



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Wednesday 25 September 2013

Session 4

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Scottish Parliament

Wednesday 25 September 2013

[The Deputy Presiding Officer opened the meeting at 14:00]

Portfolio Question Time

Culture and External Affairs

The Deputy Presiding Officer (John Scott): Good afternoon. The first item of business is portfolio questions, first on culture and external affairs. In order to get in as many members as possible, I invite members to ask short and succinct questions and ministers to give answers to match.

Youth Music Initiative

1. Rob Gibson (Caithness, Sutherland and Ross) (SNP): To ask the Scottish Government how the youth music initiative dovetails with voluntary sector programmes such as Scotland sings and the fèisean movement. (S4O-02412)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): The youth music initiative is creating career pathways for Scotland's young talent as well as creating enhanced access opportunities. Many would never have participated in music without it.

The youth music initiative continues to operate a successful partnership between Fèisean nan Gàidheal, Fèis Rois and Highland Council that delivers 12 weeks per year of introduction to traditional music in all 188 primary schools in the area. That provision does not duplicate or interfere with existing music provision in schools.

Discussions are due to take place between Scotland sings, the big, big sing and Creative Scotland to ensure that young people who participate in youth music initiative projects across Scotland have the opportunity to engage with Scotland sings.

Rob Gibson: Can the youth music initiative learn from the fèisean movement, so that its enthusiasm for its participants can develop the experiences of playing music and music making among teenagers, especially in the difficult secondary 1 and secondary 2 years?

Fiona Hyslop: Our intention is to review the youth music initiative. The terms have still to be agreed on, but the review is likely to focus on sustaining participation—particularly among the age group that Rob Gibson mentioned—and on how we can identify and share best practice. Given the fèisean movement's great success in

engaging young people in particular, it will be able to contribute to that exercise and is something from which the rest of Scotland can learn.

Summer Festivals (Economic Benefit)

2. Clare Adamson (Central Scotland) (SNP): To ask the Scottish Government what benefit the 2013 summer festivals have brought to the Scottish economy. (S4O-02413)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): Edinburgh's festivals are Scotland's world-class cultural brand, with an international reputation and appeal unmatched by any other cultural event on the globe. When the festivals forum undertook an impact study in 2011, it found that the festivals generated £261 million of economic impact for Scotland and 5,242 full-time jobs in Edinburgh. The positive results of this year's festivals—for instance, the fringe saw a 4.6 per cent increase in the number of tickets issued, the book festival's ticket sales were up nearly 6 per cent on 2012, and the tattoo had another sell-out—mean that it is very likely that the economic impacts of 2011 will have been surpassed.

Clare Adamson: Does the cabinet secretary agree that that bodes very well for the number of likely visitors to Scotland in the forthcoming year, which will see the staging of the Ryder cup, the Commonwealth games and the homecoming, all of which should have a hugely positive impact on Scotland?

Fiona Hyslop: This year, we had a fantastic summer for the festivals and for tourist numbers. Looking forward to 2014, when we will host the second year of homecoming, the Ryder cup and the Commonwealth games, we have a great opportunity to build on the success of the festivals, which will again take centre stage. Many of the additional events have cultural elements to them. In terms of the income that is generated from the second year of homecoming alone, we are forecasting that there should be an increase of £44 million in the return on investment in events and marketing activity.

Film Production

3. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government what it is doing to boost production of both domestic and foreign films in Scotland. (S4O-02414)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): Through Creative Scotland, the Scottish Government is doing much to support the film and television industry in Scotland. That includes supporting the local industry, as well as attracting international productions to Scotland.

A good example of an indigenous production that was supported by Creative Scotland is the recently premiered film “Sunshine on Leith”, which was set and shot in Edinburgh. An example of inward investment is the new television series “Outlander”, which starts shooting soon in Cumbernauld. It involves the biggest inward investment in film and television that has ever been secured in Scotland.

I have established a working group that includes Creative Scotland, Scottish Enterprise, Scottish Development International and the Scottish Government to explore further opportunities to develop film and television production facilities in Scotland.

Kenneth Gibson: I thank the cabinet secretary for that extremely positive answer.

For many years, the establishment of a film studio here in Scotland has been mooted. Can the cabinet secretary advise the chamber whether we are any closer to that goal?

Fiona Hyslop: The delivery group that I set up is currently considering a report evaluating possible sites for a film studio and will meet to consider the next steps in October or November. In investing in a film studio, we must take on board the needs and requirements of the film industry. Some of those requirements and needs may be different between companies. We are considering a range of factors to take the project forward, but I will update Parliament as we progress.

“The Great Tapestry of Scotland”

The Deputy Presiding Officer: I call Alex Johnstone to ask question 4. [*Interruption.*] Do you wish to ask your question?

4. Alex Johnstone (North East Scotland) (Con): I do.

To ask the Scottish Government whether it plans to provide support to take “The Great Tapestry of Scotland” to communities around the country. (S4O-02415)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): I am pleased that we get the opportunity to answer the question.

The widespread public enthusiasm for “The Great Tapestry of Scotland” is evident from the runaway success of the exhibition that was held in the Parliament over the past month. In the first three days alone, more than 9,000 visitors came to see it. The tapestry is one of the largest community projects running in Scotland. It tells Scotland’s story in a uniquely exciting and accessible way. I hope that as many people as possible have the opportunity to see it when it goes on tour shortly.

The tapestry project team has been busy working with partners exploring possible venues throughout the country and Historic Scotland has well-developed plans for temporary exhibitions of selected panels of the tapestry at various of its sites starting later this year. I have also asked Historic Scotland and Museums Galleries Scotland to discuss opportunities with the tapestry project team.

Alex Johnstone: I offer my apologies, Presiding Officer, for my just-in-time approach.

Will lessons be learned from the tour and the astonishing popularity that the tapestry has demonstrated in the Parliament to ensure that any areas that do not have local access to the tapestry will be considered for any further opportunities to take it round the country in future?

Fiona Hyslop: It is a fantastic project. More than 1,000 people were involved in it and it is a genuine community arts project. It tells an important story from thousands of years ago to the current day.

The tapestry group will have its own views on the reach of the tapestry. One of the reasons why I have asked Museums Galleries Scotland to get involved is that it has a network of accredited museums the length and breadth of Scotland.

The two local MSPs for Angus have already contacted Angus Council to discuss taking the tapestry there. However, there may be other areas that could be well represented. The experts on the area are in Museums Galleries Scotland. They can advise different local groups on networking and connecting to the different museums that are available locally. They can also find ways to support the tour, not least on issues such as transportation, lighting and security.

The member is correct. There is part of every part of Scotland in the tapestry and we should all support trying to ensure that all of Scotland gets to see it.

Nigel Don (Angus North and Mearns) (SNP): Graeme Dey and I have already been trying to get this wonderful creation to Angus. I am slightly concerned to hear the cabinet secretary suggest that it might be broken up and that various bits of it will be in different places. Is there any prospect that we can get the whole of it to the Reid hall in Forfar?

Fiona Hyslop: I am not responsible for the tapestry. I suggest that Nigel Don contact the Great Scottish Tapestry Charitable Trust, which will determine the initial tour venues. I understand that there is a view that, because the tapestry is such a large piece of work, not everywhere will be able to identify a venue. It is 140m long. I understand that there are already discussions

about taking parts of the tapestry to different parts of Scotland.

I make it clear that the Government can be supportive but is not responsible for where the tapestry goes on tour. I encourage Nigel Don to engage with the trust to get advice as to how his local community can make the most of the tapestry.

Broadcasting

5. Neil Bibby (West Scotland) (Lab): To ask the Scottish Government what the set-up and running costs would be of a new national, independent broadcaster in the event of Scotland becoming independent. (S4O-02416)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): Later this year, the Scottish Government will publish a white paper on independence, which will set out a positive prospectus for an independent Scotland, including for broadcasting.

Neil Bibby: It is clear that, if Scotland becomes independent, significant costs will be involved in setting up an independent broadcasting service that is separate from the BBC. If the Scottish National Party is so keen to keep the Queen, the United Kingdom pound and other things about Britain, why does it not support keeping the BBC? The SNP supports lots of other unions; why does it not support an entertainment union? People in Scotland value the BBC—what has the SNP got against it?

Fiona Hyslop: I have been supportive of the BBC. I have commented in the chamber on cuts that are taking place and their impact on BBC Scotland, and I have clearly supported BBC staff in particular.

I remind Neil Bibby that BBC licence fee income from Scotland is £320 million but, in 2012-13, only £102 million of that was due to be spent in Scotland. In current proposals under the union, that figure will reduce to £86 million in 2016-17.

As for the BBC's position after its charter renewal—or possible charter renewal—in 2016, I remind Neil Bibby, who is associated with the better together campaign, that two Conservative bills in the Westminster Parliament would decriminalise non-payment of the licence fee and privatise the BBC. He is associated with that campaign, which gives the Conservatives permission to continue to be involved in broadcasting, and Jackson Carlaw of the Conservatives wants to abolish the licence fee and have the BBC make its own way. If Neil Bibby can forecast where the BBC would be under the union in 2016, he is a better person than anybody in the chamber.

Kenneth Gibson (Cunninghame North) (SNP): Given that Scotland subsidises the BBC with £218 million more than is spent here, what could that £218 million mean for jobs and production in Scotland?

Fiona Hyslop: The whole point of having a broadcasting system that is built on BBC Scotland's staff and assets is to ensure that we invest in productions and commissions in Scotland. For example, for its £290 million of expenditure, RTÉ has four distinct television services, four national radio services, an online presence and other services such as children's broadcasting and an orchestra. Value for money and—importantly—job security for not only BBC staff but commissioners of TV production in Scotland can be best served by the people of Scotland and as put forward by the SNP.

Film Industry (Support)

6. Jean Urquhart (Highlands and Islands) (Ind): To ask the Scottish Government what support it gives to Scotland's film industry and individual film-makers. (S4O-02417)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): Creative Scotland supports Scotland's film industry in a number of ways. The film and television funding programme supports emerging and established film and television talent that is capable of creating distinctive and engaging work that promotes Scotland's creativity. In the financial year 2013-14, it has an allocation of £4 million. Other forms of support include the locations service, the promotion of Scotland's film industry at film festivals and events, the provision of advice to film-makers and liaison with other film bodies across the United Kingdom.

Creative Scotland contributed funding to four films that made their debut at the Toronto international film festival earlier this month. "Sunshine on Leith", "The Railway Man", "Under the Skin" and "Starred Up" each received £300,000 from Creative Scotland.

Jean Urquhart: Countries such as Denmark, Norway and Sweden offer their film industries more financial support. For example, the Norwegian Film Institute provides to Norway's industry annual state funding of 400 million Norwegian kroner, which is about £41 million, and it has an annual budget of 93 million kroner, which is about £9.7 million.

In the face of global competition, strong Government funding for the film industry is a necessity. What approaches does the Scottish Government admire in the countries that I mentioned and what lessons does the cabinet secretary feel we can learn from our neighbours?

Fiona Hyslop: Jean Urquhart gives the example of Norway and Denmark, which have much to offer in lessons learned through their indigenous film and television production. Another aspect is good writing. Film and television producers say that there must be a good story to tell to ensure the quality of a production. We are talking not just about film and television facilities but about the whole stream that leads up to a final production.

Tax credits are a supportive measure in different countries. We welcome the United Kingdom Government's recent announcement about that, on which we have pressed it for many years. Investment streams can come in different shapes and forms. We are also looking at the support that can be given in colleges and universities to develop careers.

We are using the tools that we currently have but we will look to other countries to learn lessons from them. Indeed, when I was in Canada, I spoke to British Columbia, for example, about what support it provided for the film industry, so we are constantly looking at different examples.

Digital Participation (Older People)

7. Nanette Milne (North East Scotland) (Con): To ask the Scottish Government what action it is taking to increase digital participation among people over 65. (S4O-02418)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): The Scottish Government provides funding for learning opportunities such as digital photography, digital archive and heritage classes, silver surfer sessions and intergenerational learning programmes. We can demonstrate that those are of particular interest and appeal to older people and that that approach is proving successful. Since 2009, the Scottish household survey shows an 11.9 per cent increase in people who are 65-plus using the internet for personal use.

Although that is encouraging, we know that there is still work to be done in that area and we will continue to work in partnership to find innovative ways to encourage people of all ages to gain the economic, social and cultural benefits of being online.

Nanette Milne: I thank the cabinet secretary for that helpful response. However, figures from the Office of Communications still show that the level of broadband uptake in Scotland is just 61 per cent compared with 71 per cent across the United Kingdom. I am aware of some of the silver surfer groups—we have a very good one in Aberdeen that is working to give north-east residents the opportunity to learn about basic computing, including the use of email and the internet. Can

the cabinet secretary give me any specific detail on the help that is available to such groups?

Fiona Hyslop: I went through a number of the different programmes that are available for older people. In terms of the statistics, I am quite happy to update the member on the latest Ofcom figures because there has been an improvement in general participation in Scotland. There are interesting exercises on participation, for example with housing associations in Glasgow, trying to ensure that all the tenants in one place can have access, as that can be easier.

As regards library use, members will be familiar with the fact that many libraries are converting their facilities to ensure that access to digital classes can take place. We have been helping the Scottish library and information services to try in particular to support such access. Libraries are familiar places to older people and they provide easy access to learning how to use computers and access the internet.

Creative Scotland (Meetings)

8. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Government when the Cabinet Secretary for Culture and External Affairs last met the chief executive of Creative Scotland and what issues were discussed. (S4O-02419)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): I last formally met Janet Archer, chief executive officer of Creative Scotland, on 8 August, although we have met informally since. We discussed a range of issues including her new role, progress on corporate planning and creative industries, organisational structures, and plans for the Creative Scotland reception event.

Ken Macintosh: Ms Archer clearly has a job to do to restore confidence in the organisation and in the artistic community in Scotland. What priorities has the cabinet secretary set Ms Archer and Creative Scotland and what milestones and targets or deadlines has she asked them to report back on?

Fiona Hyslop: I supported the release of Creative Scotland's annual plan, which came out in May and set out its proposals for the next year. I am in the process of setting out my letter of guidance for Creative Scotland, as I do for a variety of different public sector organisations. In that letter, I will set out publicly the priorities that I am giving to Creative Scotland. I plan to issue that letter of guidance to Creative Scotland in the near future and a copy of the letter will be put in the Scottish Parliament information centre so that all members will be able to access it.

Syria (Humanitarian Crisis)

9. Bill Kidd (Glasgow Anniesland) (SNP): To ask the Scottish Government, in light of it providing assistance to non-governmental organisations supporting humanitarian projects in Syria, whether it shares growing concerns at the mounting humanitarian crisis in the country. (S4O-02420)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): The Scottish Government shares the concerns that I am sure all members have about the humanitarian crises enveloping Syria as millions are forced to flee their homes to escape the conflict. That is why we announced that we would be doubling our contribution to the Disasters Emergency Committee appeal for Syria by donating a further £100,000. The funds will be spent by some of our leading aid agencies that are working in the region to provide relief for those affected.

Bill Kidd: I thank the cabinet secretary for that response. Can the cabinet secretary tell the chamber whether any further information has been forthcoming from the Westminster Government about whether the United Kingdom will aid relief of the refugee situation in Syria by allowing people requiring medical treatment, and other refugees who are under distress, into the UK and Scotland?

Fiona Hyslop: The UK Government has provided considerable funds for humanitarian aid, but it has made it clear that it does not plan to ease the asylum rules for refugees from Syria. The First Minister urged the Secretary of State for Foreign and Commonwealth Affairs in a letter of 14 September to prioritise applications from Syrians who are entering the UK and seeking asylum from the current atrocities.

The Scottish Government supports the Refugee Council's representations to the UK Government and has offered to play its part in providing a welcoming and safe home for Syrian refugees.

Jamie McGrigor (Highlands and Islands) (Con): The minister will know that the UK Government has committed £400 million to help those who are affected by the Syrian conflict, which is the UK's largest ever response to a humanitarian crisis. How is the Scottish Government working with the UK Government to ensure the best possible co-ordination of effort?

Fiona Hyslop: First, I acknowledge the UK Government's significant contribution to the humanitarian aid effort. The Disasters Emergency Committee, to which our funding has gone, works in a co-ordinated way and liaises with other agencies in the area and in the UK, which is very important indeed.

However, I encourage Jamie McGrigor to urge the UK Government to think about the consequences for those in the refugee camps, and those Syrians who are already in Scotland and are concerned about whether they have leave to remain or will have to return.

It is very important that all agencies in Government think about priorities with regard to the refugees, and in particular raise concerns with the UK Government on the need to ensure that it prioritises applications from Syrians who are seeking refugee status.

Infrastructure, Investment and Cities

National Performance Framework

1. Claudia Beamish (South Scotland) (Lab): To ask the Scottish Government how the national indicators used in the national performance framework feed into decisions relating to its investment commitments. (S4O-02422)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): Over the next two years we will ensure that we are well equipped to deliver the outcomes and objectives that are set out in "Empowering Scotland: the Government's Programme for Scotland 2013-14", in the Government's economic strategy and in the national performance framework.

Our draft budget sets out our proposals for using our resources to deliver the Scottish Government's purpose of sustainable economic growth. We will invest to support recovery, create jobs, boost housing and continue our progress towards a low-carbon economy. We will provide record numbers of apprenticeships, support small businesses, deliver free higher education and protect household incomes through the social wage and the continuing council tax freeze.

Claudia Beamish: Given that one of the indicators in the national performance framework is

"to improve access to suitable housing options for those in housing need",

can the cabinet secretary give details of the Scottish Government measures that are in place or are planned to ensure that new-build housing is suitably energy efficient to enable new owners and residents to live comfortably and to enable the Scottish Government to tackle fuel poverty?

Nicola Sturgeon: As Claudia Beamish will be aware, the Scottish Government is taking action on a range of fronts. I am happy to set some of that down in writing for her, as I am sure that the Presiding Officer will not give me the opportunity to go through it all today.

That action includes our commitment to providing 30,000 new affordable homes in the current session of Parliament, which we are currently on track to meet; our range of actions to improve the energy efficiency of not only new housing but existing housing; our budget to tackle fuel poverty and to help individuals to live in warm houses; and the action that we are taking to lever in innovative sources of finance to fund housing for the future.

We are acting on all those fronts, which feeds in to meeting the indicator to which Claudia Beamish referred in her question and to meeting the Government's objective. I am more than happy to write to her to set out that information in more detail, because I am getting the evil eye from the Presiding Officer.

I of course meant that euphemistically, Presiding Officer.

The Deputy Presiding Officer: Thank you for that comprehensive answer.

Fuel Poverty

2. Stewart Stevenson (Banffshire and Buchan Coast) (SNP): To ask the Scottish Government how the draft budget supports people affected by fuel poverty. (S4O-02423)

The Minister for Housing and Welfare (Margaret Burgess): The Cabinet Secretary for Finance, Employment and Sustainable Growth announced the Scottish Government's spending plans for 2014-15 and 2015-16 on Wednesday 11 September. For fuel poverty, he announced a budget of £79 million in both years.

As with this year's budget allocation, we will use our funding to lever in private sector funding from the utility companies that are seeking to meet their obligations under the energy companies obligation to create a fund of £200 million per annum. That will be used for both area-based and national scheme delivery through our HEEPS—home energy efficiency programme Scotland—schemes.

The budget will address the fuel poverty forum's interim report recommendations on Scottish Government funding programmes, continue to support our targets to eradicate fuel poverty as far as practicable by 2016, and contribute to meeting our climate change commitments.

Stewart Stevenson: Does the minister agree that, at 31 per cent among rural dwellers in Aberdeenshire, current levels of fuel poverty are unacceptably high? I very much welcome the financial support that the minister has identified. With the full powers of an independent country, what more could we do besides putting in place the mitigations that are currently available to us?

Margaret Burgess: The member will be pleased to know that, under our current measures, Aberdeenshire Council has the second-highest allocation in Scotland, at £4.4 million. That will provide assistance to just under 2,500 households in the area. I am sure that the member will be pleased to note that.

Alongside what we are currently doing, the Scottish ministers continue to work to protect the interests of consumers. In the future, the expert commission on energy regulation will look to provide evidence on what improvements could be made to Scotland's stewardship of electricity and gas regulation in an independent Scotland. The commission will provide advice on ways in which an independent Scotland could promote fairer, more affordable energy prices, given the need to address fuel poverty, and measures to improve energy efficiency.

Mary Fee (West Scotland) (Lab): With an estimated 29 per cent of Scottish households currently living in fuel poverty—a level that has failed to drop below 25 per cent since 2007—can the minister inform us how the national retrofit programme will ensure that Scotland meets its 2016 target? Is the minister supportive of the Labour Party's energy price freeze commitment?

Margaret Burgess: To repeat what I said earlier, we will continue to work to protect the interests of Scottish consumers and continue to fund the HEEPS programme, which is providing measures throughout the whole of Scotland—unlike the United Kingdom Government, which has put zero into that.

On the other question, there are some big ifs in that. If there were a future Labour Government, it is unclear how it would implement that future policy. Has Labour spoken to the fuel companies and what is their commitment? What would be the eventual impact on fuel bills?

The Deputy Presiding Officer: I will allow a brief question from Alex Johnstone.

Alex Johnstone (North East Scotland) (Con): As the minister will be aware, one of the reasons for high fuel costs in rural areas is the high cost of off-grid gas and oil supplies for heating. What advice and support can the Government give to those who seek to create buying clubs to cut the cost of off-grid supplies?

Margaret Burgess: We are currently looking at that issue. We have been in discussion with some rural communities, particularly in the islands—I discussed the issue when I was up there during the summer recess—and we continue to talk with them about that. We well appreciate the difficulties that island and rural communities face because they are off grid, as the member mentioned. I would be willing to sit down with the member to

inform him what discussions we have had so far and where those are going. If he has any other suggestions to offer, I am willing to discuss them with him.

Poverty

3. Gil Paterson (Clydebank and Milngavie) (SNP): To ask the Scottish Government what action it is taking to combat poverty. (S4O-02424)

The Minister for Housing and Welfare (Margaret Burgess): We are committed to tackling the long-term drivers of poverty through early intervention and prevention. In spring 2014, we will publish a revised child poverty strategy, which will be informed by discussions at the ministerial advisory group on child poverty. Our commitment includes a range of actions, such as working with local authorities, the national health service and others through the collective investment of £272 million in the early years change fund.

We know that the United Kingdom Government's welfare reforms are already having a significant impact. The Institute for Fiscal Studies estimates that, by 2020, once all the UK Government welfare changes have come into effect, around 50,000 more children will be living in poverty in Scotland than in 2011.

In an independent Scotland, we could take welfare decisions that would ensure fair and decent support for people. Only with access to our own resources and the ability to join up policy across devolved and reserved areas can we make the substantial difference that we need to and tackle child poverty for good.

Gil Paterson: I thank the minister for that comprehensive answer. Scottish families are only beginning to feel the harmful effects of the benefit cuts and welfare reforms that are being imposed by the UK Government. Will the minister outline the effects that Westminster's welfare reforms are having on the Scottish Government's policy to tackle poverty in Scotland?

Margaret Burgess: As I said in my earlier answer, we are taking a long-term approach to tackling poverty. However, our efforts are being undermined by the UK Government's welfare reforms. We have published analysis that estimates that the reforms could reduce welfare expenditure in Scotland by more than £4.5 billion in the five years to 2014-15, with families and children among those being hit. The reforms include changes to child tax credit and working tax credits, which primarily affect couples with children, who will on average be £700 a year worse off. Mitigating the full impact of the cuts will not be possible. The solution is for the Scottish Parliament to have full control over welfare so that

it can put in place policies that benefit the people of Scotland.

Jackie Baillie (Dumbarton) (Lab): The minister will be aware of the increasing number of people who are using food banks. What action is the Scottish Government taking to monitor that increased usage? Does the Government plan to publish official statistics? Can the minister outline the assistance that the Government provides for food banks?

Margaret Burgess: As the member will be aware, the Scottish Government has set up the Scottish welfare fund of £33 million, which should assist people who are struggling with food poverty. At present, we do not have statistics on food banks, but they are part of the overall monitoring of the welfare reforms.

We have to consider what things people cannot afford because of welfare reforms such as the bedroom tax, and all the issues there. We will monitor that. We are looking at the Scottish welfare fund to ensure that every penny in it is used by the people who need it most, many of whom will be in food poverty.

The Deputy Presiding Officer: Question 4 has not been lodged, for entirely understandable reasons, and question 5 has been withdrawn, for similarly understandable reasons.

Rail Franchise

6. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government how it plans to make rail travel more attractive under the 2014 rail franchise renewal. (S4O-02427)

The Minister for Transport and Veterans (Keith Brown): Investment in the existing franchise has already resulted in increased passenger numbers, reduced journey times and fewer cancellations due to rolling stock or infrastructure failures. We aim to build on that success, so following public consultation, the new franchise agreement will stipulate continued investment to improve and replace dated rolling stock, provision of an overall improved passenger experience, better utilisation of the network, improved connectivity, and the operation of a more environmentally friendly service.

David Torrance: Scotland's beautiful landscapes and scenery are attractive to cyclists. However, finding space on the train to get there is often difficult. Some of our commuter routes are particularly busy and passengers have to stand. Elsewhere, similar issues are solved by having flexible sections for bikes, wheelchairs and buggies or fold-down seats, and running extra or double-decker trains. What can the operating companies offer to address the problems here?

Keith Brown: In the specification for the next franchise, which we will publish towards the end of the year, bidders will be required to provide rolling stock that is sufficient to meet anticipated passenger demand, and new trains will provide an increase in capacity, for example, on the Edinburgh to Glasgow route. Facilities such as space for cycles and buggies, and tip-up seats, are already provided on many of Scotland's trains and will continue to be provided on new trains.

David Torrance referred to the appeal that our marvellous scenic countryside has for cyclists and mountain bikers. I recognise that appeal and the potential that it offers. Accordingly, I will require bidders to produce plans that will enable many more bicycles to be conveyed to destinations that are served by, for example, the west Highland line and the Borders line. As a nation, we have to do more to be more cycle friendly, to recognise the benefits that cycling offers for our health and general wellbeing and to see whether it can help to improve Scotland's economy even further.

Mark Griffin (Central Scotland) (Lab): Under the new franchise, rail travel in the central belt has the potential to be more attractive as a result of the Edinburgh to Glasgow improvement programme, or EGIP. However, it will be significantly less attractive during construction if the Winchburgh tunnel is closed. Can the minister confirm that, as reported, the Winchburgh tunnel will be closed for three months, and will he say whether compensation payments will be made to the franchise holder as a result?

Keith Brown: I have tried to answer that question before for Mark Griffin, and he has lodged a written question, for which we will provide a full answer to the points that he raises. As I have said previously, in so far as EGIP relates to the new franchise, we want to minimise disruption, because disruption is not in anybody's interest. A substantial amount of work needs to be done to ensure that disruption is minimised. As I said, I will give a fuller response to the written question.

Aviation Strategy

7. Chic Brodie (South Scotland) (SNP): To ask the Scottish Government what discussions it has had with Scotland's airports regarding an aviation strategy for Scotland. (S4O-02428)

The Minister for Transport and Veterans (Keith Brown): The Scottish Government has been regularly engaging with stakeholders to ensure that we are supporting them effectively to achieve our common aim of improving Scotland's connectivity.

Chic Brodie: The Westminster Government has established the Davies commission to look at airport strategy, particularly in the south-east of

England, from 2016 onward. In that light, it is important that an independent Scotland clearly define its intention to establish an overall aviation strategy for Scotland, predicated on the major passenger airports of Glasgow, Edinburgh and Aberdeen. Does the minister agree that supporting those airports, and Inverness and the island airports, requires a strategy that also recognises the need for a significant international maintenance, repair, overhaul and cargo airport, with supporting engineering skills, all of which are available at Prestwick international airport and in the colleges and businesses that bound it?

Keith Brown: As Chic Brodie will be aware, the majority of legislation relating to aviation is currently reserved to the United Kingdom Parliament. To date, the Scottish Government's focus has been on the limited number of areas where we can take action. Prime among those is increasing the number of direct air services from Scotland—an example being the recently announced Edinburgh to Chicago service.

Should Scotland become an independent country we would, of course, have the power to establish a more wide-reaching aviation strategy that would take account of the particular needs of Scottish aviation and the people of Scotland. I would expect any such strategy to recognise and support ancillary services such as are provided at Prestwick, and to have a much more amenable process for air passenger duty, which we have campaigned for the UK Government to change for a number of years now.

Road Safety (A76)

8. Elaine Murray (Dumfriesshire) (Lab): To ask the Scottish Government whether it plans to introduce measures to improve the safety of the A76 between Dumfries and Kirkcubbin. (S4O-02429)

The Minister for Transport and Veterans (Keith Brown): Transport Scotland carried out a route accident reduction plan study along the entire length of the A76 trunk road from Kilmarnock to Dumfries. A number of road safety measures were recommended, including between Dumfries and Kirkcubbin. Those included surfacing, signing, lining and bend assessments and were completed in March this year. There are no plans to introduce further measures. Transport Scotland will, of course, continue to monitor the safety performance of the route.

Elaine Murray: The minister will be aware that an improvements scheme to the A76 at Ellisland was scrapped in 2010 on the basis of cost. Which of the safety measures that have been implemented following the review by Transport Scotland have been implemented along that section of the A76, which would have been

covered by the former Ellisland improvements scheme?

Keith Brown: I have already mentioned some of the measures that we have taken along that route generally. In addition, some aspects, including bus shelters and so on, of the Ellisland project, which was scrapped, have been taken forward with south-west of Scotland transport partnership and Dumfries and Galloway Council. As things stand, we await information in relation to the caravan park near Courthill—we are waiting for SWESTRANS and Dumfries and Galloway Council to come back to provide an update on possible solutions. Further work will be done in that area. As I said, we await the response from Dumfries and Galloway Council and SWESTRANS.

The Deputy Presiding Officer: We will squeeze in question 9 if everyone can be succinct.

Welfare Reform (Mitigation)

9. Annabelle Ewing (Mid Scotland and Fife) (SNP): To ask the Scottish Government what action it is taking to mitigate the impact of welfare reforms. (S4O-02430)

The Minister for Housing and Welfare (Margaret Burgess): We are doing all that we can within current powers and resources to mitigate the worst impacts of welfare reform. That includes £7.9 million for front-line advice and support services, £9.2 million to bring the Scottish social welfare fund up to £33 million, £40 million to protect people against the United Kingdom Government's 10 per cent cut in the council tax benefit, and £20 million to enable local authorities to supplement discretionary housing payments. Over the period we will spend at least £224 million. Although that will help the damaging effects of welfare reforms, the solution is for the Scottish Parliament to have control over all welfare matters.

Annabelle Ewing: Can the minister confirm how many people will benefit from the council tax reduction scheme that has been introduced by the Scottish Government, including figures for the number of pensioners and the number of women?

Margaret Burgess: The figure is 560,000 people in Scotland, who were previously receiving council tax benefit. That includes 216,900 households with one person over 65, and more than 280,000 single-female households, of which 85,000 have a dependent child.

Corroboration

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on motion S4M-07791, in the name of Margaret Mitchell, on corroboration. We are extremely tight for time so the member has exactly 10 minutes.

14:40

Margaret Mitchell (Central Scotland) (Con): In support of his recommendation to abolish corroboration, Lord Carloway described it as

"an archaic rule that has no place in a modern legal system".

That assertion has been repeated continuously on the airwaves today and is contained in the amendment from the Cabinet Secretary for Justice. It is a statement that, at the outset of this important debate, is worthy of further scrutiny, rather than just automatic repetition without consideration of what it means.

"The Chambers Dictionary" definition of archaic is:

"Ancient; savouring of the past; not absolutely obsolete but no longer in general use; old-fashioned."

While the terms "ancient", and even "savouring of the past" and "old-fashioned", may be correct descriptions to apply to corroboration, the remainder of the definition is inappropriate and, quite simply, inaccurate when applied to corroboration as a rule.

In practice, corroboration is a principle that, far from being

"not absolutely obsolete but no longer in general use"

is currently, just as it has been for centuries, at the very heart of the Scottish criminal justice system and very much in general use on a daily basis, providing a safeguard against miscarriages of justice and all the misery that results from that for complainers and accused alike.

The Cabinet Secretary for Justice (Kenny MacAskill): The member will be aware that Lord Carloway said that, in his extensive research, he could find no other jurisdiction in western Europe or indeed the Commonwealth that had corroboration. Is he wrong, or are all those other jurisdictions wrong?

Margaret Mitchell: The fact that no other jurisdiction has corroboration is not sufficient reason to abolish it here. I find that a bizarre argument.

The use of the word archaic is not merely a point about semantics but, rather, indicative of the superficial debate and arguments that have so far dominated the consideration of whether

corroboration should be abolished—a debate that, up until now, has been focused on polarised views for and against abolition, with no consideration of a possible third and better way.

Worse still has been the attempt to portray this debate as the vested interests of the legal profession against the rights of victims. That is a gross distortion of the issues at stake, as the views of and submissions from the cross-party group on adult survivors of childhood sexual abuse confirm.

Sadly, though, the view is one that, to a large extent, has been encouraged by Lord Carloway himself, including when he gave evidence to the Justice Committee yesterday and dismissed the views of key stakeholders in the criminal justice system in the form of representatives of the legal profession. They include High Court judges, senators of the College of Justice, the Law Society of Scotland and the Faculty of Advocates. Together with the Scottish Police Federation, the Scottish Human Rights Commission and—significantly—the CPG on survivors of childhood sexual abuse, they are all against the abolition of corroboration.

Margo MacDonald (Lothian) (Ind): Would it be possible to find out whether everyone who speaks agrees with going to a new set of verdicts—proven and not proven?

Margaret Mitchell: No doubt they will make their position clear. My view is that, if corroboration was abolished, it would strengthen the argument for keeping a not proven verdict.

All those views deserve to be heard and carefully considered. They include the fierce, passionate, yet well-reasoned and justified comments received by me from local bar associations. One of those respondents pointed out that

“there is an irony, in the Scottish Government’s proposals to remove corroboration on the basis that to retain it would be to support an ‘archaic’ principle, when this self same Scottish Government wishes to take Scotland back 300 years with its independence referendum!”

The same respondent went on to stress:

“without doubt, the removal of corroboration will be to the detriment of our much admired and ancient legal system.”

Another respondent made the following comment:

“I cannot express in terms sufficiently strong the great fear that my Parliament’s proposal to remove the requirement for corroboration instils.

As a society I fear this moves us towards the Nazi Doctrine:

‘better a thousand innocent men are convicted than a guilty man should go free.’”

Someone else commented:

“I do not accept the argument that simply because it is a feature unique to our system it (corroboration) has no place in modern times.

I consider as do all my colleagues, that the removal of corroboration is a solution arrived at in haste to address two issues in particular— ... an anticipated fall in the conviction rate brought about by a decline in confessions by legally advised accused, and ... the perceived need to increase the conviction rate in relation to crimes committed in private.”

Many more equally valid comments were made, but the final one I want to highlight is this:

“I have no doubt that if corroboration is abolished as proposed by the Scottish Government it will lead to many more wrongful convictions. I understand the Scottish Government’s concern for victims but what they will do is create a whole new category of victims i.e. those who have been wrongly convicted on the basis of one person’s testimony.”

Kevin Stewart (Aberdeen Central) (SNP): One of the things that concerns me about all of this is that, in considering 141 sexual offence cases that were dropped between July and December 2010, the Carloway review itself found that 95—or two thirds—of them would have had a reasonable prospect of conviction without the requirement for corroboration. What really bothers me is the situation with sexual offences and the fact that so many cases do not go to trial.

Margaret Mitchell: I understand and sympathise with the member’s view. Perhaps I will be able to offer some comfort as I develop my argument.

The comments that I have highlighted clearly indicate the strength of feeling against the abolition of corroboration, which, as my motion stresses, cannot be considered in isolation. At present, the requirement for corroboration must be considered at different points in the criminal justice system. For example, under solemn procedure, it must be considered by the police investigating a crime and by the prosecutors making decisions; at trial, by the prosecutor, the trial judge and then the jury deciding whether it accepts specific evidence; and, finally, at appeal.

Moreover, I say to the cabinet secretary that the fact that no other jurisdiction has the requirement for corroboration is not in itself a reason to support its abolition. The attempt to polarise the debate into those who want to modernise the criminal justice system and those who oppose modernisation simply does not stack up. Pointing out the judiciary’s overwhelming view that corroboration should not be abolished is not the same as saying that it is not capable of being improved, modernised or changed for the better.

Kenny MacAskill: Will the member give way?

Margaret Mitchell: I have been very generous with interventions. If the cabinet secretary does not mind, I will develop my argument.

The Parliament's cross-party group on adult survivors of childhood sexual abuse has suggested improvements that might address some of the concerns expressed in the Labour amendment and by Kevin Stewart. They include the permitting of wider definitions of corroboration in cases of rape, sexual assault, child sexual abuse and domestic violence, a regular feature of which is the unlikelihood of there being a witness, while still maintaining fairness to the accused; further consideration of the introduction of more circumstantial evidence to help support corroboration in a chain of events; more systematic and constructive use of expert witnesses; and reviewing the application of the time period element of the Moorov doctrine—which has offered the opportunity for justice to victims of crimes of interpersonal violence—in cases where the modus operandi is similar, as it would lead to more flexible marking of cases by fiscals. The group made many more evidential suggestions that could and, I believe, would improve the application of corroboration.

Despite the fact that, under its terms of reference, it was competent for his review to do so, Lord Carloway failed to consider the option of retaining corroboration in the context of looking at the law of evidence to improve its application. That failure renders his review fundamentally flawed with regard to corroboration, and the motion seeks to ensure that the option, together with the options to either abolish or retain corroboration, are properly discussed openly and transparently by being subject to the widest independent review.

A wider review of the law of evidence should be carried out, including of the interaction between corroboration and other laws of evidence, either by referral to the Scottish Law Commission or a public inquiry. It is important to note that the term “public inquiry” has a very broad meaning and that a number of forms of inquiry are available. The type of public inquiry suggested would be similar to that under the commission that was established under Lord Thomson in 1970, which carried out a wide-ranging examination of Scottish criminal procedure and produced three reports, which are referred to in the 2012 paper by Professor Chalmers and Dr Leverick. The authors warned in that paper that never before have sweeping changes to the Scottish criminal system been as a result of a single individual and that the Carloway review was

“a model for criminal law reform without recent precedent.”

In conclusion, it is totally unacceptable that a decision of such a magnitude is crammed in with the Justice Committee's scrutiny of the Criminal

Justice (Scotland) Bill with its miscellaneous provisions.

I move,

That the Parliament notes the substantial proposal to abolish the centuries old requirement for corroboration in Scottish criminal cases contained in the Criminal Justice (Scotland) Bill; notes the overwhelming opposition to this proposal from all parts of the legal profession, including the Senators of the College of Justice, the Law Society of Scotland and the Faculty of Advocates, as well as the Scottish Police Federation, the Scottish Human Rights Commission, the Cross-Party Group on Adult Survivors of Childhood Sexual Abuse and many legal academics; believes that the proposal to abolish corroboration cannot be looked at in isolation and that the Scottish Government's Reforming Scots Criminal Law and Practice: Additional Safeguards Following the Removal of the Requirement for Corroboration consultation was inadequate to support a proposed change of this magnitude; notes with concern the implications of the abolition of corroboration, which would undermine confidence in the criminal justice system, and calls on the Scottish Government to remove the proposal to abolish corroboration from the Criminal Justice (Scotland) Bill and, instead, to seek to improve the application of corroboration by carrying out a wider review of the law of evidence in Scotland, including the interaction between corroboration and other rules of evidence, by either a referral to the Scottish Law Commission or a public inquiry.

14:50

The Cabinet Secretary for Justice (Kenny MacAskill): I welcome the opportunity to respond to the motion on the proposal to abolish the general requirement for corroboration in criminal cases. That proposal is a long overdue step in ensuring that victims have access to justice.

The Criminal Justice (Scotland) Bill seeks to modernise and improve efficiency in our system and put Scotland at the forefront of human rights protections for suspects while ensuring that victims are not denied justice by outdated rules of evidence. It is important to acknowledge that we are all working towards the same goal. We want Scotland to have a modern and effective criminal justice system that is fit for purpose in our modern age and which properly balances the rights of individuals and the duties of the state. That is why I asked the Lord President to nominate an expert to undertake an independent review of criminal law and practice in the immediate aftermath of Cadder and the subsequent emergency legislation.

Lord Carloway rigorously reviewed the key elements of our system. He spent a year consulting and deliberating, and he focused his recommendations on how we could best combine the thorough investigation and prosecution of crime with rigorous and far-sighted human rights protections. The Government then conducted a general consultation on his report and a second consultation on possible additional safeguards following abolition of the requirement.

The provision in the bill to increase the jury majority for a conviction to two thirds is a direct result of consultation. I have also agreed in principle with the Scottish Law Commission to review the not proven verdict, and I remain open to deliberating on whether further safeguards are needed as the bill progresses.

Margaret Mitchell: Will the cabinet secretary confirm that the Scottish Human Rights Commission is against abolition? Does he have any concern that the testimony of one witness could lead to a miscarriage of justice and a challenge under article 6 of the European convention on human rights, which is on the right to a fair trial?

Kenny MacAskill: Yes, I would have concerns if it was simply the testimony of one witness, but the Lord Advocate has given clear guidance that that will not be the test. That will simply not happen. There will have to be additional evidence, which is why Lord Carloway made it clear that it is not a matter of quantity but of quality of evidence. That is the position.

Margo MacDonald: Will the cabinet secretary give way?

Kenny MacAskill: Not at the moment.

I remain in complete agreement with the damning conclusion that Lord Carloway reached. He said:

“the requirement of corroboration should be entirely abolished for all categories of crime. It is an archaic rule that has no place in a modern legal system”.

Graeme Pearson (South Scotland) (Lab): Will the cabinet secretary acknowledge that the views and recommendations of the senators of the College of Justice are somewhat different and that to accept the recommendation of solely Lord Carloway is a dangerous way forward?

Kenny MacAskill: We are not simply accepting the views solely of Lord Carloway. Views have been contributed by Police Scotland, the Crown, Victim Support Scotland, Scottish Women's Aid and Rape Crisis Scotland. These matters are debated and discussed by us as a national Parliament. One profession does not have the right of veto or the prerogative of deciding what should happen with regard to law reform. That is a matter for a democratically elected chamber.

Margo MacDonald: Will the cabinet secretary give way?

Kenny MacAskill: Not at the moment.

The law on corroboration has been debated for the past three years, and at no point has anyone identified another system operating a general rule for corroboration. Indeed, we can positively rule out all the most directly comparable jurisdictions in

that regard, particularly common law systems and those of all 47 signatories of the European convention on human rights.

The requirement for corroboration is regularly invoked as guarding against miscarriages of justice, but Lord Carloway could find no evidence to suggest that it does anything of the sort. Instead, he found evidence in the other direction—specifically, that it prevents our courts from hearing cases that in other jurisdictions would be tried. I remind members of Kevin Stewart's intervention in relation to particular cases, 95 of which—that is, 67 per cent—would have had a reasonable prospect of conviction without the corroboration test. To put it simply, the requirement for corroboration has failed Scotland; it was formulated in a different age before the introduction of DNA or closed-circuit television, for example—times have changed.

Lord Carloway was asked to undertake a root-and-branch review. His review was logical and thorough, and it found that, from first suspicion to final appeal, corroboration in our legal system is a barrier to justice being obtained for the victims of crimes committed in private or when no one else was there. Abolition is not and can never be a panacea for resolving the well-known problems in addressing sexual crime.

Margo MacDonald: Will the cabinet secretary take an intervention?

Kenny MacAskill: Sorry, but I am running short of time.

At the very least, the abolition of the requirement for corroboration will allow crimes committed in private, where the complainant has suffered in silence or behind closed doors, to be brought to court. That can only be a step forward.

I stress that the bill seeks to remove the general requirement for corroboration but not the concept of corroboration. Police and prosecutors will continue to seek the best evidence available and corroborative evidence will remain important. I welcome the recent publication by the Crown of its new prosecutorial test to be used following abolition of the requirement for corroboration. The test is two-pronged: first, an evidential test looking at the quantity and quality of the evidence, including an assessment of admissibility, credibility and reliability; and, secondly, a public interest test that is rigorous and which will no doubt be considered by the Justice Committee.

Removing the requirement for corroboration will mean that cases will be assessed on the overall quality of evidence. The burden of proof will remain because each case will be required to meet the high standard of being proven beyond reasonable doubt. The jury majority will be raised to a two-thirds majority for conviction, a position

that is supported by the senators of the College of Justice. As I said earlier, I am open to hearing further suggestions on additional safeguards.

Having identified this barrier for vulnerable victims in accessing justice, we must now act and abolish the requirement for corroboration. In a modern society, it is simply not acceptable for victims to be left to suffer in silence and for justice not to be delivered. I remain open to constructive debate on how best to achieve this reform and on any additional safeguards. I will clearly look with interest at the work of the Justice Committee on the bill.

I move amendment S4M-07791.3, to leave out from “the overwhelming opposition” to end and insert:

“that the proposal is based on the thorough and independent review of Scots criminal law and practice undertaken by Lord Carloway, the Lord Justice Clerk; accepts Lord Carloway’s conclusion that the general requirement for corroborated evidence in criminal cases is an archaic rule that has no place in a modern legal system; notes the support of Police Scotland, the Crown Office and Procurator Fiscal Service, Rape Crisis Scotland, Victim Support Scotland and Scottish Women’s Aid; welcomes the consideration of additional safeguards suggested by the Senators of the College of Justice in their response to the Scottish Government’s consultation; notes that the Scottish Government is open to considering additional safeguards necessary to ensure fairness of proceedings as the Parliament deems fit; respects the process of parliamentary scrutiny of the Criminal Justice (Scotland) Bill, on which the Justice Committee has begun evidence-taking, and looks forward to completion of that scrutiny process in the normal way.”

14:58

Elaine Murray (Dumfriesshire) (Lab): One of the most important functions of the committees of this Parliament is to scrutinise legislation that is proposed by the Scottish Government; it is a role that is particularly important because of the Parliament’s unicameral nature. I believe that it is therefore not appropriate that Parliament should determine its position on a very controversial element of a Government bill prior to the stage 1 consideration of the bill.

The abolition of corroboration is a proposal in a bill that is currently before Parliament. The issue concerns whether the innocent are unjustly convicted or, indeed, whether the guilty go free, so the evidence for the proposed change must be carefully and rigorously examined. I do not think that the Parliament should make a decision on the issue after having a debate in the chamber of less than an hour and a half. The Justice Committee will take evidence at two sessions in November and December, so the decision ought to be taken at the end of stage 1 consideration of the bill.

Margaret Mitchell: Is that not an argument for taking the issue of corroboration out of the

committee process and having a wide and independent debate on it now?

Elaine Murray: No, I do not think that it is. There have been many controversial provisions in Government bills over the years, but they have gone through the committee process and we have examined them. It is part of our job to undertake such examination and make recommendations at the end of stage 1.

It is the case that 12 organisations, many of which represent the victims of crime, support the Government’s proposals on the abolition of corroboration, and 15 expressed degrees of concern ranging from outright opposition in some cases to concern in others about the need for additional safeguards or a wider definition of what constitutes corroborative evidence.

Many of the organisations that support abolition believe that it would assist with the prosecution of crimes such as sexual offences and domestic abuse, for which corroborating evidence can be difficult to produce. The requirement for corroboration means that there must be a source of evidence that is independent of the primary accusation that a crime has been committed and the accused has committed it.

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

Elaine Murray: I am sorry; I only have five minutes.

Removal of the requirement for corroboration would theoretically permit cases to go to court on the evidence of one witness or victim, but other safeguards can be put in place. Mr Stewart mentioned the six-month period in 2010 when two thirds of sexual offence cases—some 95 cases—were dropped that could reasonably have been prosecuted if corroborating evidence had not been required. That is a matter of concern. Of course, it is not necessarily the case that guilt would have been proved beyond reasonable doubt in all those cases.

Kevin Stewart: Will the member give way?

Elaine Murray: No. I am sorry, but I only have five minutes and I am halfway through.

Supporters of abolition argue that the proving of guilt would be dependent on the quality of the evidence rather than its quantity. That is the view of Police Scotland, for example, which states in its written evidence:

“the ... requirement for corroboration of every material fact is ... an anachronism.”

However, there are some potent arguments on the side of the retention of the requirement for corroboration. The Law Society, the Faculty of

Advocates and Justice Scotland argue that it is a fundamental principle of the Scottish criminal justice system and that the proposed two-thirds majority verdict is an insufficient safeguard against possible wrongful conviction on the evidence of a plausible and convincing liar.

The Scottish Government consulted on other safeguards, such as giving judges the power to acquit the accused without reference to the jury if it is considered that no reasonable jury could convict, and also removing the third verdict. It is important that that is considered, and I welcome the fact that the cabinet secretary has said that he is prepared to consider it. As colleagues will know, Michael McMahon MSP has proposed introducing a member's bill to that effect, and it could be considered at the same time.

The abolition of the requirement for corroboration could have other consequences. The Scottish Police Federation and the Law Society of Scotland fear that, if it is removed, there could be more malicious prosecutions of police officers and people who work in one-to-one situations, such as social workers and prison officers.

The Police Federation and Justice Scotland argue that conviction rates in England, where there is no requirement for corroboration, are little different from those in Scotland, so there is no evidence that removing the requirement for corroboration will result in more successful prosecutions. Organisations that represent the victims of crimes such as sexual violence, while welcoming abolition and opposing—as it happens—the increase in the majority verdict, argue that the education of juries and a fundamental change in attitude are central to the successful prosecution of domestic and sexual crimes and to encouraging victims to come forward. Therefore, it is not as simple as just taking away the requirement for corroboration; that will not be sufficient to solve the entire problem.

We believe that the Justice Committee must give due consideration to the arguments on both sides and the necessity or otherwise of additional safeguards should abolition be agreed to, and indeed to whether the definition of corroboration could be widened to take account of some of the issues, as Margaret Mitchell implied.

The Parliament should not make the decision today, and I therefore move amendment S4M-07791.2, in the name of my colleague Graeme Pearson, to leave out from “overwhelming opposition” to end and insert:

“opposition to this proposal from parts of the legal profession; believes, however, that the proposal to abolish corroboration is supported by many organisations representing the victims of crime, in particular sexual crimes, domestic violence and human trafficking, and by

Police Scotland; further notes that the stage one consideration of the Criminal Justice (Scotland) Bill by the Justice Committee began this week, and believes that scrutiny of the bill should be allowed to proceed to allow full consideration of the arguments for and against the abolition of corroboration prior to any decision being taken regarding whether the Scottish Government's proposals to abolish corroboration should proceed.”

The Deputy Presiding Officer: We move to the open debate. We are extraordinarily tight for time. Members have up to four minutes.

15:03

Sandra White (Glasgow Kelvin) (SNP): I will try to be as quick as possible, Presiding Officer. Margaret Mitchell said that we should not be looking at corroboration within the Criminal Justice (Scotland) Bill. I know that she has just become a member of the Justice Committee, but if she goes to page 5 of a recent committee paper she will see that it states:

“the Committee noted an underlying consensus; that the corroboration rule should not be seen as sacrosanct, and that it was legitimate to re-investigate from first principles whether it continues to serve a useful purpose in 21st century ... criminal law. The Committee agrees.”

Margaret Mitchell should look at that part of it.

Margaret Mitchell: Will the member take an intervention?

Sandra White: I am sorry. I have not even got four minutes.

I want to go back to the basics. I must say that the behaviour of some committee members yesterday perhaps raises more questions than does what the witness said. I asked Lord Carloway about corroboration and he said that corroboration is “not widely understood” by the public, the courts or the judiciary, which was interesting.

As I said to Lord Carloway, I am not a member of the judiciary or the legal profession but I represent constituents, and we should consider corroboration holistically rather than on its own, given that the issue has come up in the context of the Criminal Justice (Scotland) Bill.

Margaret Mitchell's motion has lost sight of that and puts the cart before the horse. Elaine Murray, in her excellent and fair speech, pointed out that although the committee is debating many issues as part of stage 1 consideration of the bill, the Parliament has been presented with a motion on corroboration to consider in a very short debate. If the issue is so important, we should give it more time.

Margaret Mitchell: Will the member take an intervention?

Sandra White: No, I am sorry.

I look forward to hearing from witnesses. The committee will hear from the cabinet secretary, the Lord Advocate and various groups. Surely they will give us the evidence that will enable us to make up our minds on corroboration.

I point out to Margaret Mitchell that in section 57 of the bill, "Corroboration not required", it says:

"If satisfied that a fact has been established by evidence in the proceedings, the judge or (as the case may be) the jury is entitled to find the fact proved by the evidence although the evidence is not corroborated."

That is what the bill says.

Corroboration is not going to be done away with. That is the frightening part of the motion in Margaret Mitchell's name. She is frightening people out there. Corroboration and the quality of evidence are more important—*[Interruption.]* Let me tell members what the cabinet secretary said when he explained corroboration. He said that the bill seeks to remove the general requirement for corroboration, not the concept of corroboration. I really think that Margaret Mitchell should consider that.

I know that some members will talk about the sexual and violent crimes that take place behind closed doors. The fact is that victims of other crimes are also affected by the current rules. Submissions to the committee included one from a sheriff who talked about older people and children in care who are the victims of crime behind closed doors. Such people are entitled to have their evidence heard. They should be able to be a witness.

The Deputy Presiding Officer: You should be coming to a close, please.

Sandra White: We are talking about not just certain crimes but all crime. Members of the committee and the Parliament must stick up for the victims of crime.

15:07

John Pentland (Motherwell and Wishaw) (Lab): I am a member of the Justice Committee, so I will consider corroboration over the coming weeks. As we heard, the battle lines for and against the current arrangements have been drawn.

I do not want to pre-empt the evidence that people will give to the committee. I appreciate that there are compelling arguments on both sides. In many ways corroboration has served us well. It is a deep-seated part of our legal tradition, which helps to avoid false convictions. Miscarriages of justice are few and far between.

The counter-argument is that the guilty might escape prosecution. Corroboration is frequently an

obstacle to conviction for rape and attempted rape. Strong evidence can be rendered unusable. It is significant that we are unique among the developed countries in requiring corroboration.

Supporters of corroboration argue that Scotland has a higher conviction rate than England has in cases of rape and attempted rape. However, statistics are rarely as straightforward as the people who use them would have us believe. The conviction rate tells us how many prosecutions were successful; it does not tell us how many reported cases were not prosecuted, and we can only guess how many cases were not reported and whether lack of corroboration was a factor in that.

Corroboration will remain an intrinsic part of our legal system and should not be abandoned where it is readily available. For example, post-mortem pathology and related forensic examinations should continue to be the subject of two-person reports.

Corroboration is at the heart of the checks and balances that seek, on the one hand, to minimise the number of false convictions and to ensure, on the other hand, that the guilty do not escape justice. Any decision to reduce the need for corroboration would also have to ensure that safeguards were put in place to maintain and strengthen those checks and balances.

The checks and balances include the verdicts that can be returned and the number of jurors needed to deliver a verdict. The SNP says that requiring a verdict from 10 jurors rather than eight out of the 15 will be an adequate safeguard, but other countries where there is no corroboration require more than two thirds of the jury to return a majority verdict. Some even require unanimity. We would also be changing the basis of our legal system without considering the not proven verdict.

Is corroboration an integral and essential part of our centuries-old law? If it is and it is not broke, why fix it? Or is corroboration a barrier to prosecution and merely an archaic aspect of our legal system? Maybes aye, maybes no. Maybe we should listen to the evidence, look at what safeguards are on offer and carefully consider their adequacy. If we abandon corroboration because it is the right thing to do, we must also consider the implications for the police and courts, which are faced with shrinking budgets and expanding workloads.

A lot of questions still need to be answered, so let us not make up our minds before we have heard all the evidence and considered the issues properly.

15:11

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): First, I agree with Sandra White that the requirement for corroboration is not sacrosanct and that debate is welcome. I ask members to have regard to the rigorous and robust interrogation of the arguments for and against its abolition or retention. That rigour—it is rigour rather than bad manners—will be applied to all those who give evidence to the Justice Committee in the coming months for our stage 1 report. Secondly, with respect, members may make their own inquiries but only those on the Justice Committee or those following it blow by blow—hourly, in my view—will have fully scrutinised all aspects of the cases for and against.

Thirdly, although I appreciate the popular view that the abolition of mandatory corroboration will bring the prospect of greater justice for victims of sexual abuse, rape and so on, if passed it will apply to all criminal cases in which there is no statutory penalty in both the sheriff courts and the High Court. I hardly need to say that corroboration does not mean two witnesses. Indeed, corroboration can come from the same source. For example, corroboration for an alleged rape victim can come from his or her demeanour, which may be emotional or psychological. As I understand it, the law of corroboration is very broad.

The Conservative motion is correct in listing those who oppose the abolition of corroboration, just as the Labour and Government amendments are correct in naming those who support the proposal, but that does not take us forward in determining whether the proposal is good or bad. The chief constable of Police Scotland favours the proposal, whereas the Scottish Police Federation does not. It is the evidence that they produce that must be tested. It is not a case of one list being better than another list. That demonstrates that the issue is complex and contentious—and rightly so.

The Conservative motion is correct to indicate that corroboration cannot and should not be examined and evaluated in isolation. There are also the matters of jury size and majority, the three verdicts that are available in Scotland, the abolition of the double jeopardy rule and the restrictions that are now placed on the Scottish Criminal Cases Review Commission regarding referrals to the High Court. I am sympathetic to a wider review and, in particular, to giving a role to the Scottish Law Commission, which has the disinterested expertise to examine all those interlocking issues. However, the call for a public inquiry is inappropriate.

In part, the Government's amendment presents a difficulty for me because I cannot accept the

assertion that the Carloway review on corroboration was "thorough". First, the proposal is Lord Carloway's alone. Secondly, the review was not thorough. I refer members to the evidence that was given yesterday regarding the criminal cases that he asked to be reviewed in order to determine whether those would have been prosecuted without corroboration and whether a guilty verdict would have been obtained. It was concluded that 67 per cent of that sample of 141 sexual cases from 2010 would have been prosecuted successfully. Who came to that view? Two prosecutors—one active and one retired. That is it. Forgive me, but I cannot say that that amounts to a rigorous examination of evidence.

I return to what I started with—the role of the committee. The Labour amendment does not move matters forward. It is superfluous, so I will abstain on it. For the reasons that I have stated, I will also abstain on the Conservative motion. I will abstain, too, on the Government's amendment.

We are here as politicians and legislators. Let us not consider the proposal to abolish corroboration with our politician's hat on; let us behave like responsible legislators. Whatever the outcome at stage 3, what Scotland needs is a bill that improves justice for complainers and accused, not one that is supported because it is politically popular.

15:15

Alison McInnes (North East Scotland) (LD): Since the foundations of Scots law were laid, it has been established that no individual should be convicted of a crime based on the testimony of a single witness. However, I do not defend corroboration because of tradition; I defend it because it protects against miscarriages of justice, false accusations, wrongful convictions and the erosion of the presumption of innocence.

The fact is that we cannot remove this pillar of our justice system without making the whole structure unstable. In other jurisdictions, in the absence of a corroboration rule, a series of alternative checks and balances is built into the trial process. For example, England, Wales and Northern Ireland have greater regulation of police investigations, and preliminary hearings to test the quality of evidence. Judges have the power to exclude poor-quality or prejudicial evidence, unanimous verdicts are required in the first instance and there are wider grounds for appeal following an unsafe conviction. In comparison, the additional safeguards that are currently proposed here are utterly inadequate.

The bill will mean that someone could be convicted on the basis of the testimony of one person, even if five of the 15 jurors believe that

they are innocent. Witnesses can be honest yet mistaken. Unfortunately, witnesses sometimes lie to the police and in court, out of eagerness to ensure that the accused is convicted, because of the strength of their convictions or through spite. Furthermore, scrapping corroboration could mean that false accusations become more common. The Law Society of Scotland warns that trials could be reduced to

“a contest between two competing statements on oath”.

We cannot allow trials to hinge on lesser evidence.

I accept that we must strive to ensure that the victims of rape, sexual assault and domestic abuse get justice. Liberal Democrats wholeheartedly share the Scottish Government's aspiration to improve conviction rates in that area but, sadly, rape conviction levels are not high in other jurisdictions, either. It would take significantly more changes to attitudes across society that are deep and complex for progress to be made.

The research that the Government cites in support of scrapping corroboration to that end is scant—as the convener of the Justice Committee said, it comprises a simple desk-top study by the Crown Office. In the absence of clear in-depth evidence, it would be reckless to proceed in blind hope.

In addition, there is a real risk that scrapping corroboration could reduce the chances of victims of such crimes securing justice. Police investigations might become less rigorous, and even if we get more cases into court, there is no evidence that we would secure any more convictions. The alleged victim could face a much more aggressive cross-examination. Juries are less likely to convict on the basis of one piece of evidence. More acquittals or not proven verdicts in such cases will not help anyone.

No one should be beyond the reach of our justice system, so we should examine other ways of tackling the problem. For example, should rape victims be represented by a lawyer in court, as happens in Belgium? Should we adopt a much more rigorous approach to the gathering of forensic evidence?

The majority of Lord Carloway's recommendations are sound and should be implemented, but I am extremely concerned that incorporating such a profound change into the wider package of court reforms will mean that it is not given the due consideration that it deserves. I support Margaret Mitchell's motion.

Corroboration should not be seen as a barrier to justice—a cumbersome requirement that blocks cases being taken to trial. It does not simply deliver a quantity of evidence; it ensures the quality of it. It is the key to determining the guilt or

otherwise of the accused. In Scotland, the Crown prosecutes in the public interest. We must guard against any shift towards prosecuting in the interest of the victim alone. We should not cut corners in the pursuit of convictions.

15:19

Roderick Campbell (North East Fife) (SNP): I refer to my entry in the register of members' interests, which shows that I am a member of the Faculty of Advocates.

It is clear that Lord Carloway's proposal on the abolition of the requirement for corroboration remains controversial. We certainly have no consensus on the issue. As Margaret Mitchell indicated, a substantial part of the legal establishment remains opposed to abolition. Of course, many organisations and individuals support Lord Carloway's proposal, particularly those that regard corroboration as a barrier to conviction in cases in which corroborating evidence is not always available, such as rape or sexual abuse cases.

With that fundamental divergence in views, it is unlikely that consensus will ever be found. However, I draw members' attention to an anonymous contribution on the Scottish Government consultation on additional safeguards:

“it is ultimately for juries to decide whether they are prepared to convict on the basis of good-quality, relevant evidence, albeit from a single source. We already allow them to convict on the basis of poor-quality evidence of dubious relevance, but we justify it to ourselves because it comes from two sources. This is a pre-scientific, irrational way of guaranteeing fair trials. The government must make its case more vigorously and must not allow the media lines to be dominated by the narrative imposed by the reactionary institutions of the Scottish legal profession who have, let us never forget, uniformly opposed every sensible and necessary reform of the last five hundred years, from moving divorces to the sheriff court, the introduction of the criminal appeal court and even the establishment of the College of Justice itself.”

Although, as a practising advocate, I would not necessarily accept that, it is fair to say that the legal profession is not always on the side of the angels. However, I join others in not being overwhelmed by the Carloway review's research on the impact of abolition, to which Christine Grahame referred.

I am clear that the abolition of corroboration may have little impact on conviction rates for sexual assault and rape cases, but the possible impact on the number of prosecutions is not clear cut. As Lord Carloway agreed yesterday, with a new prosecutorial test embracing a quantitative assessment and a qualitative assessment before an assessment based on the evidence of whether there is a reasonable prospect of conviction, it is

not necessarily the case that there will be more prosecutions. However, it is clear that cases that are currently not pursued will be and some cases that currently are pursued will not be. I suggest that that, in itself, may have a positive impact on reducing miscarriages of justice. As Lord Carloway says, inability to pursue a case at all because of the requirement of corroboration may itself be a miscarriage of justice.

In the absence of consensus, it is incumbent on the Parliament to consider safeguards very closely. I was pleased that the Scottish Government took that on board and launched a second consultation on the additional safeguards that would be required if the requirement for corroboration were abolished and did not simply accept Lord Carloway's view that no additional safeguards were required. However, I was rather less pleased by the response to that consultation, particularly on the question whether a single judge should have the power to withdraw a case if he was of the view that no reasonable jury could convict the accused on the basis of the evidence led. Paragraph 182 of the policy memorandum fails to consider the matter critically.

It is a reasonable assumption that, if the Scottish Law Commission were asked to consider that issue, it would take the view that it took in 2008 that a single judge should have that power. That perhaps illustrates the point that referring matters to the Scottish Law Commission will not by itself advance them and is no silver bullet.

To end on a more positive note, safeguards are precisely the area of policy that requires further scrutiny. The Government amendment and, indeed, the Labour amendment recognise the role of the Justice Committee in that. That is the proper way forward. We also need to ensure that we explore fully the extent to which abolition might raise article 6 issues. The lesson of Cadder is surely that we need to be ever mindful of fair trial issues.

That is a more constructive approach than the one proposed by the Conservative amendment, which I hope members will reject.

15:23

John Lamont (Ettrick, Roxburgh and Berwickshire) (Con): I welcome the opportunity to defend the principle that has been described as the cornerstone of the Scottish criminal justice system.

The abolition of corroboration should not be taken lightly. It is the view of the Scottish Conservatives that, to be blunt, Lord Carloway has got it wrong and the Scottish Government is mistaken to have accepted the recommendation to

remove corroboration from our criminal justice system.

Corroboration has an important place in our criminal justice system because it acts as a safeguard against miscarriages of justice and effectively balances out the intricacies of the rest of the Scottish criminal law. By defending corroboration, lawyers, rank-and-file police and organisations such as the Scottish Human Rights Commission are standing up not for the guilty but for the innocent.

Corroboration protects individuals from being convicted on the basis of evidence from a single witness and, therefore, acts as an important safeguard against miscarriages of justice.

Equally as important is the fact that corroboration provides a safeguard for victims and witnesses. If the corroboration rule was removed, far greater scrutiny of the quality of witness evidence would be needed before prosecutions proceeded and courts convicted.

The Scottish Government argues that corroboration has acted as a barrier to justice, but the truth is that it has never been easier to prosecute. Corroboration has become a more flexible concept in Scots law, particularly in the light of the Moorov doctrine, the relaxation of the rule against double jeopardy and the introduction of statutory exemptions. I admit that the corroboration rule is complex, but while that may be a reason for reform, it is not a reason in itself for abolition.

As the law has adapted, the requirement for corroboration is much less onerous than it used to be. Modern developments in evidence gathering, such as DNA identification, forensic analysis and the use of CCTV, mean that, from an available evidence perspective, there is less reason to abolish the corroboration rule than there ever has been. To put it another way, it is easier for the Crown to secure corroborated evidence than it ever has been.

The primary argument for the change is that removing the corroboration requirement will increase the number of convictions, particularly for rape and sexual offences, which often lack witnesses. Poor conviction rates are extremely worrying, but abolishing the corroboration requirement is not the way to address the problem, and the removal of the corroboration rule will not lead to increased conviction rates.

I have no doubt that the Scottish Government will point to the analysis that the Carloway review carried out, which concluded that, of cases marked as unable to proceed because of insufficient evidence, 80 per cent could have proceeded without the corroboration requirement, and 59 per cent would have had a reasonable

prospect of conviction. However, that analysis was carried out by prosecutors who have no experience of a world without corroboration and who were asked essentially to guess how many convictions would occur if corroboration were no longer necessary, and then to second-guess juries' conclusions.

The Deputy Presiding Officer (Elaine Smith): Final minute.

John Lamont: It is more likely that juries will be more cautious about convicting people of the most serious charges without corroborated evidence.

Supporters of the abolition of corroboration ignore one simple fact. Any system of justice is a human system, and no human system will ever be perfect. The major hurdle in the pursuit of justice is the reality that some people do not come to court to tell the truth and others—however well meaning—fail to tell the truth.

For centuries, Scots law has accepted that, sometimes, a single witness can be reliable and that, by refusing to believe him or her, we might well let guilty people walk free. However, that is a price worth paying because, on the whole, maintaining the requirement for corroboration leads to less injustice than allowing convictions on the basis of evidence from a single witness.

The Deputy Presiding Officer: I am afraid that you must finish.

John Lamont: I have great pleasure in supporting Margaret Mitchell's motion.

15:27

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): As a co-convenor of the cross-party group on men's violence against women and children, I have seen a great deal of evidence from agencies and individuals who support victims of domestic violence. It sends a shiver of terror down my spine to think that one in five women are victims of domestic violence. Almost 30,000 domestic abuse offences took place in 2011-12, including 307 attempted murders, 12 homicides and 485 sexual offences. Domestic common assaults made up 14,154 of the total offences.

I suggest that we are being naive if we refuse to recognise that reality. Just as misogyny and the dismissal of women at work and at home continue to be a reality, so there remains a section of stakeholders who do not welcome changes to the law. It is clear that corroboration is virtually impossible for a woman who is brutally attacked in her home by her partner. She might be raped, battered and humiliated, but how does she prove that when she must have two independent witnesses to uphold her complaint? Violent and

abusive partners do not normally carry out their crimes in the view of others, with the possible exception of their children, who might be very young and who would in any event be unable to provide disinterested evidence to a court.

Lord Carloway does not suggest that the use of corroboration should be abolished and neither does the bill. Police and prosecutors will seek the best evidence that is available and will—rightly—trust judges and juries to weigh the evidence that is put before them.

Margaret Mitchell: Will the member give way?

Christina McKelvie: No.

Lord Carloway could find no other criminal justice system that operates a general requirement for corroboration and there is no evidence to suggest that the rule prevents miscarriages of justice.

For victims of abuse, the corroboration requirement inevitably results in fewer genuine complaints reaching the courts. That is not good for our Scottish criminal justice system, which so clearly discriminates against women—who are usually the victims in cases of domestic sexual violence—in following the current codes.

Scottish Women's Aid points out in its submission to the Justice Committee that where domestic abuse cases do not go forward due to technicalities, the removal of the corroboration requirement would allow them to seek redress more readily through the courts.

Scottish Women's Aid adds that that would help to redress the balance where there are

"all the hallmarks of exposure to prolonged domestic abuse ... only"

for victims

to be told ... that there is no corroboration".

More widely, the change would reflect the growing awareness that many cases of domestic violence go unheard as a result of the current restrictions. That is fundamentally unfair to the victims of such abuse.

Rape Crisis Scotland has also welcomed the move to change the corroboration requirement, the existence of which, it stresses, diminishes a woman's right to redress. There are already excellent safeguards within the legal system to ensure that malicious claims would not proceed, not least the need to prove beyond reasonable doubt that there is indeed a case to be answered.

The removal of the corroboration requirement will probably require further safeguards to be imposed to ensure that no wrongful convictions can take place. It is worth remembering, however, that miscarriages of justice can go in both

directions—not only where a suspect is found guilty incorrectly, but where a guilty suspect goes free.

There are concerns about whether the bill should allow the changes to apply retrospectively and there are reservations about the change to the jury majority in a guilty verdict. I take all that on board.

At the core of the debate is access to justice. In Scotland, we have always believed in and supported the right of every individual to seek redress from the courts. Do we want to deny that basic human right to abused women? I think not.

We are not seeking to abandon the need for high-quality evidence; what we are seeking to do, as Victim Support Scotland has described it, is to take a

“step towards a system which”

takes

“account of all fairly obtained evidence, respecting not only the accused but also victims and their families”.

The law as it stands is not fit for purpose in a modern Scottish system. I support the cabinet secretary's amendment.

15:31

Anne McTaggart (Glasgow) (Lab): Corroboration is not only an important and unique feature of Scots criminal law, but a cornerstone of Scots law.

The University of Strathclyde school of law professors John Blackie and Donald Nicolson have recently produced a research paper that studies the likely consequences of this profound change to the system of criminal justice in Scotland. They state:

“Whether or not the corroboration requirement is ‘archaic’ or rather a reflection of ancient wisdom depends on whether its rationale remains persuasive in the context of the values, rules and practices of the contemporary Scottish criminal justice system and society more generally.”

Furthermore, within a criminal justice setting it

“is clear that a core justification for the corroboration requirement is the perceived unreliability of witnesses.”

Also:

“All forms of unreliable evidence are equally capable of causing wrongful acquittals as wrongful convictions.”

Such arguments have been utilised by, for example, members of the judiciary, certain academics, legal practitioners' organisations, some police organisations and the Scottish Human Rights Commission.

Turning to the reasoning for abolition,

“Lord Carloway and the Scottish Government did not question the historical rationale for the corroboration requirement.”

Rather, their argument had three main points. First,

“the requirement is not fit for purpose in being incomprehensible, inconsistent and ineffective”.

Secondly,

“it is disproportionately prejudicial to the interests of victims and the public”.

Thirdly,

“it is unnecessary because fact-finders can be trusted to evaluate accurately the strength and reliability of evidence free from legal regulation and because there exist a range of other protections against unjust convictions”.

Those points have been welcomed and used by Government lawyers and by some police organisations, which have been joined by women's groups, as mentioned earlier, in their campaign for change.

The points that I have highlighted both for retention and abolition of the corroboration rule in Scottish criminal law cases are but the tip of the iceberg; if anything, they show the necessity of a referral to the Scottish Law Commission or a public inquiry.

The debate over whether corroboration is an archaic requirement or an invaluable safeguard presents a false dilemma. We must focus on the tangible evidence from victims of crime and their support groups, and on the experience of our legal professionals from around the country.

The proposal to abolish the corroboration requirement cannot be considered in isolation, but must be viewed in the context of the wider reform of the criminal justice system in Scotland.

The Deputy Presiding Officer: We come to the winding-up speeches, and we have no time at all in hand. I call Graeme Pearson, who has four minutes.

15:35

Graeme Pearson (South Scotland) (Lab): Thank you, Presiding Officer, for giving me the opportunity to wind up in the debate.

It is evident from the views that have been expressed by members around the chamber that there is an element of discomfort in our consideration of whether we should welcome or challenge the proposal to abolish the requirement for corroboration.

We should bear it in mind that Lord Carloway's job was not to report specifically on corroboration but to address much wider elements of criminal justice. He included his comments on the

corroboration requirement on his own account, and they were not supported by the balance of the group that dealt with the inquiry.

Equally, the senators of the College of Justice have expressed their reservations about the way forward, and the convener of the Justice Committee has gone some way in expressing her views, based on her experience of convening the committee.

I believe that we should take one bit of guidance from Lord Carloway. It is important that, when we decide the facts of the matter, we weigh the quality of evidence that has been provided in the discussions at the Justice Committee, and not merely the names of those who support or do not support the proposals.

Scottish Labour is not distant from reform. We have led reform for many decades, and there is no doubt that the courts and the legal process need reform. My worry is that the proposal involves merely fiddling with one part of the system without considering the impacts that might derive from doing so.

In removing the requirement for corroboration, we have not considered what has been described throughout the debate as a system of justice, and for centuries, corroboration has been acknowledged as a benchmark and a central part of that system. When we interfere with the system, it is important that we consider the knock-on impacts—on verdicts, for example. Do we need two or three verdicts in future? Michael McMahon's proposals have lain fallow for many months—indeed, years—but will the change result in more trials? Victims and witnesses may go through a process in which there is no hope of a conviction at the end.

The cabinet secretary often mentions what is happening south of the border—by which I presume he means England. The conviction rates there are no better than those in Scotland. We should be consolidating our position. We would like witnesses and victims to be given a fair hearing in court, but we need the Government to provide the checks and balances, rather than putting them up for auction so that members can offer alternatives. We need sizeable proposals that will put our minds at rest that what we are doing will make our system better; we do not need headlines that simply say that we have changed something and have thereby been seen to reform.

It is beyond consideration that witnesses whose evidence becomes the only source of a successful prosecution will be challenged very robustly in court in future. At present, the experience of such witnesses is pretty devastating. I would like to think that the cabinet secretary will not only listen today, but implement additional checks and

balances in his final proposals and put our minds at rest by assuring us that, in removing the corroboration requirement, we will have produced a better system.

The Deputy Presiding Officer: I am afraid that we really have no extra time. Cabinet secretary, you have six minutes maximum.

15:39

Kenny MacAskill: First, let me give Graeme Pearson and those on the Labour benches an absolute assurance. Today's debate does not follow the normal procedure, as it has been initiated by the Conservatives. Normally, we would have the stage 1 debate after the bill has gone through the committee stage. Ironically, we had the benefit of the Lord Justice Clerk giving evidence yesterday, but the committee members have still to hear from the Lord Advocate, the police and victims groups, so all the evidence will be brought out—I can give Graeme Pearson that assurance. I also reaffirm my position that we are happy to look at any safeguards that may be forthcoming.

I was rather staggered by John Lamont's comment that there was no need for the change. Did he not sit through all the consequences of Cadder, including the emergency legislation that the Parliament was required to pass? The situation changed because of Cadder—the system cannot stay the same. That applies not only to major cases but to sexual offences matters, where previously some justice was done. There would have been corroboration in terms of the sexual content if the witness said, "I did have sexual relations with her," thus providing corroboration. Following Cadder, as we all know, on the advice of their lawyer people now make no comment, so there is no corroboration and justice will not be done. That applies not only to cases at the very top level of magnitude but at a lower level.

I was also gobsmacked to hear from the Tories that we should improve corroboration. That was put to the Lord Justice Clerk, and I think that it is fair to say that he was rather gobsmacked. It would also be fair to say that the Lord Justice Clerk has been considering the issue since 2010—

Margaret Mitchell: Will the cabinet secretary give way?

Kenny MacAskill: By all means.

Margaret Mitchell: Is it not true to say that, far from being gobsmacked, Lord Carloway had not even given that proposal any consideration? That is why we are calling today not for definite decisions to be made but for a wider, independent

review so that this important issue can be fully debated.

Kenny MacAskill: I do not see how corroboration can be improved. Despite there being several consultations since 2010, I note that the Tories appear to have inputted not one iota—or, indeed, jot—into those. Doubtless they have just been saving that up and we will hear about it in due course.

John Pentland gave a very thoughtful speech. Sometimes, it will be essential to require corroboration, in relation to the issue of forensic science, for example, which can be very difficult—I was dealing with papers last night on that issue. I think that members will find that the Crown Office will give assurances that, regarding issues that have caused great angst in the debate because they involve not a science but an art, there will be a requirement to have additional evidence from another source.

As Sandra White correctly pointed out, we are talking about the removal of the general requirement. That will stop the inanities, which Mr Pearson will know of, whereby two forensic scientists are required not to speak to what the autopsy revealed but to confirm, “That is the label,” or, “That is the blood sample that was taken by the nurse.” That goes right through the justice system.

It may be that the Tories are saying, “If we can tinker with it, we can accept that,” but I do not know where they will set the tariff when that becomes the fundamental matter—I will be interested to see that.

The Tories also seemed to suggest that we could get rid of the test for some offences but not for others. I will be interested to see how that would work in a situation in which someone is charged with rape but the victim dies six months later. Given his extensive experience with the police, Mr Pearson may very well have experienced such cases, where corroboration was deemed not to have been required but was required subsequently. Those who oppose Lord Carloway’s recommendation need to think that through.

Equally, we need to recognise the new prosecutorial test, which will be an evidential and quantitative test: is there sufficient evidence that the accused was the perpetrator? Following a qualitative assessment, is the available evidence admissible, credible and reliable? Is there a reasonable prospect of conviction? Even thereafter, the Crown expects there to be a public interest test: is there a public interest in prosecuting the case?

Those safeguards will be laid out. I have no doubt that, when the committee hears from the

chief constable and the Lord Advocate, they will be able to allay Mr Pentland’s understandable concerns—I think that he is right on that—and confirm that those will be dealt with. It is quite clear from the Crown that we are not talking about a situation in which one witness says that something happened and there is no other evidence at all. That is not the position.

What we are talking about is justice. This is not a moot point. In a trial for serious assault or rape—or, indeed, a trial that involves less stressful matters that still cause great angst to the individual who was the recipient—the requirement for corroboration is not a moot point to the individual involved. It is not simply a debate between our learned friends on a point of order or motion, m’ Lord, that the requirement should be removed; it matters to the people involved that justice is delivered.

Graeme Pearson: Does the cabinet secretary understand that the issues that we have raised with him are not so much about the investigation and the first port of call, but about how the courts will deal with the changes, how juries will assess the evidence, what a jury will look like and how the verdicts will be achieved?

Kenny MacAskill: Absolutely, and that is why we went out to consultation and why we making changes in relation to the verdict, with the support of the judiciary. We are happy to look at other proposals that come from Mr Pearson, Dr Murray or any other member of the Parliament.

The issue is not a moot point—it is about access to justice. Each and every elected member in this Parliament will have had people come to their surgeries who did not get justice. We have had to wipe away the tears, give our sympathy and empathise with them. We have had to say, “There was no corroboration so there could be no prosecution—justice was not delivered.” There comes a time, when scientific evidence moves on and when no other country instigates such a rule, that we have to deliver justice to the victims. I stand fully beside Victim Support Scotland, Scottish Women’s Aid, Rape Crisis Scotland and all those others who say that the time has come to get rid of this archaic method.

15:46

Annabel Goldie (West Scotland) (Con): The debate is timely. We are discussing the abolition of corroboration, which is a long-standing and much-valued component of the law of evidence in Scotland. I thank members for their contributions to the debate, some of which were more thoughtful and measured than others. I speak as a former solicitor, but I am no longer a member of the Law

Society of Scotland and I am not on the roll of solicitors.

In my years in the Parliament, it has been my privilege to take part in many important debates, but this one is pre-eminent, because corroboration finds itself in the dock, charged with being an irrelevance, an anachronism and an impediment to convictions. Those are serious accusations and I want to examine them.

Traditionally in Scotland, two crucial facts require proof in every crime: first, that the offence was committed; and, secondly, that the accused committed it. So where does corroboration come in? What is it, when did we get it and why has it been considered so important to the law of evidence in Scotland and the presumption of innocence? Historically, it goes back to the New Testament, when it was developed to avoid the execution or capital punishment of innocent individuals. More recently, in the 18th and 19th centuries in Scotland, the rationale for corroboration became that a single witness is insufficient for proof or, to quote the founding authority on Scottish criminal law, David Hume:

“no one shall in any case be convicted on the testimony of a single witness”.

As members have said, corroboration underwent reform and was developed as a theme of evidence so that, by the 1950s, it was clear that two witnesses were not required to prove every fact in a case. Reference has been made to the Moorov doctrine, which allows corroboration by similar facts. I sympathise with the situation that Christina McKelvie described, but I point out that the complainer's distress as observed by a third party after an alleged sexual offence can be used to corroborate the use of force or a lack of consent. Of course, there are now some statutory exceptions to the requirement for corroboration, which tend to relate to minor crimes such as road traffic offences.

What remains unchanged is the underlying principle of corroboration, which is that one version of events on its own is not enough and is not safe. Mr MacAskill says that it is not just about one witness, but then what is it about, because that is what I and others are now completely unclear about? Some members of his party think that corroboration is not to be abolished, but Mr MacAskill's amendment says explicitly that it is to be.

For modern purposes, the rule is based on the idea that it is better to let a few guilty people escape conviction than to risk depriving an innocent person of their liberty. The current authority on Scottish criminal law, Professor Gerald Gordon, put it in a nutshell when he said:

“we accept that sometimes a single witness can be reliable and that by refusing to believe him we may be doing injustice in the particular case; but we cannot always be sure about our judgments of reliability, and indeed we are so likely to be wrong, and the results of our error are likely to be so serious, that it is better to make it a rule that we shall never rely on only one witness, because, on the whole, that will lead to less injustice than will reliance on our ability to detect unreliability”.

How might the testimony of a witness be unreliable? Contrary to popular belief, witnesses lie in court and their motives might be sinister. Alternatively, they might be completely honest but simply wrong in what they thought they saw, or they might get flustered in the tension of a courtroom environment and, through anxiety or confusion, misrepresent the actual position.

That is because giving evidence is a human process and, for whatever reasons, human beings are fallible. If corroboration as we understand it is abolished, none of that will be tested or challenged. The bastion of the accused's protection against such frailty and the guardian of the presumption of innocence is corroboration, and that view is shared by all the groups that are mentioned in Margaret Mitchell's motion: lawyers, judges, groups of police officers, the Scottish Human Rights Commission, adult survivors of childhood sexual abuse and Justice Scotland.

On the matter of judges, I ask the Justice Committee to investigate which judges support the abolition of corroboration, with the honourable exception of Lord Carloway.

Why does corroboration find itself in the dock? In the wake of Cadder, the Scottish Government instructed Lord Carloway to carry out a review of criminal procedure. That case gave rise to significant issues to do with detention, period of detention and the right of the detainee to legal advice. I disagree with Mr MacAskill: I do not think that corroboration was central to the Cadder case. Lord Carloway made numerous recommendations about Cadder, prominent among which was the abolition of corroboration. That is what we are talking about. I say to Sandra White that if she is in any doubt about that, she should look at the text of her colleague's amendment.

What consultation, research or evidence taking was engaged in to justify that conclusion? None of any extent that I am able to discover. The conclusion is therefore largely subjective. That, in itself, is not fatal—Lord Carloway is an eminent judge—but that conclusion demands the support of a rigorous examination of the arguments that have been advanced.

We are told that corroboration does not serve its stated purpose of preventing miscarriages of justice and that the real protection is the standard of proof that is required. No, it is not. If the

standard of proof is beyond reasonable doubt, we still need reliable evidence to satisfy that test. In the absence of corroboration, a dishonest, mistaken or confused witness could easily satisfy that test.

Corroboration is then condemned because it concerns—

Kenny MacAskill: Will the member take an intervention?

Annabel Goldie: I am very tight for time, so I apologise to the cabinet secretary; I want to develop my theme.

Corroboration is then condemned because it concerns the quantity and not the quality of testimony. I have to say that, when it comes to a meaningless mantra, that takes the biscuit. When we are dealing with evidence, if we reduce the quantity, we will as surely prejudice the quality as night follows day. Dishonest, wrong and confused testimony will prevail—what kind of quality is that? I would not want to be at the mercy of that if I were the accused.

Then we are told that corroboration acts as an artificial barrier to prosecution in which the only potential evidence might be from the testimony of a single complainer. Yes, it does. That is a strength in our criminal justice system, not a weakness. Of course abolishing corroboration will increase the number of prosecutions, but to imagine that that will lead to more convictions is as naive as it is nonsensical. It will lead to greater doubt in the minds of jurors, who might be much more inclined to acquit people who are guilty. How does that serve the victims? It will certainly lead to innocent people being convicted on dishonest, mistaken or confused testimony because the witness convinced the jury.

The other arguments advanced in the review do not merit the abolition of corroboration, but I accept that they justify its reform. That is a different matter entirely and I am sympathetic to that. The motion in the name of my colleague Margaret Mitchell makes the investigation of that option a possibility.

The Scottish Government is proposing to abolish corroboration on an analysis that is flawed, reasoning that is opaque, logic that is incoherent, and a conclusion that is plain wrong. The Scottish Government has no substantive alternative substitute or mitigating safeguard to offer and that too is plain wrong. It is akin to demolishing the dam wall without putting any flood prevention measures in place.

In my opinion, corroboration is innocent. It requires reform, but the charges against it have not been proved. We should keep it, we should reform it, and I support the motion.

Children and Young People (Named Persons)

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-07783, in the name of Liz Smith, on named persons. The debate is oversubscribed and we are extremely tight for time. Liz Smith, you have a maximum of 10 minutes.

15:55

Liz Smith (Mid Scotland and Fife) (Con): I do not think that anyone who followed the Daniel Pelka case this summer could be anything other than repulsed by the depths of the depravity that confronted that little boy as he struggled against the daily litany of abuse, starvation and isolation. His case was perhaps one of the most brutal examples of how society can fail our most vulnerable children. Some will argue that the case was at the most extreme end of the scale, but it is by no means the only one in which our youngest and most vulnerable children have been exposed to appalling neglect. Quite properly, there should be a national debate about how to protect our most vulnerable children.

For some time, the Scottish Conservatives have thought long and hard about what our reaction should be to that challenge. More recently, we have been reflecting on those issues in the context of the Children and Young People (Scotland) Bill.

As we made clear in an earlier debate, we agree with some of the stated intentions of the bill and some of its proposals. In particular, we agree that we should do more to increase a collaborative approach towards the care of children to ensure that children's services are delivered more effectively and with much better qualitative outcomes. We whole-heartedly agree with plans to extend childcare, making it easier for parents to get back into work and easing the financial pressures on hard-pressed families. We also whole-heartedly agree with providing greater backing for young carers and kinship carers, many of whom do tremendous work with very little support.

Very specifically, however, we have examined the Children and Young People (Scotland) Bill against the criteria that define good law. Is this piece of legislation necessary, is it clear, coherent and effective, and is it accessible and therefore clearly understood? We contend that, in its current form, the bill fails on several counts. As well as that, though, the minister knows that we have fundamental concerns about the unmistakably statist philosophy that underpins the named person policy—a view that we believe is shared by some important stakeholders, including the

Scottish Parent Teacher Council, which says in its latest newsletter:

“Our worry is that giving every child a named person is at best a waste of time and money and at worst could lead to unwelcome interference in family life.”

That view is shared by CARE and several key figures in the legal community. It is on that basis that we have chosen to debate the named person policy this afternoon, after which we hope that the Scottish Government will undertake an urgent review of its proposal.

I shall deal first with our substantive objections to a named person for every child aged zero to 18. The rights of children do not stand in isolation. They should be seen in the context of the rights of parents and families and the responsibilities of those families, which must articulate with the needs of all the individuals within those families.

In our view, those are basic principles; indeed they are the principles that are meant to underpin so much of the thinking that is behind policies for children and young people, and they are the principles that underpin European legislation in this sphere. In the interpretation of the bill, though, there is a danger that the balance could swing heavily behind the state rather than behind the parent.

The Faculty of Advocates says that section 19(5)

“dilutes the legal role of parents, whether or not there is any difficulty in the way that parents are fulfilling their statutory responsibilities.”

We share that concern.

Also in a legal context, Professor Norrie has made clear that the bill in its current state allows ministers to have more powers which, he says, are open-ended and, in his view, not well defined. While he acknowledged that some of those concerns might be a matter of semantics for the bill team, other aspects were not and they opened up the prospect of more state intervention. Again, that is something that the Conservative Party is not comfortable with.

For example, the bill defines a child as a young person up to the age of 18, which is not only contrary to other pieces of Scottish and United Kingdom legislation but involves complications. If young people can marry at 16 or fight for their country from 16, that surely raises questions about the appropriateness of a named person in that context. Indeed, we heard yesterday at the Education and Culture Committee from Bill Alexander of Highland Council, who, incidentally, is a strong supporter of the principle of the named person, that it is totally impractical in some of the older age groups and is not wanted.

In our view, implicit in the proposal for a named person for every child is the insistence that it is the state rather than parents and families that has the primary obligation to look after the child. That is entirely the wrong way round. If there are thousands of parents across Scotland doing a thoroughly good job—and there are—what right does the Scottish Government have to put in place an intervention measure that tells them that the state knows better than parents and families?

The Minister for Children and Young People (Aileen Campbell): Liz Smith is hugely misrepresenting the intention behind the bill, and I will certainly be making some remarks about our intentions in my opening speech. However, I want to point out that, through our early years and parents strategies, we have always engaged with and listened to parents. This is not about telling people what they should do or about the other things that Liz Smith is describing; it is about creating a structure to help parents and provide a place where they can access support if needed.

Liz Smith: If the minister cares to read much of the evidence on this, she will see that, among the legal community in particular, there are deep-seated concerns, some of which I have read out this afternoon, about interpretation and that the balance is tipping towards the state rather than towards parents and families.

However, there is another concern. All political parties in the chamber rightly worry about how we reach the most vulnerable children and provide additional resources where they are most needed. If, through the named person policy, we are insisting on state intervention for all children, even those in families who do not require any help, we are by definition going to end up spreading resources for our most vulnerable children far too thinly. On 3 September, Mr John Stevenson of Unison told the Education and Culture Committee that the bill

“will bring into the net a whole lot of people who in the past had no connection with agencies at all.”—[*Official Report, Education and Culture Committee*, 3 September 2013; c 2698.]

He is right and his view is supported by the wealth of evidence that has been submitted to the Education and Culture Committee and the Finance Committee.

Some tell us that there is nothing to worry about, that the policy is merely a formalisation of what is already happening and that it is just a means of expanding the successful getting it right for every child project in the Highlands. I do not accept that. Indeed, it could be argued that Highland Council’s success—and it is fair to say that its approach has been successful—has come about without legislation and because the authority’s culture of care has allowed the various departments to

collaborate so well. If this is just a formalisation of existing practice, why are so many stakeholders, even those who approve of the named person principle, so anxious about its costs and the additional workload?

Stewart Maxwell (West Scotland) (SNP): The member is, like me, a member of the Education and Culture Committee and will know that a consistent theme that has emerged over the past two years in our consideration of legislation and our inquiry into looked-after children is the inconsistency of approach across the country. Will her proposition that we do not use legislation on this matter not leave us with a good situation in the Highlands, a poor situation elsewhere and inconsistency across the country?

Liz Smith: I do not accept that. The fact is that the approach taken to GIRFEC in the Highlands has been hugely successful and, as many witnesses who have given evidence have told us—and Mr Maxwell will know this because he was at the same evidence sessions—it is all about changing a culture rather than introducing top-heavy legislation.

My colleague Gavin Brown will explain our concerns about the proposal's costs, which is an issue that has been discussed in great depth by the Finance Committee and the Education and Culture Committee, but I must point out a number of other problems. We have frequently been asked about how the named person will be chosen, and specifically whether the parents or child or both would have any input into that; what happens when relations break down between the named person and the family; what will be the relationship between the named person and a lead professional; and whether there really will be a single point of contact. There are also concerns about data sharing, particularly what is meant by the stipulation that information should be shared if it "might be relevant" to a child's wellbeing and if it "ought to be provided". What do those phrases mean? The law officers have made it very clear that such wording is open-ended, and it is simply not acceptable.

The Children and Young People (Scotland) Bill contains some excellent policy commitments, including those that seek to address pressing issues with regard to childcare, care leavers and kinship carers but, taken in its entirety, it is designed to take an unacceptable degree of responsibility away from many parents and families.

We fundamentally disagree with that, as, indeed, do some powerful voices to which I have referred in my opening remarks. We therefore want the Scottish Government to review its approach to the bill, specifically to ensure that the limited resources are targeted at the most

vulnerable and that responsibility is placed in the right hands. In particular, we want the Scottish Government to review the policy on named persons, which is the issue that has already aroused the greatest controversy and concern. Expecting all children to have a named person in the terms stated in the bill is an assault on the responsibility of families and parents for whose children there are no real problems. It is unnecessary and an undesirable intrusion of the state and, just as important, it threatens to take away resources from the most vulnerable.

I move,

That the Parliament notes with concern the Scottish Government's proposals to introduce a named person for all children and young people up to age 18; agrees with those groups that believe that, for many families, the named person would undermine the role of parents, and agrees with the many stakeholders who have expressed concerns about the extensive costs and bureaucracy of the policy and the likely implications of diverting limited resources away from the most vulnerable children.

16:05

The Minister for Children and Young People (Aileen Campbell): The Scottish Government believes that action must be taken to put in place a proportionate system of protection, nurture and support to give all our children the best chance of flourishing, and that is what we have done with the proposals in the Children and Young People (Scotland) Bill.

I believe that a universal approach that looks to identify issues and concerns at an early stage, and which steps in appropriately to help children and their families to tackle problems, is essential. That is the getting it right for every child—GIRFEC—approach, which was started by the predecessor Administrations and has been supported over the years by all parties. A named person is central to that approach; a named person is as vital to GIRFEC as general practitioners and nurses are to the health service.

In developing the proposals for the bill, we did not start from scratch. The previous Administration started GIRFEC with the Highland Council pathfinder in 2006. As Bill Alexander said in his evidence to the Education and Culture Committee yesterday, he did not come before the committee with "an untested product". He also said that practitioners already "passionately" believe that the approach works.

When the pathfinder project began, parents in Highland said that they wanted a person with whom they could identify. They wanted to avoid repeating their stories over and over again, and they wanted help and support when they needed them. That is when the named person concept became an essential element of the getting it right

for every child approach, which was developed with parents, and not as the bottom-up approach that Liz Smith described.

Liz Smith: Is not it the case that those parents were parents of children who required additional support rather than parents whose families did not have problems?

Aileen Campbell: I will go on to talk about some more parental input to the process as I make progress in my opening remarks.

As the evidence from Highland Council eloquently put it,

“Critically, the Named Person is a point of contact for families, where they can seek advice or support about issues relating to their child’s wellbeing. She will usually be someone that the family already knows, and who they feel able to approach.”

As Liz Smith said in 2009 of the experience of Highland,

“I ... welcome the report on the results of the Highland pathfinder GIRFEC project, especially the progress that has been made on ... making improvements in professional practice with better multi-agency working, and developing a more holistic approach to the needs of the child—something that we all agree is one of the most important issues.”—[*Official Report*, 3 December 2009; c 21897.]

The named person role was the foundation for that more holistic approach in Highland and was central to providing a more helpful response and better co-ordination of support, which we all recognise is absolutely vital to the wellbeing of our children.

A lot was said about the policy this summer, and about the practice and facts as the named person relates to family life. The Scottish Government knows that the most important influence on a child’s life is its parents. Our early years work and parenting strategy are evidence that we place the absolute highest value on the role of parents as the principal carers for their children, and on listening to and engaging with them. That engagement with parents will continue as we take the bill forward.

As every parent—myself included—and carer knows, there are often challenges or concerns in bringing up children. That is quite normal, and helping children and families to cope with the challenges that life presents is part and parcel of everyday good practice by midwives, health visitors and school staff.

Kezia Dugdale (Lothian) (Lab): Will the minister say that she needs to do more to convince parents that the idea is good? If she accepts that, how does she plan to do that over the months ahead?

Aileen Campbell: Absolutely. As the bill progresses through Parliament, we will be able to

ensure that our narrative deals with some of the issues that parents raise. As I said earlier, we want to engage with parents as much as we can throughout the bill’s progress.

Liz Smith: Will the minister give way?

Aileen Campbell: No.

That is why I believe that the named person service should be based in the universal services of health and education. We are not changing what they do; we are changing how their roles are seen.

An authority on the matter said that she remembered that a GP

“eloquently described how a health visitor could both gain the confidence of and enter a household into which that GP might not be invited. The GP was clear about the twin benefits of the health visitor, first, in being seen as a help to the household ... and, secondly, in being able to identify at an early stage any possible cause for concern in the household ... health visiting ... is a vital preventative service in the early years.”—[*Official Report*, 14 March 2013; c 17841.]

I could not agree more. I am grateful for that succinct summary by Annabel Goldie, who is in the chamber, of the named person role for very young children.

Annabel Goldie (West Scotland) (Con): The context in which I made that observation was in relation to health visitors and the option for authorities to be able to look at families about which concerns had been expressed. That is entirely different from universal conferral of named persons on families, whether they want that person or not.

Aileen Campbell: Perhaps there is a bit of inconsistency from the Conservatives. Last session, they seemed to agree with all that we are trying to achieve with GIRFEC, but in this instance they do not seem to be reflecting that previous position.

The concerns that parents or children raise sometimes need the attention of one or more professionals from different organisations or disciplines, and they need help in navigating their way through the various services that are available. As one Edinburgh parent put it:

“For me, the concept of the Named Person works because I will have a named and known professional with whom I can communicate any concerns or share information. Parents are often frustrated and confused by not knowing who to contact, or by frequently-changing professional teams. At times of pressure or concern, clarity will be a real benefit.”

We cannot forget the rare occasions when parents and families do not provide the right support and loving environment for their children. The recent tragic case of Daniel Pelka, which Liz Smith mentioned, highlighted the importance of

professionals putting the child's interest at the heart of what they do, and of their communicating their concerns. Anne Houston of Children 1st said:

"Deaths like Daniel's remind us why the principle behind the named person ... is a sound one as it aims to prevent children slipping through the net."

I am not claiming that the existence of a named person would necessarily prevent such tragedies, but as Ruth Wishart said in her excellent article in *The Herald*:

"It's unrealistic to suppose we can stop every incident of child abuse, identify every perpetrator, always intervene in time to prevent tragedy. But we can make a big difference."

Issues have been raised around information sharing, and such cases highlight the importance of sharing information where it is required in order to protect a child's wellbeing. Any sharing of information under the bill must take place fully within the framework that is set by the Data Protection Act 1998 and the European convention on human rights. A preventative approach means that action should be taken before things get serious, and the named person provides a structure for doing that.

Issues have been raised around the cost of GIRFEC, but of course it is not always just about costs; we know that the GIRFEC approach is making savings. We know from the Highland pilot the kind of savings that have been made: reductions in social work case loads of 50 per cent, reductions in referrals to the children's reporter of 70 per cent and reductions in the number of children who have been accommodated. We know that the areas that are the furthest advanced in implementing GIRFEC have had similar findings.

Over the years, Parliament has repeatedly endorsed the GIRFEC approach and I hope that at the end of today's business we will be able to do so again.

I move amendment S4M-07783.2, to leave out from "notes" to end and insert:

"reaffirms its ambition that Scotland should be the best place in the world for children and young people to grow up; considers that the protection of children from harm and the promotion of their wellbeing is of paramount importance; recognises the critical role in achieving that of the Getting It Right for Every Child approach, which has been successfully developed in Scotland ever since its inception during the first administration after devolution; understands that the named person has been developed and implemented as an essential element of that approach, as a means of making appropriate and proportionate support available to children and families in a coordinated and collaborative way, reducing bureaucracy and making the best use of public resources, and welcomes the opportunity provided by the Children and Young People (Scotland) Bill to secure the protection, nurture and support that children and their families need to flourish".

16:13

Jayne Baxter (Mid Scotland and Fife) (Lab): I welcome the opportunity to open this debate for the Scottish Labour Party. We support the principles of getting it right for every child and welcome the move to incorporate elements of GIRFEC into statute. However, there is a host of views on the issue of the named person, ranging from those of the wide range of children's organisations that support the approach, to the concerns of parents and others about the rights and responsibilities of parents, the rights of children, the need to protect confidentiality and the capacity of universal services—namely health and education—to take on the role.

I believe that everyone in the chamber would want to see the bill focus absolutely on how we can best support families and children, and in particular how we can improve the life chances of Scotland's poorest and most disadvantaged children. With that in mind, the Labour amendment highlights that we are still in the committee scrutiny stages of the bill; indeed, we are barely midway through stage 1. Members of the Education and Culture Committee have heard, and will continue to hear, evidence about the philosophy and principles of the bill and the practicalities of the named person approach. I fully expect a number of amendments to be lodged at later stages.

While it is so fresh in our minds, I propose to refer to some of the evidence that has been provided to the Education and Culture Committee up to now. At yesterday's meeting, we heard from Highland Council, which was the pathfinder authority for GIRFEC in 2006. At that time, there was no mention of a named person, but the value of the role emerged as the model was developed, and was fully implemented by the council in 2010.

Both the written and oral evidence from Highland Council to the committee highlighted the reduced bureaucracy, improvements in outcomes for children and families and empowerment of staff that have arisen from the named person approach, which have allowed the council to reinvest resources in, for example, additional health visitors.

It remains to be seen how transferable that experience would be to other parts of Scotland, especially given the resource concerns that are being expressed widely. This week, colleagues on the Finance Committee scrutinised the bill's resource implications and the assumptions that are made in the financial memorandum. For example, funding for training of the education staff who will be expected to carry out GIRFEC functions seems to have been budgeted for as a one-off cost in the financial memorandum. I presume that it is expected that the cost will in

later years be absorbed into budgets. If the training is not seen as additional and funded appropriately, something will have to give to make way for it in future years—but what? Training is clearly essential to enable the named person to adapt to the new role, but also to enable them to make judgments on cases as they arise.

Thus we see that the named person proposal clearly has implications for the staff who will be expected to take on the role. The Educational Institute of Scotland and the National Society for the Prevention of Cruelty to Children have both raised concerns about resources, and the Royal College of Nursing has estimated that an additional 450 health visitors will be required to fulfil the requirements of the named person role as outlined in the bill. Unison has stated:

“As they stand, the responsibilities will require additional front-line time and administrative support and it is unlikely that agencies will be able to easily allocate those resources.”

In its written evidence, Unison highlighted the need for clarification of the role of the named person and, crucially, of where and how the role relates to the lead professional. Our amendment calls for that clarity.

It is clear from the number of questions that are being asked that the role of the named person must be further explained and clearly defined. There is a strong commitment from all sides to improving life chances for children and families in Scotland; I see the strong engagement around the issue as a measure of the commitment that is shown by organisations in the public and third sectors in advocating on behalf of the children of Scotland.

The Deputy Presiding Officer: Final minute.

Jayne Baxter: I hope that the Scottish Government will listen to the many constructive suggestions that have been made. What we have in the named person for every child is the nugget of a really good idea, but there are serious concerns that need to be addressed before members on the Labour benches can offer the Government support on it.

I move amendment S4M-07783.1, to leave out from “notes” to end and insert:

“supports the principle of Getting It Right For Every Child and widespread implementation of this approach since devolution and believes that every child in Scotland should grow up safe, happy, healthy and supported; recognises the widespread support for the named person role from a range of organisations; however also understands concerns expressed by parents regarding what information is held and shared by the named person; further believes that the named person role must therefore be clearly defined, explained and understood as well as differentiated from the lead professional role; expresses concern that the current funding provision as outlined in the financial memorandum to the Children and Young People (Scotland)

Bill is inadequate and that significant challenges exist to the effective implementation by public bodies of the proposals in the bill as it is currently resourced, and further notes that these proposals are still being considered by committee and that the role of the Parliament in considering evidence and scrutinising the detail is crucial to the process of producing quality legislation.”

The Deputy Presiding Officer: In turning to the open debate, I am afraid that I have to advise members that the debate is oversubscribed, so we may have to lose a member from it. Speeches should be of a maximum of four minutes.

16:17

Stewart Maxwell (West Scotland) (SNP): Unfortunately, I have to begin by expressing my disappointment that we are having this debate at this time, and that the Conservative group has brought to the chamber a motion that opposes a policy that is currently being examined by the Education and Culture Committee as part of its examination of the Children and Young People (Scotland) Bill. The committee is in the middle of taking evidence at stage 1 and we have not yet heard all the evidence on the bill, or even on the named person and information sharing parts of it. Today's debate, in my opinion, is premature as it clearly pre-empt's the committee's scrutiny of the bill.

Liz Smith: As was said earlier this afternoon, is it not helpful to have a parliamentary debate to flesh out some of the concerns that have already been raised? We have already had 127 representations. I do not see any problem with having a debate about that.

Stewart Maxwell: I am sorry, but Liz Smith spent part of her speech criticising specific points in the evidence about particular words and their definitions. It is exactly the role of the committee to examine that at stage 1 and to publish a report. We can then debate that and perhaps move amendments at stage 2. That is the parliamentary process, and I think that it is slightly disrespectful of the Conservative group to bring this debate to the chamber at this time.

Gavin Brown (Lothian) (Con): Oh, come on! *[Interruption.]*

The Deputy Presiding Officer: Order, please.

Stewart Maxwell: However, we are where we are, and on the balance of the evidence that the committee has received thus far, it is clear that there is widespread support for the introduction of the named person. Only yesterday, we heard strong evidence from Mr Bill Alexander from Highland Council—which was the national pathfinder for the implementation of GIRFEC—about the positive impact of GIRFEC, including information sharing and the named person.

I ask the Conservative group to really look at the evidence and the organisations that are supporting the named person—organisations including Barnardo's, the NSPCC, Children 1st, the RCN, Aberlour Child Care Trust, YouthLink Scotland and many others. Of course there are legitimate questions to be asked, but that is what the committee is doing. That is its role. The NSPCC has stated:

"NSPCC Scotland support the aspiration embodied in the role of the Named Person and considers that, a single, significant individual could deliver a positive, consistent and nurturing relationship throughout the child's journey."

What is the named person? Children in Scotland said in its briefing for the debate that

"the Named Person is a key element of GIRFEC ensuring that there is a point of contact for every child and their parents/carers to enable wellbeing concerns to be considered in the round and appropriate early support and early intervention to be delivered if required".

The named person approach does not mean a social worker in every home. It is not attacking the rights of parents or diminishing the central role of the family. It is about protecting children and putting the child at the centre of everything that we do—and really meaning it.

The Education and Culture Committee has just spent two years considering looked-after children; we published our report only two days ago. If members have read the report, they will understand why we need to make progress in child protection, why we need to implement GIRFEC throughout the country, and why information sharing and the central role of the named person are crucial to GIRFEC's success.

I accept that there are people who remain to be convinced. Perhaps we need to take the view that prevention is better than cure. In other words, we put in place measures to protect children from harm, although we know and hope that the vast majority of children will never need that protection. If even one child's life is saved, is not that worth it?

We give vaccines to babies, even though many of them will never be exposed to the diseases that the vaccines prevent. We understand that the measure does no harm but will, if needed, do a great deal of good. Why is the same not true for the named person? Who in their right mind would argue against any effort by the Government or other authority to protect our children?

If we are serious about putting child protection at the heart of everything that we do, it is only right that we put in place the best system that we can put in place. The evidence to date is that GIRFEC is that system and that the named person and information sharing are indispensable elements of it.

The Deputy Presiding Officer: I call Ken Macintosh, to be followed by Clare Adamson.

16:21

Ken Macintosh (Eastwood) (Lab): I find myself in unfamiliar territory. I have always supported the GIRFEC approach to child protection and I continue to back the principles behind getting it right for every child. I normally find myself on the side of the children's organisations who lobbied members before the debate, and I certainly would not say that I have a knee-jerk opposition to state intervention.

However, I not only recognise but share the concerns that are expressed in the Tory motion. My instinct as a parent is to question the need for all children and their families to be allocated a named person, when it is the few who are at risk. My main worry is that despite the best intentions, the exercise could end up diverting scarce resources from the children who are most in need.

I am sure that few people in Scotland, let alone in Parliament, fail to recognise the need to protect and help our most vulnerable children. The national news is too often taken up by stories of neglect and abuse and the all-too-horrific consequence that is a child dying at the hands of his or her own parents.

However, I find it difficult to see how appointing a named person to look after, for example, each of my six children, the children of Gavin Brown and—dare I say it?—those of the minister will do anything to improve child protection or prevent such deaths. I fail to follow the argument that by giving a health visitor or teacher responsibility for 30 well brought up children—or even not very well brought up children—we will help them to recognise the one child who needs support and intervention.

What is worse, time that is spent filling in forms for children who will never need intervention is time that would be better spent on children who are in desperate need of help. Resources that are diverted to children who are loved, nurtured and thriving are resources that are not spent on the neglected and the vulnerable.

Aileen Campbell: Ken Macintosh grossly misrepresents what the named person is. There are many times and instances in which the child—like his children and my children—will not need the named person, but the named person can be proactively sought to give comfort if someone ever has a concern or a point to make. It is not that everyone has to use the named person.

Ken Macintosh: I have no difficulty accessing my children's teacher, health visitor or anyone else, and I do not see why they have to be a

named person. The approach does not seem to offer any additional benefit.

As far as I am aware, teachers already have a professional duty—an ethical and a legal obligation—to pick up on kids who are turning up late for school or who are badly fed, poorly dressed or showing other signs of lack of care. The same duty applies even more clearly to health visitors. How does seeking assurance from teachers that the vast majority of children in their care do not need help in any way assist those teachers in identifying the children who are in danger of slipping through the net?

Is not there an obvious risk that we will create an administratively cumbersome and bureaucratically complex system, which has no additional practical benefit? Will there be a file for every child? Who will keep the file? What happens when staff move on, as they often do?

At the very least we need to clarify what this additional duty as a named person will mean. I would put my concerns to one side if I thought that the named person approach would save one life or pick up on one example of child cruelty or neglect that would otherwise go undetected or unrecognised. If we look at all the recent cases of child abuse, as far as I can recall, every subsequent inquiry concluded that where the state had failed to intervene early enough it was not because no-one knew about the risk, but because of failure to share information.

One of the main recommendations as a result has been to identify a lead professional in every case. If every child is to have a named person, is there not a distinct possibility that we will create masses of information that tells us nothing more than that most children are fine, while we potentially confuse lines of responsibility between the named person and the lead professional?

The children's charities have argued that the measures are in line with GIRFEC, but as I recall GIRFEC was originally based on a report called "It's everyone's job to make sure I'm alright", not "It's one named person's job to make sure I'm alright".

The Deputy Presiding Officer: I repeat to members that I have no extra time available in this debate; there are no seconds at all.

I call Gavin Brown, to be followed by George Adam.

16:26

Gavin Brown (Lothian) (Con): I will focus the bulk of my remarks on the financial memorandum that sits alongside the bill and, in particular, on the named person. The minister, towards the end of her contribution, suggested that there would be

quite significant savings, quite quickly. That is the evidence put forward in the financial memorandum. That is all well and good, except that almost everybody who has contributed to the process, whether to the Education and Culture Committee or to the Finance Committee, disagrees with the proposition in the financial memorandum.

We read in that memorandum that giving 700,000 or so children aged between five and 18 a named person, via the local authority, will cost approximately £7.8 million in year 1 because it creates 247,613 additional hours over the course of that year. That is more than 200,000 hours at a cost of approximately £8 million. According to the Scottish Government, however, the cost of these extra 200,000 hours in year 2 will be zero pounds and zero pence.

The minister may shake her head at that figure, but I am quoting directly from her financial memorandum. If she does not like it, or if she disagrees with it, she is quite welcome to stand up and intervene to say so. The Government's financial memorandum and position is that there will be no cost at all to local authorities in year 2 of its proposition because at the end of year 1 the system change will, quite simply, be in.

The Convention of Scottish Local Authorities, on which the Government relied to quite a heavy degree to do the preparatory work for this bill, does not agree with the proposition. COSLA is extremely clear in the proposition that it submitted to the Finance Committee that the £7.8 million of costs identified for staff time should be funded on a recurring basis.

The Scottish Government's propositions are speculative. COSLA makes the point that it is not the experience of some local authorities that implementing GIRFEC reduces the number of meetings or administration. COSLA, which represents the 32 local authorities, says quite clearly that this cost recurs, yet the Scottish Government's position is that there will not be a single penny spent in year 2 on the named person because the system change will be bedded in.

Stewart Maxwell: I will be brief. Perhaps the member missed the evidence from Bill Alexander of Highland Council about the national pathfinder project through which GIRFEC has been embedded in the system. He was very clear about the cost, time and bureaucracy savings, the cuts in meetings and numbers of hours. He explained very clearly that there are savings right across the board.

Gavin Brown: I am grateful for the intervention. I will say two things. First, in a written submission, Highland Council states that there is a separate case to be made about how many health visitors

and teachers are required to fulfil the full range of responsibilities for these tasks. Secondly, Highland Council put forward that the system was a success. It did not say that at the end of year 1 there was zero cost. There were two years of preparatory work and 18 months of implementation after that. Even Highland Council, on which the Government's entire case appears to rely, has not said at any point that the introduction of the named person will have zero cost by year 2. It is for the minister to explain, in her closing speech, how on earth the Government reaches that conclusion and why no one agrees with it on that.

The Deputy Presiding Officer: I apologise to the chamber. I indicated that I would call Clare Adamson, so I will now do so: Clare Adamson, to be followed by Gavin Brown—sorry, George Adam.

16:30

Clare Adamson (Central Scotland) (SNP): Presiding Officer,

"I am not a number, I am a free man."

That quotation will be instantly recognisable to fans of the 1960s science fiction series "The Prisoner"—and perhaps to the odd Iron Maiden fan in the chamber.

Of course, the use that is made of numbers to identify individuals in that series serves to heighten the surreal dehumanising nature of the seemingly idyllic village in which the protagonist finds himself. There are many such examples in literature. In Victor Hugo's "Les Misérables", Inspector Javert refers to the hero, Jean Valjean, by a prison number only, and in Alex Haley's semi-autobiographical "Roots", the name Kunta Kinte is replaced by a slave name. In Margaret Atwood's "The Handmaid's Tale", women's names are eliminated and diminished to "Offred" or "Ofglen"—of the man who controls them.

In mentioning Daniel Pelka, Liz Smith reminded us that the human race can be extremely cruel. To our shame, it has understood the dehumanising effect of the taking of a name, as happened when slaves were branded and victims in Belsen, Auschwitz and other concentration camps were tattooed.

Our artists, in seeking to challenge our understanding of humanity, as well as those with the most evil intent in our history, have understood the power of a name and how deep in our psyche as human and social beings a name—or its removal or denial—can be. If we can recognise the power of the denial of a name, we must also recognise how powerful the giving of a name can be.

I believe that the proposals for a named person that are included in the Children and Young People (Scotland) Bill have the power to transform how society, professionals, families, children and young people interact as we move towards the full implementation of GIRFEC.

When the Education and Culture Committee took evidence yesterday, Kate Higgins of Children 1st talked about the reluctance of some kinship carers to engage with the system. That is a position of alienation and disengagement. However, Bill Alexander from Highland Council, which has implemented GIRFEC extremely successfully, used the phrase,

"That was the power of the named person."—[*Official Report, Education and Culture Committee*, 24 September 2013; c 2862.]

I believe that the named person is a powerful development as we move towards the implementation of GIRFEC, which Labour introduced and Scottish National Party Governments have carried forward.

Bill Alexander explained that, by and large, the policy represents the formalisation of what professionals have been doing for the majority of families. The change will be seamless, as most families' engagement and interaction with professionals will be no different. However, it will make a difference when a family needs help or advice. Instead of being referred to a school building, a helpline or a job title, they will have a named person to contact—someone who knows them and who has had that most fundamental exchange of an introduction and an exchange of names. The named person will be someone who is known to them, someone who is in their community and someone whom they know will have their wellbeing, under the SHANARRI principles, at the heart of everything they do in their engagement with them.

I look forward to the move towards a named person, which is a powerful development.

16:34

George Adam (Paisley) (SNP): I sometimes worry about this place. We are talking about proactively helping children across our communities and our nation, yet some members have brought the issue down to cost—sheer pounds, shillings and pence. Cost is an important issue, but, as Stewart Maxwell and Jayne Baxter quite rightly explained, the committee process that the bill is going through is the place for such discussion—that is where we must ensure that we get everything right.

We should not forget that the named person is an extremely important part of the GIRFEC principles, as many of the people who have given

evidence to the committee have stated. Many myths have been put about with regard to the named person. It is too easy to hit certain ideas—especially certain radical ideas—that can make a difference. One of those myths is that the named person is like a state-appointed parent. Nothing could be further from the truth. It is an opportunity for communication between a family, professionals and others.

Liz Smith: Will George Adam give way?

George Adam: I do not have much time, so I would like to continue.

The role of the named person is to engage with everyone and ensure that we do not have cases like some of the tragic ones that have happened over the years. That does not mean that we can legislate such cases out of existence—that will just not happen—but we must ensure that we find a way to make things better and support many of our children and young people.

Much has been said about Bill Alexander, the director of health and social care at Highland Council. He came to the committee yesterday and was excited about the named person. He said that it was an important part of the GIRFEC approach. He said that the council does not get complaints about the named person role being implemented; it gets complaints from parents who believe that it has not been. Those are individuals, parents and families that have seen the approach working and that it can make a difference.

The approach was implemented by Highland Council in 2010 and has been a great success. It means that there is now a clear process to ensure that information about the child is passed to the right person. Some of the other members said that they felt as if information would go back and forward and no one would know about it, but the named person would be the conduit for all the concerns. Previously, concerns were often referred to the wrong agencies, resulting in the children's hearings system being swamped with inappropriate referrals, but that is now less of an issue. That has come up quite a lot in the committee's work over the past year.

If we are going to do anything, we have to make sure that we get a system that is robust and can make a difference, because we are literally talking about people's lives, children's lives and how families do things.

The submission from Highland Council stated:

"The consequence of this"—

being the named person—

"has been earlier support and more effective intervention for more children. Getting that support to a child early, usually means it is more likely to lead to a successful outcome."

Surely we are here for that and to ensure that we get the right policy. We can have debates about how we make the policy robust and ensure that the bill can work in our communities, but we must get it right and ensure that we do it through the committee process, not by showboating in the chamber and trying to get one up on another political party. The issue is too important for any form of showboating.

We must proactively embrace the GIRFEC principles. The named person approach is part of that ambition for our nation's children. Let us all work together and ensure that we can do the best for Scotland's children.

The Presiding Officer (Tricia Marwick): Thank you. Your timing was perfect. I call Anne McTaggart. I can give you only two minutes. Sorry.

16:38

Anne McTaggart (Glasgow) (Lab): Every member in the chamber is passionate about the rights and wellbeing of children and young people. I hope that the Children and Young People (Scotland) Bill will prove to be a positive step in making Scotland the best possible place for children to grow up in. However, I am cautious about the named person proposal. I have spoken with a wide range of professionals from across the board on the subject and many of them share my concerns.

First, becoming a named person is a huge responsibility for someone to take on. Those people need impeccable expertise and knowledge of their duties and responsibilities. We must ensure that adequate training is in place to enable them to do the job properly.

The cost of the additional resources is also of great concern. Like several other agencies, COSLA only last week expressed its reservations about the accuracy of the projected cost of the bill. The unpredictability of the cost stems from the fact that it is dependent on the number of hours that individuals are expected to spend carrying out the role.

We must also be aware that ensuring solid communication links between the professionals involved will also present significant challenges. There will need to be and should be a high level of co-operation between the relevant local authorities. That is possible, but it is difficult, and we must ensure that the proper systems are in place to make it possible.

We must resolve serious issues with the practicality of the proposal before the bill is passed. Placing an unmanageable load on workers who are already under pressure could

prove to be disastrous for children, families and their workers.

The Presiding Officer: That was perfect timing. Kevin Stewart has two minutes.

16:40

Kevin Stewart (Aberdeen Central) (SNP): We have heard about the Daniel Pelka case. The deputy leader of the Conservative group on Coventry City Council said:

"Now is the time to have a radical look at the legal framework surrounding Child Protection".

I agree. Over the years, we have had cross-party support for GIRFEC, which I hope will continue.

In relation to the Conservative motion, I say that I certainly would not support anything that

"would undermine the role of parents".

The named person system can help parents in many regards. Mr Macintosh might well have the ability to approach health visitors, teachers and all the rest of it, but he is a particularly articulate man who knows the ropes. Not everybody knows the ropes, so what is the difficulty in providing each family with a named person who they may or may not use to get the information and help that they need?

The Conservatives have used some pejorative language, which does not surprise me. They always talk about the nanny state and proposals being too expensive. Martin Crewe of Barnardo's Scotland said that those points would come up and that

"Neither of these criticisms is justified. Depending on the age of the child, a health visitor or teacher will usually take on the role, and in most cases will do no more than they do now."

Rather than have the pejorative language and some of the silly things that have come up, we should unite again around the GIRFEC principles. We should let the Education and Culture Committee do its job and hear the evidence. We should come back here at a later date and forget the pejorative nonsense that has gone on today.

The Presiding Officer: The timing is getting better. Kezia Dugdale has four minutes.

16:42

Kezia Dugdale (Lothian) (Lab): I welcome Jayne Baxter to her front-bench role. She is a mum and a gran, and she comes to the Parliament with 20 years of experience in local government and with a wealth of knowledge to add not just to the Parliament but to the bill in particular. I would like that to be recognised in the *Official Report*.

I am not a member of the Education and Culture Committee and I have not been involved in the education brief for long, but I have followed the bill's progress from the beginning of my election as the convener of the cross-party group on children and young people. I have seen the proposals go from two bills to one, and many of the ambitions have been diluted. I want the bill to work. I want it to be a good bill and to deliver for young people across the country. I said to the minister before and I repeat that we are listening, and working with her. We would like the bill's ambition to be realised, but she must listen to us and the sector, which comes to the table with legitimate concerns.

Labour's amendment addresses many of those legitimate concerns. There is no doubt that the named person element has widespread support from the children's sector. I say to all the groups that have provided evidence to the committee and lobbied MSPs that their evidence is really welcome. It is great that the children's sector has come together and spoken with one voice by uniting behind one briefing. That makes the sector's voice more powerful and I encourage organisations to do that again.

Labour's amendment recognises concerns about parents' feelings about the named person element. Ken Macintosh articulated those concerns well. They are partly about intrusion and about whether a named person is truly necessary for children who come from stable and loving homes. I have some sympathy with that, but there is a sense that a degree of ignorance is behind some people's opposition to the named person element. I know that Aileen Campbell would share that view, but it is up to her to sell the policy to the public and to children's charities. I would like her to do a bigger job of that. She has failed so far to articulate what a named person is and means and to rebut some of the criticisms in the press.

Aileen Campbell rose—

Kezia Dugdale: I am sorry; I have only four minutes.

I have a bit of advice for Aileen Campbell. Will she think about recording a video, as Mike Russell did? She could record a video about the named person element and perhaps have it played at assemblies and in schools across the country.

The definition of the role of named person is very important and our amendment recognises the degree to which we need to see a clear definition, not just in terms of what a named person would do but to distinguish the role from the role of a lead professional. At the moment, I am afraid that that message is not coming out loudly or clearly enough from the Scottish Government to alleviate some of those concerns.

There are also significant concerns about the degree to which the named person is financed and resourced—a point that was well made by Gavin Brown. I ask the minister to listen very carefully to what my colleague Anne McTaggart had to say today. Anne comes to the chamber with years of experience as a social worker. When she says that people at the front line need to understand what their roles and responsibilities are, the minister should be listening very carefully to that and ensuring that that message is understood by all the professionals who are involved in this.

It will be clear, come 5 o'clock, that the Labour Party's decision is to abstain on the motion—quite frankly, because we are still listening; our minds are not made up. We would like to be persuaded of the Government's case, but I am afraid that the Government needs to do a better job of articulating it. The Government does not have to sell the bill just to us. It can pass the bill without the votes of the Labour Party or the votes of the Conservatives. However, in order for the bill to work, the Government has to get the support of parents across the country and of professionals on the front line and so far, I am afraid that the minister is not winning that argument.

16:46

Aileen Campbell: I welcome Jayne Baxter to her new role and wish her all the best in that role.

The tone of some of what Kezia Dugdale just said was a bit unfortunate, because the whole process of a bill going through Parliament is about listening to views and ensuring that we take those views on board. When people such as Anne McTaggart and Jayne Baxter have a real interest and a real expertise, we will absolutely ensure that we engage with them. I am due to meet Jayne Baxter in the next week or so to talk to her about her views on the bill.

Recently, it became clear that there were widespread misconceptions about what the named person service really meant, some of which were stoked up by the unfortunate tone of the reporting by certain parts of the press. The evidence that the Education and Culture Committee has heard so far has helped greatly to dispel some of those misconceptions about what the named person role is and it has been good to be able to receive some of the fantastic briefings from many of the children's charities, which have looked to ensure that everyone is aware just how much behind the proposal they are.

I look forward to being able to discuss the bill, including the named person provisions, in the light of all the evidence that has been presented and the committee's assessment of the bill's merit. We can also then place the issue of the named person

more properly in the context of all the improvements that the bill seeks to make.

I think that we are all agreed that we should do absolutely everything that we can to improve the life chances of our children and young people. The benefits to be gained from investing in the early years and in providing all our children with the protection, nurture and support that they need are immense. We did our own bespoke economic modelling and every pound that we invest in the early years saves us £9 in cure. Perhaps Gavin Brown would be interested in that, given the points that he raised regarding the financial memorandum.

Gavin Brown: I am well aware of what early intervention is, but how quickly is that return made, from the evidence that the minister has seen?

Aileen Campbell: With the early years collaborative we are already seeing good examples of where that return is being made. In response to Gavin Brown's assertions that no one agrees with the savings for GIRFEC, that is not the case. City of Edinburgh Council, Fife Council and South Ayrshire Council have very real experience of GIRFEC and it is through consultation with them and others that we developed the financial memorandum. It is therefore unfortunate that Gavin Brown has raised such assertions.

Gavin Brown: Did any of those councils say that there would be zero cost in year 2?

Aileen Campbell: We are talking about GIRFEC being an approach that saves the public purse an awful lot of money. We have heard from the Highland Council and we have done an awful lot of work to ensure that our financial memorandum is as robust as it can be. I know that Gavin Brown took evidence on that in his role as deputy convener of the Finance Committee.

As I said earlier, early intervention is by far the most effective way to secure sustainable improvements in the life chances of our children, so I am genuinely confused by some of the statements that have been made by certain members. They say that they welcome the renewed focus on GIRFEC and that the philosophy underpinning it is admirable. They cite the benefits of early intervention and they agree that there should be more joined-up working between all agencies that are involved in supporting children, yet at the same time they do not want to put in place the tried and tested mechanisms for achieving those benefits. If we want to get it right for every child, there must surely be a role for the universal services of health and education in providing the safety net that is needed. If services for a child must be co-

ordinated, someone needs to take responsibility for ensuring that the co-ordination takes place.

Liam McArthur (Orkney Islands) (LD): Will the minister take an intervention?

Aileen Campbell: I ask the member to wait one moment.

If success depends on people spotting issues early and taking appropriate and proportionate action, we must put in place clear responsibilities and processes for doing that. If we are to get better at helping parents and carers to navigate their way through the different services that are available, we need to ensure that there is a readily identifiable professional there to help them to do that. If, in the most troubling cases, someone has a real concern that a child's wellbeing is under threat, they need to know with whom to raise that concern.

The named person approach grew out of the experience of parents and carers, who sought the certainty of contact, the helping hand and the professional friend that the named person is able to provide. As the evaluation of the Highland pathfinder shows, families have greatly valued that role.

Liam McArthur: I am grateful to the minister for taking an intervention. I do not have a principled objection to the named person approach, and I thought that Bill Alexander's testimony before the committee was very helpful. However, we have not identified an answer to the question about taking our eye off the ball with regard to those who are most vulnerable and whose welfare is an issue. We need to ensure that, in terms of their wellbeing, the trigger is not set so low that we end up with wholly inappropriate information flows and information being shared with people who really do not need to have it.

The Presiding Officer: Minister, you are in your last minute.

Aileen Campbell: I thank Liam McArthur for his intervention, but we have already heard from the Information Commissioner's Office that a letter has gone out to ensure that information should be shared only when it is proportionate. We must ensure that people can spot signs that may arise to enable them to act early, because the worst thing to happen would be for someone to respond far too late. The named person approach means that people can deal with a problem before it escalates into a crisis.

Many members have made good contributions today. Stewart Maxwell quoted Children in Scotland, and reiterated that the named person is part and parcel of GIRFEC. Clare Adamson and George Adam spoke passionately about the critical importance of GIRFEC and of the named

person approach as part of that, and about putting in place robust structures to support the strategy.

Anne McTaggart talked about ensuring that we engage with parents as well.

The Presiding Officer: Minister, your six minutes are up.

Aileen Campbell: We are working with the national parent forum to help to provide that advice. We want to work and engage with everyone to ensure that the bill is a success, as that is in the best interests of the children. We have done so through the consultation process, and we will continue to engage and listen, and make the case for the named person approach as part of making Scotland the best place in the world in which to grow up.

16:52

Liz Smith: The debate has generally been helpful, although I am disappointed—and rather surprised—by the comments from some members that we should not be debating the named person approach. What is a Parliament for if it is not for debating the issues of the day?

The many good contributions that we have heard from members on various sides of the chamber have proved that the debate was worth while, as it has helped to flesh out many of the points that have been raised in evidence—indeed, many members have referred to those points in their contributions. I am entirely comfortable—just as I was in this afternoon's debate on corroboration—that debating the issue is the right thing to do, because it is our duty to scrutinise what is going on.

I am grateful to the other parties for spelling out their position on this important topic, which has clearly sparked a great deal of controversy—not surprisingly, in our view.

In debating issues that affect children and young people, many members have said that what is really required is a change in the culture of thinking rather than the introduction of a piece of heavy and costly legislation. As was mentioned earlier—[*Interruption.*]

Aileen Campbell: Will the member give way? [*Interruption.*]

Liz Smith: I think that I will have to give way to something else at the minute.

The Presiding Officer: I ask whoever has a phone on to put it off now. I call Ms Campbell.

Aileen Campbell: I will not mention Alex Johnstone, who is scurrying about trying to sort out his phone.

As Liz Smith will know, the GIRFEC approach has been around since the previous Administration, but its application is inconsistent throughout the country. We have heard about the fantastic things that are going on in Highland Council, but we need consistency for children across the 32 local authorities. Does Liz Smith agree that, by underpinning that in legislation, we will help to up the pace of change and improve the consistency?

Liz Smith: No, I do not accept that. As I said in my earlier speech, GIRFEC has been a huge success in Highland, but that happened without the legislation.

I do not often find myself agreeing with Ken Macintosh but on this occasion I do, because he eloquently echoed the concerns that people have about the bill. No SNP member has answered those questions this afternoon. The Faculty of Advocates is very clear that section 19(5) of the bill

"dilutes the legal role of parents, whether or not there is any difficulty in the way that parents are fulfilling their statutory responsibilities."

That is a clear comment from the legal experts. We share that concern.

On the substantive points, we believe that a fundamental issue at stake is the idea that the state should have primary importance over the parent. The rights of children do not stand in isolation but must be seen in the context of the rights of parents and families and in the context of the responsibilities that each family has to articulate the needs of all the individuals within that family. Those absolutely basic principles underpin so much of the law.

Gavin Brown explained very clearly how the concerns about the costs came through loud and clear at the Finance Committee last week. Without exception, when the committee members questioned the bill team about the financial memorandum, the bill team provided virtually no evidence to substantiate the financial memorandum's claims about the costs. John Mason, Michael McMahon, Gavin Brown and Malcolm Chisholm all asked about the financial memorandum, but it was quite clear that the Scottish Government has not thought through exactly what the costs will be.

Regarding the health visitor strategy, for some time now the Scottish Conservatives have advocated a universal GP-led health visitor system for all zero to five-year-olds. We are very persuaded indeed by the arguments that have been made by both the Royal College of Nursing and the Royal College of Midwives that a national system of health visitors would do more—

The Presiding Officer: Ms Smith, may I just stop you for a moment? There is far too much noise in the chamber. Please could those who are coming into the chamber have the courtesy to listen.

Liz Smith: According to the evidence that the Royal College of Nursing and the Royal College of Midwives have submitted, a national system of health visitors would do more than anything else to tackle some of Scotland's worst health problems and to look out for our most vulnerable children at the earliest stage.

The Ipsos MORI poll of 2010 made it very clear that such a policy would be enormously popular because of the high level of trust that parents put in those key professionals, who are able to provide parents with the essential advice and information that parents require. According to that survey, nine out of 10 parents said that they were very assured by the health visitor and the services that he or she provides. If further proof were needed of the value of such a policy, it was surely provided by the results of the 2012 Scottish health survey that were published yesterday, which show clearly that the key messages about health in Scotland are still not being acted on under this Government.

Aileen Campbell: Will the member give way?

Liz Smith: If I may, I will just finish.

Trying to deal with these severe problems in later ages is simply not working. That is why we are clear that there needs to be a national universal health visitor policy attached to GP services. Indeed, Alex Neil himself has said that failure to intervene effectively to address the complex needs in the early years can result in a ninefold increase in direct public costs over the long term. Those are stark statistics, on which we need to act.

The system that we have proposed would be far superior to the named person policy.

Business Motions

16:59

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-07798, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a stage 2 timetable for the Scottish Independence Referendum Bill.

Motion moved,

That the Parliament agrees that consideration of the Scottish Independence Referendum Bill at stage 2 be completed by 11 October 2013.—[*Joe FitzPatrick.*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S4M-07797, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 1 October 2013

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Rehabilitation of Offenders

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 2 October 2013

2.00 pm Parliamentary Bureau Motions

followed by Portfolio Questions
Education and Lifelong Learning

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 3 October 2013

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.30 pm Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Government Debate: Common
Agricultural Policy

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 8 October 2013

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 9 October 2013

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Finance, Employment and Sustainable
Growth

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 10 October 2013

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.30 pm Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business—[*Joe FitzPatrick.*]

Motion agreed to.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are six questions to be put as a result of today's business. I remind members that, in relation to the debate on corroboration, if the amendment in the name of Kenny MacAskill is agreed to, the amendment in the name of Graeme Pearson falls.

The first question is, that amendment S4M-07791.3, in the name of Kenny MacAskill, which seeks to amend motion S4M-07791, in the name of Margaret Mitchell, on corroboration, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)

McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 Goldie, Annabel (West Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McGregor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Urquhart, Jean (Highlands and Islands) (Ind)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)

Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 62, Against 23, Abstentions 30.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Graeme Pearson therefore falls.

The next question is, that motion S4M-07791, in the name of Margaret Mitchell, on corroboration, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)

Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 Goldie, Annabel (West Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McGregor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Urquhart, Jean (Highlands and Islands) (Ind)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 62, Against 23, Abstentions 29.

Motion, as amended, agreed to,

That the Parliament notes the substantial proposal to abolish the centuries old requirement for corroboration in Scottish criminal cases contained in the Criminal Justice (Scotland) Bill; notes that the proposal is based on the thorough and independent review of Scots criminal law and practice undertaken by Lord Carloway, the Lord Justice Clerk; accepts Lord Carloway's conclusion that the general requirement for corroborated evidence in criminal cases is an archaic rule that has no place in a modern legal system; notes the support of Police Scotland, the Crown Office and Procurator Fiscal Service, Rape Crisis Scotland, Victim Support Scotland and Scottish Women's Aid; welcomes the consideration of additional safeguards suggested by the Senators of the College of Justice in their response to the Scottish Government's consultation; notes that the Scottish Government is open to considering additional safeguards necessary to ensure fairness of proceedings as the Parliament deems fit; respects the process of parliamentary scrutiny of the Criminal Justice (Scotland) Bill, on which the Justice Committee has begun evidence-taking, and looks forward to completion of that scrutiny process in the normal way.

The Presiding Officer: I remind members that, in relation to the debate on named persons, if the amendment in the name of Aileen Campbell is agreed to, the amendment in the name of Jayne Baxter falls.

The next question is, that amendment S4M-07783.2, in the name of Aileen Campbell, which seeks to amend motion S4M-07783, in the name of Liz Smith, on named persons, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)

Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)

Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 71, Against 14, Abstentions 29.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Jayne Baxter therefore falls.

The next question is, that motion S4M-07783, in the name of Liz Smith, on named persons, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Beamish, Claudia (South Scotland) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Malik, Hanzala (Glasgow) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)

Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 72, Against 19, Abstentions 24.

Motion, as amended, agreed to,

That the Parliament reaffirms its ambition that Scotland should be the best place in the world for children and young people to grow up; considers that the protection of children from harm and the promotion of their wellbeing is of paramount importance; recognises the critical role in achieving that of the Getting It Right for Every Child approach, which has been successfully developed in Scotland ever since its inception during the first administration after devolution; understands that the named person has been developed and implemented as an essential element of that approach, as a means of making appropriate and proportionate support available to children and families in a coordinated and collaborative way, reducing bureaucracy and making the best use of public resources, and welcomes the opportunity provided by the Children and Young People (Scotland) Bill to secure the protection, nurture and support that children and their families need to flourish.

University of Edinburgh

The Deputy Presiding Officer (John Scott):

The final item of business is a members' business debate on motion S4M-07675, in the name of Jim Eadie, on the University of Edinburgh in the world's top 20. The debate will be concluded without any questions being put, and I invite members who wish to speak in the debate to press their request-to-speak buttons now or as soon as possible.

Motion debated,

That the Parliament congratulates the University of Edinburgh on rising to 17th place in the 2013-14 QS World University Rankings; applauds the university on, it understands, receiving a record £300 million in competitive research grants in 2012-13, a 20% rise on the previous year; welcomes what it sees as the benefits of it being ranked among the world's best universities; believes that it brings international prestige to Scotland and attracts the most talented students and staff from across the world, particularly in what it sees as essential research and development areas such as life sciences, which is conducted at the Edinburgh BioQuarter, and renewable energy, which is carried out at King's Buildings; understands that the commercialisation activities of the university's research and innovation arm have generated over £140 million in gross value added for Scotland and support over 2,400 jobs; believes that the University of Edinburgh is a credit to Scotland's education system, and commends what it sees as the quality, hard work and dedication of the staff and students.

17:06

Jim Eadie (Edinburgh Southern) (SNP): I am delighted to have the opportunity to introduce the debate to Parliament this evening, and I am grateful to all those members who supported the motion in my name.

It is no exaggeration to say that the University of Edinburgh is a unique institution without which Scotland and the world would have been very much poorer. Founded in 1583-84 by its own town, it came into its own in the 18th century as the leading creative centre of the Scottish enlightenment. Under the leadership of the Rev William Robertson, its principal for more than 30 years, the university produced students of genius, among them Sir Walter Scott, the founder of the modern historical novel; Adam Ferguson, who founded social anthropology; James Hutton, who founded geology; and John Playfair, who developed mathematics and geology. The university's medical school became the greatest in the world, holding its place for well over a century.

Edinburgh exemplified the Scottish tradition of the democratic intellect—that education is the right and the duty of every person, unfettered by the restriction it suffered elsewhere in being limited to the ruling class and in forcing its students into narrow orthodoxies, religious and otherwise. In

Europe, the enlightenment was opposed by universities; in Edinburgh, followed by other Scottish cities, the university led the way.

Today, the university has demonstrated that it is possible to maintain high standards of academic excellence and, at the same time, to widen access to working-class students from the most deprived neighbourhoods through initiatives such as the Lothians equal access programme for schools, or LEAPS. Widening participation is a strategic priority for the university and it is being pursued vigorously through a number of successful projects including visit campus days, summer schools, mentoring and buddy schemes.

There are more than 9,000 universities in more than 200 countries worldwide and global rankings of various kinds are used to find the best according to a range of criteria. The impact of research contributes 20 per cent to a university's overall score. The Scottish Government's global excellence initiative has enabled the University of Edinburgh to invest in high-calibre early career researchers. That has boosted the university's research profile, which in turn attracts highly talented students and staff from all over the globe.

The most recent research assessment exercise confirmed Edinburgh as a first-class institution for research, as 96 per cent of the university's departments were found to produce world-leading research. The university was awarded a record £300 million in competitive research grants in 2012-13, which was a 20 per cent rise on the previous year, and it has secured £1.1 billion in competitive research grants during the past five years.

Notable successes, such as the confirmation of the boson particle by Professor Peter Higgs, are testament to why Edinburgh is placed so highly in the QS rankings. For more than 40 years, the University of Edinburgh has successfully commercialised the intellectual property created from its world-leading research, generating intellectual, social and economic benefits to Scotland and the United Kingdom.

The university's commercialisation arm, Edinburgh Research and Innovation, seeks to promote the university's IP to potential funders, collaborators, licensees and investors. It has an enviable record in guiding the university to some of its most significant achievements in invention and innovation throughout recent decades.

Those innovations include the first genetically engineered vaccine against hepatitis B in 1980, the licence of which has since generated more than £50 million of income to the university and the Darwin Trust of Edinburgh. The first prototype sensor-assisted smart wheelchair for children with severe and multiple disabilities was developed and

manufactured in 1987, transforming the lives of those children. The first miniature digital camera was developed in 1990; the technology for the camera was licensed to spin-out company VLSI Vision Ltd, which in 1995 became the first Scottish university spin-out company to be listed on the London Stock Exchange. In the past five years, ERI has supported staff and students in the formation of 171 new spin-out/start-up companies across a wide range of sectors.

Edinburgh is supporting student entrepreneurs to build high-growth businesses in Scotland. All of that activity contributes significantly to the economic footprint of the university and of Scotland.

On top of its academic benefits, that commercialisation of research provides real benefits to the wider economy. The formation of new companies and the licensing of university technology means that ERI's commercialisation activities generate more than £140 million gross value added per annum in Scotland, supporting more than 2,400 jobs in the process.

As the MSP for Edinburgh Southern, I am fortunate to have two hubs of world-leading projects in my constituency: regenerative medicine at the bioquarter; and energy management and environment protection at King's buildings.

Edinburgh bioquarter is an academic medical centre that combines outstanding biomedical research from the university with the clinical expertise of NHS Lothian and a seasoned team of industry professionals. Through its translational medical research, it supports 900 hospital beds and 1,200 researchers. That is set to rise significantly in the coming years.

Also located at the bioquarter is the Scottish centre for regenerative medicine, where 230 researchers conduct pivotal work on stem cells and other regenerative therapies for conditions such as Parkinson's disease, multiple sclerosis, diabetes and motor neurone disease. That clinical excellence is being advanced to deliver the bench-to-bedside approach in addressing the challenges posed by degenerative diseases.

Commercialisation is just as efficient at the bioquarter as it is in the rest of the university, as a team of scientists and businesspeople with more than 150 years' of commercial experience are engaged in that endeavour. All of that activity is designed to accelerate the development of new treatments for human and animal diseases by working with researchers, industry and investors to create new medicines, diagnostic tools and medical devices.

The Institute for Energy Systems, formed in 2002 and located at King's buildings, is one of five multidisciplinary research institutes within the

school of engineering. Integrated research combines 40 academic and research staff, alongside 50 postgraduate students, and focuses on areas such as marine energy, power systems, and energy and climate. Their work has led to the creation of the FloWave TT project. A world first, this unique facility simulates combinations of waves and currents to recreate the extreme conditions of European coastlines. It will be a vital tool to help engineers to harness the renewable power of the sea.

All of those examples of research and innovation demonstrate the university's ability to harness the intellectual power of its academics, researchers, postgraduates and undergraduates. Perhaps the final word should be with one of the university's finest sons, the historian Owen Dudley Edwards. He states:

"If Edinburgh is internationally recognised today as guarantor of academic excellence tomorrow, it holds that place because of its grounding in the triumphs of yesterday above all in the principles of academic freedom and the knowledge that what its youngest student may write can still inspire its most honoured professor, and that teaching and research remain each other's partners, not rivals. But it also owes its fortune to the warmth, humour, friendship, and love which sparkle from its history."

17:15

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I congratulate Jim Eadie on lodging this important motion and, of course, the University of Edinburgh on achieving top 20 status in the world rankings. Mr Eadie took us on a very interesting excursion through the university's history but omitted to mention that it had the first English literature department certainly in the United Kingdom and possibly in the world. Given that I studied there several decades ago, I find it of interest that, in 1762, Hugh Blair was appointed regius professor of rhetoric and belles lettres, 100 years before English literature was studied at Oxford and Cambridge.

The motion refers to the quality of staff and students. When I looked into the criteria for the rankings, I found that employers were asked about the quality of their students—I have to say that I was not asked; I do not know whether that would have made things better or worse—and the many students who were asked about the university gave it a high commendation. On the basis of my experience, I would second that.

The quality of staff is also crucial. Of course, I cannot talk about the present staff but, in my day, the university had many outstanding teachers. I do not want to introduce a sour note into the debate but, on the subject of staff, I think it appropriate to recall the recent publicity about zero-hours contracts not for lecturers but for other important university staff, and I am very pleased—and think

it important to point out—that the university has now pledged to get rid of those contracts.

The main but of course not the only criterion for getting into the top 20 is the research that a university carries out. The motion refers to

"£300 million in competitive research grants";

those grants clearly cover a wealth of disciplines and research areas, and Jim Eadie mentioned some outstanding examples of projects at the university. I want to mention three pioneering projects: the recently opened Scottish centre for regenerative medicine, which Mr Eadie referred to; the major new test facility for marine energy research and development at King's buildings; and the Higgs centre for theoretical physics, which is obviously going to expand insights in that field. The links between those projects and our key economic areas are, I think, very obvious; indeed, one area that springs to mind is renewable energy and its vast importance for our economy, for climate change and not least for Edinburgh and our hopes for a marine energy hub at Leith docks.

The motion also refers to

"the commercialisation activities of the university's research and innovation arm"

and the fact that they have contributed

"over £140 million in gross value added".

However, I think it relevant to highlight a report that came out this week on the performance of Scotland's research base in chemical and life sciences, which pointed out that, although Scotland was ahead in collaboration between its universities and foreign companies, it lagged behind in forming alliances between home-grown firms and academics. I did not see a breakdown of individual universities in the report, but the point is that we cannot be complacent about the commercialisation of innovation, which is, after all, a key area of economic progress.

Joan McAlpine (South Scotland) (SNP): Will the member give way?

Malcolm Chisholm: I have a strict four minutes, so I cannot really take an intervention.

The Deputy Presiding Officer: Go on—take an intervention.

Malcolm Chisholm: Okay then.

Joan McAlpine: On the subject of commercialisation, the member will be aware that Scotland's fourth leading university, Heriot-Watt University, hosted the converge challenge awards last night and that the University of Edinburgh featured among the prize-winners. The awards, which are funded by, among other sponsors, the Scottish Further and Higher Education Funding Council, help academics and researchers take

their ideas to market and provide them with considerable backing.

Malcolm Chisholm: I thank Joan McAlpine for that very useful contribution.

Going back to my last point, I was pleased, however, by Scottish Enterprise's plans to open innovation centres at universities to help businesses and academics develop products and services. Indeed, a site for digital health and care has already opened at Edinburgh.

Finally, on the life sciences and the bioquarter referred to in the motion, this is clearly a massive area for the University of Edinburgh with great spin-offs for the economy and, indeed, health; indeed, only this week, we heard about great research by Professor Sarah Wild in an international collaboration on type 1 diabetes. There is, therefore, much to celebrate.

I congratulate Jim Eadie on drawing the matter to our attention.

17:20

Marco Biagi (Edinburgh Central) (SNP): We each choose for ourselves our own yardsticks of success in our lives. All Edinburgh's universities excel in their own chosen mission. Edinburgh Napier University, for example, is an "innovative and professional university". The Open University in Scotland, which is based in my constituency, has satisfaction results in the national student survey that other universities could only dream of. In its own words, the University of Edinburgh's principal aim is to be

"a world-leading centre of academic excellence".

I thank Jim Eadie for bringing his motion to the chamber. The motion gives the University of Edinburgh's QS ranking. That is a global, research-intensive ranking that befits a global, research-intensive university. In those rankings, the University of Edinburgh stands above American behemoths such as the University of California, Berkeley, Duke University, Northwestern University and even the ivy league Brown University. [*Interruption.*] I think that I may have caught whatever Dennis Robertson has. A year at those universities carries a price tag of \$19,000 up to \$46,000. To the young person from Leith, Liberton, Dumbiedykes or Drylaw, the price tag for a year at the University of Edinburgh is zero.

League tables are not the be-all and end-all. They do not convey the full range of fondness and esteem. As Burns said,

"O wad some Power the giftie gie us
To see oursel as ithers see us!"

What do people who would not blink at spending \$40,000 a year on a degree think about what is offered by the institution on our doorstep? Arcadia University, which is an elite US liberal arts college that specialises in study abroad, describes the University of Edinburgh to its students as

"one of the most distinguished research institutions in Europe."

It says:

"The University of Edinburgh, with its ancient and modern buildings, its long and storied history, and its lively student atmosphere, is a very popular choice for study abroad students."

The University of Southern California says:

"Edinburgh is regularly voted one of Europe's most desirable places to live."

That is high praise indeed from a university that is based in glamorous Los Angeles. It says:

"There is something for everyone: from museums and art galleries to a great clubbing and music scene. Over half of the city is covered by parkland and public gardens".

Jamie Slater, who is a study abroad student from Georgetown University in Washington DC and whose blog about her experience in Edinburgh, which is starting right now, is one of the great many out there, has said:

"Before arriving in Edinburgh, I had been told it was a gorgeous and unique city and that I would absolutely love it. I'm happy to say that it has lived up to and surpassed those high expectations."

Those universities time and again send students to Edinburgh who leave not just satisfied but having made a lifelong connection with the university, the city and the country. The comments may sometimes be more about the city than the university, but the city and the university are interlinked. The city, the nation and the university are interconnected not just through the university bringing excellent teaching and soaring research income, but through its reputation and the people whom it draws, develops and continues to be held dear by. The alumni population spans the globe, from Edinburgh Central to Central America.

I was once a young person who flirted with the University of Edinburgh. At school, it caught my eye across a crowded room full of prospectuses. I was drawn by its charms and applied, only eventually to spurn it and fall into the arms of one of its rivals. After my first degree, it looked like we might have hit it off again, but a dashing southerner came along and made me a better offer. Today, knowing about the real warmth that many feel for the University of Edinburgh, I can only look back and wonder, and perhaps reflect that

"Of all sad words of tongue or pen
The saddest are these: 'It might have been.'"

17:24

Gavin Brown (Lothian) (Con): I congratulate Jim Eadie on securing the debate and giving a particularly interesting speech on the history of the University of Edinburgh. Marco Biagi talked about his spurning the university. I have a similar tale, except that it was the other way round, because the University of Edinburgh spurned me when my exam results were not quite what I had hoped they would be.

However, let us skip over that and congratulate the staff and students of the University of Edinburgh on getting a terrific ranking result based on all that they have done over the past 12 months. I had a little look at the QS report and the points that served Edinburgh so well. The areas that were looked at include academic reputation, employer reputation, faculty student ratio, international indicators and citations per faculty. Of course, as we would expect, Edinburgh scored highly on all of those. However, in the area of academic reputation, to which all speakers have referred, Edinburgh got a score of 99.7 out of a possible 100. It is obviously close to impossible to get far higher than that, which highlights how academically strong the university is.

As members have said, Edinburgh's score this year was no flash in the pan. I could find rankings dating back only to 2007, but they paint a pretty useful picture. Edinburgh was 23rd in the rankings in 2007, but it subsequently moved up to 20th, then 21st and is now 17th on the planet this year. The university's scores increased steadily over that time from 88.8 to 91.3. It is clearly doing well across all areas and has moved steadily and firmly up the rankings table over the past six or seven years.

At a presentation that the university gave recently, we heard about the excellent work that the university does in relation to renewables and the bioquarter, and how it helps to cement a global reputation not just for Edinburgh but for Scotland as a whole. We heard also about the competitive research grants, in relation to which the university had a record year.

Of course, the university has a very important place in the wider economy of Edinburgh and, indeed, Scotland. The University of Edinburgh is the third-largest employer in Edinburgh, with well over 8,000 full-time equivalent jobs—I think that there are in fact 12,000 staff—and it adds well over £1 billion to the Scottish economy. It is estimated that the university supports around 23,000 jobs. Of course, it is also a big factor for many inward investors who come to Scotland. Moreover, it is reckoned that the tourism aspect alone of the University of Edinburgh is worth about £17 million.

The university's commercial liaison unit, Edinburgh Research and Innovation, provided some particularly interesting figures at the recent presentation. One that really encapsulates what the University of Edinburgh is all about is that since 1969 the university has created more than 262 spin-out companies. That is an impressive figure in itself, but I was more captured by the fact that 81 per cent of those companies are still trading, and that 89 per cent of those are still in Scotland. Those are remarkable statistics from a remarkable department in a remarkable university. I look forward to finding out how the University of Edinburgh fares in the QS survey in 2014.

The Deputy Presiding Officer: Due to the number of members who still wish to speak in the debate, I am minded to accept a motion without notice under rule 8.14.3, to extend the debate by up to 30 minutes.

Motion moved,

That, under Rule 8.14.3 the debate be extended by up to 30 minutes.—[*Jim Eadie.*]

Motion agreed to.

17:28

Sarah Boyack (Lothian) (Lab): I, too, congratulate Jim Eadie on bringing the debate to the chamber. I thank him for doing so because it gives us the chance to talk about the success that has been created by the University of Edinburgh.

The world rankings that the University of Edinburgh has attained are incredibly impressive and hugely significant. I very much welcome the briefing from the University of Edinburgh because it puts the work of its staff centre stage and rightly congratulates them on the huge amount of effort that they have put in.

As a former academic, I am impressed by the statistics in the briefing, one of which refers to the research assessment exercise in 2008 that showed that 96 per cent of the university's departments were carrying out world-leading research. That was a huge achievement that cannot be overestimated.

When we think about the pressures of teaching and pastoral work with students, the ability to deliver that level of excellence right across the university is both remarkable and an incredible achievement. The virtuous circle that the university talks about is part of the reason for that success.

The University of Edinburgh has been hugely successful in punching above its weight in all sorts of ways. Jim Eadie, Marco Biagi and Gavin Brown mentioned its research excellence in terms of competitive research grants, and its capacity to generate research grants both from the rest of the UK and at the European Union level is worthy of

comment, as is its work on international partnership and co-operation.

I want to comment on two aspects of the university's research. First, given that the informatics department burned to the ground in 2002, the work that it now turns out is a fantastic achievement. I note the work of the previous Government in helping to build those new research facilities. I am always deeply impressed when I see the range of students and academics who work out of that building. It is a huge achievement.

Secondly, I want to mention briefly the social science and governance work that the university does, which is also groundbreaking. It is not highlighted in Jim Eadie's motion, but it is worthy of comment. The work that the university is doing to look at the governance of Scotland is first class. It builds on Edinburgh's history, which, as others have said, is a proud one. Chrystal Macmillan was the first female science graduate from the university, in 1896, and she has inspired generations of women academics. She was a suffragette as well—that is a fantastic town-and-gown comment. We should also welcome the work that is being done on contemporary politics and social sciences, including gender politics and the evaluation of the contribution of women, which is asking some tough questions.

As others have said, we do not have just one university in Edinburgh. We have four universities, and they are all pursuing excellence in their own ways. When I picked up my briefings today before I came into the chamber, I thought that it was an act ofchutzpah that Heriot-Watt University wanted to remind us of its achievements as well.

I finish with a point about leadership. In each of our universities we have fantastic leaders, whether it is Professor Tim O'Shea at the University of Edinburgh, who has driven its fantastic record of achievement, Steve Chapman at Heriot-Watt University, or our two newer leaders—Andrea Nolan at Edinburgh Napier University, who is our most recent leader, and Professor Petra Wend at Queen Margaret University. In them, we have four excellent leaders. They are developing slightly different universities, as others have said, but they are all about excellence, access and research, and they are all thinking about how their students will go out into the world and become successful at whatever careers they select.

Tonight, we are celebrating the University of Edinburgh, but let us put on the record the fact that Edinburgh, as a capital and as a city, has the benefit of four universities that are all working incredibly well in collaborating across the rest of Scotland, the UK and the world. That is something that we should all celebrate this evening.

17:33

David Torrance (Kirkcaldy) (SNP): I apologise to Jim Eadie and the other members in the chamber that I will not be able to stay for the remainder of the speeches due to another engagement.

I, too, thank Jim Eadie for bringing the motion to the chamber tonight. I am proud to join my colleagues in congratulating the University of Edinburgh on climbing to number 17 in the QS World University Rankings. That is a fantastic achievement for the university and it goes some way towards recognising the exceptional quality of its teaching and research activities. It also highlights Scotland's well-deserved place in the world as a leading centre for education.

The University of Edinburgh is one of Scotland's ancient educational institutions. Founded in 1583 following the granting of a royal charter by James VI, it has provided Scotland with more than 400 years of exemplary standards in education.

In the early 18th century, during the age of enlightenment, the city of Edinburgh became known as a major intellectual centre, thanks to its outstanding university, which of course was central in Scotland's enlightenment.

Over the years, many esteemed scholars and academics have walked through the university's doors. Its impressive collection of alumni includes a plethora of famous names, such as Charles Darwin, David Hume, Sir Arthur Conan Doyle, Alexander Graham Bell and Sir Walter Scott—to name but a few.

Today the university is home to an impressive array of leading international researchers, who provide a first-class standard of teaching to their many students. The school of medicine is particularly renowned and was ranked first in the United Kingdom in the most recent research assessment exercise results. The university has also been praised for its excellence in veterinary medicine, linguistics, art, chemistry and mathematics.

The university is at the forefront of research and development in, for example, the life sciences and renewable energy. Support for universities is therefore key to Scotland's future. That is why the Scottish Government invests more than £1 billion a year in higher education and has allocated an additional £13.8 million directly to fund research at our universities. By investing in our world-leading facilities, we are building the foundations of a better and more secure Scotland for years to come.

The University of Edinburgh plays a major role in that regard and it is essential that we provide the necessary support to ensure that it continues

to do so. Its ranking as one of the world's top 20 universities will not only enhance Scotland's status on the international stage but help the university to attract more of the most talented and ambitious students from all over the globe.

Edinburgh receives a high volume of international applicants, but I am proud that more than 40 per cent of the undergraduates that it welcomes come from Scotland and that a further 29 per cent come from the rest of the UK. It is significant that 74 per cent of undergraduates come from state schools and colleges, which provides some assurance that the university, despite its prestige and international standing, remains accessible to local students from all backgrounds.

The University of Edinburgh provides jobs and prospects to thousands of citizens and plays an important role in fuelling our economy. Through its research and innovation programme, it promotes entrepreneurship and supports the creation of new businesses. In 2012-13 the university helped to create 35 new companies—it has consistently created new companies over the past four years. That is a major contribution to the Scottish economy, and I am grateful to the university for continuing to devote resources to such an important part of its work.

It is clear that the university offers Scotland a great deal. I cannot thank and praise its staff and students enough for their efforts in helping their university to achieve such a prestigious accolade in the QS World University Rankings. I am an incredibly proud Scot and I think that we can take much pride in our country, including in our reputation for quality education and research—thanks, in no small part, to the University of Edinburgh. I am sure that members will join me in congratulating the university again on its remarkable achievement.

17:38

Hanzala Malik (Glasgow) (Lab): I congratulate Jim Eadie on securing this debate on the University of Edinburgh's great achievement, and I thank him for bringing it to Parliament.

I am proud that several of Scotland's universities improved their position in the QS World University Rankings. If Jim Eadie does not mind, I would like also to commend the University of Glasgow for improving its position by three places. I am proud of the university in my home town, and the University of Glasgow and its students would not forgive me if I did not say that they too have achieved something to be proud of. It gives me immense pleasure to mention them.

The University of Edinburgh and the University of Glasgow have benefited from support from the

Scottish Further and Higher Education Funding Council. That is good news, but we cannot say that the provision for colleges in Scotland is good news. On 24 October and on 13 January, our Cabinet Secretary for Education and Lifelong Learning, Mike Russell, said that there are no queues for college places. Since then, I have witnessed college after college having a list of students who have not got a place. We must address that, otherwise our higher education system will suffer.

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The interpretation of waiting lists is very important. If what Hanzala Malik says is the case, I am surprised that he has not been in touch with me directly to draw my attention to those things. I would have thought that that would be the first thing that he would do.

Hanzala Malik: I did not want to go into great detail on that topic today, because I want to discuss the positive side of education. However, out of courtesy, I am happy to respond to the cabinet secretary. I have mentioned the issue before in the chamber, and the cabinet secretary is aware that there are lists. I mentioned that, at one college, there were up to 600 people waiting for one particular subject. I am happy to write to the cabinet secretary in detail on the matter. That will not be a problem.

The Deputy Presiding Officer: I would be grateful if, in the time that is remaining, you would confine your remarks to the University of Edinburgh.

Hanzala Malik: Yes, of course, Presiding Officer. I did not really want to get drawn into that issue—that was a passing remark on something that affects higher education.

On a positive note, Scottish universities continue to face all sorts of challenges—from immigration to a reduction in subjects, and so on—yet the universities have done a marvellous job in maintaining student numbers. I congratulate, in particular, the staff of all the universities in Scotland, who have done a fantastic job not only in ensuring that student numbers can be accommodated, but in increasing and improving Scottish universities' standing. That is a huge achievement by them and we are all very proud of them.

17:41

Alison Johnstone (Lothian) (Green): I thank Jim Eadie for bringing the debate to the chamber, and I thank and congratulate all those whose hard work is recognised in this ranking.

I am very proud of the six higher education institutions that are headquartered in the Lothians. Each of them provides excellent education to thousands of students and carries out excellent research. There is, of course, some subjectivity in assessing the quality of teaching and research, but the rankings are made in a consistent way each year, so it is fantastic to see the University of Edinburgh achieving a ranking of 17th in the world in the QS rankings.

The University of Edinburgh has always performed very well in the research assessment exercise. In the most recent RAE, in 2008, it had the largest amount of research judged to be of world-class quality—that is, four-star quality—out of all the Scottish universities. That is a reflection of the university's long history of excellence in not just the kind of blue-sky research that led Peter Higgs to the discovery of the Higgs boson, but research that is designed to tackle immediate problems that affect people.

A huge amount of world-class medical research takes place at the University of Edinburgh. I could go on for hours about it, but I will mention just one example that I am particularly impressed by—the Delbox, which was invented by Professor Alasdair MacLulich of the university's college of medicine, uses a deceptively simple collection of flashing lights and buttons to improve diagnosis and treatment of patients with dementia by identifying whether they have delirium.

I want to see more opportunities for women to contribute to excellent research in universities, particularly in science, technology, engineering and mathematics, which have chronically low numbers of women professors. The University of Edinburgh is leading the way forward. I applaud Professor Lesley Yellowlees, who is head of the University of Edinburgh's college of science and engineering, for championing initiatives across the university, working with the Equality Challenge Unit under the banner of the Athena SWAN programme and taking a sophisticated and broad-ranging approach, raising awareness of unconscious bias and other forms of discrimination so that they can be eliminated. The university's 17th place in the QS rankings is proof positive that taking an enlightened approach to equality and diversity is the best way to increase organisational effectiveness because it draws on the widest possible pool of talent and lets all staff know that their creativity and hard work will be recognised and rewarded fairly.

We also need to see action to involve more women, more people with disabilities and more people from ethnic minorities in the university courts, which are the governing bodies of Scottish universities. That is why I have written to Professor Sir Timothy O'Shea, the principal of the

University of Edinburgh, and the principals of the other five universities that are headquartered in my region, asking them to take up the recommendations of the Equality Challenge Unit to improve diversity on their governing bodies. I have had some fairly encouraging replies to date.

I would like all the universities to rethink their use of zero-hours contracts, so I was delighted to hear the University of Edinburgh announce recently that it will review the use of zero-hours contracts. I call on all the universities in Scotland to follow the University of Edinburgh's example on that issue.

In recent years, the students of the university have worked with their elected green rectors—including my predecessor MSPs, Robin Harper and Mark Ballard, and the current rector, Peter McColl—to influence the running of the institution in positive ways, as a result of which above-inflation rent increases in university accommodation have been ended, the number of access bursaries has been increased and it has been ensured that international students have fixed fees for their entire degree programme. They will go on campaigning for an end to zero-hours contracts, for the setting up of a student housing co-operative and for ethical investment of the university's endowments.

I am conscious of the time. I am sure that all members who are in the chamber are committed to helping the university to continue to deliver world-class education and research for another 431 years.

17:45

Aileen McLeod (South Scotland) (SNP): I, too, congratulate my colleague Jim Eadie on securing the debate and ensuring that the University of Edinburgh is in no doubt about our support and our gratitude for what it has achieved in being ranked 17th in the world in the 2013-14 QS World University Rankings, which makes it the only Scottish university in the world's top 20, where it competes alongside top universities in the States, such as the Massachusetts Institute of Technology and Harvard University in Boston, as well as the universities of Oxford and Cambridge.

As a graduate of the University of Edinburgh, I am immensely proud of what a huge achievement that is for the university, and it is a credit to the dedication, commitment and hard work of all the staff, students and researchers. Particular thanks should be given to the university's principal, Professor Sir Timothy O'Shea, for his efforts in positioning the university as a leading global institution, which assures it—and, of course Scotland as a whole—of an international platform and allows it to attract world-class researchers

through the Scottish Government's global excellence initiative. In addition, his determination to widen access through programmes such as LEAPS—Lothian equal access programme for schools—ensures that students from schools and communities with no tradition of sending young people to the university now have the opportunity to attend one of the world's leading universities.

Its being ranked among the world's top 20 universities testifies to the university's growing international reputation and its recognition in key research areas, including the life sciences, digital health and care, and renewable energy. The global impact of the university's research excellence in those areas is reflected by its considerable success in winning millions of pounds from national and international research competitions—not least from successive EU framework programmes. Through its participation in 325 FP7 projects to date, Edinburgh is consistently in the EU's top 10 and the UK's top five higher education institutions in terms of the number of participations in framework programme projects. It is the top university in Scotland in that regard.

That tradition of international excellence in research is set to continue into the future. The University of Edinburgh is currently leading an international consortium bid to establish a European Institute of Innovation and Technology knowledge and innovation community—KIC—on healthy living and active ageing, which if successful will be financed from the new EU horizon 2020 funding programme.

LifeKIC, as the Scotland-led KIC is called, will focus on developing new digital health technology through telehealth and telecare initiatives that will, when implemented, allow EU citizens to lead healthy, active and independent lives as they age, as well as through new models of health and social care integration. The first call for new KIC proposals is scheduled for early next year. Through professors Mark Parsons and Stuart Anderson, the university—with the support of Professor George Crooks, who is the medical director of NHS 24, the new digital health institute that is based at the university, along with others such as Scotland Europa, Scottish Enterprise and the Scottish Government—has been working tirelessly to build a team Scotland approach and to bring in other partners in Denmark, Spain, Italy and Germany to act as co-location nodes within lifeKIC.

If successful, the Scotland/UK part of lifeKIC will be hosted in Edinburgh and the overall KIC will be headquartered there. That will enable the university to participate as an innovation hub and to act as a centre of excellence that integrates higher education, research and business activities.

As lifeKIC is the only Scotland/UK-led KIC bid, I ask the cabinet secretary to liaise with the UK Government Minister of State for Universities and Science, David Willetts, to ensure that the UK Government supports the taking forward of the bid in Brussels.

By any metric, the University of Edinburgh is one of the world's premier research and teaching universities. That it has achieved such a status testifies to the hard work and abilities of the staff, the energy of the students and the leadership of the principal. Scotland enjoys an enviable reputation as one of the world's great centres of research and learning—a reputation that the University of Edinburgh's successes ensure will continue.

17:50

Kezia Dugdale (Lothian) (Lab): Like others, I congratulate Jim Eadie on hosting the debate and, given that we are still here at 10 minutes to 6, providing an opportunity for so many people to contribute.

After so many strong, fantastic speeches, it is hard to stand up and contribute something meaningful, but I will do my best. I speak with a particular degree of pride, as I am a graduate of the University of Edinburgh.

I will make three comments about the ranking system. I will say something about the ranking system that was used, which puts Edinburgh at 17th on spin-outs. I will talk a little bit about the student experience, which appears in some ranking systems but not the one that was used. Then I will say something about widening access, which, as far as I am aware, does not appear in any of the higher education ranking systems.

Many members talked about spin-outs. There is no doubt that the University of Edinburgh is a world leader in that regard. It is head and shoulders above many other Scottish and, indeed, UK institutions. At the cross-party group on colleges and universities last week, we heard a great presentation from the university. Many of the figures that Gavin Brown used came from that report—which is quite startling—about the University of Edinburgh's success on spin-out companies.

I hope that the Government is examining what the University of Edinburgh has achieved and is working out how it can share that expertise so that other universities can have the same chance of producing their own income through spin-outs and helping their graduates set themselves up in business.

As I said, student experience does not appear in the QS rankings but does in others. The student

experience is important to the marketing of institutions to bring students to particular cities and institutions. A part of the student experience about which I feel strongly is the role of the students association.

One thing that has not been mentioned is the incredible record of Edinburgh University Students Association in contributing to the university community. The university invests a lot of its own money in the students association, and EUSA, as it is known, is perhaps the best-funded students association in the United Kingdom because the university recognises how important it is to have an active student population.

EUSA is important for the academic experience of students. It has fought for longer library opening hours, better feedback on essays and myriad other issues on which the academic element of a student's experience can be improved.

EUSA is also important for the pastoral services that are available on campus. It has an important welfare service—for which I used to work—which provides front-line welfare advice to students on housing, sexual health, mental health and finances. It provides a range of things that are not necessarily provided at most other institutions.

On representation, the university is brave to invest so much in the students association when the association spends so much time fighting back at the university, but it recognises that that enhances the student experience. It also promotes a sense of citizenship within the student community that equips students with the skills not only to go out into the employment market but to contribute to society. Many great political leaders have come from that student representative sector, so it is worth recognising its role.

I will make a remark about widening access. As far as I am aware, it is not assessed as part of any of the major ranking systems for higher education. That is an interesting point to consider when we think about how we assess how good our universities are.

I am concerned about the degree to which we teach to the test. Universities want high placings in those rankings and, to do that, they will look at what the methodology is and will play to it. They will try to emphasise that experience or expertise in research or whatever else. If the rankings considered widening access, perhaps some of the best universities in the world would invest more of their time and energy in being better at it. We need to consider that and I would be interested to hear the cabinet secretary's remarks on that issue.

Like others, I pay tribute to a fantastic institution and wish it every success in the future.

17:54

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): I congratulate Jim Eadie on the motion and I declare an interest as I, too, am a graduate of the University of Edinburgh. To extend a metaphor that was used earlier, cabinet secretaries for education cannot be entirely monogamous in their affections for universities, but I have the strongest affection for the University of Edinburgh and its achievements, on which I congratulate it.

I entered freshers week at the university 43 years ago this week. Last night, when I was walking along Holyrood Road, I saw a number of freshers wandering around and I wondered what their experience of this great university is, particularly as it has grown and changed so much. I was struck by the point that was made about investment in the university, which has come from the university's resources and from other assistance over a period.

Last night, I was in the remarkable Inspace building, which is used to encourage and develop new technologies. As various members have said, the university has a remarkable track record of taking ideas and ensuring that they work and that they work in the marketplace. That knowledge exchange work, which Kezia Dugdale mentioned, is important.

The Scottish Government made a commitment to ensure that a single knowledge exchange office is developed in Scotland and I will shortly say more about that, but we also want to protect the good work that is already done. We should not put in a single monolith, and Edinburgh is an exceptional university for knowledge exchange. Just two weeks ago, I met some of the people who are involved in that.

Before going into the substance of my speech, I will respond to a couple of points that have been made. I am happy to take Aileen McLeod's point and to talk to David Willetts about the KIC project. I think that we have already been in touch about how to take that forward, and I always try to work with others to project the future and the work of Scottish universities on the international stage.

Kezia Dugdale made important points about how things should work in universities and about ranking systems. There is a range of ranking systems in the world. Next week, the *Times Higher Education* rankings will be announced. The QS rankings use a scoring system that allocates 40 per cent to academic reputation, 20 per cent to the faculty to student ratio, 20 per cent to citations per faculty, 10 per cent to employer reputation, 5 per cent to the international faculty ratio and 5 per cent to the international student ratio. There is a range of other systems, which weight other factors.

I am certainly intrigued by the good idea that widening access should count as an important feature of a university, as it relates to how a university develops and extends itself. Of course, Edinburgh has a good story to tell on that. This year, it has 50 more widening access places than it previously had, which it is filling. In 2012-13, it awarded 158 access bursaries to Scotland-domiciled new entrants. If widening access was a feature of rankings—it would be interesting to try to persuade a rankings system to take that on—Edinburgh would continue to compete.

We should look at the continuation of competition. The outcome agreement process that the Scottish Government has established with universities considers how each university should perform. The University of Edinburgh's 2013-14 agreement says:

"Analysis of the rankings"—

that is, looking at the progress that the university has made—

"indicates that this level of investment"—

the global excellence investment, which is a new form of investment that is designed to encourage research and internationalisation—

"in addition to other strategies already in train, should move Edinburgh into the top 15 in the QS world rankings."

Gavin Brown pointed out the progress that is being made. We should remain ambitious, to ensure that all our universities continue to progress in that way. All the world ranking systems are not the only judge of a university; there are other ways to judge them, such as on the quality that students find in a university and the contribution that it makes to the setting in which it lives—for Edinburgh, that is the city and the wider country.

The access issues are intriguing, but we must ensure that competition continues, because that draws students to us. The activity is international and global. It is also very valuable to Scotland as a country. Higher education is the third-largest sector in our economy, which is an extraordinary thought. I know that Gavin Brown always questions figures that are given in the chamber and particularly those from the Government front bench, but my source is a Universities Scotland report. Higher education is also an enormous exporting activity. Universities are estimated to leverage £1.3 billion into the Scottish economy from sources outside Scotland.

I congratulate Edinburgh on what it has done. It has a wonderful and rich history. As Jim Eadie pointed out, it is the place of Hutton. When we look up through the window that is to my left, we can see Hutton's stone on Salisbury Crags. It is

the foundation of world geology and the place that proved that two geological theories went together.

Of course, Edinburgh is the place where many other things have happened. Dolly the sheep and the Higgs boson have been mentioned. Nobody has mentioned that Edinburgh is the last university in these islands that had a student executed for heresy, but we should probably gloss over that.

In history, in English literature, as Malcolm Chisholm pointed out, in medicine, in veterinary medicine and in a variety of other fields, including in the area that I studied—Scottish studies, Scottish literature and Scottish history—Edinburgh has been groundbreaking and has had tremendous success in teaching and in research. Jim Eadie made that point forcibly and it should be made again: all our universities in Scotland are universities both for teaching and for research. Keeping those two things together, making sure that one feeds the other and, in particular, encouraging the growth of postgraduate research and teaching in our universities is the way forward.

This Government has increased investments for university research and knowledge exchange activities. This year we put in place the global excellence initiative with Edinburgh and—I say to Mr Malik—with Glasgow. Edinburgh and Glasgow are matching with their own fundraising in order to drive themselves forward in the international rankings. The University of Glasgow rose three places in the QS to 51, the University of St Andrews rose 10 places to 83 and the University of Aberdeen climbed 14 places to 148, so, including Edinburgh, those four universities are in the top 200 in the world. That is a unique achievement because Scotland has, per head of population, the largest number of universities in the top league in the world. That is remarkable for a nation of 5 million people.

Edinburgh has been called the capital of the mind and it is a place—and we have a country—that values learning. Learning, to some extent, is in our DNA. That is proved by the excellence of our universities. It is also proved by the way in which the universities are attracting investment from places outside Scotland. I opened the Fraunhofer centre for applied photonics at the University of Strathclyde—the first Fraunhofer centre in these islands. That is one example out of many of the type of investment that is taking place and will continue to take place in Scotland.

Universities are growing; universities are exporting; universities are increasingly attractive. The universities are driving our economy. Edinburgh is at the forefront of that. It is a wonderful university to attend, as so many young people—and older people—will discover this week as they enrol for the first time. We should, in the chamber, celebrate the success of Scottish

institutions. They are founded upon the principle of education being based on the ability to learn, not on the ability to pay, and long may that flourish in our country.

Meeting closed at 18:02.

The Deputy Presiding Officer: Many thanks. I declare my interest as a graduate of the University of Edinburgh. I, too, wish to add my congratulations to the University of Edinburgh and I note with surprise that the cabinet secretary and I must have been freshers in the same week.

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e-format first available
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