



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# MEETING OF THE PARLIAMENT

Wednesday 2 April 2014

Session 4

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Wednesday 2 April 2014

CONTENTS

	Col.
<b>PORTFOLIO QUESTION TIME</b> .....	29679
<b>FINANCE, EMPLOYMENT AND SUSTAINABLE GROWTH</b> .....	29679
Community Empowerment (Scotland) Bill (Community Ownership) .....	29679
Grid Charging Reforms.....	29680
Zero-hours Contracts.....	29682
Aberdeen City Council (Meetings).....	29683
Minimum Wage (Increase) .....	29684
Independence (Currency Union) .....	29685
Oil and Gas Industry (Bareboat Tax).....	29688
Aberdeen City Council (Meetings).....	29689
Small and Medium-sized Businesses (Access to Finance).....	29690
Tax Collection and Management (Costs) .....	29691
Independence (Corporation Tax).....	29692
Business Rates Incentivisation Scheme .....	29694
<b>STOP AND SEARCH</b> .....	29695
<i>Motion moved—[Alison McInnes].</i>	
<i>Amendment moved—[Kenny MacAskill].</i>	
<i>Amendment moved—[Graeme Pearson].</i>	
Alison McInnes (North East Scotland) (LD).....	29695
The Cabinet Secretary for Justice (Kenny MacAskill) .....	29699
Graeme Pearson (South Scotland) (Lab) .....	29702
Margaret Mitchell (Central Scotland) (Con) .....	29704
Sandra White (Glasgow Kelvin) (SNP).....	29706
John Pentland (Motherwell and Wishaw) (Lab).....	29707
Roderick Campbell (North East Fife) (SNP) .....	29708
Hugh Henry (Renfrewshire South) (Lab) .....	29710
Christian Allard (North East Scotland) (SNP) .....	29712
Annabel Goldie (West Scotland) (Con) .....	29713
Elaine Murray (Dumfriesshire) (Lab) .....	29715
Kenny MacAskill .....	29716
Willie Rennie (Mid Scotland and Fife) (LD) .....	29718
<b>MENTAL HEALTH</b> .....	29722
<i>Motion moved—[Jim Hume].</i>	
<i>Amendment moved—[Michael Matheson].</i>	
<i>Amendment moved—[Neil Findlay].</i>	
Jim Hume (South Scotland) (LD).....	29722
The Minister for Public Health (Michael Matheson).....	29725
Neil Findlay (Lothian) (Lab) .....	29728
Nanette Milne (North East Scotland) (Con).....	29730
Aileen McLeod (South Scotland) (SNP) .....	29732
Malcolm Chisholm (Edinburgh Northern and Leith) (Lab) .....	29734
Colin Keir (Edinburgh Western) (SNP) .....	29735
Ken Macintosh (Eastwood) (Lab) .....	29737
Kevin Stewart (Aberdeen Central) (SNP) .....	29738
Jackson Carlaw (West Scotland) (Con) .....	29740
Dr Richard Simpson (Mid Scotland and Fife) (Lab).....	29741
Michael Matheson.....	29743
Liam McArthur (Orkney Islands) (LD).....	29745
<b>BUSINESS MOTION</b> .....	29749
<i>Motion moved—[Joe FitzPatrick]—and agreed to.</i>	
<b>PARLIAMENTARY BUREAU MOTION</b> .....	29751
<i>Motion moved—[Joe FitzPatrick].</i>	
<b>DECISION TIME</b> .....	29752
<b>AUTISM-FRIENDLY THEATRE AND CINEMA</b> .....	29763

*Motion debated—[Mark McDonald].*

Mark McDonald (Aberdeen Donside) (SNP) .....	29763
Clare Adamson (Central Scotland) (SNP) .....	29766
Malcolm Chisholm (Edinburgh Northern and Leith) (Lab) .....	29767
Stuart McMillan (West Scotland) (SNP) .....	29769
Nanette Milne (North East Scotland) (Con) .....	29770
Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab) .....	29772
The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop) .....	29773

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# Scottish Parliament

*Wednesday 2 April 2014*

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

## Portfolio Question Time

### Finance, Employment and Sustainable Growth

**The Deputy Presiding Officer (John Scott):** Good afternoon, everyone. The first item of business this afternoon is portfolio question time. In order to get as many members in as possible, I would be grateful for short questions and answers.

#### Community Empowerment (Scotland) Bill (Community Ownership)

**1. Marco Biagi (Edinburgh Central) (SNP):** To ask the Scottish Government how the proposed community empowerment (Scotland) bill will provide opportunities for community ownership. (S4O-03086)

**The Minister for Local Government and Planning (Derek Mackay):** The community empowerment (Scotland) bill will extend the community right to buy to urban areas of Scotland as well as rural areas. That will help the Scottish Government to reach the target of a million acres of land under community control in Scotland by 2020. The bill will also give communities new rights to help them take on public sector land and buildings.

**Marco Biagi:** When St Stephen's church in Edinburgh's new town was recently put up for sale, local residents attempted to purchase it and place it in a charitable trust to retain its use as a community building. That attempt failed and the building has since been sold to a private buyer, whose representative I am meeting later. What scope is there in the proposed bill for consideration of community purchase rights for property that is not public but charitable and felt to be an important community asset?

**Derek Mackay:** I have good news and bad news for Mr Biagi. The bill will extend community right to buy across all areas of Scotland and enable communities to buy buildings in the ownership of churches and other private organisations, so its powers will be quite extensive. The bad news, though, is that that will not be retrospective.

**Neil Findlay (Lothian) (Lab):** Given the minister's obvious enthusiasm for community ownership, will he have a chat with the Cabinet

Secretary for Finance, Employment and Sustainable Growth and ask him to divert some of the grants for the commercial development of wind farms into substantial grants for community ownership of renewables?

**Derek Mackay:** It would be far better if we had control of these matters in this Parliament so that we could make such determinations. However, the Government supports community ownership and community benefit, and we are delighted that they are expanding in Scotland. Of course, we could make a contribution mandatory if we had such powers in the Scottish Parliament.

#### Grid Charging Reforms

**2. Mike MacKenzie (Highlands and Islands) (SNP):** To ask the Scottish Government what its position is on the Office of Gas and Electricity Markets announcement that it will delay the implementation of grid charging reforms. (S4O-03087)

**The Minister for Energy, Enterprise and Tourism (Fergus Ewing):** Ofgem's recent decision to delay implementation of much-needed reforms to the system of charging for use of the high-voltage transmission system is bad news for the industry in Scotland and bad news for electricity consumers.

Scottish generators account for around 12 per cent of generation capacity connected to Britain's high-voltage electricity network, but they pay around 35 per cent of the charges. Ofgem's proposals have the potential to lessen that discrimination by reducing Scotland's share to 25 per cent. That would still be double our share of generation capacity installed across Great Britain, but it would be a welcome reduction nonetheless.

The changes would deliver significant long-term benefits to consumers, cutting bills by around £8.30 a year from 2020, according to figures used by Ofgem.

**Mike MacKenzie:** Does the minister agree that the current situation is not only placing significant costs and disproportionate charges on Scotland's renewable energy generators but potentially delaying investment in the commercialisation of new wave and tidal projects, threatening Scotland's 10-year lead in those technologies?

**Fergus Ewing:** I do agree with that. The current situation is particularly unfortunate because I think that there is broad support across the political spectrum for the development of wave and tidal energy in Scotland and, indeed, in the south-west of England.

The delay in project transmit is extremely expensive. In fact, the estimate is that the delays will cost Scottish electricity generators £90 million,

which adds to the uncertainties to which Mr MacKenzie referred. That is the case particularly if, as has been announced, the implementation of the “minded to” proposals by Ofgem will not take place until April 2016. That level of uncertainty helps no one.

**Iain Gray (East Lothian) (Lab):** Fair play to the minister: he has been nothing but assiduous in his pursuit of the issue over a number of years and his effort to reduce grid charges for energy companies generating in Scotland. We simply ask that he demonstrates the same enthusiasm for getting the companies to reduce their excessive profits and freeze energy bills for consumers, which would save consumers £120 per annum. Perhaps he might start by contacting his colleagues in Westminster and asking them to vote for Labour’s price freeze this afternoon.

**Fergus Ewing:** Frankly, the less politics we have in these matters the better.

As I thought Mr Gray heard earlier, the changes that project transmit would implement would have benefits for all consumers in Scotland and would cut bills by £8.30 a year. Of course, the Deputy First Minister has demonstrated that the Scottish Government is extremely concerned about fuel poverty in Scotland, which is at scandalous levels. That is why the Deputy First Minister—*[Interruption.]* I know that Labour members do not like hearing this, but it is nonetheless the truth, and the truth is sometimes a painful commodity to listen to. In this case, the truth is that the Deputy First Minister led the way by calling for certain elements of electricity costs to be removed—namely, the energy company obligation. Frankly, that is the most practical and sensible way of proceeding.

We will continue to encourage the development of new generation capacity, which is necessary to keep the lights on down south and to prevent blackouts, which are becoming an ever more real prospect, by exporting Scottish electricity south of the border. We will also continue to seek to provide even more measures to help the consumer, on top of the enormous sums of money that we rightly invest in tackling fuel poverty.

**Jackie Baillie (Dumbarton) (Lab):** I know that the minister is in self-congratulatory mode, but can he explain why fuel poverty is at its highest level ever, with 900,000 households affected, and why the Scottish Government’s budget on fuel poverty is underspent?

**The Deputy Presiding Officer:** That has absolutely nothing to do with the original question.

**Jackie Baillie:** He introduced it.

**The Deputy Presiding Officer:** You may answer it if you wish to, minister, but, if you choose not to, we will move on.

**Fergus Ewing:** I am never one to miss an opportunity, Presiding Officer.

As Jackie Baillie and most other members will recognise, we have invested substantially in a wide range of measures to improve insulation in housing and energy efficiency. We spend an awful lot more than is spent down south on those matters, and we have done so for a considerable time, especially in parts of Scotland such as the Highlands and Islands where many people are off the gas grid and face real fuel poverty. With all respect, we will not accept lectures on that topic from the Labour Party.

Of course, fuel poverty is exacerbated by some of the measures that Westminster is intent on delivering, such as the bedroom tax. If only the Labour Party would agree that we need the powers of independence to end such measures, we could thereby further address fuel poverty.

### Zero-hours Contracts

**3. Neil Bibby (West Scotland) (Lab):** To ask the Scottish Government how widely it estimates zero-hours contracts are used. (S4O-03088)

**The Minister for Youth Employment (Angela Constance):** Estimates for the number of people on zero-hours contracts in Scotland are not currently available due to the relatively small size of the sample in the labour force survey. Employment law is currently a reserved matter, with the United Kingdom Office for National Statistics responsible for data relating to zero-hours contracts.

**Neil Bibby:** Until recently, my younger brother was employed on a zero-hours contract, and I know from speaking to him the pressures and difficulties that such contracts can place on people who are trying to pay the bills from one week to the next.

The minister will be aware that Labour is calling for the use of procurement to crack down on the abuse of zero-hours contracts. Can the minister tell us how many people are employed on such contracts by companies that get money from the Scottish Government for contracts? If she cannot tell us that today, will she commit to collating the information and putting it in the Scottish Parliament information centre?

**Angela Constance:** As Mr Bibby will know from speaking to his younger brother and from the recent analysis by the Chartered Institute of Personnel and Development, there are certainly issues with shifts being cancelled with no notice. The study found that a high percentage—20 per

cent—of people on zero-hours contracts have been penalised because they were unavailable for work and that nearly 40 per cent wish to work more.

The member may be interested to know that, while the labour force survey produced by the ONS has limitations, the ONS is doing a follow-up survey of businesses, which should be published this April. That is quite an important piece of work, following on from the information that is available in the labour force survey. It will collate information from businesses, which will be better able to comment on their contractual arrangements with employees. One of the concerns—again in the CIPD research—is that employees and employers are not always aware of employment law or rights.

On the Scottish Government's position, Mr Bibby will be aware that we deprecate and condemn the inappropriate use of zero-hours contracts. The purpose of the Procurement Reform (Scotland) Bill is very much to look at what we can do together, as a Parliament, and to use statutory guidance to encourage good employment practice on a range of issues such as recruitment, engagement and remuneration. The Deputy First Minister has indicated that she will continue that dialogue with all members in advance of stage 3 proceedings.

**The Deputy Presiding Officer:** I remind members that short questions and answers would be appreciated.

Question 4 has not been lodged and a less-than-satisfactory explanation has been provided by Alex Johnstone, particularly as this is the fifth time that this has happened this session.

#### **Aberdeen City Council (Meetings)**

**5. Maureen Watt (Aberdeen South and North Kincardine) (SNP):** To ask the Scottish Government when ministers last met representatives of Aberdeen City Council and what issues were discussed. (S4O-03090)

**The Minister for Local Government and Planning (Derek Mackay):** Ministers and officials frequently have discussions with all Scottish local authorities, including Aberdeen City Council, about a wide range of issues of importance to local communities and the people of Scotland.

**Maureen Watt:** A recent report by Audit Scotland found that a fundamental principle of good governance is councillors and officers operating in clearly defined and understood roles—an understanding that is not the case in Aberdeen City Council. What steps can be taken to ensure that the people of Aberdeen are properly governed?

**Derek Mackay:** There are a number of live issues that the Labour leadership of Aberdeen City Council should consider very carefully.

On the issue of auditors and governance, a number of bodies could be involved, including external auditors to the council, the Accounts Commission, the Standards Commission for Scotland and the Scottish Public Services Ombudsman. However, I think that all of us would expect that if we just got back to business as normal in terms of the city council's Labour leadership and let public servants do their job, and if the Labour Party just got a grip, those agencies may not need to get involved in what is a ridiculous situation in the city.

**Lewis Macdonald (North East Scotland) (Lab):** Has the minister seen the research on central Government funding commissioned by the city council from Aberdeen and Grampian Chamber of Commerce, published in February, which confirmed that Aberdeen is the lowest funded local authority in almost every service area? If so, will he undertake to discuss with the council the constructive suggestions made in that report for new ways in which central Government could choose to support the continued exceptional economic growth of the Aberdeen city region?

**Derek Mackay:** The Scottish Government would of course be happy to engage in any measure that would leverage in extra finance to Scotland or indeed to the city of Aberdeen. However, it is the Labour leadership at Aberdeen City Council that has rejected new finance that would flow to the city, has threatened to walk away from the Convention of Scottish Local Authorities and is not engaging constructively. It is the same administration that voted against the city garden project, which was bringing in new finance to regenerate the city.

We need a far more constructive administration in the city chambers. Of course the Scottish Government will engage, but it is helpful if the council does not reject finance that we are trying to send to the city.

#### **Minimum Wage (Increase)**

**6. James Dornan (Glasgow Cathcart) (SNP):** To ask the Scottish Government what assessment it has made of the impact of the planned minimum wage rise recently announced by the United Kingdom Government. (S4O-03091)

**The Minister for Youth Employment (Angela Constance):** The first above-inflation increase in the UK national minimum wage since 2008 is welcome. "Scotland's Future" makes clear that, if we are the first Government of an independent Scotland, we will set up a fair work commission

and guarantee that the minimum wage will rise at least in line with inflation.

**James Dornan:** We are coming to the end of fair pay fortnight, and the Trades Union Congress has estimated that the average worker is £2,000 a year worse off than they were in 2010 as a result of wages not keeping in line with the rising cost of living. Given that this year's rise is the first since 2009, does the minister agree that the only way to ensure that low-paid workers are guaranteed to see the minimum wage rise year on year, as outlined in "Scotland's Future", is to vote yes in September?

**Angela Constance:** The position of this Government is clear. We very much favour annual increases of the national minimum wage at least in line with inflation. We believe that the UK Government has a poor track record on supporting low-paid workers, and we believe that our commitment, as outlined in the white paper, is the best way in which to support the almost 70,000 people—two thirds of whom are women—in Scotland who are currently earning the minimum wage. Over the past five years, a rise in line with inflation would have improved the annual earnings of some of the lowest-paid Scots by more than £600.

**Gavin Brown (Lothian) (Con):** The minister said that, in an independent Scotland, the minimum wage would rise in line with inflation. Is her commitment to the retail prices index or the consumer prices index?

**Angela Constance:** I would like to correct Mr Brown. Our commitment is for the national minimum wage to rise at least in line with the rate of inflation. Our prospectus is set out in "Scotland's Future", but I wonder why Mr Brown does not come here and explain why, over the past decade—

**Gavin Brown:** RPI or CPI?

**Angela Constance:** —the Westminster Government, aided and abetted by Mr Brown's Westminster party colleagues—

**Gavin Brown:** She does not know.

**The Deputy Presiding Officer:** Allow the minister to be heard, please.

**Angela Constance:** —has not enabled the minimum wage to keep pace with the cost of living, which is an absolute tragedy.

### Independence (Currency Union)

**7. Hugh Henry (Renfrewshire South) (Lab):** To ask the Scottish Government which aspects of national sovereignty the Cabinet Secretary for Finance, Employment and Sustainable Growth would be prepared to cede in order to achieve a

currency union with the rest of the United Kingdom, if Scotland decided to separate from the rest of the UK. (S4O-03092)

**The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney):** The fiscal commission working group has set out a number of viable currency options for a country of Scotland's size and economic strength and has concluded that retaining sterling as part of a formal monetary union with the rest of the UK would be in the economic interests of both an independent Scotland and the rest of the UK. As part of its proposals, the fiscal commission working group recommended a fiscal sustainability agreement to govern levels of debt and borrowing. Within a sterling area monetary union, an independent Scotland will have full control of tax policy and other economic policy levers to grow the economy.

**Hugh Henry:** It is quite clear that the other parties to any such agreement have ruled one out, but I do not think that the cabinet secretary has been so explicit about what he would rule out in the unlikely event of separation and a monetary union. Would he rule out any intervention on taxation, interest rates, borrowing or backing up the banking sector? Exactly what would be ruled out in terms of the control of Scotland's economy in the unlikely event of any monetary union?

**John Swinney:** It is interesting that Hugh Henry is part of a joint campaign with the Conservatives to ensure that monetary union does not happen but then sustains a line of questioning—as he is quite entitled to do and which I welcome—concerning the details and specifics of the self-same monetary union that he believes will not take place. I will rest my argument on the contents of the ministerial contribution to *The Guardian*, which was:

"Of course there would be a currency union".

I reiterate what I said to Mr Henry in my original answer, which is that a fiscal sustainability agreement would govern the levels of debt and borrowing that an independent Scotland would be prepared to accept. I think that I am correct in thinking that I heard Mr Henry say that I had not been explicit about that. I was explicit about it a couple of minutes ago and I have been explicit about it a hundred times before. The reason why I set out that position is that I accept that it is necessary for an independent Scotland to operate within a climate of fiscal responsibility. If only the United Kingdom had exercised a bit more fiscal responsibility in the past 15 years, the public finances would not be in the mess that they are in now..

**Bruce Crawford (Stirling) (SNP):** In regard to monetary union, does the cabinet secretary recall



that the no campaign's adviser, Professor Gallagher, told the House of Lords Select Committee on Economic Affairs on 24 October 2012,

"having one currency makes a lot of sense",

or that Alistair Darling on "Newsnight" called a currency union "desirable" and "logical" and that Alistair Carmichael said that it would be "sensible" for politicians not to rule out a currency union? Does the cabinet secretary agree that it therefore comes as no real surprise that a UK Government minister has now admitted that the no camp is bluffing and that a sterling zone will happen after Scotland votes yes in September?

**John Swinney:** The point that Mr Crawford makes is strong. UK politicians have made various remarks, not the least of which are the remarks made in *The Guardian* on Saturday, that clearly make the case for the establishment of a currency zone.

Only today, in the *Financial Times*, Professor Anton Muscatelli, who is a much-respected economist in Scotland, set out the argument that

"a successful currency union would actually be in the interests of both sides—and especially the rest of the UK."

Dispassionate contributions to the debate such as that of Professor Muscatelli demonstrate the point that the Scottish Government has been making—that the arguments about economic and monetary union relate to the interests of the rest of the United Kingdom just as much as they do to the interests of Scotland—and make the arguments that Mr Crawford has advanced very strong indeed.

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** Does the cabinet secretary accept that his policy on a currency union is governed by a double fantasy? The first fantasy is that it would be in the economic interests of the rest of the UK when many leading economists, such as Martin Wolf, say that it would not be. The second is that he could achieve such a monetary union without giving strict control of taxation to the rest of the UK as, indeed, Professor Leslie Young, whom he quoted in his defence last week, argued in his well-known paper.

**John Swinney:** The point that we have reached in the debate is that different points of view are expressed on the merits or demerits of the proposal. Malcolm Chisholm can quote economists such as Martin Wolf; I can quote Professor Anton Muscatelli and the members of the fiscal commission working group, all of whom are distinguished economists. Armed with that information, the members of the public in Scotland have to come to a rational conclusion. Based on the information that has been put into the debate, a currency union would be in the interests of both

sides of the border. That is the point that Professor Muscatelli makes today.

The second point that Mr Chisholm makes is debunked by what I said in my answer to Mr Henry. Yes, we accept that there would have to be some fiscal sustainability agreements. When the governor of the Bank of England came to Scotland to speak a few weeks ago, his comment that some degree of sovereignty would be ceded as part of a currency union was viewed as some revelation. It was not a revelation at all. The ground had been covered by the fiscal commission working group and accepted by the Scottish Government as part of the rational and considered preparations of our arguments. The proposal does not involve control over taxation. It respects our ability to exercise different approaches to taxation and economic policy, but we have to accept that we have to live within a sustainable public finance framework, which means agreements over debt and borrowing. It does not need to be any more complicated than that.

### **Oil and Gas Industry (Bareboat Tax)**

**8. Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what assessment it has made of the impact of the proposed bareboat tax on the oil and gas industry. (S4O-03093)

**The Minister for Energy, Enterprise and Tourism (Fergus Ewing):** The industry has provided strong evidence to show that the new tax measure could prove to be very damaging to exploration and development activity in the North Sea by pushing up costs and reducing the availability of rigs. The oil and gas industry needs a stable and predictable fiscal regime. That is what the Scottish Government proposes. The industry has not had it from the United Kingdom Government.

**Colin Beattie:** Does the minister agree that the Wood report is right to suggest that the UK Government has failed to provide a suitable fiscal and regulatory framework for Scotland's oil and gas sector and that that has undoubtedly prevented the industry from maximising recovery rates and the economic opportunity from this valuable resource?

**Fergus Ewing:** It is factually correct to say that that is precisely what Sir Ian Wood's report concluded—that the North Sea basin has a reputation for fiscal instability, which is extremely unfortunate. The introduction of the new bareboat charter tax will be extremely damaging, according to the industry. Colin Pearson, a tax partner at Ernst & Young, said:

"The loss of just one field would certainly outweigh the extra tax raised from this measure."

The tax comes at a time when the industry in Aberdeen and elsewhere is extremely worried about the impact that rises in production costs might have on further activity. The situation could not be more serious. The Scottish Government proposes that the bareboat charter tax must be reversed.

**Murdo Fraser (Mid Scotland and Fife) (Con):**

Does the minister agree that it is somewhat ironic that Scottish National Party members, who are forever coming to the chamber to demand that the UK Government takes action on tax avoidance by large multinational companies, are now complaining when the chancellor takes exactly such action to close down a tax loophole?

**Fergus Ewing:** I do not agree at all. The problem for Mr Fraser is that the industry in Aberdeen is expressing concern about the tax's impact, which it estimates might cost the industry £1 billion at a time when many projects are under serious threat of reconsideration because of rising costs.

The situation could not be more serious. Malcolm Webb, Oil & Gas UK's chief executive, said:

"It is perplexing"

that the UK

"government has chosen to proceed with the bareboat measure. This can only increase costs on the UKCS where operating costs have increased sharply in recent years ... In addition, we fear that this move will drive drilling rigs, already in short supply, out of the UKCS."

Sadly, that is exactly what the oil and gas industry does not need. That is why companies are increasingly recognising that stability and predictability are best not only for the industry but for maximising recovery and tax revenues. That is what the industry says. It is a shame that Mr Fraser takes the opposite view.

**Aberdeen City Council (Meetings)**

**9. Mark McDonald (Aberdeen Donside)**

**(SNP):** To ask the Scottish Government when it last met members of the Aberdeen City Council administration and what issues were discussed. (S4O-03094)

**The Minister for Local Government and Planning (Derek Mackay):** Ministers and officials continue to have discussions with all Scottish local authorities, including Aberdeen City Council, about a wide range of issues of importance to local communities and the people of Scotland.

**Mark McDonald:** Is the minister aware of the report in *The Press and Journal* this morning that the PricewaterhouseCoopers "Northern Lights" report says that

"the city does not always inspire business confidence"

and cites the city council administration's behaviour as a factor in that? The council's finance convener claims that the Scottish Government does not support the city because of the colour of the political administration. What is the Scottish Government's relationship with other local authorities that are not Scottish National Party led? Why does he feel that Aberdeen City Council's administration is an exception to that rule?

**Derek Mackay:** The Scottish Government has a good relationship with local government through the Convention of Scottish Local Authorities and individually with administrations of all political parties across the country. As far as I am aware, never has any other council proposed a ban on ministers—although, on investigation, it seems that there is no such ban on ministers in Aberdeen. The ban was the desire of one convener—the finance convener.

A number of other matters have embarrassed the city administration, including bungling its finance requests and turning down resources for the city, which was utterly bizarre. There is a serious risk that the city's reputation will be tarnished if that situation continues, so we encourage the Labour leadership of Aberdeen City Council to take stock and get back to business, and to let the good, hard-working public servants of the council continue with business. I am sure that Aberdeen will be a better place for it.

The council runs the risk of being something of a laughing stock in the political system. It has to move on from the current appalling situation, and the Labour Party's parliamentarians should assist their colleagues in Aberdeen to do so.

**Richard Baker (North East Scotland) (Lab):**

One of the issues that faces both the private and public sectors in Aberdeen is difficulty in recruiting workers, because of the high cost of living. The minister spent much time attacking the council in his answer. Will he work constructively with the council to address the serious challenges that it and many public and private sector organisations face as a result of that issue?

**Derek Mackay:** Of course the Scottish Government would engage with the city council, but engagement would work far better if some elements of the council were not trying to ban ministers from doing so. That would be helpful in enabling the constructive dialogue that I am sure we could undertake to the benefit of all in the city of Aberdeen.

**Small and Medium-sized Businesses (Access to Finance)**

**10. Joan McAlpine (South Scotland) (SNP):**

To ask the Scottish Government what discussions

it has had with relevant stakeholders regarding access to finance for small and medium-sized businesses. (S4O-03095)

**The Minister for Energy, Enterprise and Tourism (Fergus Ewing):** Access to finance for small and medium-sized enterprises is a regular discussion item in the many ministerial meetings that are held with the banks, business representative organisations and individual companies.

Although access to finance continues to be a challenge for some viable businesses with good prospects, we are providing advisory support through Scottish Enterprise, Highlands and Islands Enterprise and business gateway to help businesses to improve their chances of securing funding.

**Joan McAlpine:** The minister will be aware of the Economy, Energy and Tourism Committee's report on access to finance, which showed that, although the picture is improving slightly, many firms still face challenges. Evidence to the committee's inquiry suggested that businesses in my South Scotland region had the lowest success rate in accessing finance. What can be done to ensure that lenders treat businesses throughout Scotland more fairly?

**Fergus Ewing:** I am aware of the committee's good work and recommendations, which we are considering and will respond to after the Easter recess.

The survey that Joan McAlpine mentioned relates specifically to companies that are account managed by Scottish Enterprise and therefore may not represent the wider SME business community. However, we share her concern that small businesses need access to finance. There is no automatic right to a loan and a business case must be demonstrated, but the banks need to demonstrate further that they are lending to SMEs. We continue to have constructive dialogue with the banks on that objective.

### **Tax Collection and Management (Costs)**

**11. John Mason (Glasgow Shettleston) (SNP):** To ask the Scottish Government what estimate it has made of the cost savings of using revenue Scotland rather than HM Revenue and Customs for collecting and managing landfill tax and land and buildings transaction tax. (S4O-03096)

**The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney):** We estimate that the basic set-up and collection costs for the land and buildings transaction tax and the Scottish landfill tax will be £16.7 million up to 2019-20. That is 25 per cent less than the estimate in June 2012 by HM

Revenue and Customs of the cost of setting up and collecting taxes on a like-for-like basis with stamp duty, land tax and United Kingdom landfill tax over the same period.

In December 2013 I announced a further investment of £1.5 million in central information capacity for revenue Scotland to enhance its ability to tackle tax avoidance, and costs of £2 million for the collection of landfill tax from illegal waste sites, additional compliance activity and the creation of a Scottish tax tribunal. Those costs are not directly comparable with the original HMRC estimate. Overall, we will invest £20.2 million up to 2019-20 in setting up and running our own taxes, which is significantly less than HMRC's estimate of £22.3 million for the collection of like-for-like equivalents of the current UK taxes.

**John Mason:** Does the cabinet secretary agree that bigger is not always better and that small countries can carry out a range of activities less bureaucratically and at lower cost?

**John Swinney:** There is strong merit in John Mason's points. The assessments under the national performance framework of the work of the Scottish Government and our public sector and local authority partners have generally been viewed as a strong foundation for assessing the performance and effectiveness of Government in the country. *[Interruption.]*

The Carnegie UK Trust, which carried out the assessment, essentially said that a world-leading approach had been developed here in Scotland. There are strong arguments to illustrate that small countries are able to make a decisive contribution by exercising those functions most effectively having regard to the interests and needs of their populations.

**The Deputy Presiding Officer:** Will members ensure that their phones are on silent, please?

### **Independence (Corporation Tax)**

**12. Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** To ask the Scottish Government what considerations led it to propose a 3p cut in corporation tax below the prevailing rate in the remaining United Kingdom in the event of independence. (S4O-03097)

**The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney):** As part of an economic strategy using the full suite of levers of an independent nation, a responsible corporation tax policy can be an important tool for boosting Scotland's economic performance, creating jobs and helping to offset the gravitational pull of London and the south-east.

The Scottish Government has published detailed economic analysis of the positive impact

of reducing corporation tax in Scotland below the UK rate. The modelling showed that a policy equivalent to reducing the headline rate by 3 percentage points could increase output by 1.4 per cent and employment by around 27,000.

**Malcolm Chisholm:** What is the evidence for such a proposition when at least three members of the cabinet secretary's fiscal commission whom he likes to quote ad nauseam on other matters have said that it would make no significant difference to investment levels, and one of them has said that it would greatly increase inequality? Why does the cabinet secretary want to benefit the few at the expense of the many? In any case, does he seriously believe that the rest of the United Kingdom would allow him to reduce corporation tax in that way in the event of the currency union of which he dreams?

**John Swinney:** I have gone through the other points about the currency union with Malcolm Chisholm already this afternoon, but I feel the need to restate them, given the fact that he clearly was not consuming the points that I made earlier. The Government is perfectly prepared to accept the fiscal discipline of a sustainability agreement around levels of debt and levels of borrowing. That fiscal discipline will enable the Government to exercise freedom in a range of economic policies that are currently outwith our control to ensure that we can generate economic benefit.

If Mr Chisholm wants to understand what the evidence base is for reducing corporation tax, I suggest that he has a conversation with Gordon Brown and Alistair Darling, because those two individuals reduced corporation tax. I hear Mr Gray muttering that they were increasing public spending at the same time. I remind Mr Gray that the country went bust under the stewardship of the Labour Party. There is a strong argument for reducing corporation tax to improve the business attractiveness and competitiveness of Scotland, with the objective of creating jobs. Is the Labour Party now opposed to jobs being created in Scotland? Is its new careerist zeal to prevent people from getting jobs in Scotland? If that is the case, Labour members will be remaining on that side of the chamber for a long time to come.

**Willie Rennie (Mid Scotland and Fife) (LD):** What loss of revenue from corporation tax will there be in each of the first five years under the minister's policy? I am sure that he worked that out before he announced the policy.

**John Swinney:** The modelling information that we have prepared has been set out in the public domain. The details are there for members to scrutinise and they can see the effect of reducing corporation tax on improving economic performance, which, in my original answer to Mr

Chisholm, I highlighted would increase output by 1.4 per cent and boost employment by 27,000.

### **Business Rates Incentivisation Scheme**

**13. Gavin Brown (Lothian) (Con):** To ask the Scottish Government what progress it has made in taking forward the business rates incentivisation scheme. (S4O-03098)

**The Minister for Local Government and Planning (Derek Mackay):** The Convention of Scottish Local Authorities leaders took a decision that they would not discuss the revised 2012-13 business rates incentivisation scheme targets until receipt of the audited 2012-13 non-domestic rates income returns. I can now confirm that all 32 audited returns have been received, and Scottish Government officials will be in discussion with COSLA officials to enable agreement to be reached on the final 2012-13 targets.

**Gavin Brown:** Having heard that, I think that my question could have been answered with a single word. Can the minister tell us when the 2012-13 payments will be made? When will the 2013-14 targets be set, especially as we are practically at the end of the financial year? When will the 2014-15 targets be set?

**Derek Mackay:** I am happy to return to the member on those questions, because we want to work through the figures, engage with COSLA, arrive at the final decision and work through the process. I can return to the member with a timescale at that point. The issue is not a lack of willingness to resolve the matter; it is the need to audit the figures prior to the assessment of targets. There will be a follow-through, which will incentivise economic development and growth in Scotland. That resource from non-domestic rates flows straight to local government.

## Stop and Search

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

The next item of business is a debate on motion S4M-09557, in the name of Alison McInnes, on stop and search.

14:40

### **Alison McInnes (North East Scotland) (LD):**

It is a privilege to open the debate on behalf of the Scottish Liberal Democrats.

Yesterday marked the first anniversary of Police Scotland and the abolition of Scotland's eight regional forces. As members will be aware, we opposed the creation of the single force, because we feared that it was based upon deficient legislation, that savings claims were unproven and that it would lead to a one-size-fits-all approach to policing in our local communities.

Many of our concerns have been justified. However, one issue that we did not anticipate was Police Scotland's zeal for stop and search. Willie Rennie and I have regularly questioned the First Minister and the Cabinet Secretary for Justice about the matter. They have both assured us, as recently as last week, that there is nothing that we should be remotely concerned about—even after the chief constable admitted that figures are being falsely recorded.

The manipulation of statistics is just the latest in a series of revelations about the extent and basis of stop and search in Scotland. Under the Scottish National Party Government, the use of stop and search has risen many times over. Since the formation of Police Scotland, the increase has been extended outwith Strathclyde. A Liberal Democrat freedom of information request uncovered an unprecedented surge in the use of the tactic in every other region. There was a 516 per cent increase year-on-year in Fife during the first four months of Police Scotland's existence, and the number of searches in Tayside more than doubled.

Why does that warrant the attentions of this Parliament? Why should we worry about the pervasive deployment of this tactic throughout Scotland if, as the police and the Cabinet Secretary for Justice claim, it is keeping communities and young people safe? It should worry us, as legislators, because there is no legal basis for three quarters of the searches conducted in Scotland—all those that are non-statutory. The power to search an individual without legal cause has been appropriated by the police without due parliamentary scrutiny or approval. I think that that is intolerable in a mature democracy.

In the absence of codification, police are conducting so-called consensual searches when there is no suspicion of any wrongdoing. There is no requirement to tell people that they have a right to refuse, and without that any consent acquired is surely ill informed. To all intents and purposes, it is a command based on exploiting the power gap between the officer and the subject.

No authority has yet been able to explain to me how the 500 children under 10 who were stopped and searched in 2010 alone—almost certainly without their parents being present—or, indeed, the dozens of children aged seven or under who we know have been searched, are qualified to give consent.

Furthermore, the police do not record any details if a search is unsuccessful—as is the case on four out of five occasions when such a search takes place—nor is the subject given a written record of the encounter, which is a crucial safeguard in England. Such poor governance and recording procedures have led to Alan Miller, the chair of the Scottish Human Rights Commission, describing the practice as “largely unregulated and unaccountable”. It renders the system vulnerable to challenge under the Human Rights Act 1998, which dictates that deprivations of liberty and invasions of privacy by the police must be lawful and properly documented.

Discrepancies in how the tactic is employed around Scotland mean that there are disparities in access to legal safeguards. The extensive use of non-statutory powers in Strathclyde meant that three quarters of those who were searched in 2010 were told little or nothing about why they were being subjected to the procedure. Conversely, 90 per cent of searches in the then Northern Constabulary region were statutory and subjects were given more information.

We are regularly told by people who defend stop and search that crime is at a record low. However, there is no robust evidence of a causal link between low crime levels and increased prevalence of the tactic. Indeed, drops in serious assaults and weapon carrying predate the growth in stop and search. England and Wales boasts a similar record low in crime, but that has been achieved with only a quarter of the number of stop and searches per person in 2010 compared with Scotland as a whole.

The Cabinet Secretary for Justice also tells us that, because only a small number of complaints have been received, we can safely assume that everything is fine. I fear that that shows that people do not know their rights and are not told them, and that they do not know about the Police Scotland and the Police Investigations and Review Commissioner complaint and review systems. I fear that it may reveal a great deal about those

who are disproportionately and persistently targeted—young people who are disaffected and disengaged, whose concerns are too often not heard and whose views of the police, in the absence of any perceptible form of redress, may be irreparably tainted by such experiences.

The Scottish centre for crime and justice research's recent study of stop and search in Scotland made compelling reading. It concluded that the disproportionate use of stop and search against young people is out of kilter with both offending patterns and the welfarist approach to juvenile justice in Scotland. It also highlighted concerns that that could amount to discrimination that contravenes the Human Rights Act 1998.

On average, each 16-year-old male in Glasgow was stopped on four occasions in 2010. Such figures led Scotland's Commissioner for Children and Young People, Tam Baillie, to warn that a mass exercise of searching young people without safeguards risks "negative and unintended consequences". Together, the Scottish Alliance for Children's Rights, which consists of Barnardo's, Children 1st, Children in Scotland and many other organisations, agrees.

The Justice Sub-Committee on Policing last month heard from Chief Superintendent Garry McEwan. He told us that officers in Fife visit high schools once a month to help children to understand that their being stopped and searched deters violence and protects their safety. There was no suggestion that they are enlightened about their rights during such forums; therefore, I wonder whether such exercises compound the lack of understanding, unduly normalising the procedure and suppressing genuine grievances.

There is no scope for effective scrutiny of the stop and search tactic. Ghost entries may be only the tip of the iceberg. Indeed, there is a real risk that the recording of positive results on which the policy is justified is at best inconsistent and at worst similarly manipulated. The public are unable to find out how many times any one person has been searched or how the police have responded to so-called positive searches, and they are unable to access information even on negative searches to which they were subjected.

Last weekend, the *Sunday Herald* reported that it had submitted a freedom of information request asking where the 500,000 searches that were carried out by Police Scotland between April and December took place. Police Scotland told the newspaper that it could not release the figures because doing so would be "harmful" and could lead to "misleading conclusions being drawn" by non-experts.

Although I appreciate that a Scottish Police Authority review is being undertaken, Police

Scotland seems to be hushing up the information for public relations purposes. The fact that it prevented publication because the public might have used the facts to draw their own conclusions is both astonishing and patronising. People must be able to find out what is really happening in their area. Such an attitude to transparency will do little to dispel the concerns of academics, charities and watchdogs, and the minister's blasé approach to the protection of civil liberties and ensuring that there are sufficient safeguards does not inspire confidence.

On Saturday, the Scottish Liberal Democrat conference in Aberdeen unanimously affirmed our concerns about the way in which this tactic is being deployed.

**Kevin Stewart (Aberdeen Central) (SNP):** Will the member give way?

**Alison McInnes:** Not at the moment.

We will, therefore, introduce amendments to the Criminal Justice (Scotland) Bill and present Parliament with an opportunity to improve the regulatory regime and ensure that every search has a robust legal basis.

Let me be clear: we do not intend to confiscate statutory powers. As the motion notes, if it is applied properly, the tactic is an appropriate and legitimate part of the policing toolkit. However, the extensive use of unregulated stop and search powers threatens civil liberties. It threatens to alienate whole sections of our communities and to erode the trust, relationships and public respect on which the police depend. It also threatens Scotland's model of policing by consent.

Statistics from the Scottish centre for crime and justice research show that statutory searches are far more successful and proportionate because they are based on robust suspicion, targeting suspicious behaviour rather than types of people. If detection is the aim, that is the only commonsense option—and from a civil liberties perspective it is the only tolerable option.

I remind the Cabinet Secretary for Justice, who has asserted in his amendment that stop and search is "an operational matter", that police independence does not equate to allowing them the freedom to do what they want; rather, it is our responsibility as legislators to provide the framework within which we expect the police to operate. A legal framework that ensures that the use of the tactic is transparent, fair, consistent and evidence-led is the least that the public would expect. Failing to respond to the problems that have been identified, illiberal and arbitrary intrusions and a system open to all manner of abuse would reflect badly on the police and this Parliament.

I move,

That the Parliament notes that Police Scotland carried out 519,213 stop and searches across Scotland between April and December 2013; understands that the use of this tactic in Scotland has increased dramatically under the current administration and that, in 2010, the comparable rate per capita was approximately four times higher than in England and Wales; notes that, in the same year, 500 children aged 10 and under were stopped and searched, and that three quarters of all searches were conducted on a non-statutory basis, without any suspicion that the subject was involved in criminal activity and therefore dependent on acquiring verbal consent; understands that, in these cases, subjects are told little, or nothing, about their rights; believes that transparent and rigorous recording procedures are not in place to measure basic information, such as how many times any one person is stopped; notes that such shortcomings have led to Alan Miller, the Chair of the Scottish Human Rights Commission, to describe the practice as “largely unregulated and unaccountable”; considers that this must be rectified to ensure that the system of stop and search is transparent and not open to abuses, including harassment and the falsification of figures; recognises that the repeated targeting of individuals based on broad criteria such as age can lead to a negative relationship with the police that is damaging to community relations, and further believes that it is essential that recording best practice is used for stop and search in Scotland to enable public scrutiny of whether the use of the tactic, which is a useful part of the policing toolkit if applied properly, is effective, appropriate and fair.

**The Deputy Presiding Officer:** I call Kenny MacAskill, the Cabinet Secretary for Justice, to speak to and move amendment S4M-09557.2. You have seven minutes. I make it clear that we are tight for time.

14:50

**The Cabinet Secretary for Justice (Kenny MacAskill):** I welcome the chance to respond to the motion lodged by Alison McInnes.

Stop and search is an important issue, so it is disappointing that the Liberal Democrats have chosen to be so negative in how they have addressed it not just today but in the past weeks. Alison McInnes’s motion sets out a number of concerns about stop and search but brings little, if anything, in the way of evidence of problems to the Parliament. She talks about unfounded searches, children being stopped without reason and people’s human rights being abused. On top of that, Graeme Pearson has lodged an amendment claiming that there is no oversight of the stop and searches being carried out and is calling for investigation by Audit Scotland.

I must tell the Parliament that I do not recognise much of that story at all. I have therefore lodged a detailed amendment to set out the position as it is on our streets and in our communities. Let us be clear: the responsibility for operational issues, such as stop and search, lies firmly with the chief constable. That is why this Parliament set up

Police Scotland a year ago and why we appoint a chief constable in the first place.

**Annabel Goldie (West Scotland) (Con):** I have listened with interest to what the cabinet secretary says, and I have looked at the text of his amendment. When it comes to policing in Scotland from a single authority, will the end always justify the means?

**Kenny MacAskill:** Not at all. I have just come from a meeting with the police and the Police Investigations and Review Commissioner. We established through Parliament—by a majority in the chamber and not simply this Administration—a view that we should have a police authority that holds the chief constable to account. We have the Justice Sub-Committee on Policing to provide a challenge function because of the importance and in recognition of that national agency. We also have Her Majesty’s inspector of constabulary. Therefore, we have established a situation in which there can be and must be review. We gave individuals and authorities challenging remits, and I believe that they are performing remarkably well.

In carrying out their duties, the chief constable and his officers have a clear policy on carrying out properly conducted and targeted stop and search operations. That is an important part of local policing; it targets problem issues and areas. It reassures communities and helps to prevent crime, particularly violent crime.

What is the effect of the policy? Stop and search is taking drugs, alcohol and weapons off our streets. More than 90 per cent of the searches are targeted at those areas, and around 20 per cent of all searches are successful, which is up 6 per cent from 2012-13.

What does that mean? It means that, between April and December, 4,273 weapons searches yielded a positive result, which accounts for 5 per cent of all weapon searches; that nearly 37 per cent of searches targeted to detect firearms yielded a positive result, which is 261 positive results; that, since 2006-07, crimes of handling an offensive weapon have dropped by 60 per cent; and that almost 37 per cent of alcohol-related searches were positive, which is 61,541 positive searched.

**Willie Rennie (Mid Scotland and Fife) (LD):** The cabinet secretary is fond of quoting statistics, but what was the success rate of the so-called voluntary stop and searches?

**Kenny MacAskill:** I cannot give the member that precisely, but what he will see is that the proof of the pudding is in the eating. Alcohol and knives are taken from many of these youngsters and Scotland is a safer place. As the First Minister said in his answer to Mr Rennie last week, stop and search is not just about detecting those who would

perpetrate crime and harm other individuals; it is also about protecting those who want to go about their communities safely and do not want to be prisoners in their own home.

We know that those most likely to perpetrate an offence—certainly one with a knife—are young men. We also know that those who are most likely to be victims are young men. I speak to many of them, and they welcome the fact that Scotland is a safer place, and that stop and search plays a role in that. That is why crime is at a 39-year low. That is why the fear of crime is down. That is why people feel safer on our streets and in our communities. The recent Scottish crime and justice survey shows that 72 per cent of people feel safe walking alone after dark. Mr Rennie should compare that with the 66 per cent figure in 2008-09.

The real point is that people welcome this approach. Just last week I was at an event in Greenock, where I spoke to young people about the no knives, better lives campaign. Many of those I spoke to understand that education and prevention tactics combine to make our cities safer. They welcome stop and search.

It is not just me. In January, Jackie Brock, the chief executive of Children in Scotland, said:

“Police Scotland’s track record”

in supporting young people

“means they are well placed to understand how to get young people on board with sensible and fair measures to prevent crime.”

Ross Deuchar, professor of criminology, echoed that. Even the Liberal Democrat justice spokesman in the previous parliamentary session, Robert Brown, acknowledged the important impact of stop and search when he said in 2010:

“The single thing that deters people from criminal behaviour is the likelihood of being caught. The stop and searches that Strathclyde Police has carried out have been effective”—[*Official Report*, 30 June 2010; c 27865.]

In 2008, the former Tory MSP and Justice Committee convener, Bill Aitken, said:

“If one in 12 searches is positive then that is a crime that has been detected or a knife that has been taken off someone. These searches save lives.”

In response to a knife attack, Bill Aitken said:

“Police must use their stop and search powers.”

I do not know what has changed for the Tories since we have moved from a success rate of one in 12 to a success rate of 20 per cent.

Let me make it clear that the chief constable has a responsibility to ensure that stop and search procedures on our streets, whether founded in a particular piece of legislation or undertaken on a voluntary basis, are used carefully and

appropriately. I believe that he does. Police Scotland is making our communities safer, and stop and search is a part of that.

I move amendment S4M-09557.2, to leave out from “Police Scotland” to end and insert:

“stop and search is an operational matter for Police Scotland and is making an important contribution to local policing and the reduction of violent crimes, including a 60% fall in crimes of handling an offensive weapon since 2006-07; welcomes the fact that crime in Scotland is at a 39-year low and officer numbers are more than 1,000 higher than in 2007; recognises that Police Scotland is accountable to the Scottish Police Authority, which is currently undertaking a detailed review of stop and search; further notes that less than 0.01% of all stop and searches have resulted in a complaint since April 2013, and believes that the proportionate use of stop and search makes Scotland’s streets safer and thereby reduces fear of crime.”

**The Deputy Presiding Officer:** I call Graeme Pearson to speak to and move amendment S4M-09557.1. Mr Pearson, you have up to five minutes.

14:57

**Graeme Pearson (South Scotland) (Lab):** I rise to move the amendment in my name, which, because of the Government’s pre-emptive amendment, is unlikely to be voted on. To that extent I am disappointed. What the cabinet secretary forgot to quote in his speech was the effective oversight that my amendment seeks to pass comment on.

I must congratulate the cabinet secretary. It takes a fair amount of effort to generate anger in the Liberal Democrat Party, whose motion seems to reflect a great deal of anger. To that extent, I believe that we should amend it.

Nothing in my amendment criticises the staff involved in stop and searches in our streets across Scotland; nor do we criticise the support staff who provide the intelligence that leads to many of the positive searches. Indeed, Police Scotland is the latest in a long line of organisations that have policed the streets of Scotland, which goes back to 1799. However, that policing was always maintained with the public’s consent.

At a time when we have 1,000 additional police officers on our streets and in our offices, there are more than 0.5 million fewer people under the age of 25 in Scotland compared with a couple of decades ago. The Government made a very significant comment about a 39-year low in crime, so it seems illogical that stop and searches here are at a level four times higher than the level in England and Wales.

I am questioning not this particular police tactic, which I think we recognise is effective when properly used, but the policy endorsement of such tactics and strategies. When did the Scottish Police Authority decide that it agreed with this



tactic? Was there a debate at that level about the huge rise in the number of stop and searches? Did the cabinet secretary know ahead of time that the authority had agreed such tactics, and did he assess for himself the impact that they might have on relationships between the police and the public?

We live in a democratic country and expect democratic accountability of any police activity that is conducted in our name. However, when the cabinet secretary is questioned on such matters, his lament is that they are operational matters and that, as such, he leaves them to the chief constable. It is one thing for the chief constable as a professional to decide on the way forward on behalf of Police Scotland, but those who represent our communities are under a duty not only to question the chief constable but to ensure that the Scottish Police Authority, too, questions him about that way forward.

The chief constable is on record as acknowledging that some of the numbers are made up, which calls into question the integrity of the reporting system. That impression has been reinforced by the chief executive of the Scottish Police Federation, who has said:

"Because we have this bizarre approach in terms of stopping and searching, we have police officers that are making numbers up. We have not searched 500,000 of Scotland's citizens—I am telling you now, that has not happened."

When I raised the matter with Mr MacAskill in this very chamber, he responded that the words had been taken out of context. I do not know what context they were taken out of, but they seemed clear to me. The quandary over how the numbers have been made up has resulted in a quandary over the policy that is being adhered to and its effectiveness.

The cabinet secretary told us that the Parliament has a sub-committee to scrutinise policing, but he will also acknowledge that it took nearly 18 months to persuade the Government that we needed such scrutiny. In fact, when I questioned him at the Justice Committee, the chair of the Scottish Police Authority seemed to believe that he was responsible for the democratic oversight of policing in Scotland. That is certainly not the case; the police need to justify their way forward.

In today's *Holyrood* magazine, the chief constable acknowledges that crime is likely to rise in the foreseeable future—

**The Deputy Presiding Officer (Elaine Smith):** Please draw to a close.

**Graeme Pearson:** I will indeed, Presiding Officer.

In the same magazine, the chief constable asks whether people "seriously think" that the police should go to the public to ask whether something is a good idea, and says:

"I think the concept that we consult the public on all of this is not right."

Do we know what the chief constable should be consulting the public on, and do we know to whom he should be accountable?

I move amendment S4M-09557.1, to leave out from "considers" to end and insert:

"regrets the absence of any effective oversight evidenced on the part of the Scottish Police Authority on this and other issues of significance; notes that a request has been made for Audit Scotland to formally investigate crime statistics and reporting practices in Police Scotland, and expects the Cabinet Secretary for Justice to take responsibility for the future direction of the police service that the current Scottish administration created."

15:03

**Margaret Mitchell (Central Scotland) (Con):**

At the outset, I confirm that I very much support the ability of police officers to stop and search suspects. It is an important power in the fight against crime and a useful tool in tackling knife, alcohol and drug offences.

The good news is that, according to police statistics, 100,000 of the stop and searches carried out by Police Scotland last year resulted in officers finding and confiscating weapons, drugs, alcohol and stolen property. However, the bad and decidedly alarming news is the chief constable's admission that statistics on stop and search are being made up.

Calum Steele of the Scottish Police Federation was right when he recently pointed out that, if more than 500,000 people were stopped last year, that would equate to roughly 10 per cent of the population. No one can seriously believe that 10 per cent of Scots were stopped last year; if that were true, we would all know several people who had been stopped. The logical conclusion is that either police officers are being coerced into meeting stop and search targets or that some police officers have a relaxed approach to the accuracy of police statistics. Given the extent to which the Government relies on police statistics on recorded crime, the fact that there are questions about their accuracy is deeply worrying.

Alison McInnes's motion and Graeme Pearson's amendment are right to highlight those concerns and others about the manner and circumstances in which stop and search is currently carried out in Scotland. It is clear that reform is needed, but it must be undertaken in a way that ensures that public safety is not jeopardised.

Stop and search can be classified as legislative, where the power derives from specific law and does not require the consent of the person to be searched, or, under common law, consensual, where the member of the public consents—or at least in theory consents—to be searched. Despite guidelines that state that refusal to agree to a search should not be treated as suspicious, research has shown that officers treat refusal as a reason to move on to a statutory search.

Furthermore, in January 2014, the Scottish centre for crime and justice research carried out an evaluation of the use of stop and search until 2010 and found that

“Neither Police Scotland, the Scottish Government nor the Scottish Police Authority routinely publish stop and search statistics, as such”.

The evaluation went on to say that therefore

“it is difficult to assess”

how stop and search is being carried out

“either comparatively across Scotland, or at the national level.”

More rigorous and transparent recording of stop and search statistics is essential to ensure that transparency and accountability are achieved.

A key conclusion of that evaluation was that non-statutory stop and search lacked safeguards and accountability. Due to the lack of “key procedural protections”, it was

“unlikely to meet basic standards of consent”,

as there is no duty on officers to inform people of their right to refuse searches.

We know that young people are significantly more likely to be searched on a non-statutory basis and that, in 2010, 500 children under the age of 10 were stopped and searched.

In England and Wales, the vast majority of stop and searches require reasonable suspicion, and non-statutory stop and search has effectively been ruled out since 2003. That approach works well, and there is no great concern that police officers do not have sufficient powers.

By contrast, Scotland seeks to deter offenders through high-volume search activity, although, as the research confirmed, there is no evidence that that approach reduces crime. Instead, it is likely to

“damage people’s trust and confidence in the police, and undermine public support for policing”,

especially among young people, whom we know to be the likely subjects of stop and search.

It is clear that those issues must be addressed. If hundreds of thousands of stop and searches are carried out and no crimes are detected, that is a waste of police time; even worse, it may be

counterproductive. The approach that has been adopted in England and Wales proves that it is possible to make changes to stop and search without jeopardising public safety. The cabinet secretary should take note.

**The Deputy Presiding Officer:** We now come to the open debate. We are very tight for time, so speeches should be a maximum of four minutes, please.

15:07

**Sandra White (Glasgow Kelvin) (SNP):** I think that we agree that we all want crime to be tackled and our communities to be made safer. It is to be welcomed that recorded crime is at a 39-year low. The fact that violent crime has halved and crime involving knives and other weapons has fallen by more than 60 per cent shows that we must be doing something right.

Stop and search is an important tool that the police use in detecting and preventing crime. The cabinet secretary mentioned Robert Brown, who was a justice spokesperson for the Lib Dems, and we should remember that he said that stop and search carried out by the police had been very effective.

The Liberal Democrat motion mentions children, and Alison McInnes and Margaret Mitchell also mentioned children in their speeches. I will give an example of what I saw, first hand, when I was out with the police in Glasgow city centre during a very busy weekend.

We wandered down to the waterfront, where the police stopped and searched a number of kids, finding really cheap alcohol on them. A couple of sips of that would have made them very ill and vulnerable not just to committing crime but to having crime committed against them. Some of them were under the influence of alcohol. They were taken into the police van, where we were, sat down, talked to, and asked where they lived. They ended up being taken home, which was very positive. It meant that they were not taken to a police station and did not get a criminal record. Their parents were phoned and they were taken home. Those children were very vulnerable, and stop and search protected them against crime.

**Margaret Mitchell:** Will the member give way?

**Sandra White:** I am sorry, but I do not have time.

If those kids in Glasgow had been down by the Clyde drinking alcohol until midnight or 1 o’clock at night, something could have happened to them. In that respect, stop and search is a positive thing. It protected those kids from harm, rather than anything else.

The Lib Dems ask for scrutiny and the Labour Party ask for Audit Scotland to intervene. If they had listened to the Cabinet Secretary for Justice last week and worked with us rather than against us, they would have known that the Scottish Police Authority has already announced that it will carry out a review of stop and search. That body, which has oversight of the police, is the correct one to do that. Graeme Pearson did not recognise that in his amendment for the Labour Party or in his speech. His calls for the cabinet secretary to take control of the police are somewhat bizarre. We have had three parties, working in tandem once again, alleging that the Scottish Government is already interfering in police matters, but now they say that they want it to interfere and intervene. They need to say exactly what it is that they want.

We should support the police in the tough job that they do, and it is of concern that members who are here today question police officers' professionalism. What would those members say to police officers, who risk their lives?

We should welcome the record drop in crime and recognise that the policy has helped to achieve safer streets and communities. The policy has prevented crimes. What would those members say to people in local communities who would be victims of crime if we did not use stop and search to deter it? I ask them to look at themselves.

Communities also have rights, and they have seen an incredible drop in crime and the carrying of offensive weapons—knives and other weapons. Stop and search is working in that respect, and we are looking at a review. Is that not the proper way to go, instead of supporting the motion, whose purpose is basically just to score political points and which does nothing whatsoever to help communities out there or the kids I mentioned? The Lib Dems seem not to realise that stopping and searching those kids protected them from any further harm.

15:11

**John Pentland (Motherwell and Wishaw) (Lab):** I thank the Liberal Democrats for lodging their motion. Disappointingly, the amendment from the Cabinet Secretary for Justice merely reinforces the impression that he thinks that his job is to sit back and applaud Police Scotland without question when it stops and searches more than half a million people in a fraction of a year.

**The Deputy Presiding Officer:** Mr Pentland, will you pull your microphone round towards you, please?

**John Pentland:** We do not know whether that is a tenth of our population or fewer people suffering more searches, but we know that the figure is four

times that for England and Wales. Why does the justice secretary think that our citizens are less trustworthy than those in the rest of the UK?

Furthermore, what about the concerns over the hundreds of young children who have been stopped and searched; the question of consent in cases where there is no suspicion of criminal activity, which are the vast majority of cases; the recording of incidents; and the consequences of stop and search? Those are real issues of public concern, but not, it seems, in the eyes of the justice secretary. In common with almost everything that Police Scotland does, they are considered to be operational matters and not his responsibility. As long as Police Scotland maintains officer numbers above a certain level, the justice secretary leaves it to that body to slash its budget by closing down facilities and shedding thousands of civilian staff.

On that point, I note the publication of Police Scotland's corporate strategy, which is full of operational matters that are none of our business and further cuts for which the Scottish Government cannot be held responsible. Funnily enough, I have yet to find any reference to stop and search in the document, so we might assume that its prevalence is not a deliberate, strategic measure—unless, that is, it is an attempt to make the police more visible so that we do not notice the extent to which civilian jobs are being backfilled.

The cabinet secretary will welcome and take credit for the evidence that there are still enough officers on the streets to stop and search so many people, but really he ought to be addressing the dire state towards which policing in Scotland is heading, with staffing policies retreating towards the era of "Life on Mars"—the TV programme, not the song by the nationalists' *bête noire*. Now, it seems, policing tactics and civil liberties may be heading in a similar direction.

What about that toothless tiger, the Scottish Police Authority? As MSPs, we do not get much say, but the SPA is supposed to provide the public with accountability. Does it do that? Has it ever sent Police Scotland "homeward" to "think again" when proposals such as those for control rooms have been shown to be lacking consultation, evidence and scrutiny? Why is the SPA just rubber-stamping everything, regardless of that lack of consultation, evidence and scrutiny?

If the SPA was a football team, the public would be demanding the resignation of the person who picked the team. Why should it be any different for the justice secretary?

15:15

**Roderick Campbell (North East Fife) (SNP):** I will begin by stating what is perhaps the obvious,

which is that I am completely against the idea of fiddled or made-up figures from any public body. I am sure that, across the chamber, we all share that view. I am sure that Sir Stephen House shares it, too. However, let us not distort the facts and lose sight of the purpose of stop and search powers, and let us not overlook the merit of intelligence-led, respectful person searches, which give law-abiding people the freedom to walk down the street free from the fear of violent crime. That is real freedom.

**Alison McInnes:** Will the member take an intervention?

**Roderick Campbell:** I am sorry, but I do not have time.

I am sure that we all accept that we live in a very different world from that of 50 years ago or even 20 years ago. Over the weekend, I happened to spot a picture of Willie Rennie sporting an unusual pair of glasses while touring a brewery in Ellon. It may be that those glasses were a necessary safety measure, or it may be that rose-tinted glasses were handed out at the sunshine party conference last weekend. Whatever the case may be, I cannot help but think that the Liberal Democrat view of modern policing would be better suited to the 1950s, when bobbies on the beat would stop for a chat about the weather and all citizens were law abiding and never carried knives. Indeed, one commentator yesterday said that Willie Rennie had a “Dixon of Dock Green” view of policing. Of course, that programme has not been broadcast since 1976, so perhaps he is not familiar with it.

Regrettably, we simply do not live in that kind of society. People commit crime. Sadly, people become victims every day. We need the police to be rigorous in ensuring that people are as safe as possible. The value of community policing is universally accepted, but we need to ensure that the police have the ability to protect people. I am instinctively against profiling people. In most cases, discrimination is morally dubious, if not illegal. However, we simply cannot ignore the fact that, when age and gender are taken into account, more crimes are committed by young men than by any other demographic group.

In my view, the most effective use of police resources is a focused but not target-driven approach to stop and search. The police must, and do, formulate an intelligent approach to stop and search. Clearly, if the police concentrated on searches of elderly women, a demographic group who do not commit crime, there might be cause for concern.

As for searches of children, we should bear it in mind that, in February, Deputy Chief Constable

Rose Fitzpatrick said that when children are stopped

“it is usually for their own welfare or child protection issues, and often instigated from reports by teachers, social workers or third sector agencies.”

Stop and search is a question of balance. We need to balance individual liberties and policing by consent with the protection of the public. However, I accept that the balance is not perfect. Although stop and search may be an operational matter, proper records should be maintained. They need to be accurate and should include information about when individuals are repeatedly searched.

I acknowledge the legitimate concerns about regulation and accountability raised by the Scottish Human Rights Commission. However, let us also consider the proportionality of stop and search. Thirty seven per cent of searches undertaken to detect possession of firearms had a positive result; likewise, 37 per cent of searches to detect underage possession of alcohol had a positive result. It is somewhat wide of the mark to suggest that the searches are an indiscriminate intrusion into individuals’ personal freedom. Of course the searches are targeted; if it was otherwise, the success rate would be negligible, and I imagine that it is a bit of a misconception to say that 37 per cent of the population illegally carry firearms.

**Alison McInnes:** Will the member take an intervention?

**Roderick Campbell:** I am sorry, but time prevents me from doing so.

In evidence to the Justice Sub-Committee on Policing on 20 March, Police Scotland revealed that the rate of complaints about stop and search is about one in 19,000—a fraction of 1 per cent. Alison McInnes referred to Fife, where, according to the evidence that Assistant Chief Constable Mawson gave to the sub-committee, there were no complaints about stop and search. We therefore have a low ratio of complaints. I would have thought that widespread dissatisfaction among those stopped and searched would have been reflected in a high number of complaints.

When we look at the Scottish crime and justice survey, we can see that the risk of being a victim of crime has fallen from 20.4 per cent in 2008-09 to 16.9 per cent in 2012-13. That is important and encouraging. As Sandra White said, the SPA is due to consider a report on stop and search this month; let us not prejudge that review.

15:19

**Hugh Henry (Renfrewshire South) (Lab):** I want to put on record my support for stop and search. Indeed, as a minister, I played some part

in ensuring that additional powers were made available to the police to carry out stop and search across Scotland. I have absolutely no doubt that stop and search has had a role to play in tackling inappropriate behaviour, in removing knives from people carrying them, in removing alcohol from young people and, generally, in making our streets safer. I therefore have no problem with additional powers for the police, nor do I have a problem with the use of those powers in stop and searches.

I agree with the cabinet secretary on a number of things. Indeed, I agree with Sandra White that there is a record drop in crime—right across Europe, including in England, there is a record drop in crime. The drop in England is even bigger than the drop in Scotland. It would be inappropriate to try to predicate the defence of an important power such as stop and search on bogus arguments that its use is the sole reason for the drop in crime, because other factors are at play. The reduction in crime in the developed world is a strange phenomenon. It ill behoves us to try to cloud the argument about that with the argument about stop and search.

Let us look at stop and search on its merits in Scotland. The record shows that stop and search is effective and is an important part of police powers. However, if concerns are raised about the use of stop and search, it is right that we look objectively and dispassionately at the arguments and criticisms. It should not be beyond us to accept the criticisms on the chin if things are going wrong and if powers are being used inappropriately. Indeed, it is in the interests of the police to ensure that public confidence in the use of stop and search powers is retained. When we see statistics that should give us cause to stop and think again, such as the statistic that, in a three-year period from 2010 to 2013, the rate doubled from 64 per 1,000 to 131 per 1,000, we need to ask ourselves why. Had behaviour deteriorated during that period? Were we more at risk of crime? What led to those figures?

We have heard concerns about the comments of the chief constable, who admitted that figures were made up. We have had a lot of debate about corroboration, and the chief constable's comments were corroborated by other senior people in the police service who also admitted that figures were made up. When we hear such comments, we should stop and look at the issue, not to undermine or seek to abolish stop and search, but to strengthen public support for it. It would be wise for the cabinet secretary to take a step back and in his regular meetings with the police service ask it to look at the criticisms and consider in detail what is happening. When the cabinet secretary talks to the SPA, he should ask it to do its job in holding the police to account. It is in the interests of the

SPA, the police and the public that we support stop and search and that it is done properly.

15:23

**Christian Allard (North East Scotland) (SNP):**

I am delighted to participate in the debate, as it is always a pleasure to respond to Liberal Democrat members who want to compare Scotland's achievements in supporting our police force with Westminster's abysmal record in dismantling another public service. I wonder whether the Tory-Liberal Democrat coalition at Westminster will privatise this one as well.

Alison McInnes said that she is deeply worried about the power to stop and search, yet she added that the "tactic", as she puts it, is a useful part of the policing toolkit, which, when applied properly, is "effective, appropriate and fair". I remind the Parliament that the Liberal Democrats had a campaign on knife crime a few years back, in 2010. The cabinet secretary referred to the then Liberal Democrat justice spokesman, Robert Brown, who is now a councillor in Rutherglen, and who said:

"The priority must be to stop people carrying knives in the first place."

On 18 March 2010, Alison McInnes said:

"If the Scottish Government is really committed to making Grampian safer, then it will work with the police to tackle the root cause of crime and target the gangs who promote carrying weapons."

**Alison McInnes:** That demonstrates what I do support, which is statutory stop and search, on reasonable suspicion and intelligence led. What I am debating this afternoon and what I am asking Parliament to take a view on is the use of non-statutory stop and search without any reasonable grounds for suspicion.

**Christian Allard:** I thank the member for that intervention. As Hugh Henry pointed out, everybody supports stop and search, yet they are asking the police to stop using stop and search, or at least to limit the number of stop and searches.

**Members:** No.

**Christian Allard:** That message has been very clear in the debate so far. We have heard that the numbers are too high. Do members really think that?

**Margaret Mitchell:** We are against disproportionate stop and search. The huge numbers that are there to deter do not reduce crime.

**Christian Allard:** I thank the member for backing up my point—huge numbers indeed. Members want to stop stop and search—to have less and less of it.

I take a different point of view. I congratulate Police Scotland on the 6 per cent increase in the stop and search success rate. That is what we should look at. Since April last year, less than 0.01 per cent of all stop and searches have resulted in a complaint—near perfect customer satisfaction.

There is another reason why the public feel safer in our communities. We promised 1,000 extra police and we delivered and maintained that number, despite the Westminster cuts imposed on us. In England and Wales, where the Liberal Democrats share power, the number of police officers has plummeted by 11 per cent. In their 2010 manifesto, the Liberal Democrats committed to pay for 3,000 more police on the beat. I do not know whether Alison McInnes signed that pledge with Sir Robert Smith MP and Sir Malcolm Bruce MP, but I would like to know what has happened to it now that the Liberal Democrats are in government at Westminster.

The debate comes down to two simple questions: who do we trust to protect our communities, and who do we trust to protect public services? I trust police officers throughout Scotland to protect us, and I trust this Scottish Government to protect Police Scotland against Westminster cuts. A visible police presence is what Scotland's communities all want, in Glasgow and in the north-east of Scotland, and that is what they are getting from this Government. I am proud of Police Scotland's early achievements in building on the service's past successes. Stop and search is an important part of Police Scotland's toolkit, and it is effective, appropriate and fair.

15:27

**Annabel Goldie (West Scotland) (Con):**

Perhaps I can frame the debate within parameters with which I think everyone in the Parliament can agree. On the one hand, we all want the police to be effective law enforcers. On the other hand, we all want the fundamental right of the freedom of the individual to be respected and protected. There will always be a tension between those two objectives. A functioning balance has to be identified.

Let us be clear why. An omnipotent, unaccountable police force delivers a police state. A totally unchecked, unregulated environment for the individual delivers anarchy. There is nothing new about such debate. Constitutional law has wrestled with those issues over decades and centuries. However, in Scotland in 2014 there is one significant difference: a single police force, Police Scotland, closely liaising with Government but with no democratic facility for public transparency and accountability.

That structure per se weighs the scales in favour of the police. That has to be counterbalanced by overt action from Police Scotland to compensate for its powerful status as a law enforcement monopoly. On such a sensitive issue as stop and search, without that counterbalance the cards are stacked against the public interest. That leads to suspicion, resentment and—very undesirably—anger. Those are precisely the emotions that no police force wants to generate.

In relation to stop and search, what do we know? We know that between April and December 2013, more than half a million stop and searches were carried out throughout Scotland—that is about 10 per cent of the population. We do not know, but we understand, that some of those proceeded on a statutory basis, requiring the officer to have either “reasonable suspicion” of criminal activity or “reasonable cause to suspect” that an individual member of the public was in possession of a certain item, for example drugs, weapons, or stolen goods, in order to have the power to conduct such a search. However, we know that the vast majority of stop and searches are carried out on a non-statutory basis, which requires verbal consent.

Astonishingly, it appears that Police Scotland, the Scottish Government and the Scottish Police Authority do not routinely publish stop and search statistics, nor can they confirm the reliability of such data as is published. I do not think that I am alone in finding that staggering. On an issue as fundamental as this, we need basic facts. The point is that, without those basic facts, there is no counterbalance. Therefore, perversely, it is every bit as much in the interest of Police Scotland as it is in the public interest to have those facts. For example, in each year, how many actual incidences of stop and search are there? Are they statutory or voluntary? What does the search disclose? What is the geographic spread, based on local authority area?

If greater reliance is being placed on voluntary stop and search, as seems to be the case, I am a little uneasy. People do not readily want to fall foul of the police, and they may be apprehensive about refusing consent. Equally, if they considered that police interest was excessive or overzealous, they may be reluctant to complain, for exactly the same reason.

The point is that, in a free society, there is a presumption of innocence—a presumption that we are going about our lawful business—unless the police have a reasonable suspicion of criminal activity or a reasonable cause to expect that an individual member of the public is in possession of some incriminating item.

What is unacceptable is that a single police force, with no meaningful public accountability, can act in such a powerful but opaque and unaccountable manner. Hugh Henry is absolutely right to say that, for the sake of the police force and the public, that has got to change.

15:31

**Elaine Murray (Dumfriesshire) (Lab):** This is an important issue, which has raised significant concern, especially as instances of stop and search in Scotland are much higher per head of population than they are in England and Wales, where crime is also falling. That shows that falling crime in Scotland is not a consequence of increased stop and search.

I am old enough to remember the sus laws in England in the 1970s and the riots in various cities that resulted from the anger that those laws engendered in ethnic minority communities. I want to be clear from the start that no one on these benches who raises concerns about the current stop and search practices in Scotland is in any way equating the behaviour of Police Scotland police officers today with that of police officers in England and Wales in the 1970s and 1980s. As others have said and Hugh Henry amply demonstrated in his speech, if properly applied, stop and search is a useful tool. Nevertheless, the use of those powers must be robustly monitored and evidence must be fully transparent and easily accessible if concerns about the use of the powers are to be allayed.

Last summer, I was contacted by a constituent—a local doctor of Asian ethnic background—who had been stopped by officers of Police Scotland as he left Glasgow airport. He was briefly questioned and left amicably. However, from anecdotal discussions with others afterwards, he felt that those of ethnic minority backgrounds were more likely to have similar experiences.

I took up the matter with the cabinet secretary and was advised in a letter from him dated 18 August that, although there had been a lack of consistency between forces in the past, since April last year, Police Scotland had been recording

“all stop and search incidents on to a single national database which collates information such as the individual's age, gender and ethnic background.”

When the cabinet secretary sums up, can he confirm that all stop and search incidents are now recorded by Police Scotland? Will he also say whether that includes non-statutory stop and searches, or whether that use of “all” is relative?

In a recent paper on the use of stop and search powers, Kath Murray, a postgraduate researcher at the University of Edinburgh, stated that neither Police Scotland, the Scottish Government nor the

Scottish Police Authority routinely publishes stop and search statistics. She also noted that the former forces outside the central belt tended to have a more reactive than a proactive approach to stop and search. The central belt approach now seems to have been rolled out across Scotland.

Perhaps coincidentally, the day after the SCCJR published Kath Murray's research, Police Scotland issued a press release claiming not only that stop and search had marginally decreased on the same period in the previous year but that it had been markedly more successful. However, without access to the data that the cabinet secretary has advised me is now being collated by Police Scotland, there is no way of checking either the grounds for the fears that have been expressed or the claims of improvements that have been made. Moreover, since then, the chief constable seems to have admitted to the *Sunday Herald* that some police officers have been making up stop and search incidents. Have they been entering those made-up incidents into the national database?

There are a number of concerns, such as the frequency of use of stop and search in Scotland compared with elsewhere in the United Kingdom and the spreading of the central belt proactive stop and search methods rather than the reactive methods that were applied by other former forces. Officers in various former forces have said to me that they feel that the Strathclyde way is being imposed upon them. Other concerns are the application of stop and search to young people and children and the possibility that some of the statistics might be unreliable.

Surely it is time that the cabinet secretary stopped reiterating his usual refrain of, “It's an operational matter for the chief constable”—to be frank, that will be inscribed on his political gravestone—and took steps to ensure real transparency and real accountability to the Scottish public with regard to stop and search. It is an important tool, but it is sensitive. It must be used correctly and there must be transparency about the way in which it is used.

15:35

**Kenny MacAskill:** I listened carefully to all the points that were made during the debate and I welcome members' contributions to the issue, which is important.

When I spoke earlier, I expressed disappointment that Alison McInnes had chosen to take such a negative tone to the subject in her motion. A justice debate this week would have been an ideal opportunity to mark a successful first year of Police Scotland and the Scottish Police Authority. It is only a year since we established the new single service, safeguarding

front-line policing in Scotland and maintaining more than 1,000 additional officers across Scottish communities, helping to keep people safe and delivering on our commitments to tackle crime.

**Alison McInnes:** We talked about debating Police Scotland one year on, but the afternoon is not long enough to talk about all the problems.

**Kenny MacAskill:** I do not recognise the problems that Ms McInnes mentions. I will detail what the results say: crime in Scotland is at a 39-year low; fear of crime is down; and people feel safer and are able to go about their daily lives and business. In addition, policing is more local than ever before: local policing is shaped and delivered by designated local commanders and there are now local policing plans for all 353 council wards in Scotland.

We should celebrate those achievements and, indeed, more, such as the lowest recorded homicide stats since we started keeping such records and the drop in violent crime. Instead, we are discussing concerns about uncontrolled and apparently unaccountable police stop and search tactics. If there really is such concern, where is the evidence?

**Neil Findlay (Lothian) (Lab):** Should we, at the same time, celebrate the closure of dozens of police stations and the sacking of hundreds of police support staff? Should we celebrate those one year on?

**Kenny MacAskill:** There has not been the closure of hundreds of police stations nor have there been sackings. There has been voluntary early retirement, which we agree is necessary. It is part of what had to be in a single service and what the Labour Party supported when it signed up for a single police service.

There appears to be no evidence of widespread concern. Police Scotland has received 32 complaints about the searches conducted since April last year. That is less than 0.01 per cent of all searches or less than one in every 15,000 carried out. I met the Police Investigations and Review Commissioner just over an hour ago. He is not carrying out any investigation because he has had no complaints as the PIRC or when he was the Police Complaints Commission for Scotland. There is simply no evidence.

I will deal with Graeme Pearson's point about a lack of accountability. It is simply not the case. First and foremost, the police are accountable to the Scottish Police Authority. The SPA has considered the issue and, as we speak, is carrying out a detailed review of stop and search procedures. Its report is due at the end of this month. Graeme Pearson will have his evidence of effective oversight then.

I mentioned that the Police Investigations and Review Commissioner, whose office was established to deal with any formal complaints about policing, has had no complaints about stop and search. We also have Her Majesty's inspectorate of constabulary, which oversees policing. That is the correct body to investigate issues, and not Audit Scotland, as Mr Pearson seems to believe.

**Graeme Pearson:** Will the minister take an intervention?

**Kenny MacAskill:** I am in my final minute.

As if that were not enough, the chief constable and Deputy Chief Constable Rose Fitzpatrick have given evidence in recent months to the Parliament's Justice Sub-Committee on Policing on stop and search.

All that shows clearly that our police officers are accountable to the authority, to Parliament and—most important—to the people of Scotland. I suggest that we allow them and the other organisations that the Parliament has set up to get on with the job of protecting our communities and keeping people safe from crime.

I ask the Parliament to reject the motion from Alison McInnes and the amendment from Graeme Pearson and to support the amendment in my name. I also ask the Parliament to give the police credit for the outstanding service that we as parliamentarians and our communities receive from them daily.

15:40

**Willie Rennie (Mid Scotland and Fife) (LD):** If police stations closing to the public, control rooms closing, public spats between the chief constable and the Scottish Police Authority's chair, no local democracy, low morale, SNP representatives being derided at the police staff conference and police staff balloting for a strike represent success, I would hate to see failure.

**Kevin Stewart:** Will the member give way?

**Willie Rennie:** Not just now.

I put beyond doubt our clear admiration for what police officers and staff do on our behalf. When we question the Government's police policy, no one should interpret that as questioning the men and women who help to keep us safe daily. Because we admire our police so much, we have all the more reason to regret deeply the Government's approach.

The traditions of the police are steadily—sometimes not so steadily, despite what the justice secretary says—being eroded. Annabel Goldie was right to say that the issue has been described



as involving a balance between effective policing and our personal freedoms.

The Government has adopted a mixture of ill-prepared, ill-thought-out and poorly legislated-for reforms, together with a laissez-faire attitude to police power. It interferes when it should not and looks the other way when it should step in. Police centralisation is an example of when the Government should have left well alone. Stop and search is a clear example of when action is required.

I commend Sandra White for her loyalty to her Government's ministers. She not only supports the power of stop and search, but is on the streets of Glasgow to do stop and search herself.

**Sandra White:** Will the member take an intervention?

**The Deputy Presiding Officer:** The member is not giving way.

**Willie Rennie:** We have heard the numbers. We estimate that the rise in stop and search means that, in the past year alone, 750,000 searches have been made. I say to Christian Allard that the bulk of them were non-statutory. Our point is about non-statutory searches. We support the use of evidence-based, intelligence-led stop and search, but the non-statutory use of stop and search dominates the stop and search landscape. It is clear that there is an unprecedented surge in non-statutory stop and searches, as Alison McInnes said.

**Kenny MacAskill:** How many of the 20 per cent of stop and searches that were successful should not have taken place?

**Willie Rennie:** The justice secretary could not answer my intervention about the success rate for non-statutory stop and searches. Our point is that that rate is 7 per cent. If he was doing his job, he would know that it was 7 per cent—not 20 per cent.

Of course we want to clamp down on crime, but Annabel Goldie was right to say that the issue is about the balance between personal freedoms and the effective use of the police. Kenny MacAskill's laissez-faire approach is not helping.

We have heard serious concerns about stop and search in England and particularly in the Met. However, as John Pentland pointed out, the rate of stop and search in Scotland is many times higher than the rate in England, and Kenny MacAskill does not bat an eyelid.

It is farcical for the chief constable to claim that there has been a reduction in the use of stop and search in the past year. A 6 per cent reduction that is based on a 400 per cent increase is negligible, and the chief constable should not create such a

false impression in addressing such a serious matter. There have been 750,000 searches, and yet the First Minister tells us that he is "comfortable" and "satisfied".

The University of Edinburgh's report addresses the issue of consent, stating:

"Whilst the principle of verbal consent is not codified within Scottish policing, it is commonly understood that consent is underpinned by three core requirements:

- A person must be fully informed with the relevant information to make a decision
- A person must have the legal capacity and competency to give consent
- Consent must be given voluntarily".

It concludes that:

"Non-statutory stop and search is unlikely to meet basic standards of consent. There is no duty on officers to inform people of their right to refuse searches, and searches are more likely to fall upon younger age-groups, whose ability to provide consent"

is questionable.

The report also notes that

"interview data suggest that despite guidance to the contrary, refusing to be searched voluntarily may be treated as 'suspicious' and used as grounds for moving to a statutory search."

It is not clear that those who are subjected to stop and search are aware that they can refuse; that they have been advised of their rights; and that, if they refuse, they will not face further action. It is certainly not clear how a seven-year-old girl can ever give her consent.

Rod Campbell says that searches should be intelligence led, but non-statutory searches are based on no suspicion and not on intelligence. He says that he is against profiling, but that is exactly what non-statutory stop and search is, so he is contradicting himself.

We have been told that there are no targets for stop and search other than for results. That is the case now, as of two weeks ago. However, on 1 January the *Herald* reported that police officers had accused the police force of making them carry out "unethical" and "illegal" searches to meet targets. There were targets in January for the number of searches, but now there are only targets for results or success. That change is a clear admission that a mistake has been made, and the justice secretary should admit it.

There have been some good contributions to the debate, and Annabel Goldie spoke about the end justifying the means. How far is the justice secretary prepared to go? Why do we not increase stop and search even further if he reckons that it is the most effective method?

The justice secretary cited Jackie Brock from Children in Scotland—rather embarrassingly, as she was the co-signatory to a letter from Together, the Scottish Alliance for Children's Rights, which spoke out against the extensive use of stop and search.

The organisation said that there is a “worrying concern” about the “disproportionate” use based on “targets” rather than “intelligence”. It said that stop and search should not

“subject children to unnecessary and arbitrary intrusion into their daily lives.”

Scotland's Commissioner for Children and Young People has said that there is a need for appropriate safeguards, and the SHRC has said that stop and search is “largely unregulated”.

All those people are speaking out and calling for action, but the justice secretary sits there and does nothing.

**The Deputy Presiding Officer:** The member should draw to a close.

**Willie Rennie:** The justice secretary says that stop and search is an operational matter, but it is for him to set the framework.

I see that he is smiling, and not considering the seriousness of the matter.

**The Deputy Presiding Officer:** Mr Rennie, you must come to a close.

**Willie Rennie:** The justice secretary must take responsibility for the framework in which the police operate. If he does not implement an appropriate framework, he is not doing his duty as this country deserves.

**The Deputy Presiding Officer:** That concludes the debate. I am afraid that members must keep strictly to their times this afternoon as time is very short.

## Mental Health

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

The next item of business is a debate on motion S4M-09558, in the name of Jim Hume, on improving Scotland's mental health.

15:50

**Jim Hume (South Scotland) (LD):** A little over 15 months have passed since the Parliament last had the chance to thoroughly debate mental health issues. On that occasion, the Scottish Government conducted a welcome discussion of its “Mental Health Strategy for Scotland: 2012-2015”. Back then, I described the Scottish Government's task as a stark one and today its challenge remains unenviable.

As my motion states, one in four Scots will experience mental ill health at some point in their lifetime, with the resulting social and economic costs on the health service and sufferers totalling something in the region of £10.7 billion annually.

Mental illness continues to be the dominant health problem of people of working age, and the distress that is caused to sufferers and their families damages careers, relationships and lives. Sufferers of mental illness can feel isolated and experience significant stress. Imagine coping with that and trying to hold down a full-time job or raise a family. Without medical intervention, suffering is prolonged and that only serves to increase the likelihood that treatment will be more difficult or complex than it otherwise need have been.

That is why effective and timely treatment for those who are suffering from mental illness is critical to safeguarding their welfare and returning them to full health. I cannot stress enough how important treatment is and, thankfully, the Scottish Government also acknowledges that, which is why it introduced a national health improvement, efficiency and governance, access and treatment target for at least 90 per cent of patients to receive psychological therapy within 18 weeks of a referral.

As members will recall, the mental health strategy contained 36 commitments that covered a broad range of issues relating to the provision of mental health services, such as early interventions, older people's mental health and so on. Commitment 13 is:

“We will continue our work to deliver faster access to psychological therapies. By December 2014 the standard for referral to the commencement of treatment will be a maximum of 18 weeks, irrespective of age, illness or therapy.”

By December this year, then, no more than 10 per cent of patients treated should have waited more than 18 weeks for psychological therapy. In

July last year, however, the figure stood at 16 per cent, albeit that was well over a year from the target so there was still time for improvement. Unfortunately, by December 2013 the figure had risen to 17 per cent of patients. With just a year to go, the figures are going in the wrong direction.

A similar picture is being painted of the percentage of those who are waiting for treatment. In July 2013, 22 per cent of patients who were waiting for treatment had done so for longer than 18 weeks. Five months later, that figure remained at 22 per cent.

When we break the numbers down health board by health board, that is when we begin to realise that, across Scotland, access to psychological therapies is riddled with inequities and it is getting worse. Good progress is being made in some areas, but we should compare those areas to NHS Highland, where 19 per cent of patients waited more than 18 weeks in July, and Tayside where that figure was 15 per cent. In December in those areas, those figures increased to 27 and 25 per cent respectively.

There were similar significant increases between July and December in those who had waited longer than 18 weeks and had yet to receive treatment in health board areas such as Fife, Grampian, Lothian and the Borders. When we look at the per capita ratio of psychologist distribution across Scotland, we see that there is an applied psychologist for every 7,000 people or fewer in the Lanarkshire, Fife, Tayside and Greater Glasgow and Clyde health board areas. In the Borders and the Highlands, the figure is 11,000 people and in Forth Valley it is approaching 14,000. In the past 12 months, those figures have increased further in the Fife, Lanarkshire, Dumfries and Galloway, Borders and Forth Valley health board areas.

Why is that happening? It is true that, during the past few years, the Scottish Government has increased the number of clinical and other applied psychologists who are working in the NHS; that is undeniable. It was imperative that it did so.

The stigma attached to mental ill health is starting to diminish, albeit slower than any of us would like it to do, I am sure. People are feeling more comfortable about admitting that they are experiencing mental illness and, crucially, are beginning to seek treatment in increasing numbers. That means that demand for psychological therapies across our health boards is greater. I know from recent discussions with the Scottish Association for Mental Health that soon-to-be-published research will reveal that many general practitioners are deciding against referring patients for psychological therapy, because waiting lists are too long.

The key question is therefore whether the new staff members are going to the right places. It appears that they are not. Regardless of the community to which a person in Scotland belongs, if they are suffering from mental ill health and need treatment they must have the same access to psychological therapy as someone in every other part of the country has.

The way to provide an efficient and effective NHS is to ensure that the provision of services constantly evolves and improves. That is why the Sandra Grant report, which was published a decade ago, was such a useful exercise. Dr Grant reviewed mental health services in Scotland and made valuable recommendations on organisational culture and the workforce. She also made observations on inequity and said:

"The quality and quantity of available services for people with mental health problems differs across Scotland."

As I said, the Scottish Government has yet to address areas with regard to inequity and clearly has not taken full cognisance of Dr Grant's report. However, I welcome the first commitment in the mental health strategy, which is to commission a 10-year follow-up review on the Grant report. I look forward to the review's publication later this year. As it says in the motion, I invite the minister to give us an update today on the review's progress and an indication of what service users and NHS staff might expect from it.

We must accept that the problem of mental illness in sections of our population cannot be solved overnight, particularly given the link with inequality. People in areas of deprivation are more likely to experience mental illness. It is a scandal that those who suffer from mental illness, particularly severe mental illness, die far sooner than the rest of us—in some cases, a couple of decades sooner. Indeed, in its 2012 report, "Health inequalities in Scotland", Audit Scotland said that although progress on inequalities has been made in some areas, such as coronary heart disease,

"other indicators, such as ... mental health ... remain significantly worse in the most deprived parts of Scotland."

Organisations such as SAMH should be praised for their work in helping people whose lives have been impacted by inequality. SAMH's know where to go campaign does excellent work to signpost people who have problems accessing information and support for mental illness to the appropriate service providers. We know that people from deprived areas are less likely to know how and where to access support and even whether they should be accessing support—as opposed to just manning up, as society has for too long wrongly led people to believe that they should do. Any campaign to eradicate that problem gets my support.

We must focus on providing the best outcomes for people who suffer from mental illness by ensuring that they have access to timely and appropriate treatment. We must also ensure that we tackle the causes of inequality, which so often creates the environment in which depression and mental illness can thrive. Let us help those who are experiencing mental trauma and let us help to prevent people from ever reaching that point. Let us put the stigma of mental ill health behind us and put mental health on a par with physical health in Scotland.

I move,

That the Parliament notes that one in four adults will experience mental ill health in their lifetime; recognises the enormous personal, social and economic costs of mental health problems, which are estimated to cost £10.7 billion per year in Scotland; further recognises that mental ill health is now the dominant health problem for people of working age, with it accounting for around 45% of all people not working due to ill health; notes that 13,986 people were waiting to start treatment with psychological therapy services in Scotland on 31 December 2013; understands with concern that 708 young people had been waiting more than 26 weeks for treatment; notes with concern that child and adolescent unit psychiatric hospital admissions in 2012-13 were 21.2 per 100,000, which is up from 19.2 in 2011-12; recognises the increasing demand for psychological therapies across Scotland and is concerned by the disparity in access to such therapies in different NHS board areas; would welcome an update from the Scottish Government on its commitment set out in the *Mental Health Strategy for Scotland 2012-2015* to commission a 10-year follow up to the report, *National Mental Health Services Assessment: Towards implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003* (the Grant report) to review the state of mental health services in Scotland; believes that more work is needed to continue to reduce the stigma attached to mental health issues, and further believes that Scotland should follow the lead of the UK Government by enshrining in law parity between mental and physical health.

15:58

**The Minister for Public Health (Michael Matheson):** I welcome the opportunity to have this debate. Mental health issues have a high profile in Scotland. Indeed, this Parliament has regularly debated mental health.

I want us to think about mental and physical health in the same way. That is what we are doing, in our approach to improving mental health services in Scotland. We have set access targets to measure performance, as we have done in the context of physical health. We publish data on how services operate, so that we can identify how services vary and where we need to make improvements. I measure success by what happens on the ground, and across Scotland there are improvements in services, while more transparent data allow us to identify areas where further improvement is needed.

Faster access to specialist mental health services for children and young people and to psychological therapies for people of all ages is one of our key challenges. Scotland is unique in developing that approach to improving access to mental health services. We want more people who are experiencing mental ill health to seek support. We know that people are increasingly likely to go to their general practitioner when they are experiencing problems and that they are more likely to receive a diagnosis of depression or anxiety and an evidence-based treatment for that. That reflects the reduction in stigma, the work that has been undertaken in primary care to improve diagnosis rates and better access to treatments.

We want more psychological therapies to be available. NHS boards have been working to increase the capacity of their services, using service redesign to improve the efficiency of the services and increasing the number of staff who are able to deliver evidence-based therapies. We now have data on how many people are accessing psychological therapies and how long they are waiting. We are also developing national workforce data on the staff who are delivering psychological therapies. We are now in a stronger position, with transparent information and a better understanding of how services are working in each health board area, which allows us to identify their priorities for further improvement. We do not expect all health boards to deliver identical services, but we expect them to use the information to identify where there are gaps in services and to support them in meeting their local needs.

We have set a challenging target for our NHS boards, and it was meant to be a challenging target. NHS Scotland delivered more than 8,000 psychological therapies in the past quarter and that number will continue to increase as data from other services are included. Half of those people started their treatment in nine weeks or less. Most important, we want people to get better as a result of the treatment that they receive and we have seen an increase in the routine use of clinical outcome measures to ensure the quality of the mental health services that are being delivered.

Ensuring access to mental health services for children and young people is a key priority. Since 2008, the specialist child and adolescent mental health services workforce has increased by over 40 per cent as a result of the significant investment that we have made in the service. The number of children who are being seen in CAMHS in a three-month period has varied from 2,400 to 3,900 and there has been a consistent performance on waiting times, with half of them starting treatment in eight weeks or less—a period that was reduced to seven weeks during the past quarter.

Richard Simpson's amendment raises an important issue. We have recently seen an increase in the number of admissions of children to adult wards, but the answer is not simply to provide more beds for children and young people. We need a fundamental redesign of intensive CAMHS services. In the south-east of Scotland, the health boards invested heavily in the development of intensive treatment teams—hospital at home services—which provide treatment for young people at home and in a familiar environment. That has resulted in many admissions being avoided altogether, and when admissions do take place they tend to be for a shorter period. Therefore, the outcomes for children and families are good. We have seen an increasing number of admissions, but they have involved a shorter length of stay, which has built additional capacity into the system so that beds have been available when they have been needed.

However, the picture is not uniform across Scotland. Some areas have not progressed plans to develop intensive treatment teams as quickly as we would have liked, and an increase in the number of referrals of young people to in-patient units has created pressure in the system. In response to that, we will facilitate work across the three regions this year to address the pressure in the system and to reduce the number of admissions of young people to adult wards.

The progress that we have seen in the improvement of mental health services has been established on data that have helped us to understand the variation across Scotland, to identify gaps and to prioritise our work. The 10-year review that has been referred to is currently being undertaken by the Mental Health Foundation, voices of experience and Healthcare Improvement Scotland, and the report will be published later this year.

Tackling stigma and discrimination remain Government priorities. We have increased funding for the see me campaign, and the Scottish Government provides £1 million, alongside £500,000 from Comic Relief, bringing the total annual budget to £1.5 million.

**Liam McArthur (Orkney Islands) (LD):** Will the member give way?

**The Deputy Presiding Officer (John Scott):** The member is in his last minute.

**Michael Matheson:** It is important that we build on the good progress that we have made in recent years in order to reduce discrimination against and stigma towards mental ill health.

We are making good progress on the commitments set out in the mental health strategy and in improving access to services. I do not

underestimate the challenges that we face and I always welcome the Parliament's interest in mental health issues.

I move amendment S4M-09558.2, to leave out from "13,986 people" to end and insert:

"Scotland is the only country in the world to have introduced a waiting times target for access to psychological therapies; welcomes the increasing access to psychological therapies across Scotland and the progress that NHS boards are making in developing services, while recognising the challenges in delivering the target; notes that the Mental Health Foundation, Voices of Experience and Healthcare Improvement Scotland are currently doing the field work to deliver the commitment in the *Mental Health Strategy for Scotland 2012-2015* to commission a 10-year follow up to the report, *National Mental Health Services Assessment: Towards implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003* (the Grant report) to review the state of mental health services in Scotland, which will be published later in 2014, and notes that 'see me', Scotland's programme to end mental health stigma and discrimination, has been refounded for the next three years."

16:05

**Neil Findlay (Lothian) (Lab):** Mental illness is one of our time's most prevalent conditions. Its economic, social and personal impacts can be, and often are, devastating. Across Europe, mental illness is one of the top public health challenges, with depression alone responsible for more than 13 per cent of the disability burden, making it the leading chronic condition. That is a staggering statistic.

As austerity bites, unemployment and underemployment rise, people's living standards are squeezed and, as national and local public services are cut, we see mental ill health rise and the services needed to support people cut.

We know that mental illness does not respect status, power or wealth and that it can affect anyone, but it is no surprise that communities that suffer high levels of unemployment and poverty are more likely to see higher rates of mental ill health. According to NHS Scotland, women, black and minority ethnic groups, refugees, sex workers, people living with disabilities, addictions or chronic illnesses, homeless people and older people living on reduced incomes are those at greatest risk. Health inequality is Scotland's greatest shame and the inequality is starkly laid before us when we look at mental illness and its impact on a person's overall wellbeing.

Major life events are often at the root of mental illness, and bereavement, job loss, retirement, relationship breakdown and abuse of one kind or another can all contribute to a mental health condition. The reality is that many people go untreated for very long periods and half of them do not seek or get help. Estimates suggest that almost one in five of us will experience, for

example, depression at some point in our lives. That means more than 1 million people living in Scotland will experience varying symptoms of the condition, yet more than half—500,000 people—will not receive any help or support.

Across the age range, access to mental health services is a growing concern. The Government's mental health strategy makes it clear that, as the minister mentioned, access to psychological therapies for children and access to adolescent mental health services is vital. The aim is that, by March 2014, someone will be seen in 26 weeks, falling to 18 weeks by December 2014. However, Jim Hume's motion states that more than 700 young people have waited beyond 26 weeks. That is clearly unacceptable. It must be hard enough for a young person and their family to live with mental illness without having to wait so long for treatment. If a young person needs psychological help now, their condition is more likely to be further entrenched and more difficult to treat a whole six months later.

The situation is just as concerning for older people. Take a condition such as dementia, which is an illness that we all fear and dread. I am sure that we all know someone who is affected. The Cabinet Secretary, as I did, recently met Frank and Amanda Kopel, who have been campaigning for better care for dementia sufferers. I pay tribute to them for the loving, caring, determined and dignified way in which they have campaigned.

They and others have raised the issue of poor access to local services, and the matters that they raise get to the nub of the issue. In the current climate we see devastating cuts to local government budgets. I do not want this to be taken as political knockabout; it is a very serious issue that we must address. We see support services being cut, educational psychologist posts being lost, classroom assistants going—they are very much the front line of support—social care in crisis, drug and alcohol services being reduced, support grants to the voluntary sector slashed and respite and other care provision cut back. All those factors and more impact on people's ability to access services and the community's ability to help those with debilitating mental health conditions.

I ask the Parliament: when we will have a mature debate about local government and NHS finance? When are we going to face the realities, as is our duty in this Parliament, and discuss how we do or do not finance local mental health and associated support services? Where is the morality in children and families suffering and people such as Frank and Amanda Kopel being denied treatment and services, while at the same time their Parliament fails to address the

fundamental problem of the way in which services are financed?

I move amendment S4M-09558.1, to insert at end:

“; further notes that the number of admissions of children to adult wards rose in 2013 by 27% to 219 after a number of years of progress, and calls on the Scottish Government to review its plans for bed capacity for children and young people with mental health problems”.

16:11

**Nanette Milne (North East Scotland) (Con):** I welcome the Liberal Democrats' decision to debate Scotland's mental health, although it is perhaps a little premature, given that the 10 year follow-up to the Grant report of 2003 is due to be published later this year.

However, given that one in four of us will experience a mental health problem at some time in our lives, and that mental ill health now accounts for close to half of all people who are not working because of health problems, it is important that we consider what progress is being made to tackle the unmet needs of those who are affected by mental illness.

There is no doubt that significant efforts are being made to speed up diagnosis and referral of people who experience mental health problems, and to provide the appropriate services to aid their recovery. The HEAT target that has been set by the Government to have a maximum waiting time, by the end of this year, of 18 weeks from referral to accessing psychological treatment, is very welcome, but is some way from being achieved, with just 82 per cent of adults and 85 per cent of children currently being seen within 18 weeks. Those waiting times do not sound very long, but 4 and a half months is quite a long time for people to be suffering mental trauma without access to the services that they need. I therefore hope that the target times, once they are achieved, will be re-set at a more ambitious level.

SAMH has expressed concern about the health inequalities that persist in parts of Scotland and within certain communities, with access to services being affected by geography, deprivation and ethnicity. SAMH found that in the more deprived areas more than a quarter of people did not know where to seek help when they suffered from depression, anxiety or other mental health problems, and that of those who did seek help, 77 per cent went initially to their general practitioner.

That certainly ties in with what the Health and Sport Committee heard yesterday from GPs who work in deprived communities, who said that many of their patients suffer from multiple comorbidities, and that mental health issues are closely associated with the physical ill health and social

problems that affect many people in those areas. Those GPs are under severe and increasing pressure in dealing with their workload, and find that they do not have adequate time to spend with their patients. In those communities there are many people from ethnic minority backgrounds, who also have cultural barriers to seeking help.

Moreover, a recent survey of GPs by SAMH showed that GPs often do not make referrals to services including psychological therapies and social prescribing, because waiting times are too long, referral criteria are unclear, or there is no access to such services in their area. The resultant delays in supporting people who experience mental health problems mean that by the time people come to treatment, their situation is likely to be more complicated and their recovery may be compromised.

Similar delays in engaging with psychiatric services are quite common in remote and rural areas, and for farmers in particular, who used to have the support of colleagues and family on the farm, but who now lead fairly isolated lives and bottle up their problems. That has led to a significant increase in suicide among farmers in recent years, which is cause for concern. However, it is encouraging that overall rates of suicide have come down, but we cannot be complacent about that.

Two commitments in the Government's mental health strategy particularly interest me. Commitment 21 is:

"We will identify particular challenges and opportunities linked to the mental health of older people and will develop outcome measures related to older people's mental health as part of the work to take forward the integration process."

Commitment 22 is:

"We will work with the Royal College of GPs and other partners to increase the number of people with long term conditions with a co-morbidity of depression or anxiety who are receiving appropriate care and treatment for their mental illness."

Both groups of people are increasing in number as the population of Scotland ages, and the first will certainly contribute to a rise in psychological problems associated with dementia. Given that, I ask the minister to give us an update on those two commitments.

Finally, I want to touch on a success story for children and young people in Fife who have severe mental health conditions. The Royal College of Nursing brought it to my attention just this morning, and I suspect that the minister might have been talking about the same thing in his speech. The NHS Fife child and adolescent mental health intensive therapy service, which is run as a partnership involving nurses, psychiatrists, psychologists and therapists,

provides personalised community-focused care for eight-year-olds to 18-year-olds. Under the leadership of a nurse consultant, the service offers high intensity home-based support and therapy that are tailored to meet the individual needs of young people and their families and carers. It offers effective—and cost-effective—therapeutic management of young people who are suffering from severe mental health problems who, as a result, need minimal, if any, hospitalisation. The project sounds very worth while, and other health boards would do well to consider it—especially given the 27 per cent rise in the number of children who were, as Labour's amendment points out, admitted to adult wards last year.

I am conscious that I have rambled a bit around different aspects of mental health. However, I think that the debate gives us the opportunity to look at service provision from all angles. I commend Jim Hume for leading the debate.

**The Deputy Presiding Officer:** Many thanks. We move to open debate.

16:16

**Aileen McLeod (South Scotland) (SNP):** I welcome the opportunity to speak in this afternoon's debate on what is a vital issue for tens of thousands of people across Scotland. In last year's debate on the Scottish Government's mental health strategy, I said that the strategy was very much a work in progress, so it is helpful for Parliament to take a further look at progress since then and at what still needs to be done.

As Neil Findlay pointed out, mental health is one of the biggest public health challenges that face Scotland and Europe as a whole. Back in 2005, the World Health Organization predicted that by 2030 depression will be the second-biggest health burden, which is why successive Scottish Administrations and the Parliament have worked together to make mental health a priority, and why significant efforts are being made to deliver the commitments in the current mental health strategy.

Although faster access to appropriate care and support for people who suffer from mental ill health is a fundamental challenge, we should remember that Scotland remains the only country in the world to have introduced a waiting time target for access to psychological therapies. From this December, that target will be no longer than 18 weeks from referral to treatment, and data from last December suggest that about 81.6 per cent of people are already seen within that timescale. For specialist child and adolescent mental health services, the Government has set a 26-week target, which will reduce to 18 weeks by December. As of December last year, 82.5 per cent of the children and young people who were referred were seen

within 18 weeks. Our NHS boards are making progress in meeting the target, which is, as the minister has made clear, challenging and is intended to drive improvement in the system.

We know, however, that there is still much more to do and that this is very much work in progress. The Government does not underestimate the challenge that we face. However, the targets are only part of the picture. In addition to improving access to, and the quality of, psychological services, health boards need to offer services that meet the full range of people's needs, including—if they are right for the patient—lower-intensity interventions that might prevent their ever needing higher-intensity services at all.

In our last debate on the mental health strategy, I highlighted a social prescribing project in the Stewartry that has been joint-funded by NHS Dumfries and Galloway and Dumfries and Galloway Council, and which involves the third sector and two general practices, in Castle Douglas and Dalbeattie. The results of the project, the aim of which is to reduce prescribing of antidepressants through other forms of therapeutic provision, are being evaluated, but the fact is that we need a mixture of such provision in order to deliver the same person-centred approach to mental health care that we require in other areas of health care.

I welcome the Government's continuing commitment to tackling the stigma that is, I am sad to say, still associated with mental illness and mental health problems, with the re-funded "see me" national programme investing, with Comic Relief, £4.5 million over three years. In that regard, SAMH, the Mental Health Foundation and many other organisations are to be commended for the support that they provide to Scots who live with mental health problems.

There has been very little time to cover such a broad and complex policy area, so in conclusion I say that the Government remains committed to providing high-quality mental health services, to improving access to those services and to improving their scope and breadth, to tackling the stigma that has dogged mental ill health for too long, and to addressing the wider issues of social policy and deprivation, which are undoubtedly important factors in the social context of mental health.

Publication later this year of the 10-years-on follow-up to the Grant report to review the state of mental health services in Scotland will be crucial in giving us the national picture from the early years to later life, in showing variations, and in identifying the gaps and challenges that persist. I look forward very much to seeing that report.

I support the minister's amendment.

16:20

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** We should always begin health debates with positive stories, and it is very easy to find them because we have that wonderful organisation Patient Opinion here this week. Earlier today, I asked it for feedback from patients on mental health services. It had received many excellent stories about good services from the health service in relation to mental health. It is clear that we should learn from those stories and that everyone should seek to emulate that example.

However, it is always our duty to highlight problems, as well. Psychological therapies are a good example in that context. There has been some general progress on waiting times, but we know that there are problems. That is captured in the motion by the figure of 13,986 people waiting, but it is crystallised for me by two constituency examples that I have heard of this month, which involve people who have had problems that relate to that area of the service. An adult woman with anxiety was desperate to get psychological therapy of some kind, but all she was offered was medication, which she would not take because she knew that it would have adverse side effects on her. The other example involves a parent of a teenage daughter who has profound anxiety and self-harms. It took several years for her to be accepted as a patient by specialist services. Now that she has been accepted as suitable, she has a further wait for treatment.

For me, that raises three questions about psychological therapies. The first is on the waiting time issue. Things have certainly got a lot better, but is the waiting time for assessment or treatment? They may not always be the same thing.

The second question is this: What are the criteria for acceptance by specialist services? There must be fear of a trade-off between the eligibility criteria and the waiting time. I do not know whether that happens, but it is clear that one way of coping with waiting time pressures would be to take only people who are more seriously ill. The forthcoming SAMH research, which Jim Hume referred to, is related to that. We are told by SAMH that GPs are uncertain about the assessment criteria.

Thirdly, what is the range of available psychological services? At a meeting of the cross-party group on mental health about a year ago, we dealt with psychological therapies, and Donnie Lyons pointed out that the Mental Welfare Commission for Scotland was concerned that psychological treatment in the NHS may extend only to cognitive behavioural therapy—not that there is anything wrong with that—and that



patients may not get a real choice of therapies. That was reinforced by a letter that I received from the minister a couple of weeks ago that said that only five child psychotherapy trainees started in October. Do we have a sufficient range of psychological therapies?

I have mentioned Donnie Lyons, so it is appropriate to pay tribute to all his work as director of the Mental Welfare Commission for Scotland, from which he retired two days ago. As I am talking about people who retired two days ago, I should also pay tribute to Sir Harry Burns, who is the most outstanding chief medical officer we have ever had. He is, of course, relevant to this debate, because one of his many passions was prevention of mental ill health through development of early years services. That is a very important dimension of Scottish Government policy in which there has been a lot of good work—in particular, targeted work on the early years.

**The Deputy Presiding Officer:** You are in your final minute.

**Malcolm Chisholm:** We should also remember that we need services that are available for all young people. In that regard, the Place2Be project is really good, because it is available to all children in primary schools where it applies—for example, in Forthview primary school in my constituency. I hope that that work can be generally extended.

The second half of my speech will disappear—obviously, I was going to praise the Labour amendment. It worries me that although the Mental Health (Care and Treatment) (Scotland) Act 2003 placed a duty on health boards to provide sufficient services and accommodation for young people up to the age of 18, that still has not been achieved. I was going to talk about many other concerns about the revision of the act that came up in the cross-party group on mental health last Wednesday, but that will have to wait for another day, because my time is up.

16:24

**Colin Keir (Edinburgh Western) (SNP):** As my niece is a psychologist for NHS Borders, I know that mental health is a major issue, but I was not aware of the magnitude of the problem. As Neil Findlay pointed out, more than a third of Europeans will be affected by mental illness this year, and depression is the leading chronic condition in Europe. I was astounded when I found out that the World Health Organization predicts that depression will be the second-biggest health burden by 2030—second only to HIV/AIDS.

Depression is perhaps the problem that I have seen most closely in my family. My father suffered from a degenerative illness in later life and ended up with depression in a big way. That is one

example of how people can move into being depressives, but there are many others. At the Health and Sport Committee last week, Lexi Parfitt of SAMH said:

“We know from decades of research about the complex interaction between poverty and mental health, and we know that poverty is both a cause and a symptom of poor mental health. ... If a person is mentally unwell, it can be quite difficult for them to deal with bills and so on, which makes them more vulnerable. For example, bipolar is characterised by extreme highs followed by extreme lows. When people are in their high period, it is not uncommon for them to give money away and spend money left, right and centre, which leaves them quite vulnerable.”—[*Official Report, Health and Sport Committee*, 25 March 2014; c 5117.]

Taken with all the experiences through life, that vulnerability can be overwhelming to someone who is suffering with mental health difficulties. If we add the difficulties of making claims in a complex welfare system, the sense of being overwhelmed can prevail.

It is perhaps only now that I really appreciate the “Mental Health Strategy for Scotland: 2012-2015”. It is essential that a system is in place for family and carer support, because without it the pressures of living and working with a sufferer can be extremely damaging. I am proud that Scotland is the only country to have introduced a waiting time target for access to psychological therapies. I understand that there are problems, however.

There is focus on increasing support for self management and self-help approaches, and there is work being done on the anti-stigma and anti-discrimination agendas, focusing on the rights of people with mental illnesses and developing the outcomes approach to include personal, social and clinical outcomes.

I was surprised that some issues to do with GPs’ surgeries were also raised last week, because I had not thought about them before. Many sufferers of mental health conditions find going to the doctor’s surgery difficult. As well as the problem of arranging the appointment with the receptionist, which can be overwhelming, people have to deal with doctors who do not know them, so they may feel that they are being passed around. All the pressures add up and can engulf people who suffer from mental health issues.

I am running out of time. I end by paying tribute to those who work within the see me campaign and SAMH’s campaigns. Each and every one of us should fight the stigma of mental health difficulties. I am sure that the £4.3 million that came from the Scottish Government and Comic Relief will be well used and appreciated, but we can all do more to bring the issue into the mainstream and to get people talking about it. We should not be scared to talk about it. People should hear the idea that they are not unusual if

they are sufferers, and the more help that we can give people, the better.

16:28

**Ken Macintosh (Eastwood) (Lab):** I thank Jim Hume and his Liberal Democrat colleagues for bringing this debate to the chamber. Although there is some contention among the parties on what response is appropriate from the Scottish Government, there is something approaching unanimity across the Parliament in recognising the importance of mental health as a public health issue. That has not always been the case.

I want to look in particular at the importance of poverty and its impact on mental health. Deprivation can be both a cause and an effect of poor mental health. That should be reason enough for us all to worry, but inflation has outstripped wage rises for every month bar one over the past four years, and the average household has seen a drop in income of between £1,200 and £1,600, which has created the new phenomenon of widespread in-work poverty. Child poverty, which we pledged as a country to abolish, is instead set to rise again, and if we can expect an increase in mental health issues to match those increased levels of poverty, it is even more worrying that the welfare systems that we should be able to rely on in times of need are now in danger of making things worse.

The welfare state that was established to give us peace of mind in times of economic difficulty is now being used to make judgments about those of us who might at some point need some support and—which is worse—is becoming a system that actively discriminates against people who suffer from poor mental health.

At the Welfare Reform Committee earlier this week, Inclusion Scotland was just one of the organisations that presented powerful evidence on the impact of sanctions on some of our most vulnerable citizens. It highlighted that Department for Work and Pensions figures that were released in February 2012 showed that about 45 per cent of employment support allowance sanctions are given to people with mental health conditions, learning difficulties or behavioural conditions such as autism, even though they make up only about 30 per cent of ESA recipients.

The Jimmy Reid Foundation produced a paper just last month entitled “In Place of Anxiety—Social Security for the Common Weal”, which describes how welfare systems are being calibrated to create an environment of fear and insecurity—evils that can take just as much of a physical and psychological toll on people as poverty itself.

The University of Glasgow’s paper “General Practitioners at the Deep End” is based on a survey of doctors working in the 100 most deprived general practice areas in Scotland, who were asked how austerity measures are affecting them. Their central concern was to highlight the number of patients with deteriorating mental health, and they identified a problem at two ends of the mental health spectrum: on the one hand, there is an increasing amount of in-work stress and pressure of job insecurity, and on the other hand, there are people who have been assessed as being fit to work but who are suffering from chronic mental health issues.

SAMH intends to publish next week an even more detailed report on mental health that is based on a survey of its clients and staff that reveals their everyday experience of the subject. I know that the Scottish Government and the Parliament’s Welfare Reform Committee will greet that with interest.

The evidence that has been given to Parliament makes it clear that claimants and observers alike regard the welfare reforms as punitive and unfair actions that strip people of their respect and dignity, and that instead of improving our wellbeing, are contributing to poorer mental health. I certainly do not hold the Scottish Government responsible for those developments, and I believe that we are usually united against the Conservatives on welfare reform. However, we also have to ensure that in introducing mitigation measures we do not implicitly or inadvertently repeat the same judgments—for example, it is clear that claimants of crisis loans from the Scottish welfare fund are more likely to receive vouchers than cash. There is an implicit judgment there that, at best, we do not trust people with cash and, at worst, we assume that all claimants are potential fraudsters.

Mental health is not just an issue for our health services to cope with; it is a set of attitudes, a prejudice or a stigma that we all have to overcome individually and as a society. We have to be careful that we do not make things worse through our public policies and our social and economic policies.

16:32

**Kevin Stewart (Aberdeen Central) (SNP):** I am glad to have been given the opportunity to talk about mental health issues here today. A number of members have looked at some of the positives that have happened in that regard in the past number of years, and long may that situation continue.

However, like Mr Macintosh, I think that a number of major issues are holding Scotland back

from being able to improve its mental health. I think that the key to that is welfare reform. As Mr Macintosh has, I have heard at the Welfare Reform Committee many stories that are horrid, to say the least. Iain Duncan Smith has said that he is on a “historic mission”—as William Wilberforce was in his campaign to end the slave trade—to help people “break free”. I would not describe the welfare reform policies in that way. The welfare reforms are stripping people with mental health issues of their independence and dignity and, often, of their hope.

Donald McKenzie from Support in Mind Scotland said at the Welfare Reform Committee:

“The impact of ESA has been devastating on the mental health of claimants, who have been stressed and often traumatised by the process. They have been made to feel like frauds for suffering poor mental health, and have been disbelieved by the Atos staff carrying out the assessments. I believe that many medical examiners have little experience of mental health issues, do not take into account any additional evidence from other mental health professionals, and do not seek supportive evidence from GPs and so on. Our service users are baffled and angry that they are subjected to this distressing and stressful process when they are clearly unfit to work. The process itself causes deterioration in mental health and leads to further depression and anxiety.”

Later in his evidence, that gentleman said:

“My job should be about helping people to feel better about themselves in order to improve their mental health, but in reality most of my work is on benefits, in which I have to talk people down and dig into the dark corners to get information. A person who has made a recent suicide attempt will get 15 points and will get their ESA.”—[*Official Report, Welfare Reform Committee*, 18 February 2014; c 1247, 1270.]

That is a sad indictment of the Tory-Liberal welfare reforms. If Mr Hume is truly serious about improving Scotland's mental health, he will have to look closely at his Westminster Government's welfare reforms, which are having a major effect on people's lives.

Inclusion Scotland has an informative news section on its website. One story, about a woman in her early 50s, states:

“The Mental Welfare Commission for Scotland said the woman ... took her own life less than a month after an Atos assessor gave her zero points in a work capability assessment and docked her weekly benefits by nearly 30%.

The MWC said it could find no other reason why the woman, named only as Miss DE, would kill herself at her home on New Year's Eve 2011.

She had no history of suicidal behaviour, was hoping to return to work and was about to get married.

After an exhaustive investigation, including interviews with all the mental health professionals involved in her treatment, her GP, friends and local welfare rights team and the Atos and Department of Work and Pensions (DWP) staff involved in her case, the commission concluded the assessment was to blame.”

If we want to improve mental health in this country, we must stop those unfair work capability assessments.

**The Deputy Presiding Officer:** We move to the closing speeches.

16:37

**Jackson Carlaw (West Scotland) (Con):** I thank Jim Hume for the way in which he opened this short debate, which turned out to be two debates for the price of one. I will concentrate on the motion and the amendments in the name of Mr Matheson and Dr Simpson, which are much more consistent with the longer narrative that the Parliament has had in dealing with mental health issues than the more pejorative argument that has been made, which I leave to find its place in another and more appropriate debate.

One of the great strengths of the Scottish Parliament has been the leisure of time over the past 15 years for an issue such as mental health to be properly explored and discussed. That has led to an appreciation from all parties in the Parliament of what needs to be done and support for a strategy to take that forward. At the heart of that has been an understanding that the need for public perception to change must underpin a successful mental health strategy. Public perception has been slow to change, but there are now suggestions that it is changing. I think that people now understand the way in which mental health issues underpin many other issues that we have spent time debating, such as alcohol and drug addiction, eating disorders and obesity, and crime.

We tend to talk about the preventative agenda in the sense of preventing cancers or other diseases, but I think that we recognise that, if that agenda is to be as comprehensively appreciated and applied as it should be, it has a role in the delivery of a successful mental health strategy. As the minister said, if we are to have a comprehensive health response, we should see no division between physical and mental health. The Scottish Conservatives continue to believe that there is a small role in that for forgetting the silos and having a universal GP-attached health visiting service for families with children in the early years. I do not mean that that is the ultimate solution, but it would be the beginnings of the kind of comprehensive preventative strategy that, with everything else that has been discussed, would make a contribution.

Neil Findlay said that mental health issues are some of the most prevalent conditions of our time, but I wonder whether the situation is so different now, or whether it is just that populations across Europe now understand that what they previously

dismissed or denigrated are very real health conditions, and we are successfully diagnosing many more people's mental health problems. Hopefully, through that initial diagnosis, we will have an effective strategy and treatment will be successful.

The consultation on the forthcoming mental health bill is now at an end. In the Public Petitions Committee, we have heard from people involved in the process and people who suffer from mental health problems about their strong and passionate views on electro-convulsive therapy. It occurred to me that it is very important, as we move forward with a mental health bill, that we do not look as if we are talking down to people who are suffering from mental health issues and instead involve them, and the see me campaign and SAMH, in the comprehensive work that the bill seeks to develop.

I endorse—particularly as the issue came before the Public Petitions Committee—Neil Findlay's comments about Amanda and Frank Kopel and their campaign for support for people with Alzheimer's under the age of 65, which is currently not available in the health service. There is an opportunity for all parties to consider their response to that appeal before manifestos are produced in 2016. The Scottish Conservatives are certainly listening.

It has been a short and slightly more controversial debate than might have been anticipated, but I think that, at heart, the chamber understands—and all parties understand—the collective need for a response from this Parliament to take forward a successful agenda on mental health.

16:41

**Dr Richard Simpson (Mid Scotland and Fife) (Lab):** I draw members' attention to my entry in the register of interests, as I am a fellow of the Royal College of Psychiatrists, honorary professor of psychology at the University of Stirling and a member of SAMH.

I agree with Jackson Carlaw that this has been a useful debate. Before I address it, I will just say that the judgment from the Scottish Information Commissioner on further transparency in relation to NHS Lanarkshire's mental health services is welcome, as is the minister's commitment on better data, because transparency on data is vital.

I want to concentrate my comments on child and adolescent mental health services. We all acknowledge the challenge facing all our services, and the Government, in achieving our shared aspiration of good, accessible CAMH services. The Government's target of 26 weeks and a further reduction to 18 weeks is very welcome. However, the difficulty of achieving that will be

quite significant, particularly in relation to psychological services. A number of members have referred to that, and Jim Hume's fairly forensic analysis was an important contribution.

Jim Hume, Neil Findlay and Nanette Milne reminded us that health inequalities in the mental health field are stark and sometimes unrecognised. As Ken Macintosh and Kevin Stewart said, that is likely to increase in the current economic climate and in response to welfare reform. The issue of mental health is not properly dealt with and not well recognised under welfare reform.

In our amendment, we were referring to tier 4 services. As was mentioned by Nanette Milne and indeed the minister, service redesign is very important in preventing admission—that is welcome in Fife and the Borders and the examples given—but the increase in admissions of children to adult wards, which reverses the previous trend, is a worry. The Government needs to review the cuts in the previously agreed bed capacity for child and adolescent services, because we have not got that quite right.

My colleague Neil Findlay showed the reduction and proposed further reduction in educational psychologist posts and other services in the local authorities against the background of underprovision in clinical psychology.

**Mary Scanlon (Highlands and Islands) (Con):** Much has been said today about psychological therapies. Does Dr Simpson share my concern that psychological therapies do not necessarily address the needs of every person with a mental illness and that, in many cases, they actually need a psychiatrist?

**Dr Simpson:** I will come on to that. Early identification of mental health problems is vital, so we really need to look at the tier 1 and 2 services, which are considerably less expensive than the tier 3 and 4 services to which the member was referring.

I join Malcolm Chisholm in praising the Place2Be project in Edinburgh, which involves 10 schools now and has been followed by Glasgow and East Lothian. I commend to the minister the development of such counselling services in schools, as they take the weight off child and adolescent mental health services.

Another programme is the one that is run by the Foundation for Positive Mental Health. Dr Alastair Dobbin, an Edinburgh GP, has trained hundreds of general practitioners in the promotion of wellbeing, which is also important, as are the services in Aileen McLeod's constituency that she referred to.

The Scottish Parliament and the Government face challenges across the NHS and the social

care sector. However, mental health remains one of the greatest, and we must unite as a Parliament to try to develop all the services to improve the welfare of those who have mental health problems.

16:45

**Michael Matheson:** This has been a useful debate. I want to draw it together in a consensual fashion, because our mental health debates have largely had a consensus around them.

I am sure that members will recognise that, when we published the mental health strategy in 2012, it was in order to build on the good work that had already been done on the back of the earlier strategy and to continue to make that progress and increase the pace where possible. There was also a strong consensus among stakeholders that that was the right approach to take, and that we needed to build on the previous commitments and continue that progress.

Some members have asked about what progress has been made. The Scottish Government website keeps up-to-date information on the 36 commitments that were set out in the strategy. Seven commitments have been completed; 23 commitments are well under way; and four commitments are scheduled for work in 2014-15. A considerable amount of work has already been done as part of the implementation of the mental health strategy.

Jim Hume and others have mentioned the Grant report, which was extremely useful 10 years ago in providing us with an insight into the situation in our mental health services at a national level. The work that we are presently undertaking, which has already been commissioned, will enable us to get another report, 10 years on, to see exactly what progress has been made since 2003, and also to see where the challenges remain, which will enable us to focus in on them much more effectively. To complement that, later this year we will undertake a one-day census of the in-patient estate. That follows on from the successful pilot that we ran in NHS Greater Glasgow and Clyde last year. Along with the 10-year update report, it will give us a fantastic level of data on and insight into the state of our mental health services across the country, which will enable us to identify where we need to make further progress, and how we can focus in on those areas.

Just about every member who has spoken referred to psychological therapies. A key part of introducing the HEAT standard was to drive up improvement in the service. It was a stretch target. I know that the system is not perfect, but the target was introduced to drive further improvement in the system. The latest data shows that the average

wait for access to psychological therapies is nine weeks. I recognise that there are variations in different parts of the country. The work that we are undertaking with the Information Services Division around the data that we receive from boards is being done to ensure that we can apply further pressure to those boards where there has been insufficient progress, to drive further progress in accessing psychological therapies.

Malcolm Chisholm mentioned the 18-week target. That is for treatment, rather than referral—it is for the period from referral to treatment. Also mentioned was the range of psychological therapies that are available—there are more therapies than just CBT. A couple of years ago, we published the treatment matrix, which contains a range of evidence-based treatments and psychological therapies that can be provided through NHS Scotland. I am conscious that some people would like different kinds of counselling to be included in the treatment matrix, but we have taken forward the matrix on the basis of clear, clinical evidence that a treatment can provide a better outcome for individuals.

A couple of members may be interested to know that, for access to psychological therapies, the waiting time in the Borders, Dumfries and Galloway and Highland is six weeks and in Fife it is 10 weeks. Those are improvements on what happened previously.

A number of members, including Neil Findlay and Richard Simpson, referred to improving access to CAMHS. Richard Simpson was on the Health and Sport Committee with me in a previous parliamentary session, when we considered CAMH services. It was clear that they had been chronically underfunded since the beginning. Investment had just not been made in CAMH services, but a significant level of funding has been introduced over recent years, which has allowed an increase in the level of service that can be provided to speed up access.

**Neil Findlay:** Will the minister give way?

**Michael Matheson:** Do I have time, Presiding Officer?

**The Deputy Presiding Officer:** Not much, but on you go.

**Neil Findlay:** I support a great deal of what the minister said, but I say gently that, at some point, we have to have a serious discussion about the funding of local government and community services that provide support to people with a range of health problems, particularly mental health problems.

**Michael Matheson:** The Labour Party is free to propose a debate on that issue if it wishes and we can respond to such points. However, there has

been a significant improvement in CAMH services. For example, in the Borders, 99 per cent of CAMH patients are seen within 18 weeks, with the average wait being three weeks. In Dumfries and Galloway, 100 per cent are seen within 18 weeks, with the average wait being seven weeks. When I was on the Health and Sport Committee, we did not even have that type of data. We had no idea how long it was taking for people to access those services. It is extremely important that we recognise the level of improvement that has already been achieved in those services, but it is also important that we build on it in the years to come.

As I said, the debate has been useful. Members can be assured that mental health will remain a clinical priority for the Scottish Government. In doing that, we will be able to continue to build on the improvements that have been made in recent years.

16:51

**Liam McArthur (Orkney Islands) (LD):** I am delighted that we have had the debate and I am proud of the fact that Scottish Liberal Democrats have enabled it to happen. It has certainly been all too brief but, nonetheless, it has provided an opportunity to reflect on an issue that, despite the various debates that we have had, often still struggles to gain the attention that it deserves.

The conclusion that I draw is that it is now time for mental health to enjoy parity of esteem in legislation with physical health. The minister argued entirely justifiably that progress has been made and that measures are in place to go further on targets, data and service improvement. Nevertheless, that still falls short of putting mental health on an equal legislative footing with physical health, and we need to go further.

As Jackson Carlaw said, it has been a good debate. It has rightly and helpfully drawn on the personal experiences of a number of members. Nanette Milne reminded us of the practice in Fife that is delivering real benefits to children and adolescents. Aileen McLeod talked of an initiative in the south of Scotland that is reducing patient dependence on medicines. Malcolm Chisholm was building up to give us a raft of good examples of excellent practice. We need to bear that in mind as we advance the debate about where we want improvements to be made.

That personal approach should surprise no one. One in four of us will suffer poor mental health at some point in our lives, while three quarters of us know someone with a mental health problem. I am among that 75 per cent. A couple of years ago, I attended the funeral of a good friend—a former

colleague and flatmate—who tragically took his own life after a long battle with depression.

I first met Andy in the House of Commons, where we started working around the same time following university. It was immediately clear that he was a class act. He was a passionate advocate for the causes that he cared about, notably the environment—and that was at a time when environmental issues were still dismissed as the obsession of a loony fringe. Andy combined that passion with a real political insight, a wicked sense of humour and a generosity of spirit that made him brilliant company and a privilege to know. However, there was always a sense that he was keeping something back—aspects of his life that he was reluctant to share.

It emerged only later that he suffered serious and utterly debilitating bouts of depression. During those times, he would retreat completely from the world, cutting himself off from family, friends and anyone else who might have been able to help. I am not sure what any of us could have done for Andy in the latter stages, but I cannot escape the feeling that, had he been able to open up earlier about the mental health problems that he was clearly suffering, it might have been possible to support him better and enable him to cope with the condition that, eventually, killed him at a wastefully young age. In the early 1990s, the stigma that surrounds mental health was more oppressive than it is today. It is not hard to see why opening up about a mental health problem was the last thing that a young bloke from Yorkshire who was intent on proving himself in the big city would want to do.

We have come a long way in the past two decades and more. Like Colin Keir and others, I record my admiration for the work that those involved in the see me campaign have done in recent years and I welcome the refounding of that initiative for the next three years. However, I firmly believe—I think that it has been acknowledged across the chamber—that we have not come far enough.

As Jim Hume and Nanette Milne reminded us, mental illness remains the dominant health problem for people of working age. It continues to damage careers, relationships and lives. The financial costs—let alone the human costs—are colossal.

Like others, I record again my support for the Scottish Government's mental health strategy, which has been a welcome and important step forward. Among other things, it recognises that it is critical to provide effective treatment in a timely fashion. Such treatment can safeguard the individual's welfare in the first instance and, without offering any guarantees, it increases the

chances of a person enjoying good mental health subsequently.

That is why the waiting time target to which the minister's amendment refers is particularly welcome. However, as Jim Hume said, after encouraging early signs of progress towards meeting the target, recent figures suggest that we are moving in the wrong direction in some cases.

There are regional variations between health boards, which open up the prospect of a postcode lottery—Malcolm Chisholm gave us an illustration of that from his constituency. Additional experts have been recruited, but there is evidence of variations in the per capita ratio of psychologists in different parts of the country. That concerns the only element of the Government's amendment with which we perhaps have a problem. I have no doubt that the situation partly reflects increased public awareness, which is very welcome. However, I presume that a rise in referrals was expected when targets were set and resources were allocated.

Variability is also a feature of the conclusions from SAMH's know where to go campaign. It found that people who live in remote and rural areas, people from black and ethnic minority communities and people who live in deprived areas face additional barriers to accessing information, help and support. Multiple health and social problems, reduced expectations and lower health literacy have all been found by SAMH to contribute to poorer outcomes in more deprived areas. Ken Macintosh, Neil Findlay and others reasonably made that point.

As Jackson Carlaw suggested, the only discordant note was in Kevin Stewart's speech. That speech would have carried more weight if the white paper contained evidence about where the additional resources would come from or about a different approach being mapped out for welfare reform.

Rural areas suffer from specific problems. Orkney minds and Orkney Blide Trust do phenomenal work in the islands that I represent, but a culture of self-reliance and stoicism can work against efforts to get people with health issues, including poor mental health, to engage early with medical professionals. Even when the wider community is a source of support, that can almost make things more difficult and increase the fear of stigma for not just the individual but their wider family. SAMH makes similar points about ethnic minority communities. In both instances, the result is delays in people seeking help for mental health problems. That matters because, as SAMH explains,

"The later individuals engage with health services, the more complex their treatment and recovery"

will be.

As I said, we very much support the Government's strategy on waiting time targets and on the data to inform future decisions. The 10-year follow-up to the Grant report is welcome and I hope that it will address some of the concerns that Richard Simpson raised about children spending time on adult wards, whether through the provision of additional beds or through a service redesign. That issue needs to be addressed.

Despite the Government's strategy and the efforts of see me and other excellent initiatives in recent years, it is clear that mental ill health is still taboo for too many people. As Nick Clegg pointed out when launching a UK Government action plan on mental health recently, the treatment of those who suffer from mental ill health is

"outdated; stuck in the dark ages; full of stigma and stereotypes."

He is right.

One speaker at the see me event in Parliament that Fiona McLeod hosted recently defined stigma as making someone go from feeling whole and usual to feeling tainted and deficient. That is simply not right. It is also one of the strongest reasons why putting mental health and physical health on an equal footing in law makes sense. Discrimination that we would not see against those who have a physical disability or condition is still all too common against those who have a mental health problem.

The issue is not whose strategy is best but how one can learn from others in the interests of meeting the needs of those who suffer poor mental health. In all parties across the chamber, there is an appetite for the issue to be discussed more openly, taken more seriously and addressed more effectively. Mental ill health is not a second-class condition. Ultimately, there is no good health without good mental health. I support the motion in Jim Hume's name.

## Business Motion

17:00

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of business motion S4M-09564, 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 22 April 2014

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Debate: Scotland's Voice in the EU

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 23 April 2014

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions  
Justice and the Law Officers;  
Rural Affairs and the Environment

*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 24 April 2014

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 Stage 1 Debate: Housing (Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 29 April 2014

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 30 April 2014

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions  
Health and Wellbeing

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 1 May 2014

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

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time—[Joe FitzPatrick.]

*Motion agreed to.*



## Parliamentary Bureau Motion

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of a Parliamentary Bureau motion. I ask Joe FitzPatrick to move motion S4M-09565, on deadlines for question times following Easter recess.

*Motion moved,*

That the Parliament agrees that the period for members to—

lodge a First Minister's Question for answer on 24 April should end at 3.30pm on 17 April;

submit their names for Portfolio and General Questions on 30 April and 1 May should end at 4.30pm on 17 April; and

lodge a Topical Question for answer on 22 April should be 9.30am on 22 April.—[*Joe FitzPatrick.*]

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

## Decision Time

17:00

**The Presiding Officer (Tricia Marwick):** There are seven questions to be put as a result of today's business. I remind members that, in relation to the debate on stop and search, 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-09557.2, in the name of Kenny MacAskill, which seeks to amend motion S4M-09557, in the name of Alison McInnes, on stop and search, 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)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (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, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 MacKenzie, Mike (Highlands and Islands) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 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)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)  
 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

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Ind)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Renfrewshire South) (Lab)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hume, Jim (South Scotland) (LD)  
 Johnstone, Alison (Lothian) (Green)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDougall, Margaret (West Scotland) (Lab)  
 McInnes, Alison (North East Scotland) (LD)  
 McMahon, Michael (Uddingston and Bellshill) (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)  
 Rennie, Willie (Mid Scotland and Fife) (LD)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)  
 Urquhart, Jean (Highlands and Islands) (Ind)

### Abstentions

Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (Lothian) (Con)  
 Carlaw, Jackson (West Scotland) (Con)  
 Davidson, Ruth (Glasgow) (Con)  
 Fergusson, Alex (Galloway and West Dumfries) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Goldie, Annabel (West Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)

Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 McGregor, 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)

**The Presiding Officer:** The result of the division is: For 62, Against 40, Abstentions 15.

*Amendment agreed to.*

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

The next question is, that motion S4M-09557, in the name of Alison McInnes, on stop and search, 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)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (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, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 MacKenzie, Mike (Highlands and Islands) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 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)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)  
 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

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Renfrewshire South) (Lab)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hume, Jim (South Scotland) (LD)  
 Johnstone, Alison (Lothian) (Green)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDougall, Margaret (West Scotland) (Lab)  
 McInnes, Alison (North East Scotland) (LD)  
 McMahon, Michael (Uddingston and Bellshill) (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)  
 Rennie, Willie (Mid Scotland and Fife) (LD)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)  
 Urquhart, Jean (Highlands and Islands) (Ind)

### Abstentions

Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (Lothian) (Con)  
 Carlaw, Jackson (West Scotland) (Con)  
 Davidson, Ruth (Glasgow) (Con)  
 Fergusson, Alex (Galloway and West Dumfries) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (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)

**The Presiding Officer:** The result of the division is: For 62, Against 39, Abstentions 15.

*Motion, as amended, agreed to,*

That the Parliament notes that Police Scotland stop and search is an operational matter for Police Scotland and is making an important contribution to local policing and the reduction of violent crimes, including a 60% fall in crimes of handling an offensive weapon since 2006-07; welcomes the fact that crime in Scotland is at a 39-year low and officer numbers are more than 1,000 higher than in 2007; recognises that Police Scotland is accountable to the Scottish Police Authority, which is currently undertaking a detailed review of stop and search; further notes that less than 0.01% of all stop and searches have resulted in a complaint since April 2013, and believes that the proportionate use of stop and search makes Scotland's streets safer and thereby reduces fear of crime.

**The Presiding Officer:** The next question is, that amendment S4M-09558.2, in the name of Michael Matheson, which seeks to amend motion S4M-09558, in the name of Jim Hume, on improving Scotland's mental health, 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)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Biagi, Marco (Edinburgh Central) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 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)  
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)  
 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)  
 Fee, Mary (West Scotland) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 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)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Renfrewshire South) (Lab)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnstone, Alison (Lothian) (Green)  
 Keir, Colin (Edinburgh Western) (SNP)  
 Kelly, James (Rutherglen) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Central Scotland) (SNP)  
 MacAskill, Kenny (Edinburgh Eastern) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 MacKenzie, Mike (Highlands and Islands) (SNP)  
 Malik, Hanzala (Glasgow) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 Martin, Paul (Glasgow Provan) (Lab)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McDougall, Margaret (West Scotland) (Lab)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLeod, Aileen (South Scotland) (SNP)  
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)  
 McMahon, Michael (Uddingston and Bellshill) (Lab)  
 McMahon, Siobhan (Central Scotland) (Lab)  
 McMillan, Stuart (West Scotland) (SNP)  
 McTaggart, Anne (Glasgow) (Lab)  
 Murray, Elaine (Dumfriesshire) (Lab)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Pearson, Graeme (South Scotland) (Lab)  
 Pentland, John (Motherwell and Wishaw) (Lab)  
 Robertson, Dennis (Aberdeenshire West) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thompson, Dave (Skye, Lochaber and Badenoch) (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

Hume, Jim (South Scotland) (LD)  
 McArthur, Liam (Orkney Islands) (LD)  
 McInnes, Alison (North East Scotland) (LD)  
 Rennie, Willie (Mid Scotland and Fife) (LD)

#### Abstentions

Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (Lothian) (Con)  
 Carlaw, Jackson (West Scotland) (Con)  
 Davidson, Ruth (Glasgow) (Con)  
 Fergusson, Alex (Galloway and West Dumfries) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Goldie, Annabel (West Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 McGregor, 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)

**The Presiding Officer:** The result of the division is: For 98, Against 4, Abstentions 15.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that amendment S4M-09558.1, in the name of Richard Simpson, which seeks to amend motion S4M-09558, in the name of Jim Hume, on improving Scotland's mental health, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (Lothian) (Con)  
 Carlaw, Jackson (West Scotland) (Con)  
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)  
 Davidson, Ruth (Glasgow) (Con)  
 Fee, Mary (West Scotland) (Lab)  
 Fergusson, Patricia (Glasgow Maryhill and Springburn) (Lab)  
 Fergusson, Alex (Galloway and West Dumfries) (Con)  
 Findlay, Neil (Lothian) (Lab)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Goldie, Annabel (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Renfrewshire South) (Lab)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hume, Jim (South Scotland) (LD)  
 Johnstone, Alex (North East Scotland) (Con)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Rutherglen) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDougall, Margaret (West Scotland) (Lab)  
 McGregor, Jamie (Highlands and Islands) (Con)  
 McInnes, Alison (North East Scotland) (LD)  
 McMahon, Michael (Uddingston and Bellshill) (Lab)

McMahon, Siobhan (Central Scotland) (Lab)  
 McTaggart, Anne (Glasgow) (Lab)  
 Milne, Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Murray, Elaine (Dumfriesshire) (Lab)  
 Pearson, Graeme (South Scotland) (Lab)  
 Pentland, John (Motherwell and Wishaw) (Lab)  
 Rennie, Willie (Mid Scotland and Fife) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, David (Highlands and Islands) (Lab)

### Against

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)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (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, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 MacKenzie, Mike (Highlands and Islands) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 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)

Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)  
 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)

**The Presiding Officer:** The result of the division is: For 53, Against 64, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that motion S4M-09558, in the name of Jim Hume, on improving Scotland's mental health, 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)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Biagi, Marco (Edinburgh Central) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brodie, Chic (South Scotland) (SNP)  
 Brown, Gavin (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Buchanan, Cameron (Lothian) (Con)  
 Burgess, Margaret (Cunninghame South) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Campbell, Roderick (North East Fife) (SNP)  
 Carlaw, Jackson (West Scotland) (Con)  
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Davidson, Ruth (Glasgow) (Con)  
 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)  
 Fee, Mary (West Scotland) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)  
 Fergusson, Alex (Galloway and West Dumfries) (Con)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Ind)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)

Goldie, Annabel (West Scotland) (Con)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Renfrewshire South) (Lab)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Johnstone, Alison (Lothian) (Green)  
 Keir, Colin (Edinburgh Western) (SNP)  
 Kelly, James (Rutherglen) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Central Scotland) (SNP)  
 MacAskill, Kenny (Edinburgh Eastern) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 MacKenzie, Mike (Highlands and Islands) (SNP)  
 Malik, Hanzala (Glasgow) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 Martin, Paul (Glasgow Provan) (Lab)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McDougall, Margaret (West Scotland) (Lab)  
 McGrigor, Jamie (Highlands and Islands) (Con)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLeod, Aileen (South Scotland) (SNP)  
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)  
 McMahon, Michael (Uddingston and Bellshill) (Lab)  
 McMahon, Siobhan (Central Scotland) (Lab)  
 McMillan, Stuart (West Scotland) (SNP)  
 McTaggart, Anne (Glasgow) (Lab)  
 Milne, Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Murray, Elaine (Dumfriesshire) (Lab)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Pearson, Graeme (South Scotland) (Lab)  
 Pentland, John (Motherwell and Wishaw) (Lab)  
 Robertson, Dennis (Aberdeenshire West) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thompson, Dave (Skye, Lochaber and Badenoch) (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

Hume, Jim (South Scotland) (LD)  
 McArthur, Liam (Orkney Islands) (LD)  
 McInnes, Alison (North East Scotland) (LD)  
 Rennie, Willie (Mid Scotland and Fife) (LD)

**The Presiding Officer:** The result of the division is: For 113, Against 4, Abstentions 0.

### *Motion, as amended, agreed to,*

That the Parliament notes that one in four adults will experience mental ill health in their lifetime; recognises the enormous personal, social and economic costs of mental health problems, which are estimated to cost £10.7 billion per year in Scotland; further recognises that mental ill health is now the dominant health problem for people of working age, with it accounting for around 45% of all people not working due to ill health; notes that Scotland is the only country in the world to have introduced a waiting times target for access to psychological therapies; welcomes the increasing access to psychological therapies across Scotland and the progress that NHS boards are making in developing services, while recognising the challenges in delivering the target; notes that the Mental Health Foundation, Voices of Experience and Healthcare Improvement Scotland are currently doing the field work to deliver the commitment in the *Mental Health Strategy for Scotland 2012-2015* to commission a 10-year follow up to the report, *National Mental Health Services Assessment: Towards implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003* (the Grant report) to review the state of mental health services in Scotland, which will be published later in 2014, and notes that 'see me', Scotland's programme to end mental health stigma and discrimination, has been refounded for the next three years.

**The Presiding Officer:** The next question is, that motion S4M-09565, in the name of Joe FitzPatrick, on deadlines for question times following the Easter recess, be agreed to.

### *Motion agreed to,*

That the Parliament agrees that the period for members to—

lodge a First Minister's Question for answer on 24 April should end at 3.30pm on 17 April;

submit their names for Portfolio and General Questions on 30 April and 1 May should end at 4.30pm on 17 April; and

lodge a Topical Question for answer on 22 April should be 9.30am on 22 April.

## Autism-friendly Theatre and Cinema

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

The final item of business today is a members' business debate on motion S4M-08737, in the name of Mark McDonald, on applauding autism-friendly theatre and cinema. The debate will be concluded without any question being put.

#### *Motion debated,*

That the Parliament applauds the numerous theatres and cinemas around Scotland for showing autism-friendly performances in 2013 in order to provide an enjoyable experience for both children and adults with autism; praises the recent efforts of Aberdeen Performing Arts for ringing in the New Year by hosting its first autism-friendly pantomime performance of *Cinderella* starring the actress, Elaine C Smith, on 3 January 2014, and notes that she has called for more autism-friendly productions in Scotland; also congratulates the Playhouse Theatre in Edinburgh and the cast and crew of *The Lion King* musical on hosting an autism-friendly performance in association with the National Autistic Society on 24 November 2013; commends the various autism-accessible showings at cinemas including, but not limited to, Vue and Cineworld, and hopes that the tradition of autism-friendly screenings and shows continues to grow to enable people with autism, as well as their families and carers, to enjoy access to entertaining performances in 2014 and beyond.

17:08

### **Mark McDonald (Aberdeen Donside) (SNP):**

It is appropriate that we are having this debate on world autism awareness day. I begin by thanking those members who came along to the photocall to mark autism awareness day. I have to say, Presiding Officer, that the sight of you and other members of the Scottish Parliament on spacehoppers is one that will live with me for quite some time to come.

I will begin by setting the context and say why it is important that we are having the debate. I came into contact with a man by the name of Glyn Morris from Moray, who has been campaigning on the issue of autism-friendly theatre for some time. The genesis of his campaign came about when he and his family were asked to leave a performance of the musical "Wicked" in the west end because the low vowel sounds that his son makes were said to be disturbing the sound engineer.

For any parent, irrespective of whether they have a child with autism or another disability, being asked to leave a performance that the family had been looking forward to for some time would be extremely distressing. However, rather than accept that that should have happened, Glyn put his efforts into campaigning and has been campaigning successfully for autism-friendly theatre. He has inspired me to use what influence I have to try to build on his success.

There have been a number of successful autism-friendly performances in Scotland. In December 2012, a performance of "The Snowman" at Edinburgh Festival Theatre was billed as the first relaxed theatre performance in Scotland. A lot of people have asked me what it is about such a performance that makes it relaxed. In many respects, it is about making subtle changes, which can include leaving the house lights on or not turning them off completely, removing strobe lighting or loud bangs and sudden noises from the performance, allowing people to bring in their own food rather than requiring them to purchase food that is vended in the cinema or theatre, allowing people the freedom to get up and wander during the performance if they want to do so, and providing quiet areas to the side of the venue if people need to leave for whatever reason.

Such changes are not significant, but they are important and can make theatre and cinema more accessible, and not just to individuals on the autistic spectrum. I have been contacted by many parents of children and adults who have a range of disabilities and sensory impairments, who have said that relaxed performances have opened up theatre and cinema to their children and to people who have simply stayed away because they think that theatres and cinemas are not welcoming places.

I mentioned the relaxed performance at the Festival theatre. There have been other such performances. An autism-friendly performance of "The Lion King" in the west end was brought to Edinburgh in November. I will read out a few comments from parents who attended the performance. One said:

"My 5 year old son had a wonderful experience at the theatre ... Let's hope it's not a once in a lifetime opportunity."

Another said:

"My daughter had the most wonderful time at the theatre and was able to access the show, which would never have been possible without this event."

Another parent said:

"My son Joshua loves the Lion King and I had longed to take him but never dared ... due to how he would react to a 'normal' performance and how people in the audience may react to him. It was a fantastic performance and the actors gave their all".

That parent went on to say, of the audience:

"Seeing them so relaxed knowing they enjoy the show without fear of being judged by less understanding members of the public. You made a lot of people happy today and I know you have made happy memories for lots of families, including my son and I. Let's hope other productions follow suit and do the same."

Cineworld, Vue and Odeon cinemas have offered autism-friendly screenings, in partnership with Dimensions UK, which is a not-for-profit

organisation that supports people who experience autism and people who have learning difficulties. During autism-friendly screenings, low lights are left on in the auditorium and the volume of the soundtrack is reduced. It is fine for customers to move around and make a noise during the film. Vue cinemas have a set date and time when autism-friendly screenings are available, and I know that Cineworld in my town, Aberdeen, offers such screenings on specific dates. I have written to the new owner and operator of the independent Belmont cinema in Aberdeen, to ask them to consider joining other operators in providing autism-friendly screenings.

Because I want to influence what happens, I also wrote to Aberdeen Performing Arts, to ask it to consider putting on an autism-friendly performance of its pantomime. I had seen that the Aberdeen Arts Centre had had a relaxed showing of its pantomime, and I thought that Aberdeen Performing Arts should do so too. I gained support from the theatre, the production company and the cast—indeed, Elaine C Smith said that she has a nephew with autism and that she remembered him coming to see her in panto and being unable to watch the show from within the auditorium because he was terrified by the noise and the lights.

I will read a testimony from one of the parents who attended that event and got in touch with me afterwards. She wrote:

“Just wanted to pass on huge thanks for arranging the relaxed performance of Cinderella at Christmas. We took our son to the theatre hoping that this might be something he could enjoy—and it was such a success! He had never been beyond the door of the theatre or cinema before, but because we were able to lead up gradually to the event—it worked! It was also his 21st birthday—so very emotional for us too.”

That was a fantastic but also upsetting thing to read. Here was a 21-year-old man who had never been able to access the cinema or the theatre before because he found himself excluded.

I finish by mentioning “The Lion King” again. One of the cast members made a very good speech before the performance. He said:

“Much too often, autism has to adapt to society. It’s about time a little bit of society adapted to autism!”

It brought the house down when he said that, because for the people in the audience that is what this is about. It is about ensuring that there are no barriers to accessing theatre and cinema out there. People who can attend a mainstream performance will never find themselves excluded by relaxed performances, but people with autism or other disabilities and sensory impairments often find themselves excluded by performances that are not put on with those adaptations in place. That is why I hope that members who speak in the

debate, as well as highlighting the experiences that they have had in their own communities and constituencies, will consider what they can do to encourage and put pressure on more theatres, cinemas and production companies that bring tours to Scotland to put on such performances. I am sure that we all agree that that would be most welcome.

**The Deputy Presiding Officer:** We come to the open debate. We will have speeches of about 4 minutes, please. Clare Adamson has intimated that she has to leave the chamber soon on other parliamentary business.

17:17

**Clare Adamson (Central Scotland) (SNP):** I apologise to Parliament for my having to leave immediately after I make my speech.

I congratulate Mark McDonald on securing the debate and commend him for the tremendous amount of work that he has done in raising awareness of, and expanding opportunities for, autism-friendly theatre and cinema productions. Although I support that work, he did not quite persuade me to get on a space hopper for international autism awareness day. I congratulate all my colleagues who were willing to take part; I might have a quiet bounce on the trampoline at home.

I did not have to look far to find many examples of autism-friendly productions in my region. Last Christmas, there was the K-Otic Productions relaxed pantomime “The Wizard of Oz” in East Kilbride, and the Hippodrome cinema in Bo’ness has a whole season of autism-friendly performances.

Music, creativity and culture are what define us as human beings. Access to culture should not be limited, and it is important that autistic young people have an opportunity to express their creativity by participating in music, theatre and performance. I therefore commend to the chamber a project in North Lanarkshire that is run by the council’s autism education unit and a charity called Reeltime Music. Reeltime Music exists to create and provide opportunities in the creative industries for disadvantaged young people, which will have an important impact on their personal, social and career skills. They are very talented youth workers.

Reeltime Music worked with a group of youngsters who got to be pop stars—performing, recording and even shooting a DVD. Known as the Castlehill Kool Dudes, all the youngsters have had an autistic spectrum disorder diagnosis and attend Castlehill primary school’s language and communication support centre. Their positions on the spectrum vary, with some having very little



language and little communication with other people.

The eight-week music project let parents work with their children to help them to gain new musical skills and then premier their DVD at a special school event. The tutors from Reeltime Music, who have no specialist training in working with people with ASD, worked with the families in harmony to make a song choice and to plan a detailed storyboard for their video. They had a session in Reeltime Music's Newarthill recording studio and they have now produced a fantastic version of "I Gotta Feeling" by the Black Eyed Peas.

Reeltime Music captures its magic moments at its weekly meetings. Everyone in that group says that there were more magic moments from that project than any other community engagement in which they had been involved.

That unique experience was one that each child not only took something different from, but which showcased their individual talents and skills in a way that their parents may never have seen. For some, that meant staying five minutes longer at each week's sessions; for others, it was to show musical talent that no one had been aware was within them.

The deputy headteacher, Lorna Ferguson, said that

"The Reeltime Music project has been one of the most exciting, inspirational and rewarding experiences of my teaching career."

All our children, including those with ASD, deserve "exciting, inspirational and rewarding experiences",

whether through enjoying culture or taking part in it. I commend Mark McDonald for the motion and for the fact that we have been able to debate it on world autism awareness day.

17:21

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** I congratulate Mark McDonald on securing the debate. I support the motion for highlighting what I see as being a great step towards inclusion and understanding of autism in Scotland.

Living with autism in 21st century Scotland does not just mean getting by with the basics of life; it means having the right to enjoy the same pastimes and pleasures as the majority of the population. Therefore, it is fitting in this year's autism awareness week that we look at what is on offer to improve autistic people's quality of life.

As the motion points out, many cinemas have been showing autism-friendly films. Indeed, United Kingdom cinema operators have come together to

host the first-ever national week of autism-friendly screenings in support of world autism awareness day. The films are tailored to provide autistic children with a relaxing and entertaining experience, thereby reducing the chances of heightened anxiety. Reduced sound levels, increased lighting and advert-free content allow the audience group, their families and their carers to be comfortable and to feel fully included in the unique experience of cinema. People who may be excluded from the traditional cinema experience because they find the sensory experience to be overwhelming—not to mention the adverse reaction of other people who might be present, as Mark McDonald emphasised—are able to watch a wider variety of films more frequently in an environment that is conducive to their needs.

However, the new world of autism-friendly entertainment goes beyond the silver screen. Mark McDonald's motion rightly highlights some of the progress that is being made on the live stage as the big names of Scottish pantomime welcome a new audience into our theatres. He mentioned in particular, as does his motion, Aberdeen Performing Arts, which did an incredible job in working to produce a relaxed or "softly, softly" version of the pantomime "Cinderella" on 3 January. That was a one-off, but it was much enjoyed by all those who attended, and who benefited from the more subdued presentation of the show's extreme elements, such as pyrotechnics, loud noises and strobe lighting. Mark McDonald emphasised the comments of several parents—indeed, he quoted them—whose children benefited from that and other Edinburgh shows, including "The Lion King" and "The Snowman".

The drive towards helping autistic people to engage in mainstream pleasure pursuits is not confined to cinema and theatre. Scottish Autism, which is a charity that works with high-functioning autistic adults, has been exploring new ways of helping individuals to develop relationships and connections with others through healthy socialisation and everyday environments. Groups of attendees decide on their preferred fields trips, so that the experience is tailored to their preferences. Through creating safe social spaces, we are able to give individuals the chance to form a better understanding of how to interact in everyday situations, and to do that in a way that ensures that they also feel that they are accepted and included. That is why the cinema and theatre initiative is such a laudable step forward.

The 2 April world autism awareness day is so incredibly important because it draws global attention to the need to place human rights at the heart of all our policy, and to uphold the human rights of children and adults who are on the autism spectrum. They have not only a right to the basics

of life—clothing, a stable living, education and good health—but a right to live well. That means having access, wherever possible, to the same privileges as others, and to being met with understanding rather than by ignorance.

In the words of Ban Ki-moon, who is the secretary general of the United Nations:

“World autism day is about more than generating understanding; it is a call to action. I urge all concerned to take part in fostering progress by supporting education programmes, employment opportunities and other measures that help realize our shared vision of a more inclusive world.”

I once again congratulate Mark McDonald for lodging the motion.

17:25

**Stuart McMillan (West Scotland) (SNP):** I, too, congratulate Mark McDonald on securing the debate and commend him for highlighting a positive move by cinemas and theatres across Scotland. This is an excellent opportunity to highlight autism and to applaud the organisations that have opened their doors and provided facilities for children and adults with autism.

As we know, autism can be a complex developmental matter. It typically appears in the first three years of life and affects a person’s ability to communicate and interact with others. It is defined by a set of behaviours and is a spectrum disorder that affects individuals differently and to varying degrees. It is estimated that 1 per cent of the UK population has autism. That is one in every 100 people in the population. Each person with autism has different needs and barriers to overcome.

I have been fortunate on a number of occasions to meet representatives from an organisation called REACH for Autism, which is based in Inverclyde. It carries out excellent work on breaking down the barriers that surround autism. It is an excellent support group that was formed by parents who wanted to do more to ensure that despite autism, their children could meet their full potential. REACH for Autism provides a very welcome service that offers much-needed support, services and opportunities for children, adults and families who live with autism.

The underlying theme of REACH for Autism is connection and community, and it aims to fill the gaps in service provision. It likes to keep things simple and has developed a creative hands-on approach called the REACH way: a method with the five main areas of focus being relationships, education, action, community and health. The word “reach” means

“to hold out a hand to someone; to communicate with; to succeed in having an effect on someone.”

That is what REACH for Autism is there to do and what it does very successfully. It reaches out and helps families with autism. I commend the work of the organisation, which is there when families need it most and provides an excellent service to the people of Inverclyde.

One of REACH for Autism’s positive achievements is its work with the Waterfront cinema in Greenock. Its collaboration with the cinema ensured that autism-friendly screenings took place, which allowed children with autism to experience the pleasure and excitement of attending the cinema—but which Mark McDonald talked about—which all too often is denied to them.

I visited the Waterfront cinema last year, as part of my summer tour around West Scotland, and I was impressed by its commitment to its customers. I congratulate the Waterfront cinema on making the autism-friendly screenings happen and on its other social inclusion initiatives, including screenings for local day centres in Inverclyde. It does not do those things for profit—they are not usually commercially successful—but the owners of the company and the management team firmly believe that the Waterfront needs to be more than just a commercial cinema and that it has a duty to ensure that everyone who wishes to go to the cinema gets the opportunity to do so. That is a great commitment to have for the area and the whole of Inverclyde, including families with autism.

The work of that commercial cinema and its support—with the help of REACH for Autism—for children and adults with autism highlights what can be done in communities all across Scotland to provide autism-friendly screenings. I commend the Waterfront cinema and REACH for Autism and, once again, I commend Mark McDonald for bringing this important issue to Parliament today—world autism awareness day.

17:29

**Nanette Milne (North East Scotland) (Con):** I add my congratulations to Mark McDonald on bringing the subject to the chamber and on his interesting and heartfelt contribution. I also congratulate him on his successful efforts to promote relaxed theatre and cinema in Aberdeen.

As today marks the seventh annual world autism awareness day, I will touch on some of the facts associated with the condition, and how a greater understanding is a huge advantage to helping people with autism lead a normal life. Autism affects millions of people around the world, including more than 700,000 in the UK alone. The condition affects how a person communicates and socially interacts but, as it has no physical signs,

autism is often difficult to diagnose. Early intervention is essential.

Mark McDonald's motion refers to theatre productions of "Cinderella" and "The Lion King", and it is also interesting to note that at least six cinemas in Scotland now regularly offer autism-friendly screenings. Necessary adjustments, such as not making a screening too dark and reducing the loud movie volume, all help to enable an individual with autism to enjoy the performance.

Such initiatives are relatively recent and have their origins in the United States through the Theatre Development Fund, which created a programme that made theatres and cinemas more accessible to children and adults on the autistic spectrum. However, as these improvements in sensory-friendly establishments have occurred only in the past five years, we still have some catching up to do.

As we will all be aware, one of the characteristics of someone with autism is to be lively and often noisy and, in the confines of a cinema or theatre, such behaviour is wrongly frowned on by people who do not understand autism. Similarly, the desire to move around will not be acceptable to some of the audience. The great advantage of special screenings or performances is that people with autism, especially children, do not feel restrained. Moreover, the adjustments to lighting and sound remove any fear or trauma that an autistic person in a cinema or theatre might experience.

I will end my brief speech by mentioning a case I read about that highlights the need for people with autism to be given greater access to the arts. Daniel is a 10-year-old boy with Asperger syndrome who likes to talk to the characters on the screen. On one occasion, he was watching "Indiana Jones and the Kingdom of the Crystal Skull" when he became convinced that a spider had crawled across the screen. He wanted to share that with everyone around him and asked them if they, too, had seen the spider. The inevitable hissing and complaining that followed were very hurtful to Daniel's mum and quite rightly made her feel very angry.

That is why the kinds of initiatives that we are discussing this evening are to be welcomed, and I pay tribute to cinema chains such as Vue and Cineworld for putting individuals ahead of profit. It is certainly the right approach.

**Mark McDonald:** Following its relaxed performance of the panto "Cinderella", Aberdeen Performing Arts has announced a relaxed performance of "Horrible Histories" next month. Does that not demonstrate that there is nothing to fear from holding such performances, which,

because of their success, can be repeated in future?

**Nanette Milne:** That sounds very interesting. I might even attend the performance myself to see what it is like.

I would certainly like this approach to be extended. After all, everyone enjoys the cinema and the theatre, and it is time that everyone was treated fairly and equally.

Once again, I thank Mark McDonald for securing the debate.

**The Deputy Presiding Officer:** I call Patricia Ferguson, who will be followed by the minister.

17:32

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab):** First, Presiding Officer, I must apologise for moving my seat and confusing everyone. Unfortunately, my lectern was not working. We all have to deal with these little technical difficulties.

The motion calls on us to applaud autism-friendly theatre and cinema, which, of course, we do, but I also applaud Mark McDonald for bringing the motion to the Parliament and securing a debate on what is an extremely interesting and very important issue. Colleagues will not be surprised to hear that I truly believe in the transformational nature and power of the arts, and I very much welcome any work that allows young people to get involved. On a number of occasions, I have talked about how important the arts are to people who suffer from mental ill health, dementia and, indeed, physical ill health, but it is very interesting to focus on a particular group of people whose experience can be made so much better through a range of small but perhaps significant adjustments.

Although cinema is a wonderful medium that I greatly enjoy, what I find very special about live performances is the ability to share them with people whom we care about and with whom we want to enjoy the experience. That young people might be denied the opportunity to enjoy live theatre with their parents, family or friends because of their condition is something that should be challenged at every opportunity, and the kind of work that we have heard about this evening goes to the heart of that proposition.

Theatres can be intimidating places for anyone: people watch performances in the dark and may have to negotiate steep steps. That helps to make theatres places that are different and unusual. We are saying, however, that accommodating the needs and requirements of young people with autism shows that theatres do not always have to

be like that and that there are other ways of doing things.

Such accommodation might also be welcome to other groups in society. My elderly father loves the theatre, but finds the steps very tricky to negotiate—and the lighting. Because of those problems, he finds going to the theatre quite hard. For people like him, going to see something with the lights still up would be very welcome. Perhaps we will look at that as a family.

I am conscious that a number of performing arts companies for young people specialise in or make a point of including young people with a range of disabilities in performances. That must be something that we welcome and encourage.

I know a young man with autism who lives not far from me. I have been in his company on a couple of occasions at performances in his younger sister's school. His sheer enjoyment from those relatively simple performances cannot be measured. The fact that he is able to enjoy them with the rest of his family and can cheer on and applaud his younger sister is very special and is exactly the kind of thing that Mark McDonald talked about. I wonder whether it would be possible for organisations such as the Royal Conservatoire of Scotland to think about how they encourage students to look beyond the ordinary when they do theatre productions and to look for opportunities to work in the kind of situations that we have heard about.

This debate is a very good way of celebrating and raising awareness of autism awareness day, and I thank Mark McDonald for bringing it to the chamber.

17:37

**The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop):** I, too, thank Mark McDonald for bringing the debate to the chamber on the seventh annual world autism awareness day and for highlighting the great work that theatres and cinemas throughout Scotland have done to make performances autism friendly. I also recognise his work on raising awareness of autism issues and his campaigning on those issues.

We are committed to doing all that we can to ensure that everyone, including people with autism, their families and carers, can maximise their potential and enjoy and participate in our rich and diverse cultural life. That means that they must be able to exercise choice, control, dignity and freedom in their daily lives, and be supported to live the life that they choose. Participation in everyday life means being able to do the same ordinary things that non-disabled people take for granted. Going to the cinema is a good example of

an ordinary pleasure that can make an extraordinary difference to people with autism and other disabilities.

My colleague the Minister for Public Health launched the Scottish strategy for autism in November 2011, along with £13.4 million of funding to improve autism services and access to them. With the strategy, the vision has always been first and foremost about people—that individuals with autism are respected, accepted and valued by their communities. The strategy aims to improve the lives of people with autism. Part of that is about ensuring that people with autism feel included and have equal access to the community in which they live, including having access to the same social activities that everyone has. I know and understand from the comments that have been made that that is not the case at the moment, but that is where we want to be.

As cabinet secretary with responsibility for culture, I feel strongly about that vision of inclusion. As Patricia Ferguson mentioned, arts and culture are fundamental to our quality of life, and everyone should have the opportunity to participate in and benefit from cultural experiences. It is our job as the Government to create the conditions for meaningful access and participation and to work with the cultural sector to find innovative ways of bringing culture to more people and communities. I know from my discussions with Creative Scotland, as the national organisation that supports Scotland's arts and cultural sectors, that it is equally committed to widening participation in the arts and creative activity. It funds a number of organisations that work with people with learning disabilities, including autism. One example is Project Ability, which offers visual arts workshops for adults, children and young people.

In his motion, Mark McDonald is quite right to praise major cinema chains such as Cineworld and Vue for the work that they have done in putting on autism-friendly screenings, but he is also right to note that such support is not limited to those chains. Art cinemas such as the Glasgow film theatre, the Mareel centre in Shetland, the Belmont cinema in Aberdeen and the Cameo cinema here in Edinburgh have also put on film screenings aimed at the autistic community. I particularly commend Glasgow film theatre, which has regular autism-friendly screenings at 12.30 pm on the first Saturday of the month.

As well as praising the cinemas, we should praise those who have supported such screenings. Organisations such as Dimensions, which was mentioned in the debate and which provides services for people with autism and learning disabilities, has done vital work with the cinemas to ensure that they provide a welcoming

and friendly atmosphere, for example by screening films with more lighting and a softer soundtrack than usual.

I applaud the efforts of theatres in Scotland for their work in programming autism-friendly performances. Mark McDonald's praise of Aberdeen Performing Arts and the Playhouse theatre here in Edinburgh is richly deserved. Tremendous work is also being done by others, including our national performing companies and the Edinburgh festivals. In December 2012, the National Theatre of Scotland launched Scotland's first autism-friendly Christmas show, working with the National Autistic Society Scotland. That was achieved through reducing the sensory intensity of the show and including a familiarisation period before the performance. The National Theatre of Scotland continues to build on its expertise and to collaborate with others in regularly including in its programming relaxed, autism-friendly performances in venues across Scotland.

This year's Imagine children's festival in May has included relaxed performances in its programme to ensure that there is an environment in which every member of the audience can be comfortable and enjoy the experience in their own way.

The work that is being done by cinemas and theatres has made a real difference not only to those with autism but, as Mark McDonald highlights in his motion and said in his speech, to their families and carers, given the social experience of enjoying performances together. One of the users of Glasgow film theatre's monthly screenings commented:

"Thank you all so much for providing such a welcoming atmosphere, it is great for us to be able to relax and not worry about our child making a noise or upsetting other cinemagoers. It can be really difficult to do things together as a family, and it's very important for all of us. Because of your wonderful idea, my daughter, who has severe learning difficulties and autism, could go to the cinema and bring her 10-year-old sister, her six-year-old brother, his friend and two carers who support her. We all had a great time."

I am also glad that the improvements that we have seen in the past few years are part of a broader wave of improvements by cultural organisations to increase opportunities for participation to a wider audience. This is also an issue of audience development and new audiences and opportunities, and it should be embraced in such a fashion. Infra-red sound facilities are increasingly available in cinemas and theatres for hearing-impaired individuals, as are audio description headphones for the blind or partially sighted. However, we need to reflect that there is still more work to be done to bring cultural activities to more people, and we will continue to work with our partners in and outside Government to achieve that.

I join members in praising not just the work that theatres and cinemas around Scotland have been doing to make their performances accessible to those with autism, but also the fantastic work that they have done in enabling performances and screenings to be enjoyed by a wider and more diverse audience. I very much like the statement that was made in Aberdeen that, for too long, people with autism have had to adapt to society and it is about time that society adapted to autism.

**The Deputy Presiding Officer:** Thank you, cabinet secretary. Perhaps next year Mark McDonald will be able to persuade everyone else on to a spacehopper.

*Meeting closed at 17:43.*



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