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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Wednesday 24 February 2010

Session 3

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Scottish Parliament

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[The Presiding Officer *opened the meeting at 14:30*]

Time for Reflection

The Presiding Officer (Alex Fergusson): Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader today is the Rev Alex Noble, from Saltcoats North parish church in Ayrshire.

Rev Alex Noble (Saltcoats North Parish Church, Ayrshire): Thank you, Mr Fergusson, for inviting me to speak today. It is a great honour and privilege. I also thank my member of the Scottish Parliament, Kenneth Gibson, for nominating me—and for the nice lunch. [*Laughter.*]

If I were to speak with my head down in my notes, you would rightly think, “How boring. For goodness’ sake, look at us when you are speaking to us.” It comes across so much better when the speaker lifts their chin and eyes and looks at people. There is direct communication—there is even feedback—and we connect and dialogue.

Now, this whole Parliament tries to do that with the wider nation, beginning with those who are in the public gallery at the moment. We try to engage with the public, dialogue and connect, rather than being introspective and navel gazing. So let us look up from ourselves and outwards to others.

Lord Northcliffe, a famous politician in his time, thought that he was going blind, so he went to his optician, who said: “You are not going blind. You are just falling foul of what politicians often fall foul of: you are reading too much small print. All you need to do is go outside, look up at the stars and the moon, lift up your eyes and stretch your vision.” So let us look outwards and upwards.

In the Bible, the huge Syrian army, overnight, camped around the city of Dothan with a view to capturing Elisha, the prophet of God. The next morning, Elisha’s servant looked out of the window and panicked. Amazingly, Elisha seemed remarkably calm. He said to his servant:

“Those who are on our side are more than those who are on theirs.”

Elisha had what I call the bi-focal spectacles of faith: he could see the Syrian army in the foreground, but he could also see the heavenly army in the background. If we could see our problems in the wider context of God’s providence, it would make us all calmer.

In the New Testament, Peter could walk on water so long as he looked to Jesus, not to the wind, the waves and his own resources. We all need to get our bearings in life—individually, as a Parliament and as a nation. When we are at sea—lost at sea or floundering—we get our bearings by looking along the horizontal level to a spot on the horizon and looking vertically to somewhere up in the sky. So let us always look outwards to others and upwards to God.

May God the Father, Son and Holy Spirit give you vision, wisdom and moral courage in all your endeavours.

Thank you.

Point of Order

14:34

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): On a point of order, Presiding Officer. You will recall that, at yesterday's Parliamentary Bureau meeting, the Minister for Parliamentary Business, after raising the issue himself, refused to indicate to the bureau that he would abide by the convention that copies of ministerial statements are made available to business managers one hour ahead of their delivery in the Parliament. As expected, the Minister for Parliamentary Business did not observe that convention today. That comes on top of other issues that were raised at yesterday's bureau meeting, dealing with the confidentiality of bureau papers. I seek your guidance as to whether those issues will be on the agenda for the bureau's next meeting.

The Presiding Officer (Alex Fergusson): As a business manager, Mr Rumbles, that is a matter for you to raise, if you wish to do so, at the next bureau meeting.

Representing Constituents

The Presiding Officer (Alex Fergusson): The next item of business is a statement by Nicola Sturgeon on representing constituents. The cabinet secretary will take questions at the end of her statement, so there will be no interventions or interruptions during it.

14:35

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I am grateful for the opportunity to make a statement regarding representations that I made to a court on behalf of one of my constituents, Mr Abdul Rauf. Before I set out the circumstances of that representation, I would like to make two general comments.

First, this statement is about action that I took, not as a minister, but as a member of the Scottish Parliament. Therefore, I hope that the fact that this is a ministerial statement will not give rise to any suggestion that ministers' obligations to their constituents are different from those of members of the Scottish Parliament who are not ministers. That is not the case—being a minister does not absolve us of our obligations to our constituents.

Secondly, those who have in the past consulted an MSP, or who might do so in future, might hear the statement and the questions that follow and wonder about the confidentiality of discussions between MSP and constituent. It is therefore important to stress that MSPs owe a duty of privacy to their constituents. However, the letter that is under discussion is to all intents and purposes a public document. It was written to the court and referred to in open court, so it is appropriate that I answer questions about it.

I turn to the specifics of the case. I first met Mr Rauf on 4 July 2008, when he turned up at one of my regular constituency surgeries. The surgery took place in Pollokshaws library in my constituency. At that first surgery in Pollokshaws library, Mr Rauf told me that he was under investigation for receiving benefits to which he was not entitled as a result of his failure to declare his ownership of a property in Edinburgh. He did not at that surgery, or on any subsequent occasion, deny that he had wrongly received the money. Mr Rauf told me that what he had done, and the implications of it, were having a detrimental effect on his health and his family. He told me that he wanted to repay the money that he had wrongly received. He also told me about his previous conviction for fraud.

In the months following his attendance at that initial surgery, Mr Rauf came to see me on four occasions. All our meetings took place either at a

constituency surgery or in my constituency office. The meetings were about his situation in general and, in particular, the steps that he was taking to repay the money. I also met Mr Rauf's wife on one of those occasions. It was not until 2 February 2010 that Mr Rauf contacted my constituency office to ask whether I would write a letter to the court asking it to take account of his personal circumstances before passing sentence.

It was in light of my previous discussions with him and the knowledge that they had given me of his family and his efforts to repay the money that was wrongly obtained—and for absolutely no other reason whatsoever—that I decided to write the letter that is now the subject of this statement. The letter was written on 3 February 2010. As members are aware, it set out Mr Rauf's personal circumstances and asked the court to have regard to them. It did not recommend a particular sentence, although it asked the court to consider alternatives to custody. The letter did not, as some have suggested, condone the serious criminal offence of fraud, and nor did it suggest that Mr Rauf should not be punished for his crime.

Some have said that I should not have written the letter at all. There has been much discussion about the MSP code of conduct. Let me therefore be clear about my understanding of the duties of an MSP when asked for help by a constituent. I believe that, when a constituent asks for my help, it is my duty to make such representations as I am asked to make, so long as those representations are reasonable, legitimate and appropriate. However, I fully accept that the decision about what is reasonable, legitimate and appropriate—and what is not—requires the application of judgment.

The discussion that we have today should not be about the literal interpretation of a code of conduct. I am very clear that this is about my decision, on this occasion, and whether that decision was right or wrong.

I have thought very long and hard about that over the past few days and I want to set out to the Parliament the conclusions that I have reached. In my view, it was entirely appropriate for me, as an MSP, to write a letter to the court to draw its attention to a constituent's circumstances and ask that they be taken into account. Indeed, I am not the first member of the Parliament to have taken such action. In a statement yesterday, Lord McCluskey, the former Solicitor General for Scotland, although critical of one aspect of what I did, nevertheless said:

"It is perfectly normal for someone in her position as an MSP to supply information to a judge or a sheriff to take into account."

However, having read many times over the letter that I wrote in this case, I believe that in

certain respects it could, and should, have been written differently. First, I regret the use of the word "mistake" to describe Mr Rauf's offence. As I hope will be clear from other parts of the letter, I did not intend in any way to downplay the seriousness of the crime that had been committed. However, I accept that the use of the word "mistake" was open to that interpretation.

Also, having drawn the court's attention to Mr Rauf's personal circumstances, I should have left it there. I should not have gone on specifically to ask the court to consider alternatives to custody. On reflection, that was a request more suited to my former occupation as a solicitor than to my current job as an MSP, so I can and do understand why some people think that making such a request went too far. That point was made by Lord McCluskey in the statement to which I referred. It was also unnecessary to make such a request, given that a court will, of its own accord, consider all the options open to it.

In short, I assisted a constituent in good faith and for what I considered to be the right reasons but, in doing so, I got some things wrong and for that I am sorry. With hindsight, I think I allowed myself to be too influenced by the likely impact of Mr Rauf's actions on his family and that led me to write a letter that was not as carefully worded as it should have been.

Those are the conclusions that I have reached after careful consideration and reflection. Of course, it is not easy for any of us to stand up and say that we should have done things differently or better than we did. Our political culture, particularly in a pre-election period, does not make that easy, but I think that it is right that I should do so. Indeed, my reflections over the past few days have made me wonder whether a more general willingness to allow each other space to reflect on honest mistakes, admit where we have got things wrong and learn lessons would not be much better for our politics than the instant judgment that we all, me included, so often rush to.

It is fair to say that the past couple of weeks have not been the easiest of my time in the Parliament. I say that not for sympathy. I accept unreservedly the scrutiny that comes with the position that I am very privileged to hold. I say it simply to give me the opportunity to thank those who have given me support during this period: my colleagues in the Scottish National Party; the many members of the public who have written to me offering support and encouragement; and last, but not least, those MSPs from all Opposition parties who have gone out of their way to offer me words of kindness. They will be relieved to know that I will not name them, but they know who they are.

In conclusion, being health secretary is a job that I love. It is a job that I am privileged to do. I am very proud of the many achievements and improvements in patient care that there have been over the past couple of years, thanks, of course, to the efforts of those who work in our national health service. There is no doubt that being health secretary is a job that, with the permission of the Parliament, I look forward to getting on with, but I believe that the first and overriding duty of an MSP is to represent their constituents. I also believe that it would be wrong for any of us to decide what help to give or not to give a constituent simply on the basis of how it might later look for us.

I will learn the lessons of the past days and I will try to make better decisions as a result of them, but I will also continue to represent my constituents without fear or favour and seek to do so to the very best of my ability, because that, above all else, is the job that I was elected to do.

The Presiding Officer: As I indicated, the cabinet secretary will now take questions on the issues raised in her statement. I have exactly 20 minutes for such questions.

Iain Gray (East Lothian) (Lab): Last week, the First Minister said that Ms Sturgeon had an “absolute obligation” to send the letter. That was absurd. Ms Sturgeon’s statement makes it clear that, on reflection, she knows that the First Minister was wrong. Under both the ministerial code and the code of conduct for MSPs, Nicola Sturgeon could have chosen to write a far more cautious letter or no letter at all. The Deputy First Minister’s decision to intervene on behalf of a twice-convicted benefits fraudster, and how she did so, was always a matter of judgment, as she herself has made clear today—I welcome that.

These are not victimless crimes. Scotland cannot understand why the Deputy First Minister would choose to stand up for a criminal. I asked the Deputy First Minister to consider her position. [*Interruption.*]

The Presiding Officer: Order.

Iain Gray: I accept that she has said that she will not and that she has apologised for the nature of the letter, but in doing that she has accepted that she made a mistake and should not have written the letter that she did. Her apology is welcome, but she can still put the mistake right by withdrawing the letter—the terms of which she has now disavowed. Will she do that?

Nicola Sturgeon: I thank Iain Gray for his question. Let me deal with some of the points that he made. The First Minister was absolutely right in what he said almost two weeks ago about the code of conduct. The code of conduct requires MSPs to take up constituents’ cases unless there are good reasons not to, but, as I said, the

decision about what to do in those cases requires judgment. I said that honestly, and I am glad that Iain Gray has accepted that.

Iain Gray also said that he could not understand my decision. I accept unreservedly that people will reach different conclusions about whether my decision was right or wrong. That is the essence of judgment: different people weigh the same factors and reach different conclusions. I have tried to set out clearly, frankly and honestly the reasons that lay behind my decision. It is for other members to draw their own conclusions.

Iain Gray referred to the fact that he had asked me to consider my position. As I hope I made clear in my statement, I have considered this issue very closely over the past two weeks. I have considered little else, in some respects, because it has weighed heavily on me. When I stood up in the chamber today, I wanted to give the Parliament the benefit of my honest reflection. I have done that. I believe that it was appropriate to write the letter and to set out in it the personal circumstances of the constituent, as he asked me to do, but I have conceded that that letter, in two respects, went too far. I have been very honest. On reflection, the part of the letter that I should not have written was, as well as inappropriate, unnecessary, because a court will, of its own volition, consider all the options open to it. That is why I do not believe that the course of action that Iain Gray has asked me to take is necessary in the circumstances.

Annabel Goldie (West of Scotland) (Con): When the issue first arose two weeks ago, far from helping his deputy, the First Minister hindered her case. We had the usual Alex Salmond decibel delivery of rhetoric and arrogance. Where there should have been humility and reflection, all that we had was bluster. Where there should have been an apology, all that we heard was defiance. When we needed to hear something of substance, all that we heard was misrepresentation and spin. The fiasco should never have happened.

Nicola Sturgeon’s approach is welcome and sharply contrasting. I thank her for her candour, humility and courageous recognition that she did not get everything right. We have today heard answers to many of the questions that were asked, but some questions remain.

Ms Sturgeon continues to use the word “duty” in relation to the code of conduct. In the light of her statement, will she confirm that MSPs are not under “an absolute obligation” to make representations, as Alex Salmond claimed? That phrase does not appear in the code of conduct. Will she accept that we have discretion as to whether and to what extent we become involved?

To put the general matter beyond doubt, will Ms Sturgeon confirm whether Mr Rauf and his associates have any connections with her party or the independence movement?

Does Ms Sturgeon accept that a lid has been lifted on the Scottish National Party's attitude to crime and criminals? The public will have every right to believe that, although she accepts that she went too far in pleading for Mr Rauf to be spared jail, the SNP still believes that a non-custodial sentence is right, even for a serial and serious fraudster.

Nicola Sturgeon: I thank Annabel Goldie for her questions. I acknowledge the inevitability of some questions that will be asked and of some of the politics that lies behind them. If the roles were reversed, I have no doubt that I would behave in the same way, although perhaps the experience of the past couple of weeks will make me reflect a bit more in future.

All that I will add to what I have said about the First Minister is that I take the opportunity to place on record my thanks to him for the unstinting support that he has shown me in the past two weeks. I have appreciated that not only politically but personally.

As for Annabel Goldie's questions about the code of conduct, I have made my position on that absolutely clear. I did not quote the code of conduct in my statement; I gave an interpretation of what I consider MSPs' duties to be in relation to requests for support for their constituents. In that respect, my statement speaks for itself.

Annabel Goldie asked about links to the SNP. I will say something clearly. As the First Minister said two weeks ago, Mr Rauf is not involved in the SNP. To the best of my knowledge, he has never been involved in the SNP. When he came to see me, I did not know him or know of him. He sought my help in a way that hundreds of constituents seek my help every year—by walking through the door of a constituency surgery. The letter that I wrote to the court was not influenced by or discussed outside my constituency office with anybody other than Mr Rauf.

Those are the facts of the matter. As Annabel Goldie's questions have been entirely reasonable so far, I hope that she will accept that.

As for Annabel Goldie's observations about crime, as I said in my statement, nothing that I said in the letter condoned the serious offence of fraud. On reflection, I should not have used the word "mistake"—I did not intend to downplay the offence's seriousness, but I accept that the text was open to that interpretation. That is why I have said openly that I regret the use of that word. Of course, it is for the court to determine sentence. I laid out to the court the constituent's personal

circumstances and it is for the court to make the decision in this case and all such cases.

Robert Brown (Glasgow) (LD): I extend my personal sympathy to Nicola Sturgeon for the ordeal that she has faced today in the chamber. She has done well to apologise for what she manifestly got wrong.

Sorry is not a word that we often hear from the SNP Government. It is entirely appropriate that it is from Nicola Sturgeon's mouth that it should first come. That said, I caution her against becoming a shield for the First Minister. She knows that her explanation of the basis on which the constituent complaint should be handled is simply not compatible with the repeated statement by the First Minister on the matter.

The relationship between the Parliament, the Government and the courts is delicate. MSPs and, even more so, ministers must be very careful about putting themselves in a position where they seek to influence or even appear to seek to influence the courts. The Deputy First Minister appears to have crossed that line. What was the purpose of sending the letter on behalf of Mr Rauf? Other than the influence of her name and office, what was she giving to the court that could save a twice-convicted serious offender from getting what most people would regard as his just deserts? What new and compelling information was she providing that might affect Abdul Rauf's sentence that could not have been conveyed by the silver tongue of Mr Rauf's lawyer, Donald Findlay QC, one of the most eminent advocates of the day?

Nicola Sturgeon: I thank Robert Brown for the tone of his question, or at least the initial part of it. I said clearly that in my letter to the court I laid out the personal circumstances of a constituent who had come to ask me for assistance. I also said—I think that this is not challengeable in any way—that I am not unique as a member of a Parliament in doing what I did. There are similar cases. As we have heard over the past couple of weeks, the current Prime Minister did the same thing when he was the Chancellor of the Exchequer. All MPs and MSPs have to make their own judgments. I am not passing judgment on anybody else. I have set out the purpose of what I did. I refer Robert Brown to Lord McCluskey's comments, which I quoted in my statement.

I have conceded that the last line of the letter went too far. I hope that all members accept my apology for that. Robert Brown also reflected on the word "sorry". One thing on which I have reflected is that sorry is not a word that we hear often from the mouth of any politician from any party. There are those who said two weeks ago that I should apologise immediately. I dare say that there are some who still say that I should

have done that. I wanted to be sure that, if I was to come to the chamber and say sorry, I would do so having reflected on the matter. I wanted to be sure that I would make an apology that I meant, genuinely and truly, and not one that had been demanded from me or one that might have seemed to be tactically and politically convenient. I wanted to be sure that I meant it. That is what I have done. I hope that members will accept that.

The Presiding Officer: We come to open questions. Thus far, we have had substantive questions and answers. From now on, the question and the answer should be as brief as possible. We will get through as many questions as we can.

Christine Grahame (South of Scotland) (SNP): My question is on the duty of privacy to constituents. Does the cabinet secretary agree that we should all be very careful that what is said in the chamber today does not undermine the relationship of trust that must exist between MSPs and their constituents? Furthermore, does she agree that all our constituents—and I mean all, particularly in light of Annabel Goldie's question—should feel able to approach their MSP? They must feel able to do that whether they are a member of our party or another party, whether or not they voted for us, and whether the case is simple or complicated.

Nicola Sturgeon: Christine Grahame raises an important point that should genuinely concern us all, despite our differences and the subject of our discussion. One thing that concerned me about making my statement—although I accept absolutely my duty to do so—was that, if other constituents of mine listened to these proceedings, they would wonder whether they had the right to confidentiality in the matters that they bring to me. That is why I said that we owe our constituents a duty of privacy. I believe that that duty of privacy is laid down in the code of conduct. I am also very clear that, by writing the letter to open court, I turned it into a public document, so it is appropriate for me to answer questions on it. It is important to draw that distinction. It is also important for all members to send a message to our constituents that they have the right to come and see us—as they do frequently—to discuss things that they want to keep private and confidential. Regardless of our differences, I hope that today we unite to send out that message to the people of Scotland.

Johann Lamont (Glasgow Pollok) (Lab): I am sure that the Deputy First Minister would not have wished to mislead the court when she wrote the letter. In answer to a question, she said that she spoke to no one else about the matter. I would be grateful if she would indicate how she satisfied herself that her constituent's circumstances were

as he described them? In particular, when she told the court that Mr Rauf was

“heavily involved in his community”,

how did she check that? Will she indicate what that involvement entailed?

Nicola Sturgeon: What I said in the letter reflects what Mr Rauf told me. Any of us who writes letters on behalf of constituents reflects in those letters what constituents tell them. None of us has the ability to conduct investigations into our constituents.

Johann Lamont is entitled to an answer to her question. Mr Rauf told me about community involvement through regular attendance at his mosque and other religious activities, involvement in a group that teaches children to read the Qur'an, and support for the involvement of his wife and children in a local Muslim educational organisation in my constituency. I reflected on those points in my letter to the court. I hope that members will accept that that was entirely acceptable.

Murdo Fraser (Mid Scotland and Fife) (Con): I welcome the content and tone of the Deputy First Minister's statement, which stands in stark contrast to the utterances of the First Minister on the issue. In light of her statement, does she accept that, in providing a reference, she was in danger of breaching paragraph 7.7 of the ministerial code?

Nicola Sturgeon: I will answer the question in two parts. First, I will give my opinion, which is that I do not accept that I breached the ministerial code. I have read the paragraph to which the member refers, and anyone who reads it would reach the same conclusion. Secondly—I had better be careful here—I remind members that I am not the final arbiter of the ministerial code of conduct. That is the role of the gentleman on my right, the First Minister. Questions about the ministerial code of conduct, as opposed to the MSP code of conduct, are properly directed to the First Minister, but I hope that he will accept my interpretation of the code.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The Deputy First Minister said:

“... I hope that the fact that this is a ministerial statement will not give rise to any suggestion that ministers' obligations to their constituents are different from those of MSPs who are not ministers. That is not the case”.

However, it is the case. Does the Deputy First Minister not recognise that the ministerial code places extra responsibilities on ministers? She says that she has learned many lessons. Has she learned the lesson that it is simply wrong for a minister to intervene in a live court case?

Nicola Sturgeon: I have made my position on the issue absolutely clear. I am not the first member of the Parliament or the first minister to have written to a court laying out a constituent's personal circumstances. I am not sure that I can usefully add anything to what I have already said in that regard.

I am aware of my obligations under both the MSP code of conduct and the ministerial code of conduct. I said in my statement that I will try to learn lessons from the experience of the past two weeks—I would be foolish if I did anything other than that. I assure Mike Rumbles and the chamber that, whatever those lessons turn out to be in the period ahead, I will do my best to learn them and to put them to good use for the future.

Tricia Marwick (Central Fife) (SNP): The leader of the Labour Party said that the Deputy First Minister has let Holyrood down and asked her to reflect on her position. Does Ms Sturgeon agree that Holyrood has been let down by Iain Gray's rush to judgment, which focuses on personality and individuals to cover the fact that he has nothing to say to the people of Scotland about policies?

Nicola Sturgeon: It is tempting for me to answer Tricia Marwick's question in my usual style, but I am trying to be a bit more reflective today. I am here to answer for my actions, and I have tried to do so as openly and honestly as possible. I am pretty sure that, before too long, I will be back to the rough and tumble of politics. I hope that I will take with me the experiences and lessons of the past couple of weeks. For the purposes of today, I will confine myself to answering for the things that I did.

Paul Martin (Glasgow Springburn) (Lab): Has the Deputy First Minister received any representations from Mr Rauf's solicitor or any other third party in connection with Mr Rauf's case?

Nicola Sturgeon: I have set out clearly the sequence of events. Mr Rauf asked me to write to the court, and I set out when he did that and the factors that I took into account in making the decision. The request came to me directly from Mr Rauf, and it was responded to in the way that I have already set out.

Patrick Harvie (Glasgow) (Green): I shared some of the criticisms on the question of judgment when we first learned of the letter that had been written, but Nicola Sturgeon has shown impeccable judgment in striking the right tone today, and I respect her for that. Does she agree that, after the dust has settled and we have all calmed down a wee bit, we might even come out of this incident with a clearer and stronger shared understanding of the relationship between MSPs

and constituents, and that constituents will have a clearer understanding of what they can expect from us?

Nicola Sturgeon: I think so, and I certainly hope so. I cannot speak for any other member, but the experiences of the past couple of weeks will make and have made me think deeply about the relationship between an MSP and his or her constituents. My reflections will stay with me for a long time to come. If my experience over the past couple of weeks—which has been entirely down to my own actions—leads any other member to a deeper understanding or to reflect, it might be all to the good.

The Presiding Officer: I am afraid that we have come to the end of the time that was allocated for this item. I am sorry that there are members who could not be called.

Christine Grahame: On a point of order, Presiding Officer. I have found these proceedings uncomfortable, for a particular reason. I understand that a ministerial statement is made under rule 13.2 of standing orders. We would normally expect such statements to be on issues within the minister's portfolio. I understand that the cabinet secretary herself opted to use the procedure of a ministerial statement. For the avoidance of doubt, could you clarify that the accepted route for raising matters of complaint against an MSP in the delivery of their duty to constituents comes under our code of conduct? At paragraph 9.1.6(b), the code says:

"Complaints made under Section 8: Engagement and liaison with constituents: these are to be referred to the Presiding Officer."

In conflating the work of a minister with that of a constituency MSP, might our proceedings today have established an unfortunate precedent? Is it not the proper route to invoke the guidance in the code of conduct? I seek the Presiding Officer's guidance that the statement does not set any precedent for members in the difficult circumstances in which we all find ourselves from time to time in the execution of our casework.

Furthermore, I seek the Presiding Officer's guidance on whether, if further such statements were to be demanded by anyone in the circumstances of members undertaking work for constituents, there could perhaps be unintended consequences—we came close today—in breaching constituent confidentiality, which undoubtedly impacts on people's willingness to bring sensitive matters, in particular, to the attention of MSPs. Your views would be most useful to us all, Presiding Officer.

Alex Fergusson: I am sorry to say that Ms Grahame was in error right at the beginning of her point of order. This business was not scheduled as

a result of a complaint; it was scheduled as a result of a request, which was agreed to by the Parliamentary Bureau.

Preventing Obesity

The Presiding Officer (Alex Fergusson): The next item of business is a debate on motion S3M-5798, in the name of Shona Robison, on preventing obesity in Scotland.

15:09

The Minister for Public Health and Sport (Shona Robison): Before I talk in depth about our long-term strategy to tackle obesity, I will put today's debate in context. In September 2008, following the publication of "Healthy Eating, Active Living", we had a debate that focused on our commitment to tackle obesity. During that debate I acknowledged that individual initiatives to tackle obesity would not, in themselves, solve our obesity problem. That was why we also made a

"commitment to developing a longer-term strategy to tackle obesity."—[*Official Report*, 4 September 2008; c 10534.]

On Monday we fulfilled that commitment by publishing, in partnership with the Convention of Scottish Local Authorities, "Preventing Overweight and Obesity in Scotland: A Route Map Towards Healthy Weight". I thank COSLA for its support. In developing the route map, we undertook a detailed analysis of what the obesity epidemic means for Scotland, we considered the most up-to-date evidence and we based our thinking on the 2007 foresight programme report, "Tackling Obesity: Future Choices—Project Report".

In common with most of the developed world, Scotland is experiencing the obesity epidemic. Currently more than a quarter of adults in Scotland are obese and almost two-thirds are overweight. The economic consequences of that are significant and we estimate that the total cost to Scottish society of obesity in 2007-08 was more than £457 million. Even if current health improvement efforts continue, we predict that by 2030 the adult obesity rate in Scotland could be more than 40 per cent. The cost of that to society could be as high as £3 billion. Much of that cost is, of course, avoidable. Obesity has been shown to be associated with at least as much ill health as are poverty, smoking and problem drinking. The consequences of obesity will reflect, perpetuate and potentially increase social inequalities in health in Scotland.

We have set a significant challenge in the route map, which is for the majority of Scotland's population to be in a normal weight range throughout adult life. Our policies—national and local—need to be directed at supporting people to achieve and maintain healthy weight. We also need to recognise that isolated or partial activity in one or two policy areas is futile.

We recognise that although the society in which we live has transformed our lives for the better in many ways, it has also had unintended consequences for many people, including gradual and continuing weight gain. The route map has identified four main areas in which concerted action is likely to have the greatest effect: reducing demand for, and consumption of, excessive amounts of high-calorie foods and drinks; increasing opportunities for the uptake of walking, cycling and other physical activity; establishing lifelong healthy habits in children; and increasing the responsibility of organisations for the health and wellbeing of their employees.

The actions that are set out in the route map are not predicated on additional resources; the route map is intended to underpin national Government and local government decision making on effective allocation of existing and future resources to prevention of obesity, which might require reprioritisation of investment to support the actions that are set out in the route map.

Our next step is to set up a joint governmental leadership group—which will be chaired by the Deputy First Minister—to monitor progress on a regular basis. Initially the group will agree milestones that are key to understanding progress towards achieving the aim. Work on that will commence in the coming weeks, and the group's first meeting will take place after the summer.

The route map is right to focus on prevention, rather than on treatment, but I reassure members that we are committed to ensuring that cost effective and appropriate weight-management services and treatments for obesity are provided for patients in Scotland. We have invested in order to help that to happen.

Before I reflect on how policies that we are pursuing can contribute to preventing overweight and obesity, I briefly mention the launch of the route map at St Mark's primary school in East Renfrewshire, because what I saw there exemplified what we want to achieve elsewhere. The school is in a healthy weight community pathfinder site as well as a smarter choices, smarter places site. The smarter choices, smarter places initiative is designed to reduce car use by increasing active travel, and the healthy weight community programme draws on a variety of activities to do with healthy eating and physical activity. I was struck by how joined up all that is. The children enjoyed their nutritious breakfast as part of their routine morning start, which was followed by physical activity before lessons. I was introduced to the active schools lead, who has done a lot in relation to the lunch break and after school. The child healthy weight programme manager, who works with children who require extra input, was also there. I met volunteer walk

leaders, who are encouraging people in the community who have not been active, including parents, to be active. I met many other people who are working in the same direction on what can be done to turn the community around.

An excellent example of policy that is delivering is evidenced by the next steps of "Recipe for Success: Scotland's National Food and Drink Policy", which was published last year. Our vision is to maximise the food and drink industry's contribution to our economy while ensuring that the industry also contributes to our health and wellbeing. By engaging with producers and retailers we aim to maximise their contribution to that agenda. Retailers—driven by consumer demand—recognise the importance of healthier products in the marketplace, and we will continue to work with retailers to push harder to make the health gains that are required.

I want to record my appreciation of the work of small retailers and of how important they are for the local economies and communities that they serve. We want to work with them to help them to provide healthier choices for their customers. The route map is intended to build on "Recipe for Success" and the key proposition that there are gains to be made by bringing together the perspectives of health, sustainability and sustainable economic growth.

The other side of the equation, when we are considering how to avoid obesity, is physical activity. The route map reflects on the fact that we already have an excellent physical activity strategy, which has recently been re-endorsed following a review. Again, across national Government and local government many activities are under way that will contribute to tackling obesity, including the provision and maintenance in every community of physical environments that promote healthy lifestyles.

I have already said that we do not envisage additional resources being deployed to deliver the route map; rather, we need to ensure that, when we implement existing policies, they support delivery of the route map. An excellent example of that is our work to develop a legacy for the Commonwealth games in 2014. If we can harness the power of the games to make people more active, that will help to support the aim of the route map.

Better balancing of our energy in and energy out is fundamental to successful delivery of the route map, and we have set out how we believe that can be achieved. However, the foresight programme has suggested that there are two groups within the population in which there would, if they were targeted, be the greatest impacts. I will touch on them briefly. The first is group is children in their early years. To give children the best start in life,

early-life interventions need to begin before and during pregnancy, continue through infancy in early-years settings such as nurseries and childminders, and carry on into school. The early years offer the best opportunity to put in place healthy behaviours around food and physical activity that will be sustained into adulthood. Central to that is the involvement of families, and every opportunity must be taken by all involved to shape and deliver services, using health professionals and the third sector in a way that best provides support.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Forgive me if I misunderstood the minister, but she said that there would not be any more resources directed towards the route map. However, under the heading “Changing public attitudes”, on page 27, it is stated that

“We will underpin our range of preventative actions with investment in a public communications strategy”.

If there is no more money and the Government is investing in that strategy, where will the funding come from?

Shona Robison: Page 43 lays out where investment currently lies, including in public information campaigns, initiatives that are directly related to prevention of obesity, such as the health improvement, efficiency, access and treatment—HEAT—targets, and those that are indirectly related, such as the £19 million that is being invested in maternal and infant nutrition. If the member has a look at that page, he will see where current investment is.

I think I said that there may need to be reprioritisation at both national and local levels to ensure that, when we make a decision, we consider whether it will make society more or less likely to be obese. Those judgments are sometimes difficult.

The second area that we will target is the creation of healthy working environments. We want to work with employers to look at what more can be done in the workplace. “Health Works”, the recently launched update of the healthy working lives strategy, aims to ensure that health is not a barrier to work, and the Scottish centre for healthy working lives offers advice on what employers can do to promote health and wellbeing in their workplaces.

I will touch on the amendments before I finish. I hope that this afternoon’s debate will be positive and constructive: in that spirit, I am happy to accept the Liberal Democrat amendment. The thrust of the route map is that if we continue as we are, there is an inevitability in some of the statistics—which are frightening—and the Government has a role in changing that. However, no one would deny that the individual has an

important role, too. The role of the family is also crucial.

On the Labour amendment, I am sure that we will hear a catalogue of accusations of what the Scottish National Party has or has not done in the past three years. That is part of parliamentary debate.

I just ask Labour to reflect on the fact that the two hours of physical education that is referred to in the Labour amendment was also a target of the previous Administration, and was set in 2004. The Labour Administration had three years in which to try to deliver the target, and our Administration has had three years to try to deliver it. I therefore think that there should be an appreciation of some of the challenges around that, given that only 5 per cent of primary schools had achieved the two hours of PE by 2007. We are now up to 33 per cent of schools having achieved the target, although I acknowledge that more progress must be made. I hope that we can agree this afternoon that, no matter who is in power, the route map sets out a journey for the next 10, 15 or 20 years and that it is important that we stand together and work together as far as we can to deliver continuity around that.

I move,

That the Parliament welcomes the Scottish Government’s commitment to take action to prevent overweight and obesity as set out in the recent publication, Preventing Overweight and Obesity in Scotland: A Route Map Towards Healthy Weight, to support a cross-government approach that will guide future work and to welcome the establishment of a joint governmental leadership group to ensure and oversee progress.

15:28

Dr Richard Simpson (Mid Scotland and Fife) (Lab): Obesity is clearly one of the three great challenges that we face in public health not only in Scotland but around the world—the three challenges being tobacco, alcohol and obesity. Obesity is usually measured through body mass index, which is a complex formula. However, waist circumference is a powerful predictor of future health and is probably the measurement that we should use, although the waist hip ratio is sometimes used in that way as well.

The question that is facing us is this: Why is obesity increasing as a major public health challenge? After all, obesity used to be a sign of wealth. Now, however, it is more a sign of deprivation. Obesity rates are rising because food-energy intake has increased and is excessive, while physical activity has decreased. Portion sizes in food retail have increased and the composition of foods, particularly in pre-prepared meals, includes increased amounts of saturated fats and salt, which is also not healthy. The latter

aspects are to an extent being tackled by the Food Standards Agency, but I cannot find much about that in the Government's new route map. That issue is important, so I would like to hear a bit more from the minister on it.

The prediction is that about 40 per cent of Scots could be obese by 2030, but almost 60 per cent are overweight at the present time. The prediction in Australia, for example, is that 75 per cent will be overweight by 2025. Our increasing problem with obesity parallels that in the United States. However, when we consider some figures in more depth, we find that studies of overweight children in primary 1 show that the numbers of such children did not change between 2001 and 2008-09: 19.7 per cent of children were overweight in 2001, while 19.8 per cent are overweight now; 8 per cent were obese in 2001 and 8 per cent are obese now. The figure for severely obese children is 3.9 per cent.

Overall, 32 per cent of the population are overweight, which is clearly a major problem for us. However, there is quite a bit of variation across the country. Interestingly, 36 per cent are overweight in the Highlands, whereas in Glasgow only 26 per cent of people are overweight. There is, in those figures, a lot of information that we need to tease out. I am sure that Mary Scanlon, with her connection to the Highlands, will look at that issue very closely.

We have had a number of documents, policies and plans on the subject: indeed, "Eating for Health: a Diet Action Plan for Scotland" in 1996 was a hallmark because it introduced Scottish intercollegiate guidelines network guideline 8, which was unique in combining prevention and treatment, which had not been done before. There was also the physical activity target in 2003 of two hours of PE a week, to which the minister referred. Again, that was part of a programme of looking at physical activity. My colleague Frank McAveety will deal with that in considerably greater detail in his summing-up speech. We then had the "Healthy Eating, Active Living: An action plan to improve diet, increase physical activity and tackle obesity (2008-11)", and the debate that followed that. Now, we have "Preventing Overweight and Obesity in Scotland: A Route Map Towards Healthy Weight".

We need to start to recognise that tackling obesity is going to be a long-term effort and that the situation will not be turned around overnight. I will therefore not indulge in the sort of statements that were made by SNP members when they were in opposition. For example, Shona Robison said on "Newsnight Scotland" in 2005:

"Obviously the Executive has failed to end the junk food, couch potato culture that is all too prevalent in Scotland."

As Minister for Public Health and Sport, Shona Robison has today pointed out that, three years on, the Government has begun to move a little further towards achieving the target of providing two hours of physical education in all schools, but the progress has been very slow. I will not indulge in attacks on the current Executive for its failures, but I point out that it must be responsible for achieving the targets that it set. However, we are dealing with a long-standing problem.

There is, of course, one difficulty with the route map that we are discussing today, which is presented jointly by COSLA and the Government. As part of the agreement or concordat—and general harmony and light—between COSLA and the Government, I would have expected the document to contain a much firmer commitment from COSLA to the target of providing two hours of physical education. Instead, the document simply reiterates that councils are making progress towards the target. Frankly, that is not good enough. Time has moved on, so the achievement rate should be even greater by now.

On prevention, a whole lot of things are required. We need to tackle labelling and the number of calories in portions. I hope that we might start in the Parliament by requiring our canteen to say how many calories each meal contains. I have already suggested that to the Parliament's officials, so we shall see what happens. In New York, for example, all restaurant chains are required to display menus that list the number of calories. That has been a highly successful experiment that we should review to consider whether it would be worth while.

We need to look at regulations about advertising, particularly of junk food. There is, if I may say so, a huge appetite for fad diets. Unfortunately, such diets either do not work or, if they work, produce effects that are quickly reversed afterwards. I can confirm that that is the case, as I have tried such diets on occasions. We need diets that work, such as the Counterweight programme—I will come back to that a little later—which has been quite successful.

I think that we need to begin by targeting groups, the first of which should be pregnant women. Perhaps the voucher scheme that provides help with the costs of infant formula feed and fresh fruit and vegetables could be extended, given that, if a woman who is pregnant is very overweight, the child will tend to be much heavier. We then need to look at when babies switch to solids, on which there should be good programmes that are backed by health visitors who will encourage women to maintain breastfeeding for much longer. The targets on breastfeeding are very slight, given that the aim is to increase the proportion of new-borns who are

exclusively breastfed at six to eight weeks from 26 per cent to 32 per cent. We know that the children of women who breastfeed are less likely to be overweight.

However, recent research by Perez and Pastor, which was quoted in Mike Lean's editorial, suggests that we need to target not the children but the parents, because large parents have large children. Although that might be partly genetic, overeating is also a learned experience. As Mike Lean said to me the other day, "More porridge, and less of everything." On the question of early years, which the minister made much of, in addition to encouraging exclusive breastfeeding, we need to be sure that the inspections that are undertaken of child care and of nursery schools look closely at both the nutrition and the activity that are provided. The Health and Sport Committee's report highlighted the lack of reporting on such matters in nurseries and primary schools. That issue needs to be tackled more effectively.

Evaluation of the Counterweight programme that I mentioned shows that its costs are covered by the future savings that it provides to the NHS. If that is the case, can the programme be built into Health Improvement Scotland's efficiency savings programme? Will the programme be rolled out beyond the seven health boards that were mentioned in the previous report?

The minister referred to the healthy working lives strategy. It is obviously important that we encourage small and medium-sized businesses to undertake activity. For example, Auckland has more than 200 touch-rugby teams that help people to be very physically active, which is definitely to be encouraged.

I am concerned about some of the programmes, although the minister said that they will be revised. In the *Sunday Post*, Gordon Blackstock said that the child health weight-intervention programme does not look like it has been very successful. I have not time to quote all the figures, but the fact that only 73 people in Tayside enrolled in a programme that cost £447,000 suggests that the programme needs to be reviewed.

As Mary Scanlon may be aware, in Highland, which has one of the worst obesity problems, only 57 children have enrolled on the programme.

In the most recent debate on the issue, the minister mentioned the healthy towns project in France and suggested that we could pilot that in Scotland. I would like to know what is happening with that. She has suggested that there should be an increase in walking. Through programmes such as the retired and senior volunteer programme, volunteers can encourage others to walk with them, but half the staff of that programme have

been made redundant because of a change from central Government funding to local authority funding, so that is no longer supported.

We must accept that obesity is a long-term problem and that a long-term programme will be required to solve it. We have some targets on which we should be making more rapid progress, and the proven Counterweight programme would allow us to do that. I suggest that it should be part of the primary care quality and outcomes framework system or part of NHS Education for Scotland. We are not dealing today with issues such as bariatric surgery, although provision of it is still grossly inadequate in Scotland.

I move amendment S3M-5798.1, to insert at end:

"but regrets that the Scottish Government is failing to meet the SNP manifesto pledges to ensure that every pupil has two hours of quality PE each week delivered by specialist PE teachers and for children to be given free, year-round access to council swimming pools".

15:31

Ross Finnie (West of Scotland) (LD): For quite a number of months, I have been referring to obesity as the ticking time bomb in our health service, because its capacity to completely turn round some of the major improvements that we have made in health over many years knows almost no bounds. It can cause major problems, including type 2 diabetes and—in particular—cardiovascular disease. Although the figures on cardiovascular disease are at present encouraging, they will be turned round in a trice if obesity is not addressed. The Parliament is in broad agreement on the nature of the problem. The minister is right that the issue has been on the agenda for some time and that if there is a simple solution, the person who has it is not revealing it, because we certainly do not appear to have found it.

I am grateful to the minister for conceding the importance of personal responsibility. Along with my Liberal Democrat colleagues, I am always anxious to focus policy delivery and policy outcomes on the individual. We need to acknowledge that no matter how excellent the Government's document is, or how much we agree with what it says, it will not be effective unless individuals buy into the process of tackling obesity. Of course we must show leadership, but our real task is to engage with the wider public to ensure that they understand why we think that tackling obesity is so important and why they must buy into that process. I suspect that that is the bit that we find most difficult.

I have heard a number of speeches in Parliament on obesity and have not disagreed with many of them on what the nature of the problem

is, nor have I disagreed with some of the decisions that have been taken or with some of the targets that, as Richard Simpson said, the previous Government had a hand in setting and which the current Government is pursuing. We have the national indicators, which show a levelling out, but although Liberal Democrats welcome the slowdown in the rate of increase of the incidence of obesity, we must aim for a reduction in the proportion of children who have an unhealthy body mass index. We set a target on that some time ago, but we are still making little progress on it.

As has been mentioned, the same is true of the physical activity targets. Two thirds of Scottish adults and one third of Scottish children do not come close to meeting those targets. We have discussed the physical education target, which was set by the previous Government and reset by the current Government. We are still having difficulties with that. The Health and Sport Committee's inquiry into the issue was instructive in making recommendations on the various elements that require to be put in place if we are to deliver on that target. From my reading of the Government's document, I am not entirely clear whether some of the excellent recommendations that were made in the Health and Sport Committee's report have been wholly adopted as part of the Government's policy, notwithstanding the fact that the minister launched it in a school that is run by East Renfrewshire Council, whose general approach the committee found to be most constructive in attempting to get to the heart of the problem.

We are consensual about wishing to have a co-operative and collaborative approach to acting on the document that we are discussing, but that does not mean that we will sign up to every jot and tittle in it. It presents a number of challenges, not the least of which is how we can control the input or ingestion of energy foods. I hope that we can get the press away from talking about portion control. The minister runs the danger of being characterised as a latter-day dinner monitor. I am sure that she would be a very good dinner monitor, but I am not entirely sure that that is the image that she would wish to portray. We do not want to get into doing arithmetic calculations that would completely obscure the excellent recommendations on our need to be clearer about the content and quantum of food that we need and what is healthy for us.

Dr Simpson referred to calories. As a lifelong diabetes sufferer, I am aware—other members are, too—that we as a cohort are hugely encouraged to deal with calorie control. That is not easy, and we get things wrong, but there is merit in extending that approach to the wider population so that people have a better understanding of what they eat and how they can control calories.

That takes us to issues that are ably narrated in the briefing note that the British Medical Association has provided, which goes into nutritional value, linking that to exercise issues, and better advertising of what we are trying to do.

Food labelling is an issue. Some food labels contain a mass of information. If a person has two days to read that information, they will no doubt come to the right conclusion. However, I am not a natural shopper, and I do not like to dwell too long in shopping aisles. If I had to read all the information on food labels, I would be in shopping aisles long into the next meal time, and would miss the meal for which I was buying the food. We must be careful about that.

Education and information are fundamental. We must up the ante. People, particularly in schools for younger people, do not understand that educational attainment is critically dependent on the health of the individual child in the learning process, and that every ounce of energy that is given to improving their understanding of the nutritional value of the food that they eat will have, in the long term, a beneficial effect not just on their health, but on their educational attainment.

I move amendment S3M-5798.2, to insert after "Parliament":

" , while recognising the role of individual responsibility and choice, "

15:37

Mary Scanlon (Highlands and Islands) (Con):

In the same mood of consensus, the Scottish Conservatives support the motion and the amendments in the names of Ross Finnie and Richard Simpson. However, I am reminded of the old days when today's ministers were in opposition. Like the Conservatives, they condemned the Liberal-Labour Scottish Executive because very little was happening despite the constant flow of glossy brochures called action plans, reports and strategies. It would take the best part of my allocated time to mention all the brochures and documents that have been published since the Conservatives published the first Scottish diet action plan in 1996. That plan was accompanied by a leaflet giving nutritional advice, including on having fruit and veg five times a day, which went through every door in Scotland. It is a fact that if all the action points and all the recommendations that the Conservatives made in 1996 had been pursued by Labour, the Lib-Lab Scottish Executive and the Scottish National Party Government, we would have made 14 years of progress on tackling obesity, as opposed to addressing the serious health issues that the minister outlined.

I wanted to put that on the record because, generally speaking, the route map, the Government's action plan to tackle obesity two years ago and the Scottish obesity action resource report of November 2007 cover the same ground as the diet action plan and contain similar recommendations, which is why it is incumbent on all of us to support the publication that we are discussing.

The only difference is that there seems to be less emphasis on individual responsibility, which is the point in Ross Finnie's amendment, and less engagement with the agricultural sector, which was at the heart of the 1996 Conservative action plan. I trust that the minister will take action on that.

We fully support and will engage positively and constructively with all proposals to tackle obesity now and in future. However, any action plan or strategy must include those who are seeking help with weight management problems. Richard Simpson made a good point on the back of Mike Lean's research: parents who are overweight want help not just for themselves but for future generations. By helping those with a weight problem, we will also help prevention, which is a major issue.

This week, a new SIGN guideline on weight loss surgery was issued, which I trust will be funded to ensure that patients who have been assessed clinically and psychologically for the surgery get it. I understand that 104,000 people in Scotland, or 2.4 per cent of the population, have a body mass index of more than 40. The new SIGN guideline states that bariatric surgery is the most effective way of treating that group. However, of the 24,000 patients who are willing and able to have the surgery and who have been assessed for it, only 300 a year get it. I have been trying to help a constituent with a BMI of 66, who has been waiting for three years for surgery and has been told that she is likely to have to wait for more years. She has resorted to one of the diet plans that Richard Simpson mentioned, at a cost to her of £70 a week, because there is no help on the national health service.

We support Richard Simpson's amendment, which calls for the SNP to be held to account on its promise of two hours of quality physical education every week and free access for all children to council swimming pools. That is a matter of principle, like on class sizes of 18—promises made should be promises kept.

I commend the Government for the proposal for cross-portfolio work. I understand that new schools in Scotland are still being planned with no playing fields or outdoor sporting facilities and on sites that might fail to meet the requirement on the minimum playing area per child. I hope that the

partnership with COSLA will ensure that, in future, there are adequate facilities for children.

I thank Ross Finnie and Richard Simpson for mentioning labelling, which is critical. I hope that the Government will work with the Westminster Parliament and the European Parliament to agree on a consistent approach to labelling. Even the most intelligent consumer with magnifying glasses and time to spare can find it difficult to reconcile the number of grams of fat, sugar and salt in one product with the 10 per cent of daily allowance that another product might say it contains. There needs to be a common approach to labelling on food and on alcohol, given that wine can now have an alcohol content of between 4 and 17 per cent. I understand that the calorific values also vary. It is very misleading for the labels on some products to say "reduced fat", which could be reduced from enormous amounts of fat. Reduced fat is attractive to the consumer, but it can be very different from low fat.

I agree with what Richard Simpson said—I am being very agreeable today—about early identification and intervention for babies in the womb and children up to seven years. As Ross Finnie said, the Health and Sport Committee recommended regular vital health development checks by health visitors. They are an opportunity to help not only the child but the family.

My colleague John Scott would not forgive me if I did not mention growing our own vegetables. My colleague Nanette Milne has been an excellent advocate of allotments—it is important that we mention those.

Despite the figures that Richard Simpson mentioned regarding the Highlands, I commend the many schools in the Highlands, including Inverness Royal academy and Inverness high school, for teaching pupils to grow their own fruit and vegetables. Yesterday, I visited Dornoch primary school, which is doing the same thing.

For all of those reasons, we will work with the Government and all parties to tackle obesity and ensure that today's route map does not gather dust on shelves.

15:45

Gil Paterson (West of Scotland) (SNP): It would be easy to give a quick speech that went something like, "Eat less; walk more." On the face of it, if that advice could be implemented, it would work well. However, listening to the minister, we can tell that she knows that the solution is not as simple as that, and I agree with her. She knows that dealing with obesity is a complex matter and that we need to understand the complexities much more than we currently do.

We certainly do not need any evidence on the increasing number of people who are obese, or the impact not only on them but on society as a whole. However, we need to understand why many parents appear to be unaware that they are literally feeding their children to death. We also need to find out more about the changes that have been taking place over the past 10 to 20 years, during which we have seen that steady climb in the number of overweight people in Scotland.

Why is it that people who are defined as low income, lower class, disadvantaged or any other term we can think of to describe the poor are the ones who are most likely to be classed as obese? In the USA, the black community and the native American Indian populations have more than their fair share of obese people. Similarly, the less well-off group across the USA contains high numbers of overweight people. In fact, countries across most of the developed world have in common a large number of people among the poor who are obese, and Scotland is no different in that regard. On the other hand, in most of the underdeveloped countries, obesity among the poor is almost non-existent.

What conditions cause the poor in developed countries to be fat, but the poor in developing countries to be thin? To understand how that works must be of interest to us all. It would be good to research that point, as I am sure that the answer would be extremely useful to this debate.

Two areas in which we have some influence and are able to study and learn more about the background to obesity are our schools and our health service. If we had the right, in-depth research into this problem, we could make the difference, particularly in schools, and I think that the plan outlined by Shona Robison goes some distance towards achieving that goal. However, we must aim to go further, and those who work in the health service and in our schools have a vital contribution to make. Our teachers are seen as role models by their pupils, and patients look to health workers for support and inspiration. Let us hope, therefore, that the first places in which the plan is implemented are in the health service and in schools.

I do not like using knocking copy, but I point out that, in West Dunbartonshire, Labour introduced plans to scrap free school milk, even though World Health Organization specialists urge that milk be given to children in their early years because of its long-term benefits, particularly for girls. Similarly, in East Dunbartonshire, Labour plans to close a good sports centre, with a planning gain of only £10 million, although the replacement centre will cost £16 million to £20 million.

The Labour Party has an awfully bad track record in that regard. I remember well a school

that was adjacent to my headquarters. It had running tracks, swimming pools and hockey pitches—you name it—but Labour closed it and put in its place a school with none of those facilities. I find the Labour amendment cheap—I really mean it—because of the party's track record on such issues.

To return to my original point, I would like to understand what the driver is for obesity. For me, there is still something missing in understanding why people—particularly adults, who should know all the dangers—refuse to take even fairly small measures that could reduce their weight and increase their life span along with their quality of life.

One of the side effects of obesity is that people of all ages, young and old alike, have to put up with constant bullying and abuse because of their weight. That bullying can be mild to aggressive, but it hurts just the same no matter how mild it is. People never get used to the bullying or name calling, so I recommend taking a lead from Sir Jackie Stewart's school of thought: when someone subjects you to abuse because of your affliction or condition, it says much more about them than it does about you.

Let us give people the added support that the strategy offers and make the difference not only to their health but to their state of mind.

15:51

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I am glad to make a short speech in the debate.

I was interested and pleased to hear the Minister for Public Health and Sport come to the realisation that government is hard but the Government has to be accountable. I hope that members from other parties will acknowledge that the previous Executive did a lot of work on school meals, free fruit and water in schools, which were part of a process that the Scottish Government has now been charged with continuing.

When promises are made, it is right and proper that we hold Governments to account, so the Scottish Government does not quite get off the hook by saying that it is tough to address obesity. We all know and have heard in the speeches that have been made how important preventing obesity is. Although we have had a good record in recent years in trying to tackle heart disease, cancer and stroke, we all realise that if we do not do something about obesity, future generations will suffer.

We cannot directly control everything that individuals eat; that will always be a matter of choice. However, we can try to ensure that the

easy choice is the healthy one. All too often, that is not the case. We do not necessarily have the information that we need on labels on all the food products that we eat. Ross Finnie referred to being diabetic and how important information is. My household includes, in me, a vegan and, in my husband, a diabetic vegetarian, so we are perhaps more aware of the nutritional choices than many families, but we still spend far too much of our time when we go shopping trying to balance things up and reading virtually indecipherable labels.

We must also ensure that the healthy choices are available to people. In too many of our disadvantaged communities, people do not even have access to fresh fruit and vegetables. Recently, I spoke to a number of people in Kincaidston in Ayr, which is part of my constituency, who previously ran a scheme that provided fresh fruit and vegetables to pregnant women. Unfortunately, that scheme—which was originally supported by the health board—has come to an end and will not be continued. They also now find that they do not have the funding to continue with their food co-operative.

Those matters must also be examined. If we want to ensure that people have the opportunity to cook good, nutritious meals even if they are on a low budget, we must ensure that they have the opportunity to get the necessary goods to do that.

It is vital that we get physical activity right. We know that around a third of children in Scotland—perhaps more, but that is what we know from the figures that have been published—are not doing the recommended amount of physical activity every day.

That is why it is important that we achieve the two hours of PE in school a week. I heard what the minister said about how difficult that is, but that means that we must increase our efforts. Local government has responsibility for that and must be held to account. If local authorities do not meet the challenges, the Government must be honest enough to say that something in the new relationship with local government, through the concordat and the single outcome agreements, is perhaps not working correctly. Today, the Cabinet Secretary for Health and Wellbeing was honest enough to talk about her personal circumstances. Perhaps we can now have a degree of honesty from the Government on its relationship with local government.

In my area, the health message has been put across well to many school pupils. That was evidenced fairly recently by the barrage of letters, e-mails and all sorts of other correspondence that I received from pupils in Girvan, who will no longer be able to access swimming, not even by paying for it, because the local authority has chosen not to hand over the Girvan swimming pool to a

community organisation, but instead to demolish it. Those young people cannot simply get on transport and go to the next town or wherever, because they do not necessarily have sufficient finances. That is something else that is not working on the ground.

The minister talked about a new joined-up approach across Government. I hope that that will extend to considering sports provision and how people use walking and cycling in their daily activities. People will not go out and walk if they do not feel safe on the streets because they are not well lit. They will not go out and walk between parts of their community if there is no suitable pavement to walk on. I have been in correspondence with Transport Scotland and the Minister for Transport, Infrastructure and Climate Change for several years to try to get a completed footpath between Cumnock and New Cumnock. People walk the route regularly, yet every time that I raise the issue I am told that not enough people walk it to justify a footpath or that there have not been enough accidents to justify a footpath. I hope that the joined-up approach that the minister talked about will mean that we begin to consider such issues.

I hope that the approach will also result in consideration of the promise that the SNP Government made that every pupil would have the opportunity to experience outdoor activities. Local authorities throughout Scotland are simply not providing those activities, but they are the kind of thing that will attract young people. Only yesterday, I visited the Girvan Youth Trust's ACE—adventure centre for education—project in my constituency. Last week, during the recess, when the Walk Rock mobile climbing wall came to Drongan, young people were queuing up to participate in that activity.

I hope that the minister will think of my speech not as a catalogue of accusations, but as a reality check in relation to what is happening on the ground. As I know from my time as a minister, strategy documents are all very well, but what matters is what happens when they are put into practice. At present, not enough is being put into practice. We now have another route map, so let us make it work.

15:58

Nigel Don (North East Scotland) (SNP): I congratulate the Government on doing what it absolutely needed to do, which is to take a long-term approach. Other members, such as Dr Richard Simpson, have referred to that. It is entirely clear that there is no simple answer and that even the answers that we have will take an awful long time to work. Targets to reduce the rate of increase of something are realistic—it is good to

see that the issues are recognised. We have to start dragging things in the right direction.

I could talk about a large number of issues, but I will not concentrate on anything that other members have spoken about. Frankly, we could all be here for half an hour talking off the cuff. However, I note that the issue has three structural aspects. We have the collective problems in the environment in which we live, there are the economic consequences of obesity, and then of course there are the individual health problems for those who are affected. The economic issue affects us all, because at the end of the day we all pay our taxes one way or another to deal with the problems and we all live in that single environment—we are largely connected and we all look at the same things.

Gil Paterson asked why the poor are most affected. The answer is desperately simple: because of commercial power.

One way or another, the poor are more likely to succumb to marketing pressure to do something that, by and large, is not good for us. I do not hold it against the industry but, on the whole, it wants to sell us things that are highly calorific. That is what it knows we will buy, given half a chance. The real issue here is that while education helps us to know what we should do, it requires a good deal of nous, determination and aspiration to stop ourselves doing the things that the commercial world is, largely, trying to get us to do.

All the things that have been mentioned, such as exercise and portion size, are the correct approach—I do not want to stand against them—but no Government is going far enough until we as a society understand that we have a societal problem, and until we get our industries and commercial organisations to understand that it is not in our collective interest to generate products that are bad for us or to advertise those products. I am not sure what the Scottish Government spends or could spend on healthy living advertising but I am sure that it is a minute amount compared with the amount of money that the food and drink industry in general spends on its products. We recognise that an awful lot of those products are not especially good for us, although they are good for the industry because they make the industry money. That is the nut that we must crack; everything else that we can do is around the edges of that. We have least control over the commercial reality, but it has the largest influence.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I acknowledge the member's role as chairman of the cross-party group on obesity. As he knows, I am proposing a bill to limit trans fats. He would agree that that is an example of an issue to which the industry has responded—80 per cent of the industry has met the limits that I propose in

my bill. Does he anticipate the Food Standards Agency making the same inroads on saturated fats, which are one of the big problems?

Nigel Don: Dr Simpson makes an excellent point. Having worked in a big industry—although not the food industry—in a previous career, I can say that while people in industry and commerce may be very well intentioned and are not stupid, at the end of the day they work in the way in which accountants tell them to work, which comes down to numbers and money. If we are going to get any commercial enterprise to do the right thing, we have to make it cost effective for them. That means either enabling them to make a profit by doing the right thing or simply prohibiting them from doing the wrong thing.

I would like to address that issue briefly. I do not believe that voluntary codes work, other than at the margins. The strategy document mentions voluntary codes and then says, "If they don't work, we'll do X and Y." With respect, the minister may as well take out the "If they don't work"; they will not, except at the margins. The minister may as well work out what X and Y are going to be; in fact, she might as well do X and Y from the beginning because it is only when people see some obstruction to what they want to do coming down the track that they will respond. In fact, because they are intelligent they will respond before it gets there—the train does not have to get to the station before people decide that they want to do something different. However, they have to believe that something will happen or nothing will.

I could have talked about a vast number of issues but I will pick up on one that Mary Scanlon mentioned. What on earth does "healthy" mean when we see it on a package in the supermarket? I have no idea what it means; it means what we want it to mean. As long as the advertiser can justify it somehow or other—it is better than the unhealthy alternative—we will buy it. Is 2 per cent less saturated fat good? It probably is, but 98 per cent saturated fat is too much, if saturated fat is the wrong thing to have.

I quote briefly from Sir Terry Pratchett's latest novel—wonderful stuff—in which he talks about the game of football. I will change the quotation slightly because it started life as a conversation.

"Central to the game is the pie, which is generally of shortcrust pastry containing appropriate pie-like substances. I collected half a dozen and tested them on them"—

the students.

"They said they were pretty awful. Not a patch on the pies here"—

at the university.

"They finished them off, however. Examination of the ingredients suggests that they consisted of gravy, fat and

salt, and insofar as it was possible to tell, none of the students appears to have died..."

We recognise that instantly as part of our culture.

That is the problem: it is our culture and we need to change our culture.

16:05

Malcolm Chisholm (Edinburgh North and Leith) (Lab): Obesity is, along with climate change, one of the major challenges that face us as a society. In some respects, obesity and climate change are very similar. First, obesity is the outcome of numerous societal and industrial development forces. Secondly, immediate action is essential, although obesity is exceptionally difficult to reverse. Thirdly, no single remedy will suffice. Fourthly, we require co-ordinated action involving central Government, local government, manufacturers, retailers and many other relevant stakeholders. Fifthly, major societal changes are needed, rather than just advice to individuals to change our lifestyle.

Of course I recognise

"the role of individual responsibility and choice",

and I am perfectly happy, in that respect, to vote for the Liberal Democrat amendment. However, it is far more important that we consider the comprehensive portfolio of interventions that is necessary to support that individual responsibility and choice. Anyone who says that one or two interventions are enough is clearly wrong. In that regard, it was regrettable to see the coverage on the front page of *The Herald* yesterday, when one of a panoply of measures was selected and highlighted. That was obviously a complete distortion of what is presented in this very comprehensive report.

The other problem that arises from placing too much emphasis on individual responsibility is that that can easily lead to a blame culture, and none of us wants to go down that route, particularly given that we know about the many obesogenic forces in society and about the additional, profound factors for women that are described in that landmark book, Susie Orbach's "Fat is a Feminist Issue".

I welcome the Government's strong focus on obesity, just as I welcome its strong focus on alcohol. Both were big issues six or seven years ago, but they are even bigger now as the trends in both accelerate in a most alarming way.

People often think of obesity in terms of appearance, but we must focus on health and we must inform people of the facts, which are not universally known and which people have to face up to. Many people know of a connection with cardiovascular disease and diabetes but, for

example, the connection with cancer is not so widely known. I recently attended a cancer conference organised by the Scottish Cancer Foundation at which Dr Walter Willett, an international expert from the Harvard School of Public Health, said that within the next decade obesity would be a bigger contributory factor to cancer than smoking. We must listen to the experts when it comes to the consequences of obesity and action to deal with it. We are lucky that we have experts such as Mike Lean and Annie Anderson in Scotland, but I am pleased that the Government paid such attention to the Foresight report "Tackling Obesities: Future Choices" from the Government Office for Science in Whitehall.

I welcome the focus on the workplace and the early years. That approach replicates two themes of "Improving Health in Scotland—The Challenge", which came out in 2003. One additional area that I want to emphasise a bit more is action in the community. The Foresight report gives the example of an initiative that has been successful on the basis of the evidence: the EPODE initiative in France, which is based on a methodology that is designed to involve all relevant local stakeholders in an integrated and concrete prevention programme. I am particularly interested in that model because it is being used on a small scale by an initiative that is starting now in the Pilton health project in my constituency. I will follow that initiative with great interest. The key issue is to involve local people in deciding what the solutions are. That is a key insight and it is perhaps the one dimension that is missing from "Preventing overweight and obesity in Scotland".

Clearly, pages 17 to 20 of the report are central. That is where the issue of portion size comes in, but within a much wider context to do with labelling, marketing and the whole issue of how we reduce the intake of energy-dense foods.

Richard Simpson's suggestion of listing calories is an important part of that—the report deals with labelling, which could be a basic and important part of activity and might well be a key way of dealing with portion sizes, which have attracted much attention this week.

I like the next section, particularly when it talks about creating

"environments that make walking and cycling part of everyday life for everyone".

That is to do with energy expenditure rather than energy consumption. The wider perspective is important, but we all know that such environments are not necessarily being created in practice. As with other parts of the report, the principle is fine, but implementation is all.

I certainly commend the report but, as I have said, I would have liked a bit more emphasis on

action at a community level. One final little quibble is that the report contains too much at the beginning about action on obesity to promote the Government's purpose of delivering sustainable economic growth. That is obviously an important element, but I found that a bit jarring. More important is promoting the health and wellbeing of the people of Scotland. That is about how long we live, how we live and reversing a trend that, without our concerted action, will cause untold damage to millions of individuals in the years to come.

16:11

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): There is no doubt that the Scottish Government's publication is, by and large, worthy. It identifies the problems of obesity and shows what needs to be done to tackle that serious and important issue.

The Liberal Democrat amendment says that we must recognise

"the role of individual responsibility and choice".

Choice in particular seems to have been somewhat forgotten in the report. Personal choice is the commonsense matter that has been largely missed in one part of the document. As Ross Finnie politely said, the minister's approach to food portions risks ridiculing all the good parts of the report—Ross Finnie and Mary Scanlon made good points about food labelling.

I could not believe it when I read on page 18 in the document—the problem is that the proposal is in the document—that the minister and her whole team of civil servants have decided that the Scottish Government knows best about portion sizes in ready meals and restaurants. I say to Malcolm Chisholm that that is the one unfortunate point in the report. It is the only one, but it risks undermining the report.

Shona Robison: Mike Rumbles overstates the case by suggesting that the proposal risks undermining the report. I cannot be responsible for the elements that the press decide to seize on and highlight.

Much work is already going on with the industry and retailers on portion control and on reducing portion sizes voluntarily. The only point that is made on page 18 is, as Mike Rumbles and others have said, about what happens at the end if all those voluntary measures do not work. That is the only reference to statutory controls and it does not mean that we will take that direction of travel. He slightly overstates the case.

Mike Rumbles: I do not overstate the case. In this day and age, the minister cannot blame the press for picking out the silly point that she makes,

which is the one silly point in the document. Page 18 says:

"This will include activity"—

whatever that means—

"to standardise portion sizes in ready meals and restaurants."

What is more, as the minister just said, if the Government's voluntary approach does not work, the document says that the Government will introduce legislation to enforce the approach. Aye, right.

That part of the document reads as though it is an extract from the script of an episode of the television comedy series "Yes Minister". Even Jim Hacker would in all probability have had his Gordon Brown moment if Sir Humphrey had been daft enough to bring the proposition before him in the department of administrative affairs.

What has happened to common sense? Does the minister seriously believe that the Scottish Government's job is to involve itself in what a large fish supper or a large portion of haggis, neeps and tatties is? Not only that, but does the Government intend to threaten manufacturers and restaurateurs by saying that if they do not cut down their portions, the Government will be after them to ensure that they do?

Shona Robison: How far does Mike Rumbles take that? Does he not think that a role exists for ensuring that consumers know what is in the food that they eat in restaurants, many of which want to provide that information? Is he saying that no assistance should be given to consumers who tell us that they want such information? Is that the wrong way to go?

Mike Rumbles: The minister has got this completely wrong. She is daft on this point. I am not trying to be insulting, but she has lost the plot on this. The Government has gone too far. If we were to ask restaurateurs whether they thought that the idea was a good one, I would be surprised if many of them said yes. It is a silly point to make. Why spoil a really good report for one over-the-top proposal?

Given the sensible person that you are, Presiding Officer, I hope that you can see how daft the proposal is. I hope that Ross Finnie, too, sees how dismal it is. Far from defending the inclusion of a completely daft idea, I hope that the minister will admit—even now—that she got it wrong. She should put it to one side and move on; the route map would be much better as a result. Instead of defending the indefensible, she should accept that a mistake was made, quietly drop the daft idea and concentrate on getting on with everything else that is good about the document.

I have one further, serious, point to make. The minister said that there would be no new resources for this work. As I pointed out when I intervened during her speech, on page 27 of the document, the Government says:

“We will underpin our range of preventative actions with investment in a public communications strategy”.

In response, the minister pointed to appendix 6, on page 43. On checking, I find that appendix 6 relates to current expenditure. She did not answer the question. Instead of dwelling on the silly issue of Government knowing best on portions, she should answer this serious point. Will she indicate in her closing speech what the investment will be in monetary terms and where it will come from? If page 27 means anything, there must be a budget headline.

I hope that the Parliament will support the Liberal Democrat amendment.

16:17

Christopher Harvie (Mid Scotland and Fife) (SNP): Let us take two politicians, neither of whom is in the chamber today. One was a fat, depressive, chain-smoking near-alcoholic who knocked back industrial quantities of brandy and who had an aggressive record; the other was a trim, non-smoking, teetotal vegetarian. The first was a credit to the Conservative party and the saviour of his country: Winston Churchill. My description of the other is just about all that can be said positively about Adolf Hitler. We should never prejudge.

Our greatest playwright, James Bridie, said something of the sort in “A Sleeping Clergyman”:

“We are not the prisoners of our bodies”.

For most of his life, James Bridie was a doctor. He was also the colleague and friend of our greatest nutritionist, Lord Boyd Orr, who believed that the Scots were best fed during the times when we lived on oatmeal for breakfast, lunch and dinner. He was probably right, although the prospect is not terribly exciting.

The Scottish Government’s route map shows the alarming number of cases of adult and child obesity. The prognoses for the coming decades are even more alarming: if not technically an epidemic, they promise endangered health in later life. The reasons for the problem are varied; the report lists many of them. I will concentrate on cultural aspects.

Our modern, urban society with its sedentary workplaces and focus not on the outdoors but on television and technology-driven entertainment in the home does not make it easy for us to exercise. We lack exercise or the time to exercise. Above all, we have a chronic car dependency that starts

with the school run. All that is compounded by the ousting of honest oatmeal by omnipresent processed foods with additives and often high sugar and salt content, particularly in products that are aimed at kids. Richard Simpson mentioned that. We need only go round the megamall or any one of the dozens of fast-food outlets that have replaced our greengrocers and fishmongers on many a high street to estimate the traffic in salt, sugar and e-numbers.

In Scotland, we are preoccupied—naturally enough—with our struggle against the effects of alcohol and drugs: our focus is on crime, antisocial behaviour and alcohol-related illnesses. We often forget that the calorific content of alcohol also piles on the fat.

A delicious glass of malbec is equivalent—alas—to a delicious lamb chop; I suppose that members can see the result here.

There is also a relationship between obesity and poverty. There is a link between fattening fast and junk food that is available cheaply and the marketisation of healthy lifestyles, which involves expensive health food, gym memberships and fitness classes. Our tabloids and free news sheets emphasise a cocktail of the body beautiful and wealth; in most of those periodicals, there seems to be more bare flesh than newsprint on offer. Models and sportspeople obey the Duchess of Windsor’s famous dictum that

“You can never be too rich or too thin.”

If people fall off that wagon, they find that they need comfort food.

Instead, we need to make healthy eating attractive and affordable. We should remember that back in the 1820s, long before Mrs Beeton, Meg Dods—named after a character in one of Scott’s novels—was the first Scot to create a family health and cooking companion.

The route map stresses education, especially for children, about enjoying healthy eating. Educating people about food and clear labelling of additives and calorie content—without the need for a mathematical calculator—are crucial. However, if obesity is a social problem, we must transform Scots society as a whole and provide communities and environments that invite walking, cycling and outdoor activity—for example, through the central Scotland green network project or streets for people schemes. We must provide safe, attractive, clean and local playgrounds for kids. I refer members to the speech that I made the week before last on the dog question. Alan Bennett once said of Parliament Hill Fields in London that every blade of grass in that public park deserved the Duke of Edinburgh award after the dogs were done with it.

We need clear, good, clean public spaces and public transport that caters for walkers and cyclists, to overcome our car dependency. That will not only help to reverse the trend towards obesity but will benefit our community as a whole.

Finally, we require some degree of tolerance. I speak for the two thirds of Scots who are overweight. Despite walking as much as I can, I will never look like a Bondi beach lifeguard—although it seems that Australians never look like Bondi beach lifeguards either. Let us settle for making the best of what we have and for being sensible, if sonsy—to use an old word that Burns uses—Scots.

16:22

Rhoda Grant (Highlands and Islands) (Lab):

The rising rate of obesity is alarming and threatens to wipe out the health gains that have been made by many years of work aimed at reducing heart disease and smoking. It is also a complex issue, especially when dealing with young people.

Young people need a balanced diet to develop properly, so extreme dieting can cause them health problems later in life. We must also be aware of the stress that is placed on young people to conform to certain images. That is a problem with girls, in particular, but it is an increasing problem with boys, too. For that reason, we need to be careful that, when tackling obesity in young people, we do not give the impression that super skinny is good, which leads to problems with eating disorders. We cannot afford to ignore these life-threatening issues.

I am concerned that there is a general lack of knowledge in Scotland about nutrition, which means that people cannot make informed choices. People are also unsure about how to cook certain food. Our society depends heavily on convenience food, which tends to be less nutritious and more expensive. To change that, we need to return to teaching cooking and nutrition in school, to ensure that all young people are equipped with the knowledge that they need to make healthy choices. The loss of healthy living centres impacts on the issue, as we have a generation of people who are now parents who lack knowledge of nutrition. It should be no surprise that their children are growing up increasingly obese. The parents do not know about a balanced diet and are unable to provide it, far less pass on that knowledge to their children.

As a society, we are less active. Children no longer play outside because of a fear of danger. We need to look at the availability of opportunities to exercise that allow parents to feel that their children are safe while taking part in activities. Although children are not at greater danger than

they have been in past generations, parents perceive that they are. We must, therefore, ensure that there are safe activities in which young people can get involved that acknowledge those real concerns.

Many organised activities come with a price tag, which disadvantages families on lower incomes. Organised activities tend to be less common in deprived areas because of a lack of demand, which is due to the costs involved.

In our society, there is a lack of tolerance of the noise that children make when they play. “No ball games” signs spring up in residential areas, but the same estates have no play areas—or, if they do, they are deemed unsafe. It is little wonder that the problem is increasing.

In its briefing, the Scottish Sports Association tells us that, since 1970, our calorific intake has fallen by 750 calories a day, yet the incidence of obesity rises. Much of that increase is due to the lack of activity in our lives.

Cathy Jamieson spoke about safe streets, and the briefing from Living Streets suggests a number of ways in which our streets could be changed to make them safer and to provide people with the security that they need to walk rather than take the car. Having lower speed limits in residential areas is one such idea. The previous Government carried out a lot of work creating safer routes to school, and that work must be built on if we are to get people out and about.

There is an issue around encouraging young people to get involved in activities—and it is notoriously difficult to get young girls involved. I visited Atlantis Leisure in Oban, which has been innovative when it comes to involving young people in sporting activities. It has a climbing wall and provides dance classes that are very popular with young women. In order to engage young women, physical activities need to be provided in a format that they are happy with, and dance is a very good example. In addition, the facilities in sports centres should be geared to their needs. Communal showers and changing rooms can be off-putting to teenage girls, who are at an age when they are very self-conscious. There is a tremendous pressure on them to look good. Getting their hair wet means that they need hairdryers, straighteners and so on. It is pointless saying that they should not be concerned about such things—they are, and they will get involved only if such facilities are available.

Several members have highlighted the fact that the poor tend to suffer more from obesity. Parents on low incomes have the challenge of feeding their families on a budget. We all know that unhealthy food is cheaper. If we compare the cost of sausage roll and chips with that of chicken and

vegetables, it is not hard to see why those choices are made. If fruit and vegetables were more affordable, parents would buy them for their families. There must be a way of making them available more cheaply to low-income families.

Projects such as Good for Ewe in Wester Ross are good examples of how a community can come together, with people helping one another to access fresh vegetables. The project allows people to rent polytunnel space and to work with others in planting and growing their own food. In other areas—more affluent areas, it seems, rather than areas where there is more need—there is a rise in the number of people who are looking for allotments so that they can grow their own vegetables. Projects like Good for Ewe should be rolled out into more urban communities.

Obesity increases the risk of type 2 diabetes, high blood pressure, heart attack, colon cancer and angina. The cost to the health service is huge: there are the costs of the treatment of the associated diseases; and there is the increase in the costs of drug treatment for the obesity itself. The personal cost is immeasurable.

There is no simple answer to the problem. A range of issues need to be addressed in order to encourage people to eat more healthily and take more exercise, and I have advanced only a few.

16:28

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): It is a pleasure to sum up the debate. As someone who suffers from what Dr Richard Simpson calls a “waist circumference” problem—I am not the svelte figure I was 10 years ago—I know what it is all about.

The Minister for Public Health, Shona Robison, aptly summed up the situation that we face. She spoke about the obesity epidemic and the real cost that it will bring to us all, years down the road. It is coming quicker than we think. She also mentioned the recipe for success policy. I had come across it, and I found the engagement of producers and retailers very welcome. That is part of the solution.

I welcome the minister's support for my party's amendment in the name of my colleague Ross Finnie. That is good news from our point of view.

Dr Simpson took us further back and talked about the long-term effort. He talked about counting calories and made the apt and important point that we do not do that in the Scottish Parliament. Perhaps we should practise what we preach—that is something for the Scottish Parliamentary Corporate Body to consider. Dr Simpson also talked about diets that work. We have all come across the faddish diets that most

emphatically do not work—some of us, including me, have tried them. However, a sensible approach can be taken and we should embrace it.

The healthy working lives initiative sounds good and is worth discussing, but how we make small and medium-sized enterprises engage is a tricky issue. As Nigel Don said, the bottom line in the profit-and-loss account is what counts and it is terribly hard to persuade a small business to think about how to make its employees healthier, even though the employee's health will contribute to the business, just as a student or pupil's health will have an effect on their ability to maximise their educational attainment.

Ross Finnie and I have repeatedly talked about the ticking time bombs of cardiovascular disease, diabetes and cancer, which are coming at us faster than we would like them to do. Progress is slow and there is not much that we can do about that; we must keep plugging away at the issue and never take our eye off the ball. I am glad that the Scottish Government accepts the amendment in Ross Finnie's name. That is welcome.

I thank Mary Scanlon for not taking the opportunity to mention my general practitioner. She has been tempted to do so in previous debates, as members know. She talked about the halcyon days of yore when the Tory Government made the first moves towards encouraging us to eat five portions of fruit and vegetables a day—well, let us all sing from the same hymn sheet today. She also talked about allotments. That might be a side issue, but it is important. I pay tribute to organisers in my home town, Tain, who are on the edge of getting an allotment scheme up and running. Such schemes are pretty much unknown in the Highlands, but they have a great deal to contribute in the context of getting people to exercise and eat sensibly.

Gil Paterson and other members, including Mary Scanlon, talked about school facilities. There is no doubt that there is a shortfall in that regard. We should not be so churlish as to lay that at a particular Government's feet; there has been a shortfall for a long time. If we want youngsters to be fit, the provision of facilities is crucial.

Cathy Jamieson made an interesting point about walking. The more I think about it, the more I realise that often there is no suitable pavement and that, even if people can walk, they might not want to do so, because something quite nasty might happen. There are dangerous areas. It is about street lighting, for example. Mary Scanlon knows from the Highland perspective that many of the parents whom we deal with who are appealing decisions not to provide school transport might let their child walk if it was safe to do so, but the bottom line is that it simply is not safe.

My friend and colleague Mike Rumbles made a useful point about portion size. My definition of a big fish supper is probably different from his. I recommend that the Scottish Government consider the issue, because there could be an unfortunate perception about what we are trying to do with the best of intentions. I add that when I was a child it always seemed that my little brother got bigger portions than I did, which might explain why my character is what it is today.

I compliment Rhoda Grant on her thoughtful speech. The teaching of cooking skills is crucial and is not what it could be. As she said, the generations who could pass on those skills are going, so there is an enormous amount of work to be done on that front. I pay tribute to Edinburgh Cyrenians—it is based halfway down Leith Walk—which teaches cooking and does good work in taking healthy supermarket food that is about to reach its sell-by date and recycling it for some of the least well-off people in Edinburgh and Lothian. That is an example of how we can target the obesity problem.

I have said many times in the 10 years in which I have been a member of the Scottish Parliament—and have gently expanded—that I was a youngster who was not good at sport and who tried to avoid physical exercise classes. There are other ways to get fit, such as gardening and doing things out of doors. I make an appeal for us not simply to focus on PE and children in gyms but to be imaginative in finding other ways to get children to exercise.

I thank the Government for supporting the amendment in Ross Finnie's name, which it is my pleasure to support.

16:35

Jackson Carlaw (West of Scotland) (Con): I do not know what to make of this afternoon's debate. The most alarming analogy came from Nigel Don, who I think implied that the train does not need to get into the station before people get on or off it. That is a course of action I really cannot advocate.

In the months since we last debated the matter in anticipation of the report that we are asked to endorse today, there has been some public discussion about the actual measure of the challenge that we face. Once again, all is predicated on doom-laden forecasts from forecasters who have been wrong about the scale of almost every other public health challenge to date. However, while slapping a health warning on the flashing frightener statistics themselves, let us at least accept that there are more overweight people than there were and that there appear to be more still with every year that passes.

The report is unable to overcome what was feared for it, for it is stuffed full of the worthy, that which is common sense and that which is frankly barking mad and, indeed, insulting. What are we to make of the drivel on portion control in commercial restaurants? Who on earth dreamed up such a preposterous nanny-state idea? Will portions be determined by sex, age or height?

How would such nonsense be policed? Would buffet and carvery restaurants be banned? Would the self-service bar in the parliamentary cafeteria be boarded up? To be consistent, will the minister ban two-pies-for-the-price-of-one promotions? Give us a break.

What is an appropriate portion anyway? As a learner skier, falling off the lift and having to climb up the mountain, I probably feel that I need more to eat when I get down than, say, someone who spends a sedentary day reading the SNP manifesto—for which smelling salts need be the only sustenance.

I applaud both amendments. One points to the hypocrisy of the SNP record on physical education. For heaven's sake, can young people not enjoy sport and exercise for its own sake? Must it always be part of a disciplined regime to control and manage weight gain?

It is Ross Finnie's amendment that says what needs to be said, although I suspect that I mean to be blunter still. For me, there is just far too much sympathy and understanding and far too much fancy talk. The word "obesity" is now presented as a diagnosed condition, as if unavoidable and, as I said in an earlier debate, something caught on the train or bus. There are those who have genuine health issues, but there are far too many others who are just eating too much, exercising too little and getting fat.

That would be fine if all the consequences were borne by those who indulged in that lifestyle option, but they are not. All the addictions—smoking, alcohol, drugs and weight gain—are ultimately treated by the national health service, free at the point of delivery. Our national insurance scheme is being asked and tasked with picking up the tab of an unquantifiable future commitment from which each of us is ultimately absolved. I therefore agree with Ross Finnie, possibly more than he does himself. Our own responsibility is not to be glossed over under a welter of fancy schemes and initiatives as an also-ran; it is the key.

Making people wear seat belts must have saved the NHS enormous sums of money in the years since the law's introduction, as well as countless lives given the massive increase in car ownership. We should look to the more recent change on the wearing of rear seat belts, supported as it was by

campaigns to illustrate the lethal consequences to others in a vehicle of an unbelted rear-seat passenger. In other words, the social and moral context of the practice was changed.

If we do not get a grip individually, the ability of the NHS to sustain its vital service on so many desperate and unavoidable illnesses will inevitably be compromised by the diversion of funds—the minister referred to this—to treat the consequences of a wanton mismanagement of our own lives. For example, the report finds that blood pressure, type 2 diabetes and heart attacks will increase. More people survive heart attacks today, but they are left with degenerative disease, which needs treatment that, as the heart gradually deteriorates and fails, becomes more intensive and expensive.

Perhaps our creative and advertising support needs to show how the future NHS could be stripped of its ability to treat mainstream conditions if, as a population, we do not shape up to our moral responsibility. We need to say—and say it clearly—that we appreciate that, for some, inequalities have led to personal situations whose circumstances it is the duty of politicians to address and find solutions for. However, we must also be clear that for others—the majority—it is a case of politicians saying directly to them, “There’s no excuse.” I reflected on this message, which I think Richard Simpson thought a bit harsh when I spoke to it in more measured terms in the previous debate—I fear that he will be shuddering this afternoon, which is a shame, as the attention that he has drawn to trans fats is important.

However, as we sit here ruminating and pontificating, what are we doing ourselves? The uncomfortable truth is that there are MSPs who are near or at their target weight and there are those who are over it, those who are fat and those who are obese. We should admit as much when we lecture and legislate. For example, I have never yet met some MSPs on a staircase. It dawned on me after the previous debate on this issue that I had better practise some of what I preach. I have to say that I am 2 stone lighter as a result, and I intend to lose another stone and a half.

I told myself that it is my responsibility to sort out my weight and not the Government’s responsibility to do that. I do not need an information programme or the lack of one as an excuse to hide behind. I do not need Shona Robison or Nicola Sturgeon at my bedside or kitchen table, walking beside me in a supermarket or ordering my meal in a restaurant; nor do I need Ronnie McColl of COSLA for that matter, bursting as he does out of his brochure photograph. The public do not want some gruesome twosome parroting in their ears. We need to complement all the

proactive work that the public sector does with a demand that, if health care is to be provided sustainably free of charge, we have a responsibility to take care of ourselves.

Before the refrain about the wicked, uncaring Tory is echoed, I emphasise again that there are those who genuinely need help; that is why we believe in an expanded and universal health visitor service, to ensure that many young and potentially inexperienced new families get the practical parenting advice that they need on how to do the very best for their children.

All our lives are unique and individually precious; ultimately, they require us to take responsibility for ourselves and for those who depend on us, whatever our income or place in the world.

16:41

Mr Frank McAveety (Glasgow Shettleston)
(Lab): I stand here with some trepidation, given that there have been four or five allusions to the consumption of pies during the debate. In an afternoon when we have heard the cabinet secretary give her mea culpa, I can say that not one morsel of that very delicious Scotch pie ever passed my lips—for those of a literary bent, that is a direct allusion to Burns. I have just fantastically enjoyed Jackson Carlaw being tough on obesity, tough on the causes of obesity. He is a man of virtue and rugged individualism. Quite clearly, he is the Gradgrind of our Parliament—hard times, indeed, Jackson.

If we look around us—not just in the Parliament, but in our constituencies and communities—we can see that what is said about obesity is true. The condition of most Scots is substantially different from that of our European counterparts in terms of our weight and how we look after ourselves through our lifestyle and eating habits. American student interns often arrive at the Parliament delighted to see people who are slimmer than those in their own country. However, when they make weekend visits to Brussels, Paris or Rome, they come back knowing the truth about Scotland. The reality is the everyday visual confirmation of the statistics that we have heard about this afternoon.

It is important that we try to deal with that reality, so the minister was right to try to identify in her speech ways in which we collectively, at local and national levels, can try to change attitudes. I understand and share the concerns about each individual being responsible for their own physical condition. However, having listened carefully to both the minister and the cabinet secretary this afternoon, I will now do the new gentle of Scottish politics and stick up for the minister over an aspect

of the route map's direction to which a number of members referred. I love her too much to allow her to become the Edwina Currie of Scottish politics in terms of health recommendations, so, like a number of other members, I caution her against that aspect of the Government's new document.

Quite rightly, though, the document identifies a number of areas that we need to address much more effectively. I welcome the contributions that a number of members made to the debate in that regard. In particular, Nigel Don spoke very eloquently and convincingly on the structural approach that must be taken. I do not necessarily agree with his conclusion about the commercial sector. I think that we need to work with it to try to identify ways to address concerns about the content of food and how it is labelled and presented. Ultimately, however, the choice about whether to take the food lies with the individual.

As with everything else, we need to get things in proportion—we have used such tortuous metaphors all afternoon. The issue is also to do with physical activity. As a member of the previous Administration, I acknowledge that it is legitimate for the minister—we have crossed swords on this matter before—to refer to the fact that we, too, had a responsibility to try to achieve the target of two hours of PE a week in schools, because we set that target. However, the issue now is to try to address that concern during this session of Parliament and beyond.

I look with interest to future developments on that, as I certainly think that we can be much more effective. As the minister herself said a number of years back when referring to the previous Executive's strategies,

"unless schools are resourced sufficiently to ensure that children have adequate physical education ... none of them will fit together in such a way as to improve our children's health."—[*Official Report*, 11 September 2003; c 1721.]

Just as that was true in 2003, it is also true in 2010.

Shona Robison: I agree with that to some extent, but I have also changed my mind a bit. When I go round those schools that have achieved the target of providing two hours of PE each week, it is amazing how much of that comes down to the leadership of the headteacher and the teachers in the school, who have decided to work with what they have. With a bit of imagination, a lot can be achieved.

Mr McAveety: I agree, but the reality that we face in 2010 is that only one of the 32 local authorities is delivering on a programme to which we are all committed.

Just as we rightly speak about how we can achieve consensus in other debates, such as in the wider debate on the Calman commission's

proposals, I believe that there is a consensus in the Parliament on the need to tackle obesity. I think that we could make much more substantial progress. However, many in our constituencies are also facing the consequences of a difficult settlement for local authorities that will have an impact on the extent to which that commitment is deliverable.

I know that the issue is difficult, because it is also about choices. Looking back to my own childhood, I remember that, in our school holidays, all the boys in our house would be woken up by my mother and basically told, "Right, oot you go." We were told to disappear for four hours with two major provisos: first, that we were not to bring the polis to the door and, secondly, that we were to come back for our pieces. I can guarantee that we got one of those right, but I will let members conclude which. The point is that we spent a lot of time eating an awful lot of food, but we were involved in a lot of activity to compensate for that. This is perhaps the dilemma that we face in the contemporary age. By contrast, for example, although my son is very active in sports, I doubt that a weekly assessment would show him to be involved in anywhere near the level of activity that my brothers and I were involved in at school.

However, not everyone likes sport, so another issue that we need to address is how we encourage other forms of activity. I think that there has been a consensus in the Parliament this afternoon that we also need to address that.

I think that the Government has a responsibility to drive the issue forward. Understandably, a key element in debates in the chamber has been the suggestion that the concordat represents a structural shift in how we make things happen in Scotland. I might not totally agree with that assessment or analysis, but that is how the concordat was sold. Therefore, if the concordat means anything—this applies not just in the context of tackling obesity—the question is how we shift the dynamic at council and voluntary sector level so that we deliver sports clubs, activity levels, two hours of PE each week with a qualified PE teacher, outdoor education and access to swimming pools. Those commitments were made by different Opposition parties at different levels, but they were also the key commitments of the SNP in the 2007 election campaign.

During this debate in which we have tried to secure some broad agreement, I have enjoyed some of the names that have come up. Mention has been made of a Mr Lean, who is professor of human nutrition at the University of Glasgow. On the radio the other night, I spoke about the issue alongside a Mr Fry. Finally, the campaign in Scotland is being led by a Sturgeon and a Salmond. Therefore, if we pull together, we should

be able at least to find better ways of delivering on the strategy.

I will make two final points. In the greater Easterhouse area, we have a fantastic initiative called the gladiator programme, which started out as a programme to tackle antisocial behaviour. Alex Richardson is a fantastic individual who leads that programme. Turbulent though Alex Richardson can often be, he is committed to the idea that the programme provides a model that could deliver a whole range of things, including physical activity, particularly in the most disadvantaged communities. The programme is not cheap—such things require investment—but the outcomes can make a genuine difference.

Finally, it is critical that we build on where we have agreement in the debate. Previous Governments—both from 1999 to 2003 and from 2003 to 2007—secured agreement on the issue and I think that the minister has accepted those elements in her speech. Therefore, we should build on the consensus that I think exists on the sports pledges, which we all agree will make a difference but need to be delivered on over the next period.

16:49

Shona Robison: I have enjoyed the debate, and I thank all members for their speeches, during which I have been compared with Edwina Currie and a dinner monitor. I am heartbroken that Jackson Carlaw wants neither Nicola Sturgeon nor me by his bedside—how can we go on!

I begin by reflecting on the consensual nature of the debate, which I believe is extremely important as we seek to make progress on tackling obesity. I will try as best I can to respond to some of the points that have been made.

Richard Simpson talked about the child healthy weight intervention programme and the targets around that. More than most members, he will understand how difficult it is to get children and families signed up to the programme, because there is still a lot of stigma around the issue. Health boards are working extremely hard to find ways of getting families signed up without their feeling stigmatised.

Richard Simpson asked about the healthy weight communities pilots, and I am pleased to tell him that the Scottish version of EPODE involves communities in eight areas: Dumfries and Galloway, Dundee, East Ayrshire, East Renfrewshire, Glasgow, North Ayrshire, North Lanarkshire and West Lothian. Some extremely interesting ideas are emerging on what happens when a project is community led and the people who live and work in a community all work

together and face the same direction. It will be interesting to see what comes out of those pilots.

Richard Simpson also asked about the counterweight programme. I am pleased to tell him that the roll-out of that programme has now concluded in NHS Tayside, NHS Lothian and NHS Lanarkshire, which were the first boards to adopt it. Seven other boards—NHS Dumfries and Galloway, NHS Highland, NHS Borders, NHS Forth Valley, NHS Western Isles, NHS Shetland and NHS Orkney—commenced working with the programme in August 2008. NHS Greater Glasgow and Clyde is not involved in it because it has its own programme, and we were happy for it to continue with that.

Ross Finnie laid out the issue of individual responsibility quite well, and I agree with what he said. The point of the strategy is how we as a Government can make it easier for people to make the right choices. We know that we cannot make choices for people, but we can make it a bit easier for them to make healthy choices. Throughout the debate, members have laid out various measures that would allow that to happen, such as improved labelling and greater clarity on the calorie content of the meals that people eat.

Mary Scanlon took us back to 1996, which it is clear is when the whole process started. In some ways, we know what needs to be done, but what makes the new route map slightly different from some of the reports and plans that have been developed in the past is that it relates to the whole of Government. It involves thinking about not just what the health or the education directorates can do, but what can be done in the field of transport and what local government can do through the licensing and planning decisions that it takes. It is a question of thinking across the whole of Government, and I am not sure that that has been done before.

Mary Scanlon: The 1996 diet action plan, which Susan Deacon complimented when she was Minister for Health and Community Care, made a link with the agriculture sector. I have not heard much about that today. Can the minister confirm that the Government will work with that sector?

Shona Robison: Absolutely. Mary Scanlon makes an important point. Through the national food and drink policy, a lot of work has been done, particularly by Richard Lochhead, with the agriculture industry. If we can get more local produce into our schools and hospitals, there will be a sustainability gain and a health gain, so I very much support what Mary Scanlon says.

Gil Paterson made some extremely important points about the link between obesity and deprivation. We are beginning to get a better

understanding of the issue, but more research into that would undoubtedly be welcome.

Cathy Jamieson made a highly constructive speech, in which she highlighted some of the challenges that we face. Her point about the need for safer walking and cycle routes is important, because if people do not feel safe when they go out and such routes are not well lit, we have a real problem. In that regard, the joined-up approach that is being adopted by the healthy weight communities is coming into its own. They are looking at how lighting can be used to tackle the obesity problem. That can be done by making walking and cycle routes safer.

Cathy Jamieson: Will the minister address the specific point that I made about footpaths alongside trunk roads? I referred to a real problem in my constituency, between Cumnock and New Cumnock. People need to be able to walk safely along such routes.

Shona Robison: I am certainly happy to follow up that matter with the Minister for Transport, Infrastructure and Climate Change if the member thinks that that would be helpful.

Nigel Don, as ever, made an incisive speech. He knows a lot about the issue. He talked about the dilemma and challenges around commercial interests and trying to ensure that commercial decisions can be cost effective; if they are not, they will not be made. Of course, statutory measures are the other side of the issue, but I believe that there is still a lot of mileage in working on voluntary measures with the industry. We will see who is proved right on that.

Malcolm Chisholm made another thoughtful speech. Of course no single remedy exists. The links to alcohol are absolutely clear. The calorific intake of people who consume alcohol is in itself a real challenge. We have tried to get messages across to women in particular by making a point about the calorific content of a glass of wine, for example. Malcolm Chisholm's point was well made. I reassure him that, when the strategy is translated into an action plan with clear milestones, the community involvement in that will be clear.

Mike Rumbles asked about the resources for the campaign that is mentioned on page 27 of the document. I reassure him that the resources will be taken from the existing budgets for 2010-11. They will be taken from the £4.9 million budget that we have allocated for tackling obesity in that year.

Rhoda Grant made important comments about good ideas in her local area, and she mentioned the challenge of getting and keeping girls active. That is an important issue. I had the pleasure of meeting girls who are becoming leaders and

taking classes themselves in the girls on the move project. The confidence that that has given them is remarkable. Other girls are perhaps more likely to take messages from them and their peers than from others. That is also an important point.

Some members will be devastated that they were not at my meeting with Miss Scotland, Katharine Brown. She is a fantastic ambassador, and she has agreed to work with us and to do more work with young girls to get them fitter and more active. I look forward to working with her.

Jamie Stone made important points. On the role of the workplace, I reassure him that the Scottish centre for healthy working lives is doing a lot to support small and medium businesses to see the dividends for them as employers as a result of keeping their employees healthy at work.

As ever, Jackson Carlaw made an entertaining speech. Not for the first time, a bit of cynicism came through in it—we would not expect anything else. He made the important point that we cannot abdicate individual responsibility. However, the Government has a role in making choices easier, and I am not sure that I would subscribe to where I think he was going—that is, that there should be a cut-off, and if a person chooses to live their life in an unhealthy way, they should not get access to NHS services. That is a step too far. I would certainly not advocate that approach.

Frank McAveety was very consensual—indeed, I think that there is a new Frank. What can I say? I thank him for not comparing me with Edwina Currie, although he sort of did so. His taking of responsibility for the previous Administration's challenges around two hours of PE a week was refreshing. There is a challenge, but we must overcome it. He made a point about the financial circumstances that affect the public sector. Those circumstances are real, but they should not stop us progressing with the leadership and imagination that we need. That can achieve a lot.

I thank members for their speeches in what has been a worthwhile debate.

Business Motion

16:59

The Presiding Officer (Alex Fergusson): The next item of business is consideration of business motion S3M-5800, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a business programme. I invite Bruce Crawford to move the motion.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 3 March 2010

2.30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Final Stage Debate: Ure Elder Fund Transfer and Dissolution Bill
followed by Scottish Government Debate: Regeneration
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 4 March 2010

9.15 am Parliamentary Bureau Motions
followed by Scottish Labour Party Business
 11.40 am General Question Time
 12.00 pm First Minister's Question Time
 2.15 pm Themed Question Time
 Finance and Sustainable Growth
 2.55 pm Scottish Government Debate: Educating Children and Young People to Compete in a Globalised 21st Century
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 10 March 2010

2.30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Scottish Government Business
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 11 March 2010

9.15 am Parliamentary Bureau Motions
followed by Scottish Government Business
 11.40 am General Question Time

12 noon

First Minister's Question Time

2.15 pm

Themed Question Time
 Education and Lifelong Learning;
 Europe, External Affairs and Culture

2.55 pm

Scottish Government Business

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

*followed by*Members' Business—[*Bruce Crawford.*]

Motion agreed to.

Parliamentary Bureau Motion

16:59

The Presiding Officer (Alex Fergusson): The next item of business is consideration of a Parliamentary Bureau motion. I ask Bruce Crawford to move motion S3M-5801, on the suspension of standing orders in relation to the Ure Elder Fund Transfer and Dissolution Bill.

Motion moved,

That the Parliament agrees that, for the Ure Elder Fund Transfer and Dissolution Bill, Consideration Stage shall not take place and, accordingly, agrees that, for the purposes of the Bill, Rules 9A.7.1(b), 9A.9 and the first sentence of 9A.8.10 of the Standing Orders be suspended—[Bruce Crawford.]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

17:00

The Presiding Officer (Alex Fergusson): There are four questions to be put as a result of today's business.

The first question is, that amendment S3M-5798.1, in the name of Richard Simpson, which seeks to amend motion S3M-5798, in the name of Shona Robison, on preventing obesity in Scotland, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)

O'Donnell, Hugh (Central Scotland) (LD)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 70, Against 46, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-5798.2, in the name of Ross Finnie, which seeks to amend motion S3M-5798, in the name of Shona Robison, on preventing obesity in Scotland, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S3M-5798, in the name of Shona Robison, on preventing obesity in Scotland, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Foulkes, George (Lothians) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)

Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

Harvie, Christopher (Mid Scotland and Fife) (SNP)

Abstentions

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 70, Against 1, Abstentions 45.

Motion, as amended, agreed to,

That the Parliament, while recognising the role of individual responsibility and choice, welcomes the Scottish Government's commitment to take action to prevent overweight and obesity as set out in the recent publication, Preventing Overweight and Obesity in Scotland: A Route Map Towards Healthy Weight, to support a cross-government approach that will guide future work and to welcome the establishment of a joint governmental leadership group to ensure and oversee progress, but regrets that the Scottish Government is failing to meet the SNP manifesto pledges to ensure that every pupil has two hours of quality PE each week delivered by specialist PE teachers and for children to be given free, year-round access to council swimming pools.

The Presiding Officer: The next question is, that motion S3M-5801, in the name of Bruce Crawford, on the suspension of standing orders, be agreed to.

Motion agreed to,

That the Parliament agrees that, for the Ure Elder Fund Transfer and Dissolution Bill, Consideration Stage shall not take place and, accordingly, agrees that, for the purposes of the Bill, Rules 9A.7.1(b), 9A.9 and the first sentence of 9A.8.10 of the Standing Orders be suspended.

Highlands and Islands Airports (Car Parking Charges)

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a members' business debate on motion S3M-5426, in the name of Liam McArthur, on car parking charges at Highlands and Islands Airports Ltd airports. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the welcome, if belated, decision by Highlands and Islands Airports Ltd (HIAL) to postpone the introduction of car parking charges at Kirkwall Airport; regrets that this decision was taken only after the board of HIAL initially rejected the unanimous recommendation of the statutory Kirkwall Airport Consultative Committee to put the introduction of the charges on hold until a proper consultation was undertaken; further notes that HIAL is considering imposing similar charges at its airports at Sumburgh and Stornoway; is concerned that the introduction of car parking charges at these island airports will add still further to the high cost for island residents of using their lifeline internal and external air services and of island life in general; expects the consultation to be thorough and to enable the detail of HIAL's proposals, as well as the principle of charging, to be robustly challenged, and considers that the delay offers the opportunity for all Orcadians to make their views known and for islanders from Shetland and the Western Isles to add their voices to the campaign against the Kirkwall charges in order to avoid a precedent being set at Kirkwall which HIAL could use to impose charges at Sumburgh and Stornoway.

17:04

Liam McArthur (Orkney) (LD): I am delighted to have this opportunity to bring to Parliament a debate that is of major significance to my constituents and to the constituents of my colleague Tavish Scott and Dr Alasdair Allan, whose support for my motion is greatly appreciated—as indeed is the support of other members from across the chamber.

I have to say that it is slightly disappointing that no Tory member has been willing to support the campaign to date, although I am hopeful that the debate will help to convert them, even at this late stage. Either way, I will be interested to hear what Mary Scanlon has to say in due course.

Likewise, I hope that the minister can be persuaded to change his mind on this issue. I acknowledge his efforts to help to persuade HIAL—well after the 11th hour, I might add—to suspend the introduction of car parking charges at Kirkwall airport to allow consultation to take place. Nevertheless, he previously sanctioned those charges and, as I understand it, he still supports them.

The case for resisting the charges is compelling. I will start by addressing the point that some have made that car parking charges exist at other airports, including Inverness and Dundee, which are also operated by HIAL, and that there is therefore no reason why they should not exist at Kirkwall, Sumburgh and Stornoway. Frankly, that view betrays a complete misunderstanding of the function of those airports. It fails to recognise the lifeline nature of the air services that operate in and out of the islands and it conveniently turns a Nelsonian eye to the already high costs of accessing those lifeline services. For example, I could book a return flight this week with Flybe from Edinburgh to Kirkwall for £346. Return fares from London to New York over the same period start at £225, and many cost less than £300. Even from Dundee and Inverness, the cost of flights is generally far lower. Dundee to Birmingham with Flybe this week costs £263 and Inverness to Manchester, with the same carrier, costs an even more competitive £170.

Comparing island and mainland airports appears even more fatuous when one considers the alternative options to flying. Catching a bus or train from Dundee or even Inverness is certainly more realistic than doing so from Kirkwall, Stornoway or Sumburgh, whose nearest train station is, allegedly, in Bergen.

Of course, I recognise the benefits that the air discount scheme—which was introduced by Tavish Scott when he was the minister with responsibility for transport—has brought to my constituents and many others in the Highlands and Islands. Even so, the cost of flying in and out of the main island airports remains relatively high. As HIAL board member Dr Alistair Goodlad observed at a meeting in August 2008, the car parking charge proposal “would work against” the air discount scheme, which was

“established to reduce the cost of air travel”.

Dr Goodlad also concluded that the scheme

“could adversely affect those living in outlying areas who have no other means of travelling to the airport”.

I could not agree more. Sadly, Dr Goodlad's concerns seem to have been dismissed by his board colleagues.

I must say—and I suspect that the minister might privately agree—that HIAL's approach to this issue has been remarkably high-handed. The fact that there has been a complete failure, until recently, to consult the local population in Orkney beggars belief. HIAL's assertion that that was somehow the responsibility of Orkney Islands Council is simply staggering. The proposals were HIAL's. The detail on how they would operate was known only to HIAL. Responsibility for ensuring that effective consultation with key local

stakeholders took place was indisputably HIAL's and HIAL's alone. It is difficult to comprehend why it took HIAL so long to recognise that fact.

To compound that failure, HIAL also kept its own statutory consultative committee in the dark and then ignored, at least initially, the committee's unanimous call for the introduction of the charges to be suspended pending proper consultation. Even now, the feeling is that HIAL's consultation is a cosmetic exercise and that the organisation is simply going through the motions. That is why there is increasingly a sense in Orkney and the other island groups that the minister must step in.

The omens are not good, however. When I sought information on how the decision was reached initially, every effort was made by HIAL and the Scottish Government to frustrate and delay. There even appears to be evidence of collusion in the rejection of my requests under the Freedom of Information (Scotland) Act 2002, notably in an e-mail from Inglis Lyon, dated 10 December 2009, which suggested that "a more robust approach" be taken and talked about the need for

"five minutes with government colleagues to agree a suitable response".

With the assistance of the Scottish Information Commissioner, details of the discussions that took place were forthcoming, and they demonstrate a complete absence of any understanding in Government of the impact that the charges would have locally. In an e-mail of 27 November 2009, a Government official requested information on what arrangements there were for national health service patients and those islanders without easy access to the bus service from the centre of Kirkwall. That serves to highlight that decisions were taken not only without proper consultation by HIAL but with wholly inadequate scrutiny of the likely impacts by the Government. For example, the impact on Orkney patients travelling to and from hospital appointments in Aberdeen and Inverness had been completely ignored until I highlighted the issue in November.

Even now, HIAL's failure to respond to NHS Orkney's request earlier this month for details of its consultation means that NHS Orkney's board will not now have a chance to consider any possible submission until the end of April. I presume that the minister would not agree to allow any decisions to be taken in advance of NHS Orkney's views being formally submitted. That would indeed be unacceptable.

The impact on other groups was also never considered. Those who travel in from outlying islands or rural mainland parishes, the local tourism sector, renewables operators, Orkney

disability forum and others all failed to register on HIAL's radar screen.

I am pleased, at least, that the collective efforts of those groups, the Kirkwall airport consultative committee and members of the public in Orkney have resulted in the charges being suspended in order to allow consultation to take place.

It is clear that Orkney's efforts have ensured that Shetland and the Western Isles will be treated with rather more respect from the outset. However, HIAL's intentions are clear. The minutes of a board meeting in August 2008 quote Mr Lyon as stating:

"at this point, I have avoided charges at both Sumburgh and Stornoway, the former because of the distance between the airport and the main centre of population and the latter because we have available space. The Board will be aware that we have recently increased the size of the car park at Kirkwall ... which gives us the ideal platform to take this project forward".

In other words, as my motion indicates, the risk is that charges will be introduced in Orkney, thereby clearing the way for HIAL to introduce them in Shetland and the Western Isles.

The minister appears to take a different view. In his letter to the consultative committee earlier this month, he said:

"I fully appreciate your desire for consistency, but I equally recognise that each island has different characteristics and that those have to be taken into account".

Indeed, but HIAL has made it clear that its rationale for introducing car parking charges is simply to recoup the £1 million that the Scottish ministers cut from its budget. As such, the discussion is not about the merits of car park charging but about the contribution that each community should pay to make good the Government's cuts.

Members should rest assured that any attempt to introduce airport car parking charges in Orkney before, or instead of, introducing them in the other island areas will be met with the strongest possible resistance in my constituency. I welcome the opportunity to highlight the issue and the serious concerns that my constituents feel. I hope that, given the cross-party consensus—possibly even with the late arrival of the Tories—the minister will agree to reconsider his approval of the case for introducing the charges.

17:11

Alasdair Allan (Western Isles) (SNP): I apologise that I cannot stay to the end of the debate because of another engagement, but I thank Liam McArthur for bringing the matter to the Parliament.

I realise that the arguments that could be marshalled against the principle of free parking, let alone free parking at an airport, are legion—pace the Scottish Green Party. Doubtless, some people will see special pleading at work in this debate, but I do not. I should declare an interest as someone whose decrepit car presently sits for three days a week rusting further outside Stornoway airport, but the issue is particularly significant to island communities, therefore I welcome the opportunity to discuss it.

As Liam McArthur said, a number of factors make the island airports different. First, they are not primarily used by tourists. Yes, some islanders leave their cars at the airport when they are on holiday, but my understanding is that the overwhelming majority of people who leave their cars at Stornoway airport do so because they have to travel off island with work or, in a large number of cases, they are going to hospital or visiting someone in hospital.

As the airports provide lifeline services that are essential for the islands to function as modern economies, another special factor is worth bearing in mind: the money that many islanders have to pay to get to the mainland unless they book many weeks in advance is the kind of money with which one could have a foreign holiday. For that reason, the threat to introduce car parking charges at island airports has a knock-on effect on economic development in the islands.

I recognise the harsh realities under which HIAL operates and the constraints that are upon it, like the rest of the country. I also recognise its willingness to consider, in many cases, the option of paying for better bus services to its airports to connect with flights. However, I would be lying if I said that a bus between Stornoway and Stornoway airport would be likely to tempt me out of my car unless it could be shown that there was a convincing way of getting the 8 miles from my house to Stornoway by public transport in time to connect with that bus.

I live relatively close to an airport, but the situation for many other islanders—who live further afield and have two or three buses a day to choose from—is unpromising. Alternatively, if the proposal is that I should drive to town and then get the bus from town to the airport, I hope that a new park and ride-sized car park is being built somewhere in Stornoway to facilitate that.

Those are the realities of transport in all island communities. For all those reasons, although I recognise the difficulties that HIAL faces, I share Liam McArthur's hope that consultation on the matter will be genuine and far reaching and that the issues that I and others have mentioned will be to the fore in HIAL's mind. I hope that the daily challenges that islanders face—whether they be in

Orkney, Shetland or the Western Isles—are acknowledged. I have made my own views on the matter known to HIAL, as have other island members.

I thank Liam McArthur again for bringing the matter to the Parliament and trust that other islanders will now engage actively with the consultation and make their views known.

17:15

Peter Peacock (Highlands and Islands) (Lab):

I welcome the debate and I am pleased to support Liam McArthur's motion. I welcome his comments: he gave a clear analysis of the situation and drew out the special features of island life. Alasdair Allan supported that. I lived in Orkney for a couple of years, back in the 1970s, which was probably before Liam McArthur was born. That remark was unduly complimentary, so I withdraw it immediately. When one lives on an island, one begins to recognise that air travel is much more common than it is in other communities in our society and that it is, for a variety of reasons of the sort that Liam McArthur touched on, more of a necessity than a choice.

One factor is that there are few alternative transport choices from the islands, other than ferries, which take a long time and involve further journeys at the end. Air services are lifeline services that come at a very high cost to island residents. I was going to quote some figures, but Liam McArthur has already done so, so I will not. People who travel on business or for hospital visits often do not return to the islands for more than 24 hours. Therefore, by definition, a parking charge would be greater than it might be for mainland dwellers.

Those were some of the reasons why the previous Administration introduced the air discount scheme, which recognised the high costs for people who live on the islands. The scheme has huge advantages. Any charging regime in car parks on the islands would begin to erode the value of the scheme, albeit in a small way. Of course, once charges were established in principle, there is no reason why in future years they would not rise substantially, which would further erode that basic policy.

It is clear that HIAL has wanted to introduce car parking charges for a long time. I understand that there were, previously, proposals, which Tavish Scott stopped at the time. He was right to do that. The current minister is wrong to have permitted charges. However, perhaps following the example of others today, he can show contrition and demonstrate that he, too, can say "Sorry", then we can all make progress together. Liam McArthur is right that HIAL has acted in a high-handed

manner. I regret that and I hope that it has learned lessons from the process.

As I said, air services are lifeline services. An interesting feature of the emerging situation is the contradiction in Government policy. As members have said, many people in Orkney use air services to visit relatives in hospital in Aberdeen and people in the Western Isles go to Raigmore hospital in Inverness. People who live on the mainland can drive to a hospital and, because of SNP policy, can park free of charge. The Government lauds that policy. However, under the proposals, people who visit hospitals from the islands would pay hospital car parking charges—the only difference is that they would pay them to HIAL and do so in Kirkwall and, potentially, Sumburgh and Stornoway. That cannot be right. It would be daft administratively to create a system to refund those individuals, which would be required in order to have a consistent policy from the Government. Therefore, it is better just to do away with the parking charge proposals now and not let the process move further forward.

People who visit hospitals and who do business from the islands already pay substantial charges. They pay for an expensive flight and they probably pay for a hotel overnight if they are visiting a relative in Aberdeen or Inverness. To add to that cost would simply be wrong. A small amount of revenue would be raised relative to the challenge that HIAL faces, and it would come from islanders' pockets. It would be a shame if that were to happen. I urge HIAL not to proceed and I hope that we will have the strong encouragement of the minister.

17:19

Mary Scanlon (Highlands and Islands) (Con):

I have been reminded that I did not sign the motion. I have not signed many motions, but that does not mean that I disagree with them. Many members do not sign motions that I lodge, not because they disagree, but because so many motions are lodged. I certainly agree with everything that has been said. However, as I have been named and shamed by Liam McArthur—which was unnecessary and not in the tone of the debate—I will certainly sign the motion.

Liam McArthur *rose—*

Mary Scanlon: The member has said enough.

I very much welcome the debate, and acknowledge the commitment and persistence of Liam McArthur in vigorously opposing the introduction of car parking charges at Kirkwall airport. The consultation process—which is, I hope, under way—will bring transparency and fairness to the options surrounding the introduction or otherwise of charges. However, rather than just

having a narrow remit, the consultation should emphasise the impact on tourism and the effect that reduced travel numbers could have on the sustainability of HIAL airports in the longer term.

As the motion states, air travel is a lifeline service to and from the mainland for people who live on remote islands, although it costs more to cross the Pentland Firth than it does to cross the Atlantic. Whether it is to access health care, to work, to study, to visit family or simply to get off the island, there is no doubt about the importance of air links to island communities. If car parking charges at airports such as Kirkwall, Sumburgh and Stornoway were put in place, my worry is that many island residents would be discouraged from using the service, which could pose a risk to the viability of those and other smaller and more remote airports.

The impact on tourism is another issue that should be taken into account in the consultation. If passengers were discouraged from using air travel, it would reduce tourism and have an impact on business, and it could affect the sustainability of the air links. There is no doubt that parking charges could have an effect on the number of people who use air travel and could, ultimately, have a financial impact on businesses in island communities. Although additional revenues are generated from the car parking charges that exist in all major airports throughout Scotland, such charges can discourage thousands of air passengers from taking their cars and contributing to the carbon footprint. However, as Alasdair Allan said, there are other means of transport from cities to airports. Inverness has a regular shuttle-bus transfer and taxis at competitive prices. All being well—our transport minister is here to hear me say this—a train station at Dalcross will open in 2016. There are alternative ways of getting to Inverness airport.

Another issue is the price of petrol and diesel, which has been steadily increasing on the islands in recent years. I am sure that many islanders would welcome a more reliable public transport system but, unfortunately, that does not exist. As Liam McArthur said, car parking charges have always existed at Inverness airport. Since 2003, the car park has been managed by HIAL. Prior to that, it was managed by National Car Parks. The upgrading of the facilities and the introduction of a long-stay car park have expanded the opportunities for Inverness and the long-term plans for the business park.

Inverness airport operates a significantly greater number of flights than airports on Shetland, on Orkney and on the Western Isles, and pulls a huge volume of people from across the Highlands from places as far flung as Ullapool, Fort William, Durness and Wick. However, with the shuttle bus

in operation between the city centre and the retail park, and buses to Nairn, Forres and Elgin, the public transport connections are much better at Inverness airport.

I acknowledge that, as Liam McArthur mentioned, HIAL faces financial difficulty. There is no doubt that the Government's reduction in its budget of £1.1 million has exacerbated that financial difficulty, but car parking charges or, indeed, higher taxes on air travel, might mean that fewer people will be able to afford to travel by air, which means that services will be lost and the sustainability of fragile communities will be adversely affected.

For all those reasons, I support the motion. I should scroll through all the motions because there may be many more that I should support. I am pleased that Liam McArthur has raised this issue, and I am happy to support the motion in his name.

17:24

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): Like members around the chamber, I thank Liam McArthur for securing a debate on this important issue. I assure Mr McArthur and other members that I appreciate that strong arguments will be, and have been, made against the introduction of car parking charges at Kirkwall airport and elsewhere. Indeed, I am conscious of the lively debate that took place when car parking charges were extended in Kirkwall town centre to include another four car parks to improve parking turnover, with a highest charge of £2.40 a day.

Liam McArthur: I think that I am right in saying that the proposal was for four car parks, but the decision was ultimately taken to extend charges to two. I say that to clarify the situation for the record—I would not want him to mislead the Parliament.

Stewart Stevenson: The record is now clear and I am sure that the member would not seek to mislead me or anyone else on the matter—two car parks it is.

I simply make the point that the circumstances in which different bodies find themselves mean that they have to look very carefully at the options that are in front of them.

I make the general point that HIAL has 11 airports. I have flown personally into all of them: four as a pilot, a number as a passenger personally and some as a minister. I know that there is huge diversity in the airports across the network and that we have to have appropriate responses to the needs of each one.

I heard the discussions about air fares. It is correct that in our island communities there is not much, if any, competition for the provision of services, so one's choice is much more limited. As a minister, when I was going to Poznań for the 14th conference of the parties—COP 14—about 15 months ago, according to the initial quote from the Government's travel advisers the fare would be £1,200. I did not think that that was the right amount of money, so I spent 20 minutes on the internet and got it down to about £200. It meant arriving in Poznań at 3.15 in the morning, but I thought that it was a sensible thing for the minister to do, although he should not have had to do it.

I acknowledge the value of the discount scheme that the previous Administration introduced and I have been pleased to continue to give support to that very important scheme. I am not terribly sure that the references to FOIs accorded with my understanding of what went on. We have had some useful clarification from Kevin Dunion, the Information Commissioner, about whether documents or information may be sought and we have adjusted our policies accordingly.

It is important that we have a consistent policy on car parking, but having a consistent policy does not ineluctably lead to having identical outcomes. It is clear that the distance of Sumburgh airport from any major centres of population in Shetland creates a particular dynamic that will need to be considered.

I acknowledge Alasdair Allan's legitimate point that there are not many tourists in the car parks of our major island airports. They are essentially used by local people and there is significant difficulty in travelling to airports.

Peter Peacock, like Liam McArthur, referred to NHS patients. I quote from a letter from Inglis Lyon to, among others, the chair of the Kirkwall airport consultative committee. At question 2, it states:

"No charge for hospital patients".

I accept that that is for consultation and that it is a suggestion, but I would be somewhat surprised, whatever outcome we achieve, if we were to wish to charge hospital patients or, for that matter, blue badge holders. Indeed, the suggestion in the letter from Inglis Lyon is that the charge for parking for 24 hours will be £3—broadly the same as the charge for parking in the centre of Kirkwall.

We are in challenging financial times and the board of HIAL is responsible for running the company. The Government minister—me—acts on behalf of the public as the owner of the shares, but, under the Companies Act, it is clear that we appoint the board members to make decisions. I am sure that HIAL will be watching the debate and will be very much aware of the interest that is being taken in the issue. I am very pleased that

consultations are now going on. Given reduced demand and hence reduced income, it is important that the board considers every opportunity to balance the books and to ensure that it discharges its responsibilities.

Mary Scanlon: About a minute ago, the minister mentioned a consistent approach. Does he agree that a central factor in that is whether alternative public transport systems are available, such as those in Inverness that I outlined, and that a critical factor is the airport's sustainability, given a potential reduction in demand?

Stewart Stevenson: I acknowledge that absolutely. The investment in new parking facilities at Kirkwall as part of the terminal's redevelopment was excellent. I note that, at peak times, the car park is full—in fact, it is overfull, to the extent that people park on the grass verges and elsewhere. That is not disconnected from the point that almost everyone who parks at the airport contributes to the revenue that is generated from the airport.

HIAL must take into account precisely those balancing issues.

I referred to Sumburgh's location, which presents special challenges because of its distance. I know how much a taxi journey to Sumburgh costs, because I have had to do it on ministerial duties.

Liam McArthur *rose—*

Stewart Stevenson: If the Presiding Officer is content for me to do so, I will keep taking interventions.

Alasdair Morgan: I do not know about keeping on taking interventions, but the minister can take this one.

Liam McArthur: I thank the minister and the Presiding Officer for allowing me to intervene.

The minister referred to the distance between Sumburgh and Lerwick, which is the main population centre. He will appreciate that Orkney has been described as the fried egg, which presents other challenges, not least the existence of other population centres in Stromness, out on the west mainland and in the wider isles, which use the airport but do not have access to the bus service. Constant reference to the distance of Kirkwall rather than Lerwick to the airport is slightly disingenuous, as is the reference to car parking charges in Kirkwall town centre, which are irrelevant to many of my constituents.

Stewart Stevenson: I refer to Sumburgh merely because of the clear and specific difference, but the circumstances at each airport—Stornoway, Kirkwall and Sumburgh—need to be considered. I do not wish to pre-empt the outcomes.

HIAL's remit includes consideration of the social aspect. I do not encourage the board to take a decision that would make it difficult for people to travel to the airport to use air services and I am sure that the board will take tent of my saying that and of what others say.

We give HIAL substantial financial support of some £27 million. The air discount scheme, which benefits many people in Orkney and the Highlands and Islands—take-up levels are high, although they are probably lower in Caithness and Sutherland, where I would like them to rise—involves a further £6 million. Substantial support is provided.

HIAL's board has reflected on the need to consult more fully. I welcome that. Lessons can be learned from the initial consultation. Such decisions are not abstract—they touch on the lives of people in our islands, so it is proper that they should involve consultative committees.

Of course, the board has a wider fiduciary duty to support economic and social aims for the Highlands and Islands. It would have to ameliorate any potential impact of introducing charges and to ensure that it can explain the policies that it implements.

I assure Mary Scanlon that the planning processes for Dalcross station are proceeding apace.

The debate has been useful. I wait with interest to see what HIAL takes out of the consultations that it is undertaking. I hope that it will listen carefully to the input from the debate and from elsewhere. Ultimately, it is for HIAL to take decisions, but I am sure that it will take notice of what is said elsewhere.

Meeting closed at 17:34.

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