



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

HEALTH AND SPORT COMMITTEE

Tuesday 6 November 2012

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HEALTH AND SPORT COMMITTEE

30th Meeting 2012, Session 4

CONVENER

*Duncan McNeil (Greenock and Inverclyde) (Lab)

DEPUTY CONVENER

Bob Doris (Glasgow) (SNP)

COMMITTEE MEMBERS

*Mark McDonald (North East Scotland) (SNP)

*Aileen McLeod (South Scotland) (SNP)

*Nanette Milne (North East Scotland) (Con)

*Gil Paterson (Clydebank and Milngavie) (SNP)

*Dr Richard Simpson (Mid Scotland and Fife) (Lab)

*Drew Smith (Glasgow) (Lab)

*David Torrance (Kirkcaldy) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Mark Eggeling (Scottish Government)

Shona Robison (Minister for Commonwealth Games and Sport)

CLERK TO THE COMMITTEE

Eugene Windsor

LOCATION

Committee Room 2

Scottish Parliament

Health and Sport Committee

Tuesday 6 November 2012

[The Convener *opened the meeting at 09:47*]

Decisions on Taking Business in Private

The Convener (Duncan McNeil): Good morning and welcome to the 30th meeting in 2012 of the Health and Sport Committee. As usual, I remind everyone present that mobile phones and BlackBerrys should be switched off, as they often interfere with the sound system.

Agenda item 1 is to decide whether to take two items in private. The first is agenda item 5, which is the committee's approach to the next phase of its work on access to new medicines. Does the committee agree to take that item in private?

Members *indicated agreement.*

The Convener: Thank you. The second item to consider is our work on and consideration of a draft report on the Scottish Government's Draft Budget 2013-14. Does the committee agree that its consideration of the draft report should be taken in private at future meetings?

Members *indicated agreement.*

Subordinate Legislation

Glasgow Commonwealth Games Act 2008 (Ticket Touting Offence) (Exceptions for Use of Internet etc) (Scotland) Regulations 2012 [Draft]

09:48

The Convener: We move to agenda item 2. I welcome Shona Robison, Minister for Commonwealth Games and Sport; Odette Burgess, a senior policy officer on the Commonwealth games delivery team; and Mark Eggeling, who is a solicitor in the Scottish Government.

I invite the minister to make some opening remarks before I invite questions from the committee.

The Minister for Commonwealth Games and Sport (Shona Robison): Thank you, convener. We are here to consider the draft Glasgow Commonwealth Games Act 2008 (Ticket Touting Offence) (Exceptions for Use of Internet etc) (Scotland) Regulations 2012. As part of Glasgow's bid to host the 2014 games, the Scottish Government agreed to take steps to prevent the touting of games tickets.

Provisions in the Glasgow Commonwealth Games Act 2008 will, when they come into force on 29 November 2012, achieve that by making it an offence for an unauthorised person to sell, offer to sell, expose for sale, advertise, make available, or give away a games ticket in a public space for an amount exceeding the ticket's face value, or with a view to making a profit. That is known as "the touting offence".

The regulations specify circumstances in which making facilities available in connection with electronic communications or the storage of data is or is not capable of constituting the touting offence. They also ensure compliance with a European Union directive on electronic commerce. In particular, they set out when mere conduit, caching or hosting will not constitute the offence. Those are mechanisms that internet providers use for online temporary display and/or storage of information.

The regulations also set out conditions that must be met before the offence can be enforced against a person based in another European economic area state who provides internet-type services. The absence of further provision would give rise to a risk that the touting offence would be enforced incompatibly with the requirements of the EU directive. The draft regulations are therefore very much a technical measure to comply with EU law.

Scottish Government officials have worked closely with the games partners on the proposals for the regulations. United Kingdom Government officials and officials from other devolved Administrations were consulted separately on similar provisions, which were extended to the whole of the UK through the making of a section 104 order under the Scotland Act 1998. Comments on the draft order resulted in changes to make the meaning clearer, and those refinements are reflected in the regulations.

A public consultation on the draft regulations took place earlier this year. More than 60 agencies and businesses were contacted about the consultation, including the industry representative organisation and a number of businesses in the internet ticketing industry. Two responses to the consultation were received, and both supported the regulations.

I am happy to take any questions before I move the motion.

The Convener: Thank you, minister. Do committee members have any questions?

Dr Richard Simpson (Mid Scotland and Fife) (Lab): What was learned from the Olympic games in setting up the regulations? Were there any lessons that had to be learned?

Shona Robison: A lot of the regulations follow quite closely those that were brought forward for the Olympic games. On the general ticketing strategy, you can imagine that many lessons will have been learned about the sale of tickets. A lot of detailed information on ticketing was gathered. The regulations mirror quite closely those that were brought forward for the Olympic and Paralympic games.

Dr Simpson: Was there much ticket toutting at the Olympic games?

Shona Robison: There were some cases and some prosecutions. I do not know whether we want to say a little bit more about the prosecutions.

Mark Eggeling (Scottish Government): I cannot add much to what the minister has said, other than that I believe that several hundred instances of ticket toutting for the London Olympics were investigated. I do not know how many of those investigations related to offences in Scotland, but that is the ballpark figure.

Drew Smith (Glasgow) (Lab): At the London games, one provider was used for credit card transactions, for example. When are decisions on such things likely to be made in relation to the Glasgow games? Do you envisage a similar approach? I am asking whether the London games are being used as a model for the strategy.

Shona Robison: The organising committee is in the process of procuring a ticketing agent that will provide the software to manage the ticket sales for all the games. There are no plans for restrictions around the credit card provider, because we know that that was an issue in relation to not just the purchase of tickets, but merchandising. I understand that the organising committee has no plans to replicate that.

The other difference is that the purchase of tickets for the Commonwealth games will not be restricted to the internet. The initial sale of tickets will be on the internet, but there will then be provision through a call centre and walk-in, over-the-counter, box office-style ticket booths. That is very good, as it means that people will be able to pay for tickets with cash. Obviously, the ticket prices will be substantially lower than the average prices for Olympics tickets. It is fair to say that, on a number of fronts, access to tickets will be easier than perhaps was the case for the Olympics.

Drew Smith: As the minister is trying to be as helpful as possible in giving us information that a lot of us have not yet seen, I will ask another question.

Do you know yet whether tickets will be available for specific events, so that people will be able to choose exactly what they want to go to, rather than having to participate in a balloting system like the one that operated in London?

Shona Robison: There will have to be some management of oversubscription for ticket sales for particular events and venues, but it is difficult to be too precise, given that the ticketing agent has not yet been appointed. It is fair to say that a lot of the discussions are on-going. We want to make it as easy as possible for people to get tickets; they might not get tickets for the number 1 event that they want, but we need to ensure that our communication is as good as it can be.

There were some issues with tickets for the Olympics, and there was a bit of frustration among people who kept going back on to the internet to try to get tickets and were unsuccessful each time. I assure members that much of the discussion around the ticketing strategy is aimed at trying to avoid some of those frustrations around ticket purchase.

Dr Simpson: One of the problems with ticketing in London involved the allocation of tickets to the organisers or the organising committees in each country, which did not use those tickets appropriately. Is that issue being examined, or is there a completely different system for the Commonwealth games?

Shona Robison: All those matters will be considered. It is difficult, because the Commonwealth Games Federation and the

associations in each of those countries will want tickets. Those discussions are on-going, but we can certainly provide the committee with more detail once all that is worked out.

Dr Simpson: That would be helpful.

The Convener: As there are no further questions, I thank the minister and her officials for the statement, the answers that have been provided and the offer of further information.

We move to agenda item 3, which is the formal debate on the affirmative Scottish statutory instrument on which we have just taken evidence. I remind members that, under standing orders rule 10.6.3, the committee has up to 90 minutes for debate. [*Laughter.*]

The time for questions to the minister has passed. This item is a formal debate on the merits of the order and officials—as they know—cannot speak in the debate. I invite the minister to move motion S4M-04636.

Motion moved,

That the Health and Sport Committee recommends that the Glasgow Commonwealth Games Act 2008 (Ticket Touting Offence) (Exceptions for Use of Internet etc.) (Scotland) Regulations 2012 [draft] be approved.—[*Shona Robison.*]

Motion agreed to.

The Convener: I thank the minister and her team once more. I suspend the meeting for a moment.

09:59

Meeting suspended.

09:59

On resuming—

Petition

Speech and Language Therapy (PE1384)

The Convener: We now move to agenda item 4, which is consideration of our approach to petition 1384 by Kim Hartley, which has been referred to the committee. Committee members have had papers on the matter. Do any members wish to speak to those papers or to suggest a way forward for the committee?

Mark McDonald (North East Scotland) (SNP): Having been a member of the Public Petitions Committee, I am familiar with the petition. I note the clerk's paper and the recommendation contained within it. I suggest that, rather than close the petition, we write to the Scottish Government to seek clarification on where the Government feels that the petitioner's aims have been addressed in current Government policies and strategies. Once we receive that response, we should then give consideration to how we want to approach the issue that the petitioner raises. We might want to consider the issue more generally or do something more targeted.

Nanette Milne (North East Scotland) (Con): Although the petitioner is pleased with the Government's proposed delivery plan, I note that she still has concerns, particularly about the waiting time, which for children is

"up to 27 weeks with a maximum of 81 weeks"

and is also substantial for adults. Budget reductions have had a noticeable effect on the provision of speech and language therapy and there is a concern about projected staff changes. Those are issues that we should perhaps pursue with the Government. Therefore, like Mark McDonald, I suggest that we keep the petition open, in particular to pursue with the Government how it is providing quality speech and language therapy services.

Dr Simpson: I agree with both Mark and Nanette—I think we are still in private. Are we in public session now?

The Convener: I am afraid so.

Dr Simpson: In that case, I will be a bit more formal and say that I agree with my colleagues.

It interests me that speech and language therapy is funded by not just the health service, but the local authorities, which are subject to very substantial squeezes that I think are being passed on. With Scottish National Party colleagues, I recently visited Glasgow's speech and language therapy services, which have been completely

redesigned and reorganised and have managed to get both waiting times and costs down. The local professionals seemed to regard that as appropriate, so there is a model out there that is working effectively.

I suggest that we also ask for evidence from the Convention of Scottish Local Authorities, which, as far as I know, did not give evidence—if it did, perhaps we could look at that—to the Public Petitions Committee. Perhaps we could also get a fuller summary of the evidence that has been given to that committee, so that we could take a look at that.

I entirely agree with Mark McDonald that at this point we should write to the Government to ask where speech and language therapy fits into the new targets for the allied health professionals.

An 18-week waiting time might be appropriate for an adult, but I suspect that it probably is not. If you have had a stroke, you are already into a treatment process and you should not have to wait a further 18 weeks to get into rehabilitation. The Stroke Association has been very concerned about the fact that, although the immediate rehabilitation systems are now good and the Government has done well in moving forward on the rapid admission of people with stroke to the appropriate specialist stroke unit, we are still failing substantially on the post-immediate rehabilitation phase, which often involves speech and language issues. In particular, swallowing difficulties can be a major concern.

Finally, it is really not appropriate to have even an 18-week waiting time for children. In the previous session, this committee heard from a Queen Margaret University professor who told us how delays to health visitor referrals have increased the average age of referral from just under three to over four, which leads to a really serious problem in the pre-school phase. The letter from Kim Hartley mentions

“median waits for Children up to 27 weeks with a maximum of 81 weeks”.

If there is a waiting time of 27 to 81 weeks in a pre-school situation, that means that those children will enter school facing very serious drawbacks.

We need to have a thorough look at the matter and go into those issues in a great deal more detail. Initially, however, we should try to get a response from the Government to some of the issues that have been raised.

The Convener: I think that we have consensus on the suggestion that we keep open the petition and seek further information. Although, unfortunately, the clerks did not receive the email that members received yesterday, I wonder

whether we should also take some of that into account. We should not prejudge anything at this stage; instead, we should give the Government an opportunity to consider the position and respond and then we will consider what action, if any, to take.

Mark McDonald: I also note that Richard Simpson made a number of good suggestions about writing to COSLA.

I know that we can click through the links to access information on the petition, but I wonder whether it would be helpful to include hard copies of the evidence that the Public Petitions Committee received in the next mailing to members.

The Convener: Would that be helpful?

Members indicated agreement.

The Convener: Do we agree to proceed on the basis as summarised?

Members indicated agreement.

The Convener: As we now move to agenda item 5, which we previously agreed to take in private, I close the public part of the meeting.

10:06

Meeting continued in private until 10:35.

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