferguson might be worried that I am agreeing with her so much, because I also agree about the role that coaches play. Before I was elected to the Parliament, I was a youth football coach for Dyce Boys Club FC. Coaches have a key role and are often dedicated volunteers. Sometimes they are parents whose son or daughter is or has been involved with the club and who want to give something back.

The key considerations are qualifications and support. I was lucky in that Dyce Boys Club was proactive about putting coaches forward for coaching badges as well as first aid courses, so that coaches could react if there was a significant injury and a player needed assistance on the pitch. That does not happen at every club, and often there is no such support network. We need to consider what we can do to encourage people to get their coaching badges and so on, because that will help the children who are involved in the club to get better at the sport.

**Margo MacDonald:** Does the member agree that it would be a good idea to have some sort of national training scheme for officials, which clubs that do not have a lot of money could buy into?

**Mark McDonald:** I am always interested in such things. We must think about what we can deliver with the resources that are available. The member made a valid point. Many clubs have tight resources and I know from my time as a youth football coach how expensive it is to run a football club.

Community sport needs local support. I was disappointed by the vote in Aberdeen City Council on the football hub and community stadium. Council chiefs met SFA officials in August to discuss the council's wish to set up a regional hub for football in Aberdeen. The SFA responded that it did not need to set up a regional hub, because there were three suitable facilities in the pipeline—the sports village, the Cove Rangers FC stadium and the Aberdeen FC stadium—which could deliver that. The Labour Party then told the SFA to stay out of politics, despite having invited the association to comment in the first place, and then voted down the community stadium, by taking the lease back on land at Calder Park. We need to look at what local councils are doing as well as at what the Government is doing.

16:27

**Alison Johnstone (Lothian) (Green):** This is a timely debate, because we are hearing a lot about the Olympic legacy, preventative spending and community empowerment.

I welcome Duncan McNeil's comment that we must support elite and grass-roots sport, and I welcome the focus on what volunteers and local sports clubs bring to this important agenda. I support the Scottish Sports Association's call for employer-supported volunteering. People who volunteer not only give something to the community but get a lot back. Volunteering empowers people, giving structure to their day and building skills and confidence. Supporting volunteers is a win-win approach.

It is certainly not just about buildings. Colin Keir and I can testify to our early days in Edinburgh Athletic Club, in a little hut on Ford's Road, where it was about a community of people taking part in a sport about which they were passionate. However, buildings matter. When Liz McColgan spoke at the festival of politics recently, she said that just after the Olympics 112 youngsters came to her local club, where there was only one toilet—and they had each paid £3. If we are going to build on the legacy, and as we build towards the Commonwealth games, we need to be ready for such an inspired rush to take part in sport.

Groups of cyclists are running the velodrome in Edinburgh—they are not a geographical community, but they are very committed to looking after what can only be described as a fairly

neglected asset. I ask that buildings that are built for the 2014 Commonwealth games be better maintained than those that were built for Edinburgh's Commonwealth games have been. It is one thing to unveil a plaque and say, "Wow, look at this!"; it is quite another to invest in the facility for the long term.

Community sport hubs have a great part to play in complementing existing sports provision, but we have to back that up with other activity. We are still striving to reach two hours of PE each week, delivered by a qualified PE teacher. It is important that children have access to such quality provision by someone who has been trained for several years; volunteers have their place, but sometimes we see very young volunteers who simply do not have the experience, as yet, to take on classes on their own.

In Edinburgh Athletic Club, we have a waiting list for juniors who want to get involved in track and field—that waiting list is purely because we do not have enough volunteer coaches—and that is a club that supports volunteer coaches and pays fees to take them through their coaching qualifications. Brian Whittle, a former Olympic medallist, has asked that we look at better funding for coaches, and that is worth investigating, given the demands on time and finance that many volunteers face, which some can afford, but some simply cannot.

We need to look at the fact that our elite athletes often have to compete with organisations. We have arms-length companies delivering sports facilities, as we do in Edinburgh, that have commercial interests and, sometimes, for example, the indoor track in Edinburgh is let out for antiques fairs and children's clothes sales, which prevents athletes who desperately need access to the only indoor facility in the region from training in that way that day.

I thank the committee and all the witnesses for their work. We are all committed to ensuring that access to sport in Scotland is the norm and that it becomes part of everyday life. I warmly welcome that commitment, and I will do all that I can as we strive towards that goal.

16:31

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** I congratulate the committee on securing this excellent debate on community sport.

It is worth remembering that, 100 years ago, mortality in life was infection based; today, it is based largely on chronic disease. Underpinning the chronic disease that kills so many in our society is obesity and lack of physical activity. I am grateful to my party whips for putting me in my new office on the fifth floor of the MSP block,

which has meant that I am fitter because I do not use the lift. I will be monitoring the activities of everybody in the chamber and beyond because 90 per cent of us could use the stairs, and we should be doing so and setting an example by exploiting the opportunities that we have to become fitter.

As a minister, I walked 550 miles. That sounds a hell of a lot, but that was over the course of five years. I can compare that with the training schedule of the elite athlete in my family, who has twice been a world orienteering champion, which is 160 miles a week. That neatly leads me into something that I have not heard mentioned at all in the debate, which is the natural asset that is on our doorstep and which we have in abundance in Scotland—a rural environment where many sports can be undertaken, access is easy and the cost is often modest. Orienteering is an excellent example of that; all that is needed is a pair of running shoes, the open countryside and a few people to organise things. It is not an elite sport—it is not in the Commonwealth games or the Olympics—but it is one that engages huge numbers of people across Scotland, and it can be entered at every level of fitness and age. There are string events for children in primary 1 and 2, and there are people in their 90s who are still participating in the sport.

Age—I am the second oldest person to speak in the debate—should not be, and is not, a barrier to fitness. In Australia 30 years ago, I happened to see on morning television in the hotel that I was staying in somebody being interviewed who, for the fortieth consecutive year, had won the over-40s marathon. The man was over 90 and he was as fit as a 40-year-old. That opportunity exists for us all, and we should encourage people to use recreation as a gateway to sport, because sport is, of course, about competing. If we compete with people, we get engaged and reinforced and there are social benefits.

Speaking of social benefits—to diverge on to a seemingly quite different subject—I see that, according to a report published today, 703 pubs have shut in Scotland in the past five years. "Oh good—we're much fitter," you might say, but some of the more successful pubs that have survived as community pubs are now getting their own sports teams. It is sometimes the case that quite unlikely places can be a spur to getting people engaged in physical activity and community sport. Let us be innovative: let us look to the countryside and even to our pubs for opportunities.

Perhaps the convener of the Health and Sport Committee was unwise to quote Mark Twain, who, of course, was one of the least fit people. He said, "Giving up smoking is easy. I've done it thousands of times." That is not the example that we want to encourage.



16:35

**John Park (Mid Scotland and Fife) (Lab):** I declare an interest as a director of Scottish Women's Football.

I welcome the opportunity to speak in the debate and congratulate the Health and Sport Committee on bringing it to the chamber. Much of what we have been talking about is to do with the challenges that we face at the moment and what we would like to see in the future, but we should consider some of the achievements that have been made over recent years. I am not talking only about sporting achievements but about achievements in organising sport and making it happen in communities across Scotland.

I remember playing summer league football in Fife when I was 11 years old, which is a few years ago now. It was 11 against 11 on a full-size park—22 boys playing on a Saturday. We were the only teams of that age group playing. Now, I often go to the same park, which is in Pitreavie in Dunfermline, on a Saturday morning and see 1,000 boys and girls playing there, as well as all the parents, coaches and everyone else who is involved in making that happen. The reality is that the facilities have not changed much in those 20-odd years. Although we have managed to do great things in organising sport and widening access to it, we still face a challenge on facilities.

I have been involved in Bayside Football Club in Fife, which started in 2003 with 13 players and two parents. It now has more than 400 registered players, 80 coaches and 24 teams. It is therefore understandable why there is such pressure on our sporting facilities.

Whatever the sport, we often think that people take part just on the day of the game, but to do a sport properly it is necessary to train and practise during the week. The big challenge that we face is to do with the use of sporting facilities not just for game time but in the middle of the week, particularly in the winter months, when it is a bit more difficult and challenging for parents and volunteers to help out.

There are still a number of significant barriers to participation in sport. That came up in the recent festival of politics event in the Parliament that I was fortunate enough to chair, which Alison Johnstone mentioned. We had excellent contributions from people such as John Beattie, Liz McColgan, Alison Walker and Kim Atkinson, but what stood out were the contributions and questions from the volunteers and other participants. Their eagerness, thoroughness and enthusiasm should make all of us as parliamentarians want to create the right climate for them to succeed and make a difference for our young people, and allow them to continue to take

part in sport as they get older, perhaps not on a competitive basis.

I turn to the role of sport in providing access to employment, which has not been mentioned much. There is an anomaly that I would like to raise with the minister. The apprenticeship framework, "Achieving Excellence in Sports Performance"—which, essentially, is for professional athletes—is taken forward only by football clubs. Our apprenticeship system is such that—quite rightly—everyone has to have employed status, but there is a lack of employment opportunities in a number of sports other than football. If we could address that anomaly and allow people to achieve excellence in those other sports, it would make a huge difference.

**The Deputy Presiding Officer:** I call Margo MacDonald. I regret that I can give you only two minutes, Ms MacDonald.

16:39

**Margo MacDonald (Lothian) (Ind):** I, too, regret that time is tight. However, thank you for the two minutes, Presiding Officer.

I have brought with me a great gust of information from a recent seminar on this very topic at the cross-party group on sport. Obviously, I will share it with the convener of the Health and Sport Committee.

The business of a tennis academy surfaced this afternoon. Instead of taking a decision on that right away, perhaps we could consider a broader academy—a racquets academy, because Scotland does well on racquet sports. People have had to leave Scotland to find badminton facilities. The world squash champion went to England and changed his nationality so that he could play. There is a good argument for looking at that.

I would be careful about assuming that sport can be stimulated simply by the provision of facilities. The minister will know about Lochee. Because the right person was not there at the right time to be enthusiastic and to start building, they ended up with this thing like the Atlantis leisure centre in Oban. Twenty years ago, a group of people said that they would take over the swimming pool, and they now have the most fantastic set-up. That is why it is important that the issue of volunteers is looked at and that volunteers are given training to build confidence and knowledge. Many of them need that training before they can even begin to think about doing anything to help in their communities.

There is a model that the minister might want to look at. The Robertson Trust, to which Jenny Marra referred earlier, is a successful trust that

goes into small community development and support for sport.

Lastly, I commend the speeches by Alison Johnstone and Mark McDonald as being chock-full of common sense. I hope that the minister and the committee convener read all of them.

**The Deputy Presiding Officer:** We move to the closing speeches. I call Liz Smith. Up to four minutes, please.

16:42

**Liz Smith (Mid Scotland and Fife) (Con):** This has been a very insightful debate. Clearly, the major question is where we go from here. How do we turn the celebration, the warm words and the good will into concrete actions? I have listened extremely carefully to the suggestions from members. Broadly speaking, there are four things that we have to do. I suggest that the starting block is to ensure that we build on projects that we know have worked and for which there is therefore quantitative and qualitative evidence that progress has been made.

We all have constituency examples of such projects but, to my mind, the first issue is not just the extremely important one of expanding the numbers involved; it is much more about the quality of the experience. As other members pointed out, it is about an on-going experience on a longer-term basis.

Secondly, it is about access to professionally trained PE teachers and trainers, as well as making life very much easier for people to volunteer. I note carefully what the Scottish Sports Association said about employer-related schemes. John Park made a good remark about the apprenticeship scheme. There are obstacles in the way of people, who are more inclined to opt out of volunteering than to opt in.

It is good to hear that the Scottish Government is about to build in a new sports strategy. That is essential. It is also good that the Government is making some progress on the two hours of PE. However, I ask the minister urgently to address the problem about qualified PE teachers, of whom we have seen a decline. Margo MacDonald has made the point several times in Parliament that quality in PE teachers is essential.

The third issue is improving facilities, rather than just having more of them. Jenny Marra said that some of the tennis facilities in Dundee are simply not acceptable. No one will be attracted to play when playing fields, changing rooms and—sadly, in some cases—pavilions are run down and there are considerable restrictions on facilities.

However, it is also to do with ensuring that whatever strategy we come up with fully

articulates with policies in other portfolios, whether that is in health, transport, housing or education. Those are the things that will make us succeed.

I am sure that we were all overawed by what happened in the summer in the Olympic and Paralympic games but, after listening to the athletes talk on television and reading what they have written in the newspapers, I note what comes across loud and clear is that what mattered most to them was what happened at a young age and the inspiration they had in their early years. Andy Murray talked about entering a major tournament at the age of 12—indeed, Luke Patience has mentioned getting into rowing at the age of seven—and we need to captivate, inspire and educate children at that young age and urge them to aspire to that kind of performance.

If we urge communities to build on the examples that we know have worked, we can create a much more prosperous country and make individuals, families and the communities where they work happier and healthier. That is the real legacy and we have to learn the lessons of what our sporting heroes have told us.

16:46

**Mark Griffin (Central Scotland) (Lab):** We have heard of lots of positive examples in constituencies across the country where community sport is thriving. Although those projects are already up and running, we have to use the enthusiasm generated by the Olympic and Paralympic games and the upcoming Commonwealth games to get more people to participate in sport. The health and wellbeing reasons for being involved in sport and physical activity are well rehearsed and widely agreed; the challenge now is to get out and just do it, and community sport can play a massive part in that respect.

After what can be described only as a thoroughly inspiring summer of sport, lots of people want to get involved in sporting activity and we must ensure that our facilities are available and affordable. As Duncan McNeil pointed out, that will undoubtedly mean working with local authorities to open up the school estate.

More important, we must support the people who give up their time to volunteer in our community sports clubs. Without existing volunteers—and if we do not encourage new volunteers—we will not be able to accommodate the increasing number of participants that we hope to see. As a result, we must incentivise volunteering, whether through the partnership between sportscotland and Young Scot that gives young volunteers points on their Young Scot card for undertaking volunteer hours; through

encouraging employee-supported volunteering programmes that, as Nanette Milne pointed out, benefit the employer, the employee and the wider community; or through the community sports leadership award, which can lead to a national governing body qualification. The latter can help by giving people experience to use in Universities and Colleges Admissions Service applications to further and higher education institutes and can provide payback in the form of support for active school sports clubs during volunteering hours. In the examples that I have seen in central Scotland, there has been very high uptake of the community sports leadership programme, particularly by female students, and it has proved to be very valuable.

As well as incentivising volunteering, we must also break down existing barriers. At the last meeting of the cross-party group on sport, we heard from different organisations that have had fairly big difficulties in securing disclosure certificates for their volunteers. As soon as one person mentioned the phrase “disclosure check”, there was a free-for-all, with organisations piling in to tell their own stories about the length of time that it has taken their volunteers to get certificates. Some might well have been put off as a result and are now lost to volunteering. I realise that disclosure checks are essential for those who wish to work with vulnerable groups, but the Health and Sport Committee and indeed the minister should look at Disclosure Scotland’s performance and the length of time that it sometimes takes to issue certificates to volunteers.

As I have said, volunteers must play a massive part in increasing participation; so, too, must our professional sports clubs. As well as inspiring people to get involved, they should in turn get involved in local communities. Many football clubs in the lower leagues have already adopted and developed community club models, but I believe that the bigger clubs, too, can make a contribution. For example, in my area, Celtic Football Club, as part of a series of sports schools that it ran across the west of Scotland during the summer, held a Victor Wanyama skills school in the newly opened Croy community sport hub. It had a great attendance and stands as an example of how bigger clubs can encourage participation and get more people involved by using their big names or elite athletes. More skills schools are planned for the October holidays.

I congratulate the committee on bringing this debate to Parliament, and I respectfully ask the minister whether she will bring forward a debate about the legacy of the successful Olympics and the upcoming Commonwealth games.

**The Deputy Presiding Officer:** Well done.

16:50

**Shona Robison:** I will try to respond to as many points as possible. Duncan McNeil made some very important points about swimming. We have the top up swimming programme for children who cannot swim, particularly those from deprived areas, and it is working very well indeed. The active girls programme will try to bring together, across all schools, the best of what we know works for teenage girls more comprehensively than has been the case—there will be more information on that shortly. I agree with the point about GP referral. We have tried and tested that and we now need to make it happen as widely as possible. We are working on that.

Patricia Ferguson made a number of important points, one of which—Mark Griffin also raised it—was about a future debate. They may be aware of a commitment to hold regular updates and debate on the Commonwealth games. I suggest that that would be the way for us to reflect and to look forward, and I promise that one will take place before the end of the year.

Nanette Milne and Liz Smith mentioned PE teacher numbers, in which there has actually been a rise. In 2005, the figure was 1,821, and in 2011, it was 2,116. The overall number, which includes those who are centrally employed, is 2,182. However, we must recognise that primary school classroom teachers have a very important role in delivering PE. We are currently building on the good work of Education Scotland, making sure that those teachers have the skills to deliver quality PE to children.

Kezia Dugdale talked about the community ownership and management fund. I assure her that detailed work is taking place on that fund and that details will be announced soon. She talked about social enterprise work, and there is a good opportunity there. I will look at the issue of the post that she mentioned. I have met the lady concerned and I know that some good work is going on.

Jenny Marra mentioned a couple of issues relating to the national performance centre. I am sure that no one in the chamber would expect anything other than an open, fair and transparent process when £25 million of public money is allocated—I am sure that she would acknowledge that. I am surprised that she would cast doubt on the fund’s ability to deliver the national performance centre. She has been told—on a number of occasions—that the Young Scots action fund is a £50 million fund and that the majority of that money will come in 2015-16. The budget she referred to covers only up to 2014-15. I hope that no further doubts will be cast on the money for the national performance centre.

Alison Johnstone raised a number of issues relating to cycling. I had a very good meeting with her and the cross-party group on cycling, and I hope that they will welcome the £6 million of extra money in the budget announced by John Swinney earlier.

John Park made a very good speech, as always. I am pleased that he said that people in the modern apprenticeship programme quite rightly have employment status. I hope that he will share that view with his colleagues, given some of their responses to the apprenticeship programme. I will look at the new youth employment initiative, which Angela Constance and I launched, in relation to his points, as I thought that they had some validity.

I will end with a little more information about the new youth sports strategy that I announced earlier. There is an opportunity for us not only to harness the really good work that is going on, whether on PE, active schools or community sport hubs—all of that good work—but to look at what more needs to be done.

I hope that we can use the opportunity, over the next few months, to have a good look at what works, from the pre-school level right the way through to higher and further education, and how we ensure not only that we get children active at a young age but that we keep them active as they go through their formative years into their teenage years and beyond.

Working with key partners, we hope to be in a position to publish our new strategy next spring, with the involvement of the youth sports panel. I think that we are going to have a really good piece of work, and I look forward to members' contributions to that process.

**The Presiding Officer (Tricia Marwick):** Bob Doris will wind up on behalf of the committee. Mr Doris, I would be obliged if you would continue until 5 pm.

16:55

**Bob Doris (Glasgow) (SNP):** I thank everyone who spoke in the debate for helping to inform the Health and Sport Committee's inquiry into support for community sport. I assure members that we will consider all the comments carefully and that they will help to form our final report. Due to time constraints, I will refer to only some of the comments that have been made.

Our convener set the tone well by talking about hard-to-reach groups. Girls and a variety of other groups were mentioned, but one that was not mentioned was that of people with disabilities. Given the successful Paralympics that we have just had, it is important to put on record the fact

that the committee will consider that group in some detail as well.

Volunteering is a vital component, and the value of volunteering was a thread that ran through the entire debate. I was particularly interested in Gil Paterson's point that many people are volunteers because their sons and daughters are involved in sport and sometimes, when their sons and daughters move on, the volunteers also move on. We have to think about strategies to maintain that volunteering.

I am delighted that Patricia Ferguson supports my campaign to achieve a £2.2 million investment in the Pinkston paddlesport centre in Glasgow. Tim Baillie and Etienne Scott, the gold medallists in canoeing, were in the Parliament today, and I met them to discuss progress on the project, in which I know that the Minister for Commonwealth Games and Sport has taken an active interest. I thank the Parliament for the support that has been shown.

There is an interesting balance between elite sports and community sports. Alison Johnstone spoke excellently about how the support for elite sports is mapped out. At the same time, it is important that we should not just be cheering people on when we see them at events or on television; we should be getting involved in sports and physical participation ourselves.

PE was mentioned a lot. I will not rehearse those points, although I note that PE teachers are important. There has been significant progress in that area.

**Margo MacDonald:** Will the member give way?

**Bob Doris:** I am sorry. I do not have time.

Sport must be a part of the whole-school ethos, not just that of PE departments. That is why the active schools network is so important.

The Health and Sport Committee has received evidence from witnesses about the desire to achieve a closer and more integrated relationship between the NHS and sport, which various speakers referred to. I stress that much good work is going on in that regard, although it is thought that improvements could be made. I am delighted to see that there is a £100,000 investment from the Scottish Government to try to progress that further.

One of the issues with the GP referral system is that there is sometimes little or no choice. Dr Cindy Gray, who is a research fellow at the institute of health and wellbeing at the University of Glasgow, agreed with that and said that a real choice for patients is vital. Dr Gray is an important person to hear when we are considering whether we can justify additional spend in this area, as she is currently analysing the football fans in training

programme that is supported by the SPL Trust. The programme involves SPL clubs working in partnership with GPs and patients, and uses the clubs' brands to get more people physically active. That sort of approach can be pursued not just in football but in basketball, cricket and rugby. We should roll out that model in community sports. Choice is key. The analysis that the University of Glasgow is doing is also key, because we have to justify spending taxpayers' money. Early intervention and getting people physically active rather than leaving them to suffer from ill health is the way to go, but we have to quantify the benefits of that approach.

I will finish with a suggestion of my own. During the evidence-taking sessions, there was much discussion of which sports gained benefit from cashback for communities and which did not. John Park mentioned apprenticeships and talked about the focus on that, as did Margo MacDonald. I suggest that we leverage a weighting of proceeds of crime funds into areas with great health inequalities. If we can invest more money in the areas and groups that suffer from health inequalities—whether through GP practices or community sports—we could make a real difference. Our committee might consider that issue.

The debate has been excellent. The committee will consider in detail all the suggestions that have been made, and we look forward to reporting back to the Parliament in due course.

## Point of Order

17:00

**Neil Findlay (Lothian) (Lab):** On a point of order, Presiding Officer. Rule 13.9.1 of the standing orders states:

“Any member may address a question on any matter concerning the Parliamentary corporation or the staff of the Parliament to the Scottish Parliamentary Corporate Body.”

Is there a mechanism within the standing orders that members can use to ask emergency questions of the corporate body?

My point of order is pertinent given a situation that has been on-going since last week. I have been informed that people inside and outside the Parliament have tried several times, unsuccessfully, to sign petition PE1452, on the people's charter. I understand that that is due to a technical problem with the information technology system. That is, unfortunately, not good enough. It is undermining people's ability to engage with the Parliament.

Presiding Officer, I seek your guidance on how we can raise such emergencies with the corporate body, because so far exploring all other avenues has failed to resolve the problem.

**The Presiding Officer (Tricia Marwick):** I thank Mr Findlay for advance notice of his point of order. I am well aware of the on-going problems with the e-petition system that he raises.

The matter is under constant review by the corporate body. It has been raised, in particular, by the convener of the Public Petitions Committee, David Stewart, who is also a member of the corporate body. I am therefore extremely sorry to hear of additional difficulties today.

The member asks whether the specific issue can be raised with the corporate body in an emergency question. There is no such mechanism. However, if he wishes to write to me as the Presiding Officer and chair of the corporate body, I will ensure that he gets a speedy reply in the next few days.

**Decision Time***Meeting closed at 17:02.*

17:02

**The Presiding Officer (Tricia Marwick):** There is one question to be put as a result of today's business.

The question is, that motion S4M-04179, in the name of Duncan McNeil, on the Health and Sport Committee's inquiry into support for community sport, be agreed to.

*Motion agreed to,*

That the Parliament notes that the Health and Sport Committee is undertaking an inquiry into support for community sport, focusing on the contribution of people, particularly the role of volunteers, the contribution of local sports clubs, both to the preventative health agenda and their communities, the role that community sports hubs should play in encouraging sport in local communities and the importance of places for sport in terms of availability, accessibility, affordability and the quality of facilities, and that, in order to inform its final report, the committee would welcome the views of all members on these key themes and what has emerged so far in evidence.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

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