



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 12 June 2014

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Scottish Parliament

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

General Question Time

Support for Rape Victims (Edinburgh and the Lothians)

1. Kezia Dugdale (Lothian) (Lab): To ask the Scottish Government how it supports victims of rape in Edinburgh and the Lothians. (S4O-03346)

The Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights (Shona Robison): The Scottish Government is providing funding of £100,000 per year from 2012 to 2015 to Edinburgh Women's Rape and Sexual Abuse Centre. In addition, we support the rape crisis helpline, which is receiving £260,000 per year from 2012 to 2015.

Kezia Dugdale: I thank the cabinet secretary for mentioning Edinburgh Women's Rape and Sexual Abuse Centre. Is she aware of the extent of the cuts that the centre is facing, which are threatening essential front-line support services? The centre is now relying heavily on donations to stay afloat. Will she meet the centre's management to discuss its situation, with a focus on finding a possible resolution?

Shona Robison: I am aware of the issues, which have been raised previously in the chamber, and which Kezia Dugdale has mentioned. Edinburgh Women's Rape and Sexual Abuse Centre receives funding from the violence against women fund and the rape crisis specific fund. Rape Crisis Scotland has funded a consultant to work with and support the centre on a range of issues, including its funding strategy.

All the money to address violence against women is allocated, but I am more than happy to meet the centre's managers and staff to hear their concerns. We will take that forward as soon as possible.

Margaret Mitchell (Central Scotland) (Con): What progress—if any—is being made with the proposal to give rape victims legal advice when use of their medical records and sexual history is requested?

Shona Robison: I will write to update Margaret Mitchell on that, to ensure that my information is accurate.

Independence (Start-up Costs)

2. Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): To ask the Scottish Government when the work that is under way in 2012 on the start-up costs of an independent Scotland will be completed. (S4O-03347)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): The Scottish Government has undertaken a range of work to prepare for the transition to independence, and our approach is set out in "Scotland's Future". Pages 343 to 350 explain that a number of factors will influence the size of the one-off investment that Scotland will make in the transition to independence. They include the negotiations that will take place between the two Governments on apportioning assets and securing public services in Scotland, and the options that are chosen for improving systems and providing more modern and responsive public services for people in Scotland in the period following independence.

Malcolm Chisholm: It is right to point to Patrick Dunleavy's critique of the Treasury's numbers, but has he not also made it clear that the First Minister's £200 million—without the aid of a fag packet—would not cover everything? Why is there a cover-up of whatever figures emerged from the work that we know took place?

Nicola Sturgeon: As Malcolm Chisholm would know, if he had heard the discussion at the Economy, Energy and Tourism Committee's meeting yesterday, a number of factors will influence the position, all of which will be influenced by the negotiations between the two Governments. Those factors have been explained before, but I am happy to explain them again.

First, much of the infrastructure that is associated with delivering reserved services already exists in Scotland and will be transferred to the Scottish Government. Welfare and pensions are examples of that. Secondly, we will have choices to make about the transition timescales and about options for more efficient delivery. Thirdly, there will be wider negotiation about the allocation of the United Kingdom's £1.3 trillion of assets.

We are taking a sensible approach, which is set out in the white paper. I note that Professor Young—another academic whom the UK Treasury relied on—pointed in a blog to the degree of preparation for the white paper. In contrast, the UK Government is guilty of attempting to mislead people or, as the permanent secretary to the Treasury said, of having "misbriefed" people. I know which option I prefer. If the poll in today's *Daily Record* is anything to go by, it is clear which

option is winning favour with the Scottish people, too.

Capital Investment (Non-profit Distribution Finance)

3. Gavin Brown (Lothian) (Con): To ask the Scottish Government what value was delivered on the ground in 2013-14 by non-profit distribution financed capital investment. (S4O-03348)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): The Scottish Futures Trust will update the forecast capital spend at the time of publication of the draft budget for 2015-16. The SFT has commenced the update process and will publish the value of investment on the ground in 2013-14, along with future forecast capital spend, at that time. In 2013-14, the value of projects that had entered construction—post financial close—was approximately £640 million, and projects in procurement totalled approximately £1,390 million.

Gavin Brown: Almost four years on from the NPD pipeline being announced, can the cabinet secretary tell us how many of the 47 projects are built and operational?

John Swinney: The first revenue-funded finance project was opened in 2013-14; that was the Aberdeen health village. As Mr Brown knows, a range of projects are under way, including the City of Glasgow College and Inverness College UHI projects, the M8, M73 and M74 motorway improvements and a range of other projects around the country. I have made no secret of the fact that it took the Government longer to implement the non-profit distributing programme than we originally predicted. I have been absolutely open with Parliament about that over time and I have answered numerous questions from Mr Brown and others on the issue.

The question that we should focus on is why the Government had to embark on the non-profit distributing programme. We had to embark on it because of the savage cuts in capital expenditure that the Conservative Government applied when it came to office—cuts of £1 billion every year in our capital budget. The only reason why the City of Glasgow College and Inverness College buildings are being built just now, and why the M8, M73 and M74 motorway improvements are being undertaken is that the Scottish Government decided to proceed with the NPD programme, which we are now in the process of delivering.

Fishing (Support)

4. Nigel Don (Angus North and Mearns) (SNP): To ask the Scottish Government how it supports the fishing sector and what its position is

on the suggestion that the European fisheries fund should be spent elsewhere. (S4O-03349)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): Any suggestion that Scotland does not require a fair share of European fisheries funds is simply outrageous and is, of course, not in Scotland's interests. Reform of the common fisheries policy will be the biggest challenge that our fleet has faced. It is only right and proper that available European funding reflects the task in hand. To put the available funding into context, Scotland has 8 per cent of European Union landings by value, but presently receives only 1.4 per cent of the current European fisheries fund. Scotland receives €21 per tonne of fish landed, which is the second-lowest allocation in the EU.

Nigel Don: Will the cabinet secretary give a bit more detail on how the rest of the fund is spread around Europe?

Richard Lochhead: Clearly, that is down to negotiations. Unfortunately, as members are aware, the United Kingdom Government negotiates on behalf of Scotland on access to European fisheries funds. Many other countries whose fishing industries are not nearly as significant as ours receive much bigger shares of European fisheries funds while we get way below our fair share. That says a lot about the priorities of the UK Government and how those issues are decided. Therefore, we should have our own voice in Europe, so that we can get a fair share of European fisheries funds.

Jamie McGrigor (Highlands and Islands) (Con): Does the cabinet secretary agree that the intention of the European fisheries fund has always been to support struggling fishing communities, and that the communities and parts of the fishing industry that are struggling in Scotland do have access to that important funding stream? Does he agree that the Scottish fishing fleet is strong, and that part of our commitment as EU members is to support fishing communities across the union that are struggling, rather than to subsidise some of the strongest fishing communities that are already sustaining themselves with great success?

Richard Lochhead: That is a startling intervention from Jamie McGrigor, which will be noted by every single fisherman in Scotland and by our sea fishing sector more widely. The fact that a Scottish Conservative MSP has just stood up and said that there is justification for Scotland's not having a fair share of the European fisheries fund absolutely beggars belief, and just shows that the Conservative Party and Jamie McGrigor clearly do not have the fishing industry's interests at heart.

Environmentally Friendly Public Transport

5. Alex Johnstone (North East Scotland)

(Con): To ask the Scottish Government what plans it has to extend support for the adoption of environmentally friendly public transport, such as hydrogen fuelled and electricity fuelled buses. (S4O-03350)

The Minister for Transport and Veterans

(Keith Brown): The Scottish Government is investing in the European Union's largest integrated hydrogen transport project, which will refuel Europe's largest fleet of zero tailpipe emission hydrogen fuel cell buses in the city of Aberdeen from late 2014.

The Scottish green bus fund is helping our bus industry to invest in the latest emissions-reducing technology, and is another clear indication of this Government's commitment to Scotland's bus industry. I recently announced round 5 of the fund and a budget of £4.75 million—the largest yet.

In addition, operators receive the bus service operators grant at double the standard rate for services that are operated using low-carbon buses.

Alex Johnstone: Given that the technology and opportunities to take the issue further and faster in Scotland are increasingly obvious, will the minister look this year at the total amount of money that is allocated to supporting bus services in the round, and see what can be done to ensure that that resource is focused on extending environmentally friendly services?

Keith Brown: That is exactly what we are doing. As I said, there have been five rounds of the Scottish green bus fund, which has not only helped to introduce low-carbon buses in Scotland but has enabled manufacturers who have won contracts—one of which, Alexander Dennis Limited, in Falkirk, is indigenous—to develop the technology to help them to win orders abroad worth upwards of £700 million. That is substantially to the benefit of the whole of Scotland.

We are considering further measures. I mentioned the hydrogen project for buses in Aberdeen—we are considering whether the technology can be used for ferry services, too. We have a good record of supporting the bus industry. Whether we are talking about the bus service operators grant, the concessionary travel scheme or investments in hydrogen buses, low-carbon buses and one or two fully electric buses, such as the one in Stranraer, we have a record to be proud of. Of course, we will try to do more in the future.

Problem Gambling

6. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government what action it is taking to promote awareness of problem gambling, given its impact on communities. (S4O-03351)

The Minister for Local Government and Planning (Derek Mackay):

I recently led a summit that considered one aspect of the issue: the prevalence and concentration of betting shops in our town centres. Following the summit, we are considering a range of proposals that are aimed at tackling the problem. For example, we are looking at what planning policy can deliver.

Together with the other devolved Administrations, we recently wrote to the United Kingdom Government to encourage it to maximise all the options that are available to address the public health concerns that are associated with gambling.

Stuart McMillan: The minister will be aware that I recently secured a members' business debate on problem gambling and fixed-odds betting terminals. I subsequently wrote to all 32 local authorities to ask them to consider inviting speakers from Gamblers Anonymous into schools to speak to pupils. A number of authorities, including Inverclyde Council, agreed to do that.

Does the minister agree that providing education for young people on the dangers of gambling is important? Does he welcome the move by councils to do that? Can he say more about his thinking as a consequence of the summit that he led?

Derek Mackay: The summit will produce a report of all the issues that we discussed. We heard from many experts and directly from communities, and we worked closely with local authorities.

The Scottish Government agrees that a preventative approach to problem gambling is important. The preparation of young people for adulthood involves alerting them to risks. We thank Mr McMillan for his proactivity on the issue and hope that local authorities, in partnership with us, will do all that they can do to raise awareness of the risks.

The Presiding Officer (Tricia Marwick):

Before I call question 8, I say to members and ministers that there is the opportunity to ask slightly longer supplementary questions and to give slightly longer answers.

Farm Produce (United Kingdom Market)

8. Lewis Macdonald (North East Scotland)

(Lab): To ask the Scottish Government what proportion of Scottish farm produce is sold elsewhere in the UK. (S4O-03353)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Scottish Government does not hold specific information on Scotland's farmers' trade with the rest of the United Kingdom. However, estimates in the growth sector statistics database, which are derived from the latest Scottish Government global connections survey, suggest that in 2012 Scotland exported approximately £655 million-worth of crop, animal and hunting-related products to the rest of the UK.

Lewis Macdonald: Those are the figures that I had identified, which I think the cabinet secretary will agree represent nearly 90 per cent of the Scottish farm produce that is sold outwith Scotland.

My constituent, John Forbes, farms near Stonehaven, and provides about half of all the broad beans that are sold in UK supermarkets, as well as peas, pork and beef, all of which are marketed and sold as produce of Britain, under a British brand. Will the cabinet secretary simply confirm that in the event of a yes vote it will no longer be possible to market any of those foods anywhere as produce of Britain, to British farm standards?

Richard Lochhead: Post independence, Scotland will continue to be a major exporter of fantastic food and drink produce.

I note the comments of Mr Forbes, who is described in *The Scottish Farmer* as a member of the better together campaign, and I also note that Lewis Macdonald did not mention the name of the supermarket that allegedly made those claims. We are unaware that any supermarket has made such claims.

Independent France exports £3.8 billion of food and beverages to England, the independent Netherlands exports £3.7 billion of food and beverages to England, Germany exports £3 billion, the Irish Republic exports £2.7 billion, and independent Spain exports £2.2 billion. An independent Scotland will continue to export our fantastic food and drink produce to England and the rest of the world. Lewis Macdonald should stop talking down the food and drink sector in this country.

John Scott (Ayr) (Con): The cabinet secretary is aware of the success of Scotland's food and drink, which he salutes, as do I. However, does he share my concerns that, given the loss of cattle and sheep from the hills and uplands of Scotland, over time enough produce might not be available to meet the growing export demand for Scottish produce?

Richard Lochhead: I share some of the concern that has been expressed by John Scott, which is why I was utterly appalled by the poor

budget deal that the United Kingdom Government negotiated for Scotland's farmers during renegotiation of the common agricultural policy. It is also why yesterday, during my statement about how we will implement that new policy in Scotland, we announced substantial support for Scotland's livestock sector to give confidence to our producers so that they can produce for the wonderful international market opportunity that exists. That includes our unprecedented support for the beef sector, with a £45 million investment during the next three years to help to develop the beef sector for Scotland, and to capture the wonderful market opportunities to which John Scott refers.

Jim Hume (South Scotland) (LD): I recently visited a food business in my region. It sells three quarters of its food with a union jack on it and one quarter with a saltire on it. The business told me that if Scotland became independent, it would have to move production and 200-plus employees down south.

We also know that Scottish produce, such as beef and lamb, has the benefit of being able to be marketed and sold in Europe as having been produced in Scotland and the UK. Will the minister tell us how much Scottish meat is sold with the union jack on it?

Richard Lochhead: I remind Jim Hume that since this Government announced the referendum Scotland's food and drink industry has absolutely boomed. I also remind Jim Hume and the other scaremongers in the better together campaign that the success of Scotland's food and drink sector has been built on the back of the Scottish brand, not on our political and constitutional arrangements. That success will continue beyond independence.

Local Authority Transport Appraisal Guidance Reports

9. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government what assistance it gives to local authorities in updating their transport appraisal guidance reports. (S4O-03354)

The Minister for Transport and Veterans (Keith Brown): Transport Scotland provides advice, if requested, to local authorities and others on the application of the Scottish transport appraisal guidance at any stage of a transport appraisal study. That includes providing advice on transport appraisal reports.

David Torrance: During the past two years, has Fife Council made any representation to the Scottish Government, Transport Scotland or the south east of Scotland transport partnership to promote the Levenmouth rail link? Can the

minister tell me whether it is Fife Council's top priority?

Keith Brown: Transport Scotland has regular meetings with SEStran to discuss rail issues, and there have been two meetings of that type this year. Neither meeting has included a specific discussion about the proposed reopening of the Levenmouth rail link. In fact, I am not aware of any representations that have been made by Fife Council through SEStran or to Transport Scotland on that issue.

I should say that we have, of course, had discussions with local community groups about St Andrews. We have also had a member-led debate in the chamber about the Halbeath facility. However, we have had no representations that I am aware of from the council in relation to the Levenmouth project, although we have had discussions with individual members who have shown an interest. As things stand, people can make an application to the stations investment fund; the fund will confirm that Fife Council has made no such bid, so far.

Kezia Dugdale (Lothian) (Lab): In the context of the transport advice that the Scottish Government gives to local authorities, does the minister agree with SNP councillor and head of economic development Frank Ross that extending the Edinburgh trams is “a no-brainer”?

Keith Brown: It is obviously for the City of Edinburgh Council to decide whether it would like to extend the trams. As John Swinney has said, we made it perfectly clear some years ago that we have contributed £0.5 billion to that project and will not fund it any more. We have made the position clear. It is obviously up to the council to consider further extensions, if it wants to.

First Minister's Question Time

12:00

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S4F-02165)

The First Minister (Alex Salmond): Last week, I announced a judge-led inquiry into the Edinburgh trams project. Today, I confirm that the inquiry will be chaired by the former Lord Advocate and senior judge Lord Hardie. The terms of reference for the inquiry have been agreed with him. They will be to inquire into the delivery of the Edinburgh trams project to establish why it incurred delays, cost considerably more than originally budgeted for and delivered significantly less than was projected through reductions in scope. I assure the chamber that Lord Hardie will establish the inquiry immediately. We look forward to a swift and thorough inquiry.

Johann Lamont: Clare Lally is a woman whom I am proud to know. She is a loving mother of twins and a former mother of the year. Her seven-year-old daughter Katie has multiple disabilities. Clare's experience of caring for Katie has inspired her to fight for better rights for all carers and, in this week of all weeks—carers week—we should reflect on how tough that fight is. The First Minister has acknowledged Clare Lally as a carers champion. He has even been to her house. Why did she deserve to have his most senior adviser undermine her credibility and unleash a torrent of vile abuse on the internet?

The First Minister: First, Johann Lamont is quite right: I know Clare Lally. I have met her twice. I hold her in the highest regard. Not only in terms of her own family—let me say that I do not regard her as an “ordinary” mother; I regard her as extraordinary for the challenges that she has met, faced and overcome—but, more importantly in terms of her contribution to society, her views on carers and the challenges that they face in general have substantially informed the Government's approach in what has been done and in what was outlined in the consultation earlier this year and will be carried forward into legislation. I and the carers organisations believe that that will improve the lot of carers throughout Scotland, who do valuable and important work.

As for Johann Lamont's description of Campbell Gunn, I do not accept that he was responsible for a torrent of abuse across the internet. I do not think that anybody who knows him would give that a moment's credence.

Campbell Gunn made a mistake and a misjudgment. The mistake was obvious: saying that Clare is Pat Lally's daughter-in-law when she clearly is not is a mistake. The misjudgment is believing that drawing attention in an email to someone's Labour Party connections, whether it is that they are a member of the shadow cabinet or any other connection, was appropriate to do. That was a misjudgment because Clare's views on caring and other matters stand regardless of her Labour Party connections.

Because he made a mistake and a misjudgment, I asked Campbell to apologise, which he did immediately and comprehensively.

Johann Lamont: Those who saw Clare Lally's tears on the television last night will not think much of that as an answer. If we are talking about a response being ill judged, it could not be more ill judged than what the First Minister has said.

Clare Lally's crime, as far as the First Minister's most senior adviser was concerned, was to describe herself as an "ordinary" mother. In that, as the First Minister has reflected, she was being modest: she is an extraordinary mother. Her crime, as far as Campbell Gunn was concerned, was to say as a mother that she thought that her daughters' future will be better if Scotland stays in the United Kingdom. She did not deserve to be undermined by Alex Salmond's most senior adviser and then to be so abused on the internet that she had to shut down her Facebook and Twitter accounts.

The First Minister's office contacted Clare while she was in Yorkhill hospital for her daughter's appointment. It then sent her Campbell Gunn's press release. Instead of sending a copy of a press release, should the First Minister not enforce the special advisers code and sack his adviser for a personal attack on a member of the public?

The First Minister: The reason why Campbell Gunn did not write personally to Clare is that she asked that that not happen. The apology, which was comprehensive, was issued in the way it was because Clare specifically requested that it not be made directly.

I said that Campbell Gunn had, in my view, committed a mistake and a misjudgment. I do not think that, as Johann Lamont has indicated, he was engaged in a vile personal attack on Clare Lally. To point out to a journalist that Clare Lally is a member of Labour's shadow cabinet—which is correct—and, mistakenly, that she is the daughter-in-law of former Labour lord provost Pat Lally is not a vile personal attack and cannot be construed as such. It was a mistake to do it, for obvious reasons. It was a misjudgment, for the reasons I have already stated. I take very seriously the ministerial code and the special advisers code. I

know exactly what is in the code and I know exactly why it is there. It is not reasonable to suggest that Campbell Gunn, in any way, shape or form, was responsible for internet abuse directed at Clare Lally.

Everyone in the chamber and everyone in Scottish society should condemn the few mindless idiots who commit such abuse on whoever they perpetrate it on. As just about everyone in the chamber has had the privilege of knowing Campbell Gunn over many years, no one in the chamber seriously believes that Campbell Gunn was responsible for orchestrating any such abuse. None of us seriously believes that, so let us accept that Campbell Gunn made a mistake and a misjudgment for which he has comprehensively apologised. That is the right way to deal with these things, instead of accusing Campbell Gunn of something that he would never, ever have done.

Johann Lamont: This is not a simple mistake about getting somebody's family connections wrong. This is about a woman with a proud record of campaigning—a mother of a disabled child—who was called a "liar", a "Quisling" and a "collaborator". It does not get much more serious than that. That information was taken from a website.

We know that Clare Lally has fought for better rights for carers throughout the country. She has spoken to every party that will listen in the hope that something will be done to improve the lives of children such as her daughter Katie. That is why she has been involved in politics. For Campbell Gunn, that passion, that care and that spirit is for nothing because Clare Lally wants Scotland to stay in the United Kingdom. For Alex Salmond's most senior adviser, her life experience and her struggle did not matter. For him, Clare Lally could be undermined and abused because she supports the union. Personal attacks by special advisers should lead to automatic dismissal according to the special advisers code. The First Minister has admitted that this was a personal attack. Campbell Gunn has admitted that it was a personal attack. The only thing missing is a dismissal. Does the First Minister not realise that, if Campbell Gunn is not sacked, we can only conclude that the First Minister has the same level of contempt for people such as Clare Lally as his most senior adviser?

The First Minister: No. I have already made it clear that I hold Clare Lally in the highest regard. Her contribution, both in her life story and struggle, and the opinion that she has put forward on how we can make the lot of carers in Scotland better are valuable and important.

Campbell Gunn has not admitted that he made a vile personal attack. He has said that he made a misjudgment and a mistake and got his facts wrong. There is nothing in Campbell Gunn's email

that fits the description of a vile personal attack. Saying that someone is a member of Labour's shadow cabinet and, wrongly, that they are the daughter-in-law of former Labour lord provost of Glasgow Pat Lally does not constitute a vile personal attack. No one seriously believes that Campbell Gunn is guilty of orchestrating vile abuse on the internet. It demeans Campbell Gunn to suggest that.

I remind Johann Lamont that, last year, Campbell Gunn got a lifetime achievement award for his contribution to journalism in Scotland over 46 years. This is what she said last year:

"Campbell has proven himself to be a tough but fair journalist, a thoughtful and wise observer of politics and thoroughly good company ... Few ... reporters can claim to"

be

"on good terms with all of those he writes about ... and this is a testament to his professionalism and his good nature."

Does Johann Lamont really believe that the person she spoke about in such glowing terms only last year is guilty of orchestrating the sort of abuse that the Labour press release suggested he was orchestrating? It is just not true. Nothing in the email constituted that. Johann Lamont would serve her cause better if she said that it is accepted that Campbell Gunn committed a mistake and a misjudgment. He has apologised comprehensively. Surely that is the right way to deal with the matter, instead of suggesting that he was guilty of things that, palpably, he was not guilty of.

Johann Lamont: I recognise Campbell Gunn's reputation as a fine journalist; one just wonders what has happened to him since he came into the employ of the First Minister.

The personal attack that was made on Clare Lally was that, somehow, the fact that she wanted to engage with politicians on the issue of how you care for children undermined her ability to describe herself as an "ordinary" mother. That is the thing that she has found more hurtful than everything else.

Of course, from Clare Lally to J K Rowling and from Barack Obama to David Bowie, there is no target who is too ordinary or too powerful not to be attacked. Clare Lally is the kind of person whom we should encourage to take part in public life, not someone who should be abused, threatened and chased out of our national conversation.

Today, Clare Lally is not just a carers champion; she is a champion of everyone who believes in free speech. She is a champion for every woman in Scotland who has had the courage to lean in and offer a view, despite the sexist abuse. She is a champion for everyone who believes that a bullying Government should be stood up to and

everyone who refuses to be shouted down by thugs with an iPad.

Does the First Minister not realise that, if he does not sack Campbell Gunn, we can only conclude that all the bullying that goes on, wherever it comes from, is done by order, by design by him?

The First Minister: I hope that, at some point, Johann Lamont will reflect on those last remarks. If she has evidence for what she has said, she should bring it forward; if not, she should desist from making such remarks.

I remind Johann Lamont what the code for special advisers says and why it says what it says. It was drawn up three days after the resignation of Damian McBride, the special adviser to Gordon Brown, because he was caught disseminating material across the internet and making up stories about the private life of Opposition politicians, which was described by the Labour Party as conduct that was vile and evil. The code says that disseminating inappropriate material will lead to automatic dismissal.

The email that Campbell Gunn sent to *The Daily Telegraph* could in no way be construed as being vile and evil. It pointed out that Clare Lally is in the Labour Party shadow cabinet and it stated, wrongly, that she is the daughter-in-law of former Labour lord provost of Glasgow Pat Lally. Is anyone seriously saying that that email is equivalent to the activities of Damian McBride? It is nonsense to suggest so.

Secondly, to conflate the mistake and the misjudgment that Campbell Gunn made with abuse on the internet does not serve Johann Lamont's argument at all. Every one of us should condemn abuse on the internet. Every one of us should condemn that handful of mindless idiots who engage in such things in the early hours of the morning, but nothing in Campbell Gunn's email could be construed as vitriolic, mindless abuse. He made a mistake and a misjudgment, but Johann Lamont does herself no credit and no service by trying to conflate the issues.

Instead, as a Parliament and as a society, we should stand up against that handful of people who are attempting to pollute the independence debate. The most invigorating and enlivening debate almost in political history is taking place in Scotland, and if all of us condemn such internet abuse and stand together, we have a good chance of driving it out of the debate. We will not do that by attempting to suggest that what Campbell Gunn did is the equivalent of the activities of Damian McBride. Nobody believes that and Johann Lamont should not say it. Instead, we should stand together and condemn true evil in society.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): To ask the First Minister when he will next meet the Secretary of State for Scotland. (S4F-02163)

The First Minister (Alex Salmond): No plans in the near future.

Ruth Davidson: The code of conduct for special advisers is unequivocal both on what breaches the rules and on what the sanction for a breach should be. It says:

“The preparation or dissemination of inappropriate material or personal attacks has no part to play in the job of being a special adviser as it has no part to play in the conduct of public life. Any special adviser ever found to be disseminating inappropriate material will automatically be dismissed by their appointing Minister.”

In this case, that is the First Minister, who has stood here and repeatedly stated that the special adviser disseminated material that was both

“a mistake and a misjudgment.”

The code does not just prescribe what is right and wrong; it states what the sanction should be. It says that, when a special adviser breaks the rules in that way, he should be automatically dismissed. What part of that does the First Minister not understand?

The First Minister: I have already said that Campbell Gunn’s mistake was obvious. He wrongly suggested in an email that Clare Lally was the daughter-in-law of former Labour lord provost Pat Lally. The misjudgment was in believing that drawing attention to Clare’s Labour Party connections in an email was somehow to be construed as undermining her views on society. That was the mistake and the misjudgment.

Ruth Davidson is right to point out what leads to sacking under the special advisers code: it is disseminating “inappropriate material”. I remind her that the code was drawn up as a result of Damian McBride’s activities in engaging in a systematic and deliberate smearing of political opponents and their families in the most disgusting terms. His activities were described by Tessa Jowell, from his own party, as “malign”, “vile” and “evil”.

No one who looks at Campbell Gunn’s email, and no one who knows him, could possibly put it in the same category as Damian McBride’s activities. Campbell Gunn was not disseminating “inappropriate material” in terms of the special advisers code of conduct. It was a misjudgment and a mistake, for which he has comprehensively apologised.

Ruth Davidson: This is not the first time that such questions have been raised in the chamber. In 1999, Donald Dewar dismissed a special adviser for giving misleading briefings to the

media. Leading the prosecution was Alex Salmond. In the chamber, he challenged the then First Minister, stating that the culture started at the top. I will quote his question directly.

Mr Salmond asked the late Mr Dewar:

“Will the First Minister accept that what is required is not just a change of personnel, but a change of political culture? Will he accept responsibility for allowing a culture to develop...?”—[*Official Report*, 9 December 1999; c 1424.]

We have an unacceptable culture of intimidation and delegitimisation that reaches all the way to the First Minister’s office. Will he now answer his own question?

The First Minister: I have put the context. The email to *The Daily Telegraph* that drew attention to Clare Lally’s Labour Party connections was a misjudgment and a mistake, but it cannot be construed as a vile personal smear, as the Opposition parties have tried to make out. It was a mistake and misjudgment for which Campbell Gunn has apologised.

I point out that, last year, when Campbell got his long-service award, Ruth Davidson said that he was

“a scrupulously fair journalist who gives everyone—irrespective of party—a fair crack of the whip ... He’s also one of the most interesting and engaging people at Holyrood.”

Is it really conceivable that someone on whom Ruth Davidson heaped such high praise last year has turned into the sort of assumed dreadful person that she now describes?

If Campbell Gunn gave Ruth Davidson and every other politician in the chamber

“a fair crack of the whip”,

are we not due to look at what was in the email and not conflate it with the vile abusive behaviour either on the internet or in the activities of Damian McBride?

Campbell Gunn made a mistake and a misjudgment for which he has comprehensively apologised. A lot of fair-minded people will see that as a reasonable thing for people to do when they make mistakes and misjudgments, and they will not try to conflate it with what we should all unite against: the vile abuse on the internet that can pollute our political debate. Why can we not just say that such abuse is not the prerogative of any one Government, party or side of the argument, but something that we should unite against as a Parliament and as a society?

The Presiding Officer (Tricia Marwick): Christine Grahame has a constituency question.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): The First

Minister will be aware that, because of CO₂ emissions in Newbyres Crescent in Gorebridge in my constituency, 64 households will almost certainly have to be evacuated and their homes demolished, causing great distress. Although dealing with those issues is primarily for the local council, will the First Minister's Government engage with the council should it request support?

The First Minister: Yes. I will ask the relevant minister to see whether, in governmental terms, something can be done to help. Christine Grahame quite rightly identifies that that is primarily a council responsibility, but I will ask Derek Mackay to seek a specific meeting, with the member attending, to see whether anything additional can be done to help her constituents.

Cabinet (Meetings)

3. Willie Rennie (Mid Scotland and Fife) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S4F-02164)

The First Minister (Alex Salmond): Issues of importance to the people of Scotland.

Willie Rennie: The First Minister just does not seem to get it. He was satisfied with an apology but continues to defend the criticism of Clare Lally; what is depressing is that, no matter his softer tone today, he continues to do so. What the First Minister just said to Ruth Davidson just does not wash. The special adviser's intention was not to help with the Lally family tree; the intention was a personal attack on Clare Lally, and that is a clear breach of the code. Why does the First Minister not understand that?

The First Minister: The member says that I have defended it, but I have said that it was a mistake and a misjudgment. I have said why it was a mistake and why it was a misjudgment. If it is said to be defending someone to point out the difference between what Campbell Gunn did and what Damian McBride did and why the former does not constitute "dissemination of inappropriate material" as governed by the code, I think that that is an entirely reasonable thing to do. Most people will not regard drawing attention to somebody's Labour Party connections as anything other than a mistake and a misjudgment; it is certainly not vile personal abuse.

One of Willie Rennie's colleagues, Danny Alexander, said on radio this morning that vile outpourings, whether they are on the internet or from the First Minister's office, should be condemned. How on earth can what was done be construed as a vile outpouring? How on earth can it be equated with the abuse that takes place on the internet? At some point, when mistakes are made—Willie Rennie makes one or two of them

himself—is not an apology the appropriate way to go forward? I have made it clear what I expect from my special advisers; that is what I will do. However, is not the apology a reasonable response to something that was not vile personal abuse but a mistake and a misjudgment?

Willie Rennie: Clare Lally does not think that it is reasonable. She did not think that it was a reasonable apology. The First Minister must realise that to stand by Campbell Gunn is to defend this kind of behaviour. It is a matter of how we carry ourselves and how others see us. Clare Lally has something to say about carers and something to say about our country, but in Alex Salmond's Scotland people have to be careful about what they say, unless they work for him. Is it not the case that Scotland is a little bit less of a free society today than it was last week?

The First Minister: Even in Willie Rennie's terms, that is something of an exaggeration. My objection to the way in which the Opposition is dealing with this is two-fold. Given what all of us know about Campbell Gunn and his conduct over so many years, I do not think that it is reasonable to suggest that he has been in any way, shape or form orchestrating vile personal abuse, which understandably, whether it is in Clare Lally's case or any other case, upsets the person who is the recipient of it. To conflate what Campbell Gunn did with vile personal abuse is unreasonable; what he did was a mistake and a misjudgment, for which he has apologised, which is the appropriate thing to do.

Clare's contribution, which I take enormously seriously, along with that of other carers, has led to changes already in Government policy. It has led to the consultation that achieved a huge number of substantive contributions across Scottish society. It has led to the proposals that will be effected in legislation later this year. Amazingly enough, this is the first time at First Minister's question time, answering questions on this basis, that I have had this put forward to me by any of the Opposition leaders.

Let us salute Clare Lally's contribution, whatever her politics, to bringing the contribution of carers to the notice of Scottish society. Let us go forward with the legislation and make Scotland a better place for the carers of this country.

Ernst & Young 2014 UK Attractiveness Survey

4. Dennis Robertson (Aberdeenshire West) (SNP): To ask the First Minister what the Scottish Government's position is on the Ernst & Young 2014 UK attractiveness survey. (S4F-02176)

The First Minister (Alex Salmond): The Ernst & Young survey is one of many substantial and encouraging reports that were released this week

in terms of the Scottish economy. It shows that Scotland was once again the top-performing area of the United Kingdom outside London for foreign direct investment in 2013, with the number of projects reaching a 16-year high. That is intensely encouraging news. It contrasts, of course, with the views of the Chancellor of the Exchequer some three years ago, when he warned Scotland that the debate on the constitution would put off foreign direct investment. Now we know that foreign direct investment is surging in Scotland, and now we know that this exceptional achievement has been achieved by Scottish Development International. Perhaps that is one part of the scaremongering armoury of Better Together that will finally be put to bed.

Dennis Robertson: I thank the First Minister for that response. Of course, we welcome the 16-year high. Does the First Minister agree that the continued dominance of London, as was perhaps suggested in the Ernst & Young statement, risks overshadowing the rest of the UK and that the only way forward for an economic, prosperous Scotland in the future, and to put Scotland first, is to vote yes?

The First Minister: It is certainly true that the independent research from Ernst & Young shows that Scotland has a greater share of projects, not just in terms of our average and not just second only to London across the UK, but in terms of key areas—research and development and manufacturing. A very substantial percentage of our inward investments last year were in those key areas, which helps to shape the Scottish economy for the future.

I really do think that the Opposition parties should bear this in mind. It is not that long since they were repeating the claims of the Chancellor of the Exchequer that inward investment and investment in the Scottish economy would be deterred by the constitutional debate. Now that we have the figures not for one year but over the past three years, will they finally move away from scaremongering and instead embrace the success in the Scottish economy and salute the progress of Scottish Development International and our other agencies?

Prioritisation of Road Repairs (Fix it First Campaign Survey)

5. Mark Griffin (Central Scotland) (Lab): To ask the First Minister what the Scottish Government's response is to the survey published by Transform Scotland to mark the launch of its fix it first campaign. (S4F-02170)

The First Minister (Alex Salmond): The Government is committed to delivering a well-maintained transport network. The targeted programme of major road improvements is

addressing Patrick McLoughlin's much-quoted claim that there have been "decades of underinvestment" in our motorways and trunk roads. It is exactly those decades of underinvestment that we are now addressing, and with the M74, the M8, the M80, the A96 dualling, the Queensferry crossing and the A9 dualling we see substantial projects under way.

We are the first Government that is committed to linking all our cities by motorway or dual carriageway, and Mark Griffin will have seen yesterday the preferred bidder for the Aberdeen western peripheral route Balmedie to Tipperty non-profit-distributing contract, which brings us another step closer to completing a project that will create an estimated 14,000 jobs and contribute over a period more than £6 billion of added production to the economy of the north-east of Scotland.

I know that Mark Griffin is an MSP for Central Scotland, but I am sure that, just as he applauded the great projects in Central Scotland, he will applaud the western peripheral route starting with the route from Balmedie to Tipperty.

Mark Griffin: I thank the First Minister for that answer. Some 84 per cent of people want potholes to be fixed as a matter of urgency and, in the north, where that project is going ahead, the figure is 79 per cent. That is no surprise, as the report from the AA told us that 44 per cent of people have had their vehicles damaged in the past two years as a result of potholes. When will the Scottish Government step up and commit the resources to address the £2.25 billion road maintenance backlog that local government is struggling to cope with?

The First Minister: As Mark Griffin knows, maintenance priorities are split between local and central Government. I will address the area under our direct control. In 2014-15, the budget for motorways and trunk roads is over £677 million, and 30 per cent of the budget has been allocated for maintenance spending on the roads. That is £214 million, which is 28 per cent higher than the £166.4 million that we inherited in 2007-08.

I am sure that Mark Griffin will accept that, as far as central Government spending is concerned, that priority, leading to a 28 per cent increase in maintenance spending on the trunk roads, in the face of the extraordinary austerity programme from Labour and Tory central Government, is no mean achievement, and that the figures demonstrate that our priority is not just to build new roads through the great non-profit distributing programme but to maintain the existing trunk roads and bring about some of the improvements that we both want to see.

Commonwealth Games (Special Reserve Fund)

6. Liz Smith (Mid Scotland and Fife) (Con):

To ask the First Minister when the Scottish Government last met members of the Commonwealth games organising committee and whether access to the special reserve was discussed. (S4F-02167)

The First Minister (Alex Salmond): The Scottish Government meets the Glasgow 2014 organising committee frequently to discuss a wide range of issues relevant to the delivery of a successful games.

I find this difficult to believe, but I am told—and Liz Smith will correct me if my information is wrong—that just yesterday Liz Smith attended a meeting at which the director of finance was present, but apparently did not take advantage of the opportunity and asked no budget questions of the director of finance or, indeed, the Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights. Everything that I know about Liz Smith tells me that she would have taken such an opportunity, so I will give her full and fair opportunity to correct that information if it proves to be incorrect.

However, it does seem that both the cabinet secretary and the director of finance were available yesterday. I am sure that if Liz Smith did not ask the question, there must have been a very good reason for it.

Liz Smith: I would be delighted to take the opportunity with the First Minister now.

A Scottish Government official stated that the special reserve fund was only to be used for “really unexpected, left-field” events, but in a parliamentary answer to John Lamont, Shona Robison confirmed that the recent request for £0.8 million from the special reserve fund was allocated for

“potential pressures that are associated with venue fit-out”.—[*Official Report*, 5 June 2014; c 31884.]

Could the First Minister—as the person who sanctions the use of special reserve funds—define the criteria that meet the “special circumstances” test, as described by Audit Scotland, and say why, given that this is taxpayers' money, it was only through investigative journalism that the public were first alerted to these changes to Commonwealth games budgeting?

The First Minister: I see it confirmed that Liz Smith did not ask the question yesterday, which I have to say shocks and surprises me. I confirm to her that the situation has not changed from when the cabinet secretary answered the identical question from one of her colleagues just last week. The situation is that the delivery of the games continues on time and on budget.

I point out to Liz Smith that the total games budget is £575.6 million, including the £90 million security and the two contingency budgets: the operational contingency budget and the special reserve budget.

I do not want to get into Donald Rumsfeld mode and start predicting known unknowns and unknown knowns, but the special reserve fund is there because it is recognised that there can be events in the proximity of the games that will require this budgeted-for amount to be accessed. The protection for the public and this Parliament is that the fund has to be exercised by ministerial approval.

The special reserve fund is part of the games budget, which has been broadcast to this Parliament and elsewhere innumerable times. The games budget is £575.6 million. The games in Glasgow are being delivered on time and on budget. It is one of the few international events in history that can make that claim. I think that we, our partners in Glasgow City Council and the organising committee have done an amazing job to achieve what virtually no other games or world event has achieved. Is it possible that at some stage, perhaps in the enthusiasm when she attends the games, Liz Smith will give credit where credit is due to the organising committee?

Breastfeeding

The Deputy Presiding Officer (John Scott): I thank you all for your forbearance.

The next item of business is a members' business debate on motion S4M-09422, in the name of Elaine Smith, on celebrating and supporting breastfeeding in public.

Motion debated,

That the Parliament notes with concern reports of a recent incident in which a mother, Emily Slough from Rugeley in Staffordshire, was labelled a "tramp" on a social networking site after a stranger took a photograph of her as she sat on steps breastfeeding her eight-month-old baby; notes that the photograph, which was taken without Emily's permission, was then uploaded online and believes that the misogynistic, derogatory and disrespectful comments that were subsequently posted could cause upset and concern to nursing mothers; understands that, as a result of this scandal, Emily organised a mass breastfeeding protest on 15 March 2014 in which thousands of mothers came out in support of breastfeeding in public across the country, including across Scotland; recognises that, in Scotland, mothers are protected under the Breastfeeding etc. (Scotland) Act 2005, which makes it illegal to stop, or attempt to stop, mothers breastfeeding in public; notes the view that, to reassure mothers and to help breastfeeding in public become a social norm, this legislation should be used and publicised across the country, including in Coatbridge and Chryston; acknowledges what it sees as the huge health benefits of breastfeeding; understands that a recent UNICEF-commissioned report, Preventing disease and saving resources: the potential contribution of increasing breastfeeding rates in the UK, outlined how increased breastfeeding rates could improve public health, produce long-term health benefits, allow considerable savings to be made by the NHS and provide a mechanism for improving health outcomes across a range of social groups; congratulates Emily Slough on her campaign, which it hopes will help raise awareness of the need for changed attitudes towards breastfeeding in public, and believes that mothers who are engaging in normal, nurturing maternal behaviour should be celebrated and supported by society.

12:40

Elaine Smith (Coatbridge and Chryston) (Lab): I am pleased to be able to lead a debate today on the important issue of breastfeeding, which is not discussed enough in society or in Parliament. According to the Scottish Parliament information centre, it has never been the principal subject of a Government-led debate in the Scottish Parliament. That is concerning because low breastfeeding rates cost money and lives, as is proved in the UNICEF UK-commissioned report of last year, "Preventing disease and saving resources: the potential contribution of increasing breastfeeding rates in the UK".

I will expand on that later, but first I want to welcome health workers, mums and babies from my constituency and other parts of Scotland to the gallery. I extend a particularly warm welcome to

Jenny Warren, who was our national breastfeeding adviser until 2005. Unfortunately, that post no longer exists, which is a bit of a problem, since the World Health Organization's strategy spells out the need to appoint a national breastfeeding co-ordinator. We do not seem to have an infant feeding adviser in post, either.

A breastfeeding-friendly Scotland needs commitment and understanding from our young people, so I am delighted that members of Coatbridge and Chryston youth forum are here today and are taking an interest in the issue.

The abuse on Facebook of breastfeeding mum Emily Slough shows us that appalling misogynistic insults are still being aimed at mothers for normal and nurturing maternal behaviour. I want to congratulate Emily and the thousands of people across the UK who supported her, on their protesting against such atrocious attitudes. I do not have time to go into the sexual politics, but others will do so. I just want to say that it is crazy that it is okay for breasts to be ogled on page 3, but cannot be seen in public feeding hungry babies.

During the passage of my member's bill, the Breastfeeding etc (Scotland) Bill, I detailed the advantages of mother's milk, so I will leave it to others to mention the undisputed health benefits of this unique designer food. Today, I want to concentrate my limited time on other aspects of our low breastfeeding rates and the effects on our nation's health.

In "The Politics of Breastfeeding", Gabrielle Palmer tells us that every 30 seconds, a baby dies from infection due to lack of breastfeeding, through use of bottles, artificial milks and other risky products. She goes on to say:

"If a multinational company developed a product that was a nutritionally balanced and delicious food, a wonder drug that both prevented and treated disease, cost almost nothing to produce and could be delivered in quantities controlled by the consumers' needs, the very announcement of their find would send their shares rocketing to the top of the stock market."

However, of course, instead of women who produce this miraculous substance being celebrated, supported and encouraged to feed their designer food to their babies, big corporations profit from selling an inferior substitute. So, how did that happen?

In the late 1800s, improvements in dairy production led to a whey surplus that needed a market outlet: that became the basis for artificial baby milk. It was used not because research had proved it to be the most suitable food, but because it was there and it was cheap. Big business found an outlet for a by-product of the milk industry, then aggressively marketed that inferior product to women who paid for it, rather than using the

fabulous, exclusive and free product that they produce themselves. It is, frankly, unbelievable.

In the “Global Strategy for Infant and Young Child Feeding”, the WHO and UNICEF said:

“lack of breastfeeding—and especially lack of exclusive breastfeeding during the first half-year of life—are important risk factors for infant and childhood morbidity and mortality”.

In other words, not breastfeeding can be very bad for children’s health. As a society, we shy away from putting it in those terms, perhaps in case we offend those who have chosen to feed artificially or those who simply cannot breastfeed. The latter are a tiny minority—less than 1 per cent—and there are, of course, other options including milk banks, which is an issue that needs further discussion.

However, in worrying about offending some parents, we put lives at risk, we fail to take important steps to challenge our ill health and obesity, and we spend vast sums dealing with the consequences.

We need to ensure that society is well educated about the wonders of breast milk and the dangers of artificial milk, so that families can make real informed choices instead of just following social norms with no idea of the risks. Most parents want what is best for their children, but I do not believe that the majority know what formula milk is and why it is different from breast milk. It is understandable, then, that so many choose to use it.

The UNICEF UK-commissioned report not only tells us that low breastfeeding rates lead to increased incidence of illness, with a significant cost to the national health service, but supports that fact with hard figures—probably for the first time—showing that moderate increases in breastfeeding translate into huge cost savings. For example, if only half the mothers who do not breastfeed were to do so for up to 18 months, there would be 865 fewer cases of breast cancer, meaning a saving of £21 million and improved quality of life equating to more than £10 million for each annual cohort of first-time mothers. If 45 per cent of babies were exclusively breastfed for four months, and if 75 per cent of babies in neonatal units were breastfed at discharge, more than 3,000 fewer babies would be hospitalised with gastroenteritis, nearly 6,000 fewer babies would be hospitalised with respiratory illness, and there would be more than 300 fewer cases of the potentially fatal disease necrotising enterocolitis. Together, those things would save more than £16.3 million.

Those are all in the first category of savings for which it is possible to provide quantitative economic models based on strong evidence. There are another three categories, in which the

benefits include an increase in IQ, fewer cases of sudden infant death syndrome and reductions in childhood obesity. Those other categories need a wee bit more research. The report shows conclusively that breastfeeding is a major public health issue and that low breastfeeding rates cost the NHS millions each year.

So, what should we do? I propose better support in communities, the inclusion of breastfeeding education in school curriculums and the provision to parents of proper information about the risks of not breastfeeding. We also need regular reports to Parliament on the progress of the Scottish Government’s framework and the specific steps that are being taken to increase breastfeeding rates, in order that we can sustain breastfeeding and change societal attitudes. The report tells us that we need breastfeeding to be a priority for all NHS boards, and that we need effective implementation of standards on baby-friendly initiatives, access to well-trained health professionals who understand the benefits of breastfeeding, and further research and funding.

The report also tells us that we need to strengthen and use existing legislation such as the Breastfeeding etc (Scotland) Act 2005. As far as I am aware, that act has been used only once, resulting in a slap-on-the-wrist letter to a company that verbally abused a mother and baby before it threw them out on to Sauchiehall Street. I hope that women report any attempts to stop their breastfeeding in public to the police, because it is illegal, and I hope that proper action can be taken. Perhaps the cabinet secretary can tell us why the promotional leaflet for the Breastfeeding etc (Scotland) Act 2005 has not been reprinted, although that information is important.

It is worrying that many people talk about discreet breastfeeding, including on the Government’s own website. We need to see it and talk about it if we are to fundamentally change social attitudes and encourage others to breastfeed. On Monday, blogger Mama Bean made the point that breastfeeding should not be

“a secret art form preserved for private rooms & hushed conversations”.

We need increased Government commitment to ensuring that the barriers for mothers are removed, and we need society to recognise that breastfeeding is normal and should be seen in public. The reward for that will be a much healthier population, less illness among babies and massive savings for the NHS.

Celebrating and supporting breastfeeding is good for mums and babies, good for society and good for the public purse. Breast is, indeed, best.

12:48

Cara Hilton (Dunfermline) (Lab): I congratulate Elaine Smith on securing the debate and on her excellent speech. She has a long history of championing breastfeeding, both inside and outside Parliament, and the debate is timely. When the Breastfeeding etc (Scotland) Bill was passed, back in 2004, Elaine Smith said:

“the bill is not an end, but the beginning of the Parliament pursuing practical ways to support and encourage breastfeeding.”—[*Official Report*, 18 November 2004; c 12118.]

That was also the year in which I first became a mum. I still remember being annoyed that I was kept in hospital for four nights after my son was born, until I could get breastfeeding established. The other mums in the ward were all formula feeding and went home the next day, but I was determined to breastfeed even though it was a lot harder than I imagined it would be. Looking back, I see that my longer stay in hospital was vital in ensuring that I could breastfeed my son, who was exclusively breastfed for the first six months—at least, that was what I thought until my mum told me later that she had given him some ice cream. I have since breastfed my other two children. Most recently, I breastfed my youngest, who was seven weeks premature and was breastfed through a tube until he was able to manage himself.

I have to confess that the idea of feeding them in public always filled me with dread. Like many mums, I would plan my day to avoid being out at feeding time, and I have to admit that I always felt slightly envious of my bottle-feeding friends, who could be out all day without any worry.

To be fair, leaving home after having a first child is always a challenge—for the first six months, I think that it was lunch time before I would get out—but it can be even more of a challenge when the person is breastfeeding. In fact, research suggests that half of United Kingdom women who have breastfed in public have had at least one negative experience.

Despite the widespread recognition that breast is best, it is virtually impossible in many places and many of our communities to feed a baby in public without people staring and without attracting both verbal and non-verbal signs of disapproval. Sadly, those negative reactions lead too many mums to stop breastfeeding altogether.

I was shocked to read about the experiences of Emily Slough, who was thrown out of Sports Direct for breastfeeding her eight-month-old baby. Worse still, she was subjected to abuse on social media, labelled a “tramp” and subjected to a host of shocking comments just for feeding her baby. One person suggested that it would be “more dignified” if she breastfed in a public toilet. Emily fought back

and organised a mass breastfeeding protest. Thousands of mums came out in support of her across the UK, and many more signed an online petition that demanded that Sports Direct apologise and stop discriminating against breastfeeding mums.

Although mums here are protected by the Breastfeeding etc (Scotland) Act 2005, as Elaine Smith mentioned, many women are simply unaware that that vital protection exists. The act makes it a criminal offence to stop or to attempt to stop mums breastfeeding in public. Given the recent outcry, surely the time is now right to do more to publicise that landmark legislation, and to send out the message that mums in Scotland who want to breastfeed in public have the full protection of the law behind them. I hope that the minister will consider that, because it is absolutely vital that we do more to promote breastfeeding to mums from all backgrounds, across Scotland.

We have had many debates in the chamber about child poverty and inequality. One of the best ways to tackle health inequalities and to give children the best start in life is through breastfeeding. However, breastfeeding rates have remained largely static for the past decade. Half of mums breastfeed at 10 days and only one in four mums breastfeeds exclusively six to eight weeks later. Nine out of 10 women who stop breastfeeding before their baby is six weeks old say that they would like to have breastfed for longer.

Often, mums just need a bit more support and more information. Breastfeeding support groups are absolutely vital in that context. That is especially important for mums in more deprived areas, where breastfeeding rates are among the lowest, mums are often younger, and there is less likely to be a family history of breastfeeding. We too often hear mums being told, “Just give the wee one a bottle, so you can get a rest,” and breastfeeding mums are too often made to feel that their milk alone is not enough to sustain a large or hungry baby, when that is simply not true.

It is absolutely vital that the Scottish Government addresses that important public health issue by doing more to promote the health benefits to mums and babies, by ensuring that every mum can access the peer and professional support that they need and—perhaps most important—by promoting and celebrating breastfeeding in shops, cafes, libraries, parks and public places throughout Scotland.

12:53

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I join Cara Hilton in thanking Elaine Smith for bringing the debate to Parliament. The issue is

very worthy of our discussion, so I want to make a few comments on it.

Earlier this week, I happened to notice on Facebook a photograph that was split into two images, the first of which was of a woman breastfeeding her child in a cafe under the disapproving glare of customers. It was accompanied by a caption that said that a shawl is a handy tool for sparing embarrassment when breastfeeding. In the second image, the shawl was draped over the disapproving customers as the woman continued to feed her child. That probably works better as a visual gag than it does from my description, but I mention it because I thought that it was rather a clever and amusing way of reminding us that if someone is embarrassed by the sight of a mother feeding her child it is their problem, and not the problem of the woman who is undertaking one of the most perfectly natural activities in the world—or, at least, that is the way that it should be.

Having congratulated Elaine Smith on securing the debate, it is also appropriate that I congratulate Emily Slough, who is referred to in the motion, on organising mass breastfeeding events to highlight problems that mothers face all too regularly. We should reflect on the fact that she was thrust into the limelight rather unwittingly because of the idiocy of someone who was passing by while she breastfed her child. Someone thought it appropriate to photograph Emily Slough surreptitiously and to post the image on the internet, captioned with the word “tramp”. It is appalling that anyone would think that doing that was appropriate or amusing. Emily Slough and others who responded defiantly to such stupidity and held mass breastfeeding events should be congratulated on their efforts.

It is important to remind ourselves of the benefits of breastfeeding. Elaine Smith did that comprehensively, but we should also remember that breastfed babies have better neurological development, better cholesterol levels and better blood pressure. Women who breastfeed benefit from a lower risk of breast cancer, ovarian cancer, hip fractures and reduced bone density. Research continues into other benefits.

Cara Hilton was right to point out the longer-term issue that relates to women breastfeeding children, but UNICEF UK has pointed out that the Health and Social Care Information Centre's infant feeding survey indicates an improvement in the proportion of babies who are breastfed at birth, which rose by 5 percentage points between 2005 and 2010, from 76 to 81 per cent. That is positive, although the figure in Scotland was 74 per cent in 2010, which shows that we can still do better.

The challenge is that many mothers find breastfeeding in public difficult, largely because of

the ignorance of others. A survey by Kamillosan camomile ointment's manufacturers in 2011 reported that 38 per cent of breastfeeding mothers choose to breastfeed in public toilets when they are out because of unwanted attention and glares that they may receive from the public. It also reported that 12 per cent of women have been asked to stop feeding their baby in public and that 14 per cent have been reduced to having a full-scale argument with someone who objected to their feeding their baby. I say good for them for standing up for themselves, and shame on those who forced them into that.

It is important to challenge any perception that women should breastfeed in private; I hope that that will be a message from the debate. As Elaine Smith and Cara Hilton said, Parliament legislated to protect the right of mothers to feed their children. The 2005 act makes it clear that

“it is an offence deliberately to prevent or stop a person in charge of a child from feeding milk to that child in a public place or on licensed premises.”

Parliament has acted and we need to see that approach on the ground. I hope that that forms an important part of the message from the debate. I congratulate Elaine Smith again on securing the debate.

12:57

Elaine Murray (Dumfriesshire) (Lab): I congratulate Elaine Smith not only on securing the debate but on her unswerving commitment in Parliament over the past 15 years to promoting breastfeeding—in particular, breastfeeding in public. I do not think that anybody has done more than she has to promote it since the Parliament began. That work includes her member's bill in 2004, which protected mothers who wish to breastfeed in public, and motions that she has lodged since then.

Promoting breastfeeding in public is more controversial than promoting breastfeeding per se, and Elaine Smith has had the courage over the years to take on that controversy. She made the important point today that milk substitute is a by-product of the dairy industry and is not designed to suit young human beings. Biochemically, it is nothing like human milk.

Encouraging breastfeeding in public is important for similar reasons to those for discouraging smoking in public places. We discourage smoking in public places for public health reasons and because seeing people smoking normalises it. If children continually see people smoking, it will seem to them to be normal behaviour and they will do it. Similarly, seeing mothers breastfeeding in public normalises breastfeeding, so even if children and young people have not seen a young

member of their family being breastfed, it will still be part of normal and expected maternal behaviour.

Statistics that were published last year showed that more than 47 per cent of babies were breastfed at 10 days, which fell to 36 per cent at six to eight weeks and, of them, 25 per cent were exclusively breastfed. Unfortunately, those rates are similar to the rates 10 years ago. We seem to be no nearer hitting the target of 50 per cent being breastfed at six weeks, despite the passage of Elaine Smith's act. Like others, I believe that more needs to be done to promote the advantages of breastfeeding, and to use and publicise the legislation.

We need to dispel some of the negative information that deters too many women from even considering breastfeeding. One factor is the perception that breastfeeding is bound to be very difficult and sore. It can be for some women and, as Elaine Smith said, a small proportion of women are unable to breastfeed at all. That should be understood, but most women can breastfeed and some find it easy and straightforward. I was one of them. I have three children and breastfed them all until they decided that they wanted to give up. I have absolutely no recollection of finding it difficult, although I have to say that birth was another matter.

Having the opportunity to breastfeed on demand was another matter. My children are now 28, 26 and 24, and in the days when I was breastfeeding, doing it in public places was pretty difficult unless you were wearing a suitably encompassing and camouflaging garment. I returned to work full time when my eldest child was four months old. My son's childminder was supportive and had breastfed all five of her children, but I had to express milk for my son in the toilet at work. I have never prepared anybody else's meal in a toilet—not even a dog's meal.

I want to draw attention to the weight charts that indicate that children should double or triple their weight by certain times. Those do not work for breastfed children, because they do not put on weight so quickly. That ought to be understood, so that breastfeeding mothers do not feel that they are somehow not giving their children enough nutrition.

Breastfeeding has a whole load of advantages. The most important is for the child's health, as members have said. My youngest son was born during a norovirus epidemic, which was pretty worrying in relation to newborns. All five of my family managed to get it, but my six-week old baby was the least ill of all of us because he was protected by my antibodies. Other children of that age are not so protected.

Night feeding was easy. There was no messing around with heating up bottles to the right temperature and all that nonsense. I could almost literally do it in my sleep—not that I would necessarily recommend that. Obviously, partners cannot be much help with the feeding, but they can assist with other night-time jobs such as changing nappies.

Another advantage is weight loss: I went back to my pre-pregnancy weight fairly quickly after giving birth. All my children were born during the Christmas and new year period and I was able to have all the Christmas goodies—the chocolate, the cheese, the Christmas cake and everything else—and still lose weight. Happy days! They never came back, unfortunately.

Breastfeeding is great for babies and for their mothers. More needs to be done to enable more mums to breastfeed, and to portray breastfeeding as a positive choice so that people choose the most natural way of nourishing their babies.

13:02

Jayne Baxter (Mid Scotland and Fife) (Lab): I thank Elaine Smith for securing today's debate and for her years of campaigning to encourage and support breastfeeding in Scotland, particularly of course by bringing forward the Breastfeeding etc (Scotland) Act 2005.

I am proud that there have been a number of other progressive advances in legislation and policy over the years to support increases in breastfeeding rates. Today, most women who give birth in Scotland know about the multiple benefits that breastfeeding brings and most of them intend to breastfeed their baby. However, that good news is tempered by the fact that overall breastfeeding rates are static and by the National Childbirth Trust research that shows the high rate of mothers who stop breastfeeding or move to mixed feeding before they want to.

The policy on educating expectant parents about the benefits of breastfeeding seems to be working, but it is just one part of the story. Unless the policy is situated in a culture that actively supports, understands and enables breastfeeding, it will remain stunted in its potential to transform breastfeeding initiation rates and the length of time for which mothers breastfeed. Further progress on employment practice, childcare arrangements and effective support networks will help to bring about the change, but we also need to face up to persisting attitudes towards women's bodies and choices.

I would like to say that it is incredible that a woman such as Emily Slough can be labelled a "tramp" for breastfeeding her child in a public place, but then we live in a society that plasters

boobs everywhere in a sexual context, where women's bodies are reduced to an image that society at large can appropriate for comment and criticism, and where mothers feel exposed and judged on a daily basis. Although we are getting better at telling mothers about the benefits of breastfeeding and providing support for it, we are falling short at speaking to people more widely.

The debate is an important part of the discussion on how we tackle negative attitudes towards not just breastfeeding but women more generally. Elaine Smith's suggestion about promoting the legislation across the country is entirely sensible, for new mothers need to know that they live in a country that supports breastfeeding not only in theory but in practice. That demands a multifaceted approach. The more people see breastfeeding in public, the more normal breastfeeding will become—and the more normal it becomes, the more people will feel that they can breastfeed in public.

While we work on changing attitudes more generally, we can work within the space that we have to get more women breastfeeding. That is precisely what is happening in Fife. We know that the women who are least likely to breastfeed are younger women and women who live in low-income areas. NHS Fife's breastfeeding peer support project has driven up breastfeeding in deprived areas, and all Fife's community health partnerships have just been awarded the UNICEF stage 3 award.

The team in Fife recognises that many women feel embarrassed and unsure about breastfeeding in public, even though that is unfair, so it provides a guide for new parents that lists public places in Fife that actively support breastfeeding. The more mums do it, the more it will seem like the thing to do. That will change the culture over time.

Fife knows that the only approach that works is one that puts the mother at the centre. That is why it is crucial that initiatives such as the breastfeeding peer support project continue to receive direct funding from Government.

Women who breastfeed in public should not have to cover up or apologise. A woman who breastfeeds should not be seen as a "tramp" or as a pushy middle-class mum; she should be seen as a person feeding another little person. It really is that simple.

I think that most people in Scotland recognise that it is in everyone's interests that infants receive the nutrition that gives them the very best start in life. It is our collective responsibility to address attitudes towards breastfeeding, not just in expectant couples but in society at large.

The Deputy Presiding Officer: Due to the large number of members who want to speak in

the debate, I am minded to accept a motion without notice to extend the debate by up to 30 minutes.

Motion moved,

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

Motion agreed to.

13:06

Mary Scanlon (Highlands and Islands) (Con):

I thank Elaine Smith for securing the debate and setting out so many of the benefits of breastfeeding. As members said, Elaine has been a long-term ambassador for breastfeeding. I remember nagging my daughter to breastfeed her first child, who was born in 2001, when the Parliament was meeting up the road, and proudly reporting back to Elaine that my daughter had breastfed for several months.

Cara Hilton's experience reminded me of when my children were born in Dundee royal infirmary, around 40 years ago. I was the only mum to breastfeed on a Florence Nightingale-type ward of nearly 30 women. It was interesting to learn how little has changed.

Like other members, I condemn the action that was taken against Emily Slough in Staffordshire, when a photograph was taken without her permission and placed on a social networking site, where it attracted disrespectful comments. I am not sure whether the incident would have been in breach of the Breastfeeding etc (Scotland) Act 2005. Perhaps the minister will make that clear. As the motion says, the 2005 act

"makes it illegal to stop, or attempt to stop, mothers breastfeeding in public".

What happened to Emily Slough was certainly in breach of the tone and intention of the 2005 act, which were about reassuring mothers and helping breastfeeding in public to become a social norm.

Elaine Smith talked about the 2005 act, but, as is so often the case, the issue is not the legislation, which is fine, but how the legislation is enforced and implemented. That is what really matters.

The benefits of breastfeeding to babies and mothers have been well stated by all speakers, and they range from protecting babies from common childhood diseases to helping mothers to return to their pre-pregnancy weight, as Elaine Murray said. One of the most important benefits must be the convenience—there are no bottles to be sterilised and there is a constant supply.

I am a strong advocate of breastfeeding, but I am aware that many mothers want to breastfeed but find it difficult. We need to recognise that.

Elaine Smith: On that point, does Mary Scanlon agree that support from professionals is vital?

Mary Scanlon: I absolutely do—I could not agree more. Quite often, it is about freeing up a bed in hospital. I do not expect mothers to have to stay in for four days, as Cara Hilton did; they could be given help and support at home. I wholeheartedly agree that support is vital.

It is interesting to note that older mothers are more likely to breastfeed than young mothers. In 2012-13 in Scotland, I was surprised to see that only 5 per cent of mothers aged under 20 breastfed their babies at six to eight weeks compared with 34 per cent of mothers aged 40 and over. The main statistic to note is that 41 per cent of mothers in the least deprived areas were exclusively breastfeeding at six to eight weeks, a figure that is three times greater than that for mothers in the most deprived areas. When we consider the cost of infant formula, that is undoubtedly an area in which, as Elaine Smith said, more support, awareness and help could be given.

Scotland still compares favourably with Wales and Northern Ireland on breastfeeding, and we are only 2 per cent behind England in the figures for exclusive breastfeeding at six weeks. However, we can do better.

I commend Elaine Smith for bringing the debate to Parliament and for helping us all to raise awareness of breastfeeding. There is no doubt of the health benefits to baby and mother. It should also not be lost that there are savings to the public purse and families, particularly those from the most deprived backgrounds.

More can be done to encourage and support more women to breastfeed and to make breastfeeding in public the social norm, as Jayne Baxter said. I do hope that this debate will go some way towards helping to achieve that.

13:11

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I join other members in congratulating Elaine Smith on obtaining this members debate. As others have said, she has made this a core issue throughout all parliamentary sessions, including by introducing a member's bill that changed some of the public's perception, but more needs to be done.

The 2011 publication "Improving Maternal and Infant Nutrition: A Framework for Action" was a useful document, and it should now be seen in the context of the early years collaborative, as it develops, and the family nurse partnership, among other initiatives. The report's adoption of the World Health Organization's view that breastfeeding

should be exclusive in the first six months was also welcome. The report also recognises that breastfeeding is crucial for the development of the infant and for the good future health of the mother, including a return to pre-pregnancy weight, which is becoming increasingly important as obesity becomes ever more prevalent in Scotland.

Infants who get the immunological benefits of breast milk that cannot be supplied by formula have reduced risk of ear, respiratory, gastrointestinal and urinary tract infections; of allergic disease, including eczema, asthma and wheezing; and of type 1 diabetes. They are also less likely to be overweight, which again contributes to the major public health issue of obesity. Furthermore, infants who are breastfed are less at risk of childhood leukaemia and sudden unexplained infant death, and there might also be an association with improved cognitive development. Pre-term babies who are breastfed are likely to have better eyesight and brain development than those who are not and have a reduced risk of necrotising enterocolitis.

The factors that are associated with influencing breastfeeding are many and varied, particularly for pre-term babies where there can be considerable difficulty, and they might have to be tube-fed, as happened to one of my grandsons. It is particularly important that those mothers get the help that they need.

The quality of assistance during delivery and in the first few days is important, and yet we have a situation in which—instead of what happened when I was a student, when there were 14 days lying-in, as it was called—many mothers now go home within a few hours of delivery. Have we really adjusted the services to accommodate that? I believe that that is a factor in the poor rates of breastfeeding that we see.

Once mothers get out of hospital, getting professional and peer-to-peer support is important. Is there now comprehensive mapping of the accessibility of breastfeeding peer support groups?

The Government has to take some responsibility for our problems in that it cut the midwifery student intake by 40 per cent some three years ago. To be frank, that was a foolish decision. It was wrong for Scotland and certainly wrong for the UK, where there were and still are serious shortages of midwives. Worse still, it resulted in the precipitate closure of three university schools of midwifery. The subsequent partial reversal, with increases, came too late to reopen those schools.

At the same time, we have really serious problems with health visitor recruitment and training. That is still being left to health boards, which, again, is not the correct decision. The

Government needs to take a far stronger hold of the training of health visitors, who can be critical to the sustaining of breastfeeding, not just its establishment.

The University of Dundee is involved in a programme of research. It has done very good work on incentives to stop smoking, and it is now doing a project, in association with an English unit, on the potential of financial voucher incentives for breastfeeding. It will be interesting to see what emerges from that research and whether the approach should be adopted.

One important issue that other speakers have not mentioned is the fact that Scotland has only one breast milk bank—there are 17 in the United Kingdom—and I wonder whether there are plans to extend that with a second. Because of our geography, running only one in Scotland is not a particularly good measure.

I also ask the minister to give us at some point—not in her speech, because she will not have time—an update on the implementation plan. In that regard, I echo Elaine Smith's regrets that the post of a breastfeeding champion or lead was abolished and that no Government has ever led a debate on breastfeeding. Even with the extension that has been granted, this debate is far too short a time to debate this very important subject. Therefore, I ask the minister to try to get Government time to debate it much more fully. However, we have already had a good debate on the subject.

13:16

Duncan McNeil (Greenock and Inverclyde) (Lab): I thank Elaine Smith for bringing the debate to the chamber. I first became aware of her passion for the issue when I was on the Health Committee a decade ago through the passage of her Breastfeeding etc (Scotland) Bill.

It is interesting to note that there were six females to three males on that committee. There was a female convener and deputy convener, and—I think—the minister here today was on the committee during the passage of the bill as well. It was interesting for us males on the committee to get the various anecdotes and stories about the issue, but the committee completely shared the ambition of the bill to confirm the rights of the child and recognise clearly the health benefits—which have been described—to the mother, the child and wider society.

The passage of the bill was a real opportunity to tackle the culture and attitudes towards breastfeeding through public debate. It generated a lot of discussion in wider society. However, my desire to speak in the debate was not just for a trip down memory lane to recall the issues. Elaine

Smith will be pleased to hear that one reason why I am speaking is that the debate has, yet again, initiated interest and debate in my community.

On Monday afternoon, I was contacted with an inquiry about this debate—what it was about, what it would cover and whether the inquirers could come along. I decided to meet those people on Tuesday in Port Glasgow health centre, and I am here as a reporter of the interesting rolling debate that we had in a canteen space at the health centre. It was all women there apart from me and they contributed in between mouthfuls of their sandwiches and cups of tea. There were professional women and laypeople there who all gave a view about breastfeeding and the challenges.

Elaine Smith will be pleased that that debate was triggered by this debate and that people are genuinely interested in how we can make the ambition of her bill and, indeed, Government policy a reality. Elaine Smith might be saddened to learn—although I am sure that she is already aware—that about 80 per cent of mothers breastfeed in the affluent areas of a local authority compared to 2 per cent in the less affluent areas. That is a challenge.

The debate on Tuesday was very fluid and people were encouraged to give their views. I want to do justice to those views by getting them on the record today. Issues raised included the expectations on young mothers and the pressures that they are under these days. The choices that they have must be balanced against those pressures. The lives that they lead are very different from those of their grandmothers, but that puts pressure on them. They do not see themselves as confined by motherhood. They are anxious to get back to work for financial reasons and they want their social lives back, which they perhaps do not see as compatible with motherhood. Those are not my views, I should caution. I am reporting back on the lively debate that took place between laypeople and professionals.

I have covered the social issues. As has been mentioned, there are fewer midwives. There is perceived to be less support now than there was, although I know that there are schemes for specific groups. Breastfeeding now competes with child protection, smoking cessation and addiction services in the job remit of people who would previously have delivered breastfeeding support. There is a difficult landscape out there. The debate is necessary because breastfeeding needs to get parity with those other issues. I say that from the point of view of the Health and Sport Committee's focus on early years and how we transform lives in Scotland.

13:22

Neil Findlay (Lothian) (Lab): I thank my friend and colleague Elaine Smith for bringing the motion before Parliament and indeed for her unwavering commitment to the promotion of breastfeeding, which is an important public health matter. This is an excellent example of a campaigning MSP sticking with an issue and seeing it through in order to change the law and people's lives.

Breastfeeding is the most natural thing in the world. It helps mother and baby keep healthy and develops attachment. As Dr Simpson described, it reduces the risk of a range of illnesses, such as cancer, diabetes and obesity—the list of benefits, both to the mother and the child, goes on.

We are in a bit of an anecdotal mood today. It may not come as a surprise to my sisters in the chamber to hear that I did not breastfeed my daughter, although given the weight loss advantages that Elaine Murray explained, I really wish that I had—maybe I would not have struggled to keep my weight down over the years.

Breast milk is readily available. There is no need to go to the shops. It is always at the right temperature. There is no need to mix it or faff around with packets. It comes on its own: there is no need for bottles, sterilising equipment or kettles—all the stuff that I remember from around 18 years ago. Importantly, it is free. Mothers who breastfeed save a significant amount of money because they do not have to pay for formula milk and all the palaver that goes with it. With all those qualities, it is surprising that breast milk is not the most expensive product on the planet, but it is a superfood that is absolutely free.

Despite that, as members have mentioned, the take-up rate throughout the UK is still very low. The highest initial rate in England and Scotland is 71 per cent, falling, after six weeks, to 22 per cent in Scotland and, remarkably, only 13 per cent in Northern Ireland. While we are not the worst in the UK, we have a long way to go to drive up rates. Duncan McNeil's contribution was very powerful because take-up rates of breastfeeding very accurately reflect health inequalities throughout Scotland. We should address that across the range of portfolios in the Parliament.

Why are take-up rates so low? There are undoubtedly educational and cultural issues, such as lack of knowledge, fear, embarrassment, stigma and social awkwardness. Some women are afraid to breastfeed in public because of the reaction of others. Mention has been made of stories of people being asked to leave restaurants, bars or shopping centres by owners who appear to be living in a wholly different age.

Today of all days, we should reflect on the further misuse of social media in the case of Emily

Slough. It is remarkable that she had her photo taken without her knowledge, that it was then put online and that her character was attacked by people who neither knew her nor cared for her and who gave no thought whatever to the impact on her and her family. I find it thoroughly depressing that the wonder of technology is being used in such a way. At the same time, it is inspirational that she did not give in to those people and was inspired to act. That is the way to deal with those who disparage people and engage in character assassination from behind their computer screens in their lonely bedsits.

The Breastfeeding etc (Scotland) Act 2005, which Elaine Smith introduced, protects the rights of mothers. We should not forget that it made it illegal to prevent or to attempt to prevent mothers from breastfeeding in public. It also sought to make breastfeeding a social norm. That is what it should be—something that is totally natural. I hope that the Government will continue to work to promote the multitude of good reasons to breastfeed, and that it will work with our councils, our colleges and universities, our workplaces and our communities to break down the barriers that prevent more women from breastfeeding. I encourage Elaine Smith to keep up her highly effective campaigning on the issue, and I am sure that she will receive support from across the Parliament.

Two weeks ago, a conference was supposed to be held on Scotland's health challenges at Our Dynamic Earth. The conference was cancelled because speaker after speaker withdrew after it emerged that the event was being sponsored by Nestlé, which is one of the large corporations that Elaine Smith mentioned, whose activity in the developing world undermines breastfeeding among the populations of those countries. That is very much a live geopolitical issue—it has not gone away.

13:27

The Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights (Shona Robison): We have had a very interesting debate and, as others have done, I thank Elaine Smith for bringing such an important subject to Parliament for debate. I am glad that we waited to welcome the mums—and the staff—to the gallery.

We know about the various media articles on the public shaming that is meted out to mothers who choose to breastfeed their babies in public. The case of Emily Slough has been highlighted. Her fight-back campaign is inspiring to others, but the fact that breastfeeding mothers still receive such treatment shows that we still have a fair way

to go to bring about a shift in public attitudes and make breastfeeding the norm.

The Breastfeeding etc (Scotland) Act 2005 protects the right of any person to feed a child when required and in the most appropriate place for them without the fear of interruption or criticism. Cara Hilton, Elaine Smith and Elaine Murray asked about the promotion of that legislation and the leaflet on it. I can inform members that the leaflet is being updated to coincide with the 10th anniversary of the passing of the 2005 act in 2015. That will provide an opportunity to again promote the benefits of the legislation and the rights that it provides. We will keep people informed of that.

Richard Simpson raised a number of issues. It would probably be best for me to write to him, or to arrange for Michael Matheson to write to him, with answers.

Mention has been made of the "Infant Feeding Survey 2010", which is the most recent infant feeding survey. It reports more positively on the experiences of women in Scotland than it does on those of women in other areas of the UK, but it highlights the challenges that breastfeeding in public brings.

As many members have said, good nutrition from the earliest days of life will contribute significantly to the long-term health of Scotland's population. In 2011 we published "Improving Maternal and Infant Nutrition: A Framework for Action", which outlined the measures that all organisations should take in working with families to ensure that every parent is supported to give their baby the very best nutritional start in life.

We all know about the short-term and long-term health benefits of breastfeeding both for mothers and for infants, so why have breastfeeding rates remained steady, with approximately 36.5 per cent of babies being breastfed at their six to eight-week review in 2012-13?

I think that the answer is that so many factors influence a mother's infant feeding decision. Family and peer pressure, culture, public attitudes and support from professionals are just a few factors among many. Effective strategies to encourage and enable more women to initiate and maintain breastfeeding cannot be delivered by health professionals, policy development or legislation alone; we need a supportive and collaborative approach.

We want to ensure that parents understand that, for however long a mother chooses to breastfeed, breast milk will contribute to a baby's future health and ensure that they feel supported and encouraged from the earliest days. There are important messages about the benefits for mums

themselves, which members have spoken about today.

Research has made clear that the greatest benefits for mother and baby are gained through exclusive breastfeeding for the first six months. As has been said, it is the natural way to feed babies and infants. Breast milk provides the most comprehensive source of nutrition for the first six months of a baby's life and contains a range of immunological substances that cannot be manufactured for formula milk.

We want to strengthen the NHS contribution by improving access to NHS care during the antenatal period for those women who are least likely to consider breastfeeding and who are most in need of encouragement and support. Building good relationships with health professionals in the antenatal period will help to support mothers to start breastfeeding and to maintain it in the earliest weeks of their babies' lives. To help in achieving that aim, the Scottish Government provides funding of approximately £2.5 million per year to health boards to implement the framework's action plan, including a range of breastfeeding support activities and interventions.

We recognise the contribution that the UNICEF baby-friendly initiative makes to improving the care of mothers and babies. Every single NHS board in Scotland is working towards achieving and maintaining BFI status in hospital and community settings. The Scottish Government is demonstrating its commitment to the initiative by funding a full-time professional officer for Scotland for four years, and is providing financial support to help all NHS boards to achieve that prestigious award. Progress is being made nationally, with 84 per cent of births in Scotland taking place in a BFI-accredited hospital, which compares very well with the situation elsewhere.

As well as supporting women in making the important decision on how to feed their baby, support and advice must be readily available postnatally. Peer support is a key way of providing encouragement to families and their communities. It enables women to share similar experiences with newly breastfeeding mums and to offer emotional and practical support to complement the support that is offered by professionals. It can be mutually beneficial to the peer supporter and the supported mother.

The provision of breastfeeding peer support must be fully integrated in local service planning and delivery to enable the recruitment, training and on-going supervision of the peer supporter. To support that work, NHS Scotland's breastfeeding peer support guidance was published in November last year.

The findings from the “Growing Up in Scotland” longitudinal study that was published in April 2014 show an increased understanding of the importance of breastfeeding and its long-term benefits. Breastfeeding rates in the most deprived areas of Scotland have increased in the past decade, which is a good thing. The overall breastfeeding rates at the first visit have increased from 24.3 per cent in 2001-02 to 30.7 per cent in 2012-13.

Elaine Smith: Will the cabinet secretary consider committing to meet the authors of the “Preventing disease and saving resources” study, given the amount of money that their research proves the NHS could save?

Shona Robison: I will certainly take that suggestion forward. It may be more appropriate for Michael Matheson to progress, but I will certainly take it up with him.

The increase in the overall breastfeeding rates in the most deprived areas is due mainly to an increase in the percentage of mums who are mixed-feeding their child, which indicates that more mothers in those areas are initiating breastfeeding and continue to give their babies some breast milk in the early weeks of life.

We have to handle that quite carefully because we want mums to give their babies at least some breast milk while of course promoting the clear message that exclusive breastfeeding is best but any breastfeeding is better than none. Those are the careful but sometimes difficult messages that professionals must wrestle with giving.

I think that we would all agree that Scotland should celebrate and support women who make the choice to breastfeed, regardless of where or for how long they choose to do so, and that we all have a part to play in making that happen. I will certainly take forward many of the issues and suggestions that have been made during the debate and will discuss with Michael Matheson how best to take them forward.

13:35

Meeting suspended.

14:30

On resuming—

Cashback for Communities

The Deputy Presiding Officer (Elaine Smith):

Good afternoon. The first item of business is a debate on motion S4M-10278, in the name of Kenny MacAskill, on cashback for communities.

I call Kenny MacAskill to speak to and move the motion. Cabinet secretary, you have 14 minutes.

The Cabinet Secretary for Justice (Kenny MacAskill): I welcome this debate as an opportunity to celebrate the enormous impact of this Government’s unique approach in taking money seized through the Proceeds of Crime Act 2002 from criminals and companies that have transgressed the law and investing it in Scotland’s young people and their communities through the cashback for communities programme. I draw the chamber’s attention to the first national evaluation of the programme, which was published earlier this week and covers the period from April 2012 to March 2014.

The money, which has been stripped from those who choose to adopt a criminal lifestyle, is channelled into cashback for communities to deliver a wealth of free sporting, cultural, youth-work, educational and employment activities and opportunities for young people up to the age of 25. The programme not only gives young people something positive and enjoyable to do but helps reduce crime and antisocial behaviour by diverting the small minority who cause trouble away from such behaviour. Of course, not all young people stray; indeed, most of them thrive on simply having something new and fulfilling to do and on doing fun and healthy things that keep them occupied, tap into their interests and bring out their full potential.

I launched the cashback for communities programme in January 2008 and, in May 2009, this Parliament debated the significant early progress that had been made as a result of the £13 million that we had invested in those first 18 months. That heralded the start of this Government’s innovative vision to benefit Scotland’s future by investing criminals’ money in our greatest assets: our young people.

Since the programme’s launch, more than £50 million has been spent or committed, delivering more than 1.5 million free activities and opportunities for young people in communities in every local authority area. From Greenock to Selkirk, from Stornoway to Lerwick and from Peterhead to Portpatrick, all of Scotland has benefited from thousands of projects covering sports, culture and youth-work activities,

educational and personal development, employment training and state-of-the-art sporting facilities. Those projects give young people the opportunity to develop new interests and skills in a safe, fun and supported environment and, of course, dissuade them from straying into trouble.

As we know, antisocial behaviour and crime afflict every community. However, some are harder hit than others, which is why all cashback projects focus activity first and foremost on communities and areas where there is greatest need. That said, every young person in Scotland, regardless of their race, religion, background, gender or where they happen to live, should get the opportunity to benefit from cashback. I am convinced that our young people and communities are our greatest strength and are fundamental to a successful Scotland.

That is why this Government has now delivered on its commitment to expand cashback for communities into the next three years by committing a further £24 million of criminals' money to take us to an unprecedented level of investment of more than £74 million. The money seized from criminals through the outstanding work of the police, the Crown Office and Procurator Fiscal Service and the Scottish Court Service is being channelled back into the communities where it is needed. Indeed, we have reinvested more than £3 million in the recovery process to enhance capacity and to ensure that we continue to hit criminals hard in their pockets.

As a result of more recent larger proceeds of crime recoveries, we expanded the programme to more than £50 million through to 2013-14, which provided the opportunity to widen its scope and breadth.

The sports programme was widened to provide more opportunities for young people to try something different, with investment of £336,000 in badminton, £316,000 in hockey, £149,000 in tennis, £228,000 in squash, £228,000 in athletics and £359,000 in boxing equipment and training.

The well-known high-visibility, high-participation football, basketball and rugby activities remain a core element of the programme because they provide important diversionary activities. The cashback sports programmes have provided more than 1.1 million such activities since 2008, which has undoubtedly contributed to the factors that have seen a 75 per cent fall in youth offences and a 52 per cent fall in youth crime. In so doing, they continue to help to break the cycle of youth offending in our communities.

I want to say something about supporting the grassroots development of Scottish sport. The £15 million cashback sports programme involves much more than the provision of diversionary activities. It

also provides sustainable positive development pathways for young people through schools of rugby, schools of football and basketball coaching programmes. Young men and women across the country are improving their educational attainment, getting healthy, competing at regional and national level, getting coaching qualifications and putting something back into the sport as volunteers or cashback sports development coaches to bring the next generation of youngsters on. I am thinking of young people such as Daniel Meadows, who, as a youngster, got involved in cashback rugby sessions, progressed to getting coaching qualifications and is now the full-time cashback rugby development officer for the Shetland Isles.

There is just under a month to go until the Glasgow Commonwealth games open, and if we are to secure our legacy ambitions from the games and encourage more young people to be active and enjoy the many benefits that that brings, it is important that there are sporting facilities in the communities where they are needed.

The development of grassroots sports through cashback activities has been supported by the provision of quality facilities in communities.

Duncan McNeil (Greenock and Inverclyde (Lab)): How many additional young people from poorer areas are now participating in sport, compared with the situation before the cashback scheme?

Kenny MacAskill: I do not have those specific figures to hand, but I will do my best to answer that question in my summing-up speech. However, as I said at the outset, and as has been reinforced, to her credit, by Alison McInnes, we believe that cashback should prioritise those who suffer. We also believe that it should be available to every youngster, irrespective of their background or postcode.

We welcome the action that has been taken. Cashback has worked with the Scottish football authorities, Scottish rugby and sportscotland in designing 93 projects across 29 local authorities and has provided them with more than £10 million. Thirty-one full-sized all-weather 3G pitches will have been delivered with cashback support. Only yesterday, in Aberdeen, I announced that the next six new full-size 3G pitches will be in Aberdeen, Dundee, Dumfries, Troon, Paisley and Linlithgow.

However, we know that not every young person is a sports fan, which is why we also invested more than £10 million in core youth work and expanded dance, music and film opportunities, through the £2.25 million cashback creative identities project. We also piloted new projects such as the £2.25 million Inspiring Scotland community assets link-up pilot, the £350,000

Angus Council just play pilot, the £1.6 million Prince's Trust personal development partnership pilot, the £300,000 Prince's Trust employability awards and the £258,000 Glasgow Clyde College and Scottish Power power skills project.

That reflects the fact that cashback involves much more than high-visibility mass-participation activities. In that regard, I highlight the significant work that is being done by the uniformed organisations, which, through Youth Scotland's £2.6 million cashback funding, have supported some 6,000 volunteers who have provided more than 433,000 volunteering hours to those organisations.

The cashback partnership with Glasgow Clyde College and Scottish Power drills down and focuses on individual young people to get them off the streets and re-engaged in mainstream further education, and to help them to get accredited training in engineering and get into apprenticeships, jobs and further full-time education. I am thinking about young people such as Lee Perkins, who completed the cashback power skills programme and successfully advanced on to the Scottish Power pre-apprenticeship programme.

The independent report that was published earlier this week examines the way in which cashback projects are changing individual young people's lives for the better and how that is being captured to provide a national picture of the overall impact of cashback. I am delighted that both the "National Evaluation of the CashBack for Communities Programme (April 2012-March 2014): Final Report" and the case study brochure "CashBack for Communities: Investing in Scotland's young people 2008-2014" highlight that the programme is having a significant impact.

The report rightly recognises that cashback for communities is a unique approach to investing proceeds of crime money. The initial stages allowed testing of new ways of engaging with young people through an innovative model that adopts an approach that has a strong focus on sports, culture and youth work to deliver diversionary activities.

The approach brings together a fantastic cashback partnership of a range of our national organisations such as Creative Scotland, the Scottish Football Association, YouthLink Scotland, Scottish Sports Futures, the uniformed organisations, Inspiring Scotland, the Scottish Rugby Union and basketballscotland. I express my continued thanks for their significant contribution and thank the local community volunteers whom they work with to make cashback the huge success that it is.

I will say something about the scale and reach of the impact that the evaluation report has highlighted. We have established the cashback model, expanded its reach and strengthened the programme to support project partners to continue to deliver investment in every local authority area and provide a quarter of a million activities and opportunities year on year for young people, regardless of their gender, race, religion or background or where they live.

Significant progress has been made by cashback projects to rise to the challenge of tuning into and delivering on 27 life-changing outcomes around increasing participation, engagement, diversion and protection and ensuring that there are progression pathways for participating young people to ensure that youngsters get the opportunity to develop their potential, attain accredited learning and qualifications and get into volunteering, training and jobs.

The case study brochure tells the insightful and deeply personal stories of some individual young people who have grasped the opportunities offered by cashback.

John Pentland (Motherwell and Wishaw)
(Lab): The cabinet secretary said that some of the cashback money was being used to enable volunteers to support the uniformed officers. What kind of support are the volunteers giving officers? What duties are they doing?

Kenny MacAskill: We are referring to giving money to the uniformed organisations, which can initially apply for whatever they want. I have seen people take information technology equipment and the Boys Brigade has taken musical equipment for its bands.

We have also been trying to provide support for the uniformed organisations with leadership programmes, so that those who may be going off to university or into work and might otherwise have left an organisation are supported to come back. We want to see a virtuous circle, whereby those who have benefited from the enjoyment that they got as youngsters come back to give back to a younger generation.

I pay tribute to those involved in whatever activity—football, rugby, other sports, culture or youth organisations—who give their time as volunteers. We should be extremely grateful for what they do. Our funding supports them; it certainly does not fund them. We have to recognise the great unfunded contribution that they make.

It is clear that cashback changes young people's lives for the better and sets them up to reach their potential, that a great deal of progress continues to be made and that the impact is significant for the young people and communities

involved. However, fine tuning can be done and we will respond to the recommendations of the independent report in order to continue to invest proceeds of crime money in a way that builds on what cashback is delivering for Scotland's young people and their communities.

I say to Margaret Mitchell that, although we will not support her amendment, I am happy to meet her to discuss the points that she raises. I give her an assurance that the serious organised crime task force will always seek to take such matters on board, and I am happy to pass her views on. There might also be an opportune moment for her to meet those who lead some of the strands of work of the serious organised crime task force, so that they can clarify what they are doing and she can pass on the ideas that she may have for them.

I am conscious of the time, Presiding Officer, and conclude by welcoming the progress of the cashback scheme.

I move,

That the Parliament welcomes the publication of the first *National Evaluation of the CashBack for Communities Programme: Final Report*; notes that, since its launch in 2008, the programme has provided over 1.5 million positive opportunities and activities for young people across Scotland; welcomes the fact that this uniquely Scottish CashBack for Communities programme is being funded by over £74 million recovered from criminals using the Proceeds of Crime Act 2002; notes that the independent report highlights the significant impact that the programme is delivering; believes that every effort should be made to ensure further progress in recovering money from those who profit from crime, and believes that funds obtained from the proceeds of crime should continue to be focused on projects in communities across Scotland as well as those particularly affected by crime and antisocial behaviour and, in so doing, continue to tackle breaking the cycle of youth offending in communities.

14:44

Graeme Pearson (South Scotland) (Lab): Scottish Labour supports the message that the profits that are created by criminal conduct across Scotland should be seized and returned to the communities from which they were stolen in the first place. That is why, at the United Kingdom level, Labour supported the introduction of the Proceeds of Crime Act 2002 and was fully committed to the various developments that have led to where we are today. However, it is apposite that we take time now to discuss whether cashback delivers effectively and in a way that we would seek for the future. In that context, I am very pleased to contribute to the debate.

The cabinet secretary indicated in response to an intervention that he did not have specific figures to justify some of his claims of success in connection with the cashback formula. Repeated freedom of information requests relating to the successes and outcomes that the cashback

programme has delivered have been very difficult to pursue through the system, and responses have been delayed and obscure, describing as successes what we would all like to laud in the future. Although we support the underlying measures that the Government has introduced, we would like to see a sharpening of focus to ensure that moneys that are recovered from criminals are directed with best effect to those who might benefit from cashback.

I hope that the cabinet secretary can agree that we support a major part of the Government's motion. He mentioned that the scheme is unique, but I remind him that, in 2006, the then Labour Administration had a very similar scheme with the engaging title of the reinvesting the proceeds of crime scheme. It was described as support for

"local projects aimed at reducing crime, improving people's quality of life and visibly repairing the harm caused to communities through the impact of serious violent crime."

Therefore, on the notion that cashback is an innovative scheme that the Government introduced, it would perhaps have been more humane to acknowledge that it is a development of an earlier edition of a similar scheme that was led by the then Minister for Justice, Cathy Jamieson.

When that scheme was introduced, there were discussions across the UK about how such assets might be used. England and Wales took an approach that was very different from the approach in Scotland. They agreed that moneys that had been liberated from criminal sources could be filtered through to the police service, the Serious Organised Crime Agency, Her Majesty's Revenue and Customs and even the prosecution authorities. I can tell the cabinet secretary from first-hand experience of that process that a great deal of professional time and budget attention was spent trying to ensure that each of those agencies got its fair share of the assets that were recovered from criminals. The approach that was taken in Scotland—I am pleased that the current Government followed it through—instead looked to direct assets that were recovered from criminals to the communities that they initially came from. To that extent, cashback has delivered, and we are keen to continue to support that delivery. It would be good if the Government acknowledged that it has the support of members on the Opposition benches.

However, we want to see where the money goes and what the public and communities get from the delivery of cashback. The Scottish Football Association and the communities cup get £7.1 million over five years, but the routes out of prison project gets £500,000. Scottish rugby gets £3.6 million, whereas the just play programme gets £310,000. International development was

given £1.5 million, and the Procurator Fiscal Service and the police were given £3 million. From my perspective, it is difficult to ascertain what benefits have actually accrued. That is the important point.

We can see the activities and we know the numbers who have engaged, but we need to understand whether the investment achieved the best outcome, so that we can review that and share it with the Scottish public.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): Does Graeme Pearson accept that a lot of the activities that the cashback scheme funds are diversionary activities that take place in the evening and twilight hours, which means that children are not hanging about on the streets, when they are liable to indulge in antisocial acts, so crime levels have reduced as a result?

Graeme Pearson: I said that we welcome the investment in such activities. We want to understand better the interconnection between them and the reduction in crime figures, so that we know where best to direct the sums—to which communities, at what times and in which circumstances. We would like greater rigour on the cabinet secretary's part in stretching his officials to ensure that such evidence is gathered where it exists, so that we can judge in the future where to disburse funds across Scotland.

I bring to the cabinet secretary's attention a recent change that seems to have taken place in some of the policies that attach to recovered assets. With some difficulty, I accessed correspondence that indicates that some proceeds of crime funding is to be allocated to Police Scotland and that,

"wherever possible, the receipts are"

to be

"allocated to operational policing activities within local communities, and for maximising future recoveries in line with the principles agreed by the Serious Organised Task Force ... meeting held on 10th February".

The problem is that we cannot access the minutes of that meeting to know what those principles are. However, the Scottish Police Authority acknowledges the inclusion of estimates of expected receipts in its 2014-15 and 2015-16 budgets.

Some recovered assets will not go back directly to communities; they will supplement the work of the police and prosecution authorities. Allocating money in that way will change the behaviour of those services in pursuing receipts in the future.

On the face of it, that might seem to be a laudable outcome—I see Bruce Crawford nodding. Unfortunately, having spoken to many

professionals in England and Wales, I know that the experience there indicates that people will pursue work that is more attentive to maximising their receipts rather than receipts for the common good. Eventually, more money is spent on using professional time to attract moneys from recovered assets for various services.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Does the member agree that, in 2012-13, the police received £700,000 from proceeds of crime and COPFS received £200,000? That was specifically allocated to identifying and recovering proceeds of crime. The figures show that a limited amount is given for a specific outcome.

The Deputy Presiding Officer: I will give Graeme Pearson time back for the interventions.

Graeme Pearson: Thank you, Presiding Officer.

Christine Grahame gives an accurate description of what happened in the past, but the amounts are growing. A figure of £6 million for future developments has been cited; those assets could otherwise have gone into the kinds of projects that the cabinet secretary described as an effective use of funds that are liberated from criminal assets.

I raise a concern about a public service that is independent and should—

Kenny MacAskill: I can give the member an assurance that the situation that he describes will not be the outcome. I am grateful for his concern, though, because on 25 January 2011 the *Aberdeen Press and Journal* stated:

"Opposition MSPs have thrown their weight behind Grampian Police's top police officer, who is in favour of using money seized from criminals to help fund hard-up forces."

I realise that Mr Pearson was not a member at that time, but that was supported by then Labour justice spokesman Richard Baker and it was opposed by the Government. That is still our position, and I am glad that Labour is now taking our position.

Graeme Pearson: I always find it soul destroying when we dig back into the past to look at what we were doing yesterday. I thought that we were discussing what we are doing today and what we will do in the future.

I say to the chamber that I do not support the principle of using money that is recovered from criminal sources to pay for police officer and prosecution time. Those services should be paid for from the public budget so that we can be sure that they will maintain a focus on the delivery of justice and delivering in the interests of communities and that they will not focus on trying to maximise receipts to their own benefit. That

would be a very human outcome, and anybody who suggests otherwise ignores the reality of the way in which these things work in difficult economic times.

Whatever principles were decided on 10 February at the task force meeting, I ask the cabinet secretary to urgently reconsider the plans to send to those authorities money that should go back to communities. I also ask him to release information in a more effective way in future so that we can know what is being done in our name.

I move amendment S4M-10278.1, to leave out from “, and believes” to end and insert:

“; notes that the CashBack for Communities programme replaced a similar initiative launched by the Scottish Executive in 2006; believes that funds obtained from the proceeds of crime should continue to be focused on projects in communities across Scotland, particularly those affected by deprivation, crime and antisocial behaviour, and, in so doing, continue to tackle breaking the cycle of youth offending in communities, and deplores funds obtained from the proceeds of crime being used to mitigate Scottish Government cuts, including its reported planned use to top up Police Scotland and the Crown Office’s budgets.”

14:56

Margaret Mitchell (Central Scotland) (Con):

The motion states that, since 2008, £74 million of funds has gone to the cashback for communities programme, which has provided funding for 1.5 million positive activities and opportunities for young people in Scotland. That is clearly to be welcomed, especially as the programme involves proceeds of crime being targeted at young people who are most at risk of turning to crime and antisocial behaviour. The sport, cultural, mentoring and early years projects that the scheme funds provide a choice for young people who previously may have felt that they had no choice other than to gravitate to criminal activity.

In practice, the programme has resulted in projects and facilities being delivered in Scotland’s 32 local authority areas. In Central Scotland, projects in Lanarkshire include badminton courses for 10 to 19-year-olds that are organised by North Lanarkshire Leisure and run by local coaches. The course starts on 7 August at the Tryst sports centre in Cumbernauld and the project continues for a block of 10 weeks, with sessions in Airdrie, Wishaw, Bellshill and Shotts.

In addition, a new third-generation synthetic turf football pitch has been established at Dalziel park in Motherwell and, in 2012, the East Kilbride Pirates American football team gained funding thanks to the cashback for communities small grants scheme, which covered transport costs and additional kit, with the aim of getting more kids in the East Kilbride area playing American football. Meanwhile, in Falkirk, young offenders at HM

Prison and Young Offenders Institution Polmont are being encouraged to build self-esteem and confidence through a dance programme, which will result in an opportunity to perform at the Go Dance 14 event in Glasgow’s Theatre Royal. Self-evidently, a variety of worthwhile projects are being funded through the cashback programme.

Turning to the mechanics of how the money for cashback for communities is collected, both criminal and civil recovery powers under the Proceeds of Crime Act 2002 are employed by the Crown Office and Procurator Fiscal Service, working in conjunction with relevant agencies such as Police Scotland and Her Majesty’s Revenue and Customs. Two units in the Crown Office—the proceeds of crime unit and the civil recovery unit—carry out the work. The vast majority of the recovered proceeds are used to fund the cashback for communities programme.

The criteria for the allocation of money that has been seized under the Proceeds of Crime Act 2002 were agreed by the serious organised crime task force and are:

“(1) additional funding for CashBack for Communities; (2) funding to Police Scotland and the Crown Office for enhanced recovery of Proceeds of Crime Act receipts; and (3) other projects, which may include community projects.”

It is worth noting that, according to a paper that the Scottish Police Authority issued in December, serious organised crime

“costs the Scottish economy approximately £2 billion per annum”,

and the harm that it does to local communities

“extends far beyond financial implications.”

However, even in the peak year 2012-13, only £10 million was seized under the 2002 act. Although good work is certainly being done, more could be done to disrupt crime and, in the process, collect more money.

The need to tackle that aspect is the basis of the amendment in my name, which calls for

“more analysis ... to identify and follow up on crimes in which the Proceeds of Crime Act 2002 could be implemented in order to maximise the amount of money seized”,

and disrupt crime, of course.

It is worth stressing that police services must be sufficiently funded and must not rely on criminal money for their core activities. Nonetheless, there is a case to be made for enabling Police Scotland and the Crown Office to bid for money from the proceeds of crime for specific projects.

Let me be clear that I am talking about projects to identify crimes that could be actively pursued in the context of the 2002 act, such as targeted organised shoplifting by criminal gangs, which is a

much bigger issue than shoplifting by individuals. Such an approach would have two positive effects: it would disrupt organised crime and it would generate even more funds for cashback schemes.

It is essential that we ensure that collection rates are as good as they can be. It is therefore encouraging that further steps have been taken in Scotland to increase the take under the 2002 act, through the Crown Office's commitment to pursue court expenses. That will be done through the civil recovery unit, which has pledged to pursue sequestration if necessary, when a challenge to recovery has been made and has failed. Quite simply, if an individual is sequestered it is much harder for them to get a house or use the proceeds of crime for their benefit. In addition, tens of thousands of pounds will be recovered from court expenses.

It is to be hoped that the suggestions that I have made in my speech and in the amendment in my name will improve and increase the funding for the cashback for communities scheme, by ensuring that proceeds of crime legislation is applied as effectively as possible in recovering funding from people who benefit from organised crime. I welcome the cabinet secretary's confirmation that he will consider the points that I have made, although I am a little disappointed that he is not able to support the amendment in my name.

I have much pleasure in moving amendment S4M-10278.2, to leave out from “, and believes” to end and insert:

“; believes that much more analysis could be done to identify and follow up on crimes in which the Proceeds of Crime Act 2002 could be implemented in order to maximise the amount of money seized; considers that Police Scotland and the Crown Office must always receive the core funding necessary for them to discharge their responsibilities, but believes that there may be merit in looking at the option of enabling Police Scotland and the Crown Office to make specific bids for money obtained from the proceeds of crime for identified projects while ensuring that funds obtained from the proceeds of crime continue to be focused on projects in communities across Scotland as well as those particularly affected by crime and antisocial behaviour and, in so doing, continue to tackle breaking the cycle of youth offending in communities.”

The Deputy Presiding Officer: We move to the open debate. Speeches of six minutes, please. I have a little—but not much—time in hand for interventions at this stage.

15:03

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Cashback, whereby money is taken from people who commit crime and put back into underprivileged communities, is imaginative and, as my old history teacher used to say, a very good idea. The 2002 act is UK legislation, but it is not bad because of

that; it is good legislation. We should not get into a turf war about whether the Scottish Executive called it one thing and we call it another, as though that makes a whit of difference. The point is that it works.

I am grateful to Margaret Mitchell for talking about how the process operates, because it deals with criminal and civil matters. Something that has not been mentioned is that if we take money from criminals and use it for good causes, the money cannot be laundered through other processes. The Justice Committee will have a round-table evidence session with the police and the Scottish Environment Protection Agency, because money is often laundered through environmental waste disposal. Cashback takes the money out of that system, so it is a good thing all round.

As others have said, millions have been invested primarily in activities for young people who have not had a good start in life. In Gala in my constituency in 2011, the third-generation synthetic pitch got £500,000 from Scottish Borders Council, £350,000 from cashback, and £100,000 from the Hayward Sanderson Trust. I might not have the exact figures for Duncan McNeil and others, but I can tell them that there is a queue to book those pitches and they are very successful. The important thing is that they also meet stringent rugby head-fall height conditions and have a proper shock pad.

In Midlothian, the midnight league programme is being run by the Scottish Football Association, Midlothian Council, the community safety partnership, Bank of Scotland, cashback for communities, Adidas and Borders Railway, of all people. More than 1,000 people used it in its first year and it is still growing. I have some local numbers.

I turn to something that has been missed out a bit; I refer to the improvements that are being made to proceeds of crime legislation, which Margaret Mitchell alluded to. In June this year, proposals have been put forward to strengthen the proceeds of crime legislation and make it faster; to use tougher prison sentences for people who fail to pay confiscation orders; to enable assets to be frozen faster and earlier so that they cannot be disposed of; and to ensure that confiscation orders are in place for those who abscond before they are convicted. As I understand it, the Westminster Government has accepted a range of proposals to speed up the process. The Scottish Government has asked for other measures to be included to ensure that confiscation orders are not stopped as a result of offenders serving default sentences; to create new offences for breach of specific orders during civil cases; and to establish a role of administrator to allow more cost-effective management of property that is held during civil

cases. Those are all technical issues, but they are very important if we are to make the best use of the assets that are kept.

I had not really paid terribly much attention to the cashback for communities small grants scheme. One tends to look at big numbers, such as £350,000. However, the sums that are given out under the small grants scheme are very important, too. They cannot be more than £2,000, but that can make a big difference to whether a club has a football net that stays up, or has footballs, and so on. Little things like that can make a world of difference.

That scheme supports local volunteer-led groups. They cannot all apply for grants individually because that would lead to a network of administration. The applications are filtered through organisations such as Clubs for Young People Scotland, Girlguiding Scotland, the Girls' Brigade in Scotland, the Scottish Council the Scout Association, the Boys' Brigade, Youth Scotland and a network of youth clubs. The minister might be able to tell me how the scheme works, but I presume that an organisation or small club applies for a grant through one of those organisations, which puts it to the Government. The grants have a substantial impact. The partnership that administers the funding has a total of 6,862 groups, with almost 172,000 young people being supported by 26,000 volunteers. There are some numbers that are more than numbers; they are people who are doing better than they would have done without cashback for communities.

The intention of the cashback for communities small grants scheme was that young people, parents and communities would feel that young people would have exciting things to do other than sitting playing computer games and safe places to go for a range of activities.

The amounts that are recovered under the scheme vary year by year. There was a bumper year in 2010-11, when the total that was recovered was £25.9 million. That was a big figure but it was because two particular cases—Weir Group and Anatoly Kazachkov—boosted the figures to unprecedented levels. Generally the figures are not as high as that. In 2003-04, the figure was £2.2 million and in 2013-14, it was £8 million. I have already said how that money was apportioned to bring in more money.

I do not know whether the cabinet secretary said this in his speech, but I know that he does not intend to use up all the money within one year just because it is there. Money can be carried forward.

There can be no member who does not think that this is excellent legislation and that the scheme is a virtuous circle, because the bad boys

and girls have their money taken from them as fast as possible and that money is protected so that it cannot be laundered through something else. Instead, the money is put back into the communities. I appreciate that the process might require some tweaking. I also thank Westminster—this might be the only time that members will hear me say that—for the legislation. All in all, I think that it is good legislation.

15:09

Duncan McNeil (Greenock and Inverclyde (Lab): I, too, am pleased to take part in today's debate. Like others, I have expressed an interest in the cashback for communities programme for some time, through making freedom of information requests and asking questions in the chamber, and through the work of the Health and Sport Committee in respect of the programme's accountability and outcomes and the impact that it has on communities.

We will hear a lot of examples today. I could recite many of the good ideas and good causes in my community. I have supported efforts to get cashback money, which have allowed good initiatives to take place. However, what we are discussing today is the first national evaluation of the programme's outcomes. We all agree that cashback is a good idea, but the issue is how it has been working and how it could be made to work better, particularly for those communities that are hard pressed because of deprivation, poverty and associated crime.

I give a qualified welcome to this long-overdue evaluation of the programme, which has been produced seven years after the programme began, with £40 million already spent. The evaluation does not give us information about which children were reached, which communities were reached, where facilities have been set up and how that will transform that part of the community. It lumps together all the local authorities, when we know that within local authority boundaries there are extremes of crime and poverty; it does not give us any of that detail. The minister can stand up and make broad assertions such as, "Well, it's solved crime", but there is nothing in the evaluation that confirms any of those assertions.

Like Graeme Pearson, I am disappointed by the difficulty of getting information from the various partners over a long period of time. How is it possible that partners that are recipients of millions of pounds of public money are not subject to FOI requests in relation to that money? I simply pose the question.

Inspiring Scotland began its work in 2012. The concerns that I and others have raised regarding

the lack of accountability, transparency and clear and consistent objectives in relation to the programme were confirmed in the evaluation. It was put in a very nice way, but the evaluation confirms that Inspiring Scotland had to tell organisations how to produce effective external evaluations of their programmes. Perhaps it would be useful to have some of that explanation here. It had to explain to organisations the difference between inputs, which is the money that goes in, outputs, which is the impact on communities, and outcomes. Goodness only knows what the evaluation found, given that all that had to be explained. The Government has not shared that information with us. I would like to see that information—in the first report to the Government—placed in the Scottish Parliament information centre for us all to see.

We need to learn lessons from the lack of financial accountability and strategy. I am not blaming the sports partners, because if an organisation is presented with money as a windfall and it is not asked to account for it very much, it will use that flexibility. I am not saying that the partners did anything criminal with the money, but did they use it to best effect to meet the objectives that have been set by reaching those communities?

Christine Grahame: I hope that the member was listening to my speech. If he was, he would have heard me give a fairly detailed breakdown of how the funding for the 3G pitch in Galashiels came about. The other partners would not have entered into that unless it had been properly accountable. I have given an example.

Duncan McNeil: We are saying that an evaluation should be able to show, right down to the postcodes, the communities and individuals who have benefited from the scheme. That is what we should be able to do after seven years. We are talking about headline figures. The evaluation report says that organisations had to be reminded how to produce reports and corporate governance. It is all there in the summary report that was provided for us for the debate.

Parliament deserves the information. We should demand to know about the chaos that Inspiring Scotland found when it looked into this. The list of recommendations to address all of the issues, provided by the Government, is before us today. The evaluation states that—seven years on—cashback partners

“are still at an early stage of measuring the outcomes achieved through their work.”

Surely we should already have a comprehensive picture of the impact on communities, but it is better late than never.

I am glad that we are moving forward and that appropriate accountability measures and monitoring practices are being put in place. However, I do not believe, as it is suggested in the evaluation, that we should draw a line under 2008 to 2012 and just look forward. We need all the information about what went on in 2008 to 2012 so that we can understand how we can do it better in future.

In all this, it is important that we do not lose sight of the programme's overall objective, which is to put the proceeds of crime back into the communities that are hardest hit by crime. We should not be spreading the jam thinly. As Graeme Pearson said, we agree on that. Cathy Jamieson, the minister who oversaw development of the early policy, said:

“Our proceeds of crime legislation is really beginning to bite where it hurts criminals most—in their pockets. We have pledged that assets that are recovered from the proceeds of crime in Scotland will be used by the Executive to repair some of the damage that has been done to the communities that have suffered most as a result of drug dealing and other serious crimes.”—[*Official Report*, 27 October 2004; c 11146.]

If we are going to be true to that, we need to change the way in which we address the issue in future.

15:17

Bruce Crawford (Stirling) (SNP): Like other members, I am pleased to be taking part in this important debate on cashback for communities. I recall well from my time in Cabinet the discussion that we had about the scheme in the run-up to its launch. I remember thinking that the changes that were being introduced and the concept of the scheme were exactly what we required—[*Interruption.*] I am sorry that I did not push up my microphone earlier but it is up now, thanks to my good friend Dick Lyle.

I welcome the positive comments from Graeme Pearson and Margaret Mitchell on the overall scheme. Duncan McNeil was his usual forensic self and, despite all the noise that we were hearing, has accepted that the evaluation report has done its work and told us where we can make improvements.

At the end of the day, we all know that, at its heart, this policy is about hitting criminals hard and using the proceeds of crime legislation—as Christine Grahame said, good legislation—to hit them where it hurts most, which is in their pockets. Ultimately, it is hard-working people throughout the country who pay the cost of criminality.

The evaluation recognised that the investment, activities and opportunities for young people who may be at risk of engaging in crime and/or

antisocial behaviour can play a key role in preventing criminality from arising.

Duncan McNeil: Could Bruce Crawford tell me the difference between an activity and an opportunity in the evaluation?

Bruce Crawford: An activity is something that we undertake, such as a sport—something that, sadly, Duncan McNeil and I have probably been missing more recently in our lives. An activity is something that I would encourage him to do, as well as taking more of those anti-crabbit pills as we go through life. *[Laughter.]*

There can be no doubt that investing in Scotland's young people through the cashback programme helps to make our communities safer and healthier—safer because young people are encouraged to take part in constructive activity that makes it much less likely that they will drift into trouble, antisocial behaviour or, in the worst case, committing crimes; and healthier, as young people are involved, for instance, in positive and exciting sporting activity that might be novel to them and keep their interest.

In saying all of that, I know that it is only a small minority of young people who become involved in antisocial behaviour or, worse still, drift into criminality. Through initiatives such as cashback for communities, we can ensure that opportunities exist for young people that provide a positive alternative to that drift.

I hope that, over the longer term, it will be possible to estimate the economic benefit to young people and to society of such interventions. Given that jobs and economic growth are the stated priorities of the Scottish Government and that youth employment is a critical part of that, perhaps the cabinet secretary could tell us in his summing up what more can be done to bring a sharper focus to the programme in that regard.

In 2008, I also remember feeling excited about what the unique Scottish approach that was proposed could do to help build the confidence of the communities that I represent and to make them more resilient. As the cabinet secretary reminded us, since the early days of cashback for communities the Scottish Government has delivered on its commitment to expand the programme by increasing investment in it to more than £74 million.

The cabinet secretary mentioned the role that is played by the police, the Crown Office and Procurator Fiscal Service and the Scottish Court Service, of which I was once a part. He was correct to say that they do outstanding work in this area, and I am glad—although perhaps Mr Pearson is not—that they have had an additional £3 million put into the recovery process to enhance capacity. That enhanced capacity will

enable those organisations to target criminals even more ruthlessly.

Graeme Pearson: Will the member take an intervention?

Bruce Crawford: I guessed that Graeme Pearson would want to intervene.

Graeme Pearson: It is kind of Mr Crawford to take my intervention, but does he not acknowledge that devolving money in that fashion will mean that up to £6 million less can be invested in communities and in offering young people what he has just spoken about—opportunities to gain employment?

Bruce Crawford: Yes, but there are times in life when it is necessary to speculate to accumulate, and that is what that process is all about. We are putting more money into recovery to ensure that we can get more money back. It is quite a simple equation. I think that Mr Pearson should look at the issue a bit more closely, although on this occasion I will not suggest that he needs to take the anti-crabbit pills.

Graeme Pearson: Thank you.

Bruce Crawford: I genuinely think that what we are doing is the right thing to do.

Cashback funding has enabled a wide range of sporting activities and facilities to be established across the Stirling area. I want to go through some of them, because they are definitely worth mentioning. They include midnight football leagues, a street football programme and a school of football that is run by Active Stirling and the Scottish Football Association; a collaboration between Stirling County Rugby Football Club and Scottish Rugby to deliver a school of rugby; twilight basketball, which is delivered by Scottish Sports Futures in partnership with Stirling Council, and in the launch of which the local MP, Anne McGuire, was heavily involved—I applaud her for that; and the successful hockey nights programme that is operated by Hockey Scotland in partnership with Stirling Council, which has an effective link with the local hockey club.

Cashback badminton, which is delivered by Badminton Scotland and Active Stirling, is doing a good job, too. The idea is to provide young people with activities at peak times as an alternative to antisocial behaviour. Some great work is also being done by the city music project, which operates in Stirling's Tolbooth. It offers young people the opportunity to develop their skills and knowledge in various aspects of music and the creative arts.

A great deal of work is going on, and I want to commend the efforts of Stirling Council's youth services department, which is always willing to be subjected to FOI requests, Active Stirling and the

many other partner organisations for the hard work that they do to deliver programmes that are funded through the cashback for communities scheme.

I do not have time to go into the figures, although I will just mention that £800,000 has been spent in the Stirling area over the period. I believe that the dedication of those who are employed—and those who volunteer—to deliver the cashback for communities programme is making a huge and positive difference to the life chances of many young people in Stirling and across Scotland. I know that we applaud what they do.

15:24

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): This is a very worthwhile debate, and I am glad that the minister has brought it to the chamber.

I welcome the evaluation of the cashback for communities programme, although I agree with colleagues that it is a little late in coming and a little limited in content. I hope that, in the future, the cabinet secretary will ensure that more information is provided about not only the number of young people who are taking part but where they come from and what their circumstances are. That would help to illuminate the issue.

The entire premise of the Proceeds of Crime Act 2002 was that, when people—and drug dealers in particular—have been apprehended and convicted of a crime, the money that they have obtained through the misery of others can be taken from them by the courts. I think that we would all agree that the ill-gotten gains of Scotland's criminals should be retrieved in that way and used to fund good causes in accordance with the purpose of the 2002 act.

Today's debate is a good opportunity to consider what more might be done to strengthen the system and to ensure that the best possible use is made of the available resources. I had hoped that we would hear from the cabinet secretary that the Scottish Government will look at ways in which it can ensure that more money is seized from criminals, and to that end I welcome the £3 million that he announced. However, I draw his attention to a potential issue that I came across in researching my contribution to the debate.

I will quote some text from the website of a Scottish legal firm, which is not untypical of some other commentary that I noticed on the web a few days ago. The text forms part of a section in which this particular legal firm advertises its expertise in the area of confiscation under the 2002 act.

The website states that the company

“always employ an expert witness namely a forensic accountant to examine the Crown figures. This can make a big difference both in attacking the benefit figure and in reducing the ‘available amount’ figure. The Crown will engage in discussion and listen to reasoned argument meaning that these cases always settle in a manner suitable to all parties. We were instructed in the widely reported case of a convicted drug dealer who was pursued for £150,000. Following our involvement and negotiation, a criminal confiscation order was made for the sum of £1.”

I understand why the sum of £1 was identified: it is so that, if other assets appear in the future, it is clear that those assets are over and above the particular confiscation order and therefore can be looked at again. I also understand that everyone has a right to challenge the Crown; if there are errors in its calculations, so be it.

What gives me pause is the line in the text that states:

“The Crown will engage in discussion and listen to reasoned argument”

to try to settle the case

“in a manner suitable to all parties.”

Do we really want the Crown to settle such negotiations

“in a manner suitable to all parties”?

I do not think so. I hope that the cabinet secretary can assure me that the Crown is always robust in such cases and that it considers its role to be to settle such matters in the best interests of our communities.

In my view, the communities that suffer most from deprivation, which are often the communities that are most blighted by crime, should be the ones that benefit most from cashback. I have made that point on a number of occasions in the chamber. Unfortunately, however, that does not seem to be the case.

It will come as no surprise to members that I would argue strongly in that regard for my home city of Glasgow, and of course I want Glasgow to receive a share of any funding that is available. However, the reality is that, in spite of the fact that 33 per cent of children in Glasgow are classified as living in poverty—the highest percentage in Scotland—the city does not even rank among the top five local authorities to which the cash is disbursed.

That seems to be fundamentally wrong, which—as I said—is a point that I have made on many occasions. I hope that the cabinet secretary will, in closing, suggest ways in which that issue could be addressed. We feel that more content is needed in the evaluation precisely so that such issues can be examined more seriously.

Having said that, I am a huge fan of cashback in communities, and I am aware of a number of

projects in my constituency that have received funding through that route, which is incredibly welcome. The SRU, for example, has been active in 15 schools in my constituency and has taken part in many street rugby sessions in Possilpark. I am delighted that the SRU has been working with Glasgow community and safety services, as I believe that working in partnership with local organisations is often the key to success in that regard.

I hope that the work can be sustained over a considerable period of time and that it is not just part of a programme to deliver individual sessions but part of a routine of organised activity. Again, that is one of the areas where I think the evaluation report could be strengthened.

I am also aware of a number of local organisations that have been unsuccessful in their application for funding and that feel, rightly or wrongly, that they have been disadvantaged because they are local and not national organisations. They are organisations that are already working on the ground but feel that other, larger organisations are funded to come in and do similar, or the same, things as they have been doing for many years.

Unfortunately, when some of those organisations have gone back to the cashback fund and asked for feedback as to why they have failed in their application, they have been told that information can be provided only over the phone and that there cannot be any more dialogue than that. I think that that process needs to be a bit more transparent, if only to explain to people why they are failing in their applications.

The Deputy Presiding Officer: I must ask you to draw to a close.

Patricia Ferguson: Thank you, Presiding Officer. I am doing so.

I also believe that more dialogue with communities about what will work in their locality could be helpful. In addition, I make a plea for the creative side of the cashback fund, because it seems to me that less money is being spent on creative projects than on sport. Although I am a huge fan of sport, I recognise that it is not for everyone. Some of the very good creative work that is going on would perhaps be of more interest to more people and could in that way help us to allow more young people to have the opportunity to be involved in the kind of diversionary and interesting activity that we all want to see.

The Deputy Presiding Officer: Before we move on, I remind the chamber that members should not turn their back on the Presiding Officer and chat during speeches. I am afraid that I had to remind the chamber of that yesterday as well.

15:31

James Dornan (Glasgow Cathcart) (SNP):

Before I go on to what I was intending to say, I will challenge a comment that has just been made by Patricia Ferguson. The information on page 17 of the evaluation report indicates that Glasgow received by far the most money from cashback, at £5,382,353. The amount nearest to that was that for Edinburgh, which received just less than £4 million. Unless Patricia Ferguson and I are talking about two completely different things and I have misunderstood her, it certainly does not appear to me that Glasgow has been short-changed when it comes to cashback for communities.

As others have done, I have articulated that cashback is a great initiative that allows us to reinvest ill-gotten gains from crime in the heart of communities across Scotland—generally the communities that are most affected by the actions of criminals.

Cashback's particular, but not exclusive, focus on helping young people who might themselves be at risk of falling into a life of crime is also to be commended. I am looking forward to hearing more stories about the many ways in which cashback money has had a positive impact in constituencies and regions throughout Scotland. I will give a couple of examples from my Cathcart constituency to highlight the varied work that cashback for communities has funded. Before I do so, I will give members an example of how cashback can affect communities in many different ways. My colleague David Torrance told me before I stood up to speak that £800 had been given to a local scout group in his area for archery equipment. I suspect that not many scout groups in Glasgow will be getting that, but that is a different matter entirely.

I looked at the first few pages of "Cashback for Communities: Investing in Scotland's Young People 2008-2014" and was really interested to see the different sorts of organisation for which cashback for communities funding is used—for example, Dance Base, Screen Education and the Village Storytelling Centre. However, the one that I want to talk about first is an initiative that has been undertaken in conjunction with the SFA, which is based at Hampden park in my constituency, that involves development teams going out to schools and groups across the country to get more girls and women aged from 9 to 24 playing football, which is hugely important.

As some members might know, I sit on the board of Scottish Women in Sport. I know that the benefits of getting women and girls involved in sport at a young age, and keeping them involved, are many and varied. We know that girls and women who play sports have higher levels of confidence and self-esteem and lower levels of

depression. That is crucial, because adolescent girls in particular appear to be more vulnerable to anxiety and depressive disorders and, compared with boys, are significantly more likely to have seriously considered suicide by the age of 15.

Patricia Ferguson: I hope that James Dornan will excuse my going back a step. First, though, I agree with him entirely about women's and girls' sport and I think that we share the same view of that agenda, so it is always a pleasure to hear him highlight it. However, he moved off page 17 in the evaluation a little bit too quickly for me. It seems to me that Scottish Borders, Angus, Shetland and Orkney all get more money per 10,000 population than Glasgow does. That does not seem to me to be right; I will be surprised if Mr Dornan thinks that it is.

James Dornan: All I can say is that the figures are here in front of us. More than £5 million was sent to Glasgow City Council from cashback. *[Interruption.]*

The Deputy Presiding Officer: Order, please.

James Dornan: There are areas in Glasgow other than those that need cashback money. I will get back to what I was saying about girls and sport.

Involvement in sport develops skills including teamwork, goal setting, the pursuit of excellent leadership and confidence. A study in America showed that 80 per cent of female executives of Fortune 500 companies identified themselves as former "tomboys" or had played sport, and all believed that that had given them the tools that they needed to succeed in their careers. As well as changing attitudes to what women and girls can achieve, investing in sport will help future generations of girls to succeed in the workplace.

It can be easy to dismiss funding in such areas as being just something to spend money on, but the cashback for communities funding initiative is having a real impact. Investment in sport at grass-roots level and youth level works, and in this year of the Commonwealth games we have a unique opportunity to capitalise on that and to help to make our country healthier and happier.

As other members have said, it is not just football that receives cashback for communities funding. The Scottish Rugby Union runs a number of initiatives, including street rugby, in which it works with schools, guidance staff and the police to identify young people aged 14 to 19 who have specific behavioural, social or learning needs, who then take part in intensive two-month to three-month programmes to learn to play and coach rugby and to develop their leadership skills and positive behaviour.

Scottish Rugby also runs development programmes in schools, and it facilitates visits to schools by current rugby players. The Glasgow Warriors and Scotland player Rory Hughes, who went to school in King's Park in my constituency, has visited a number of schools across Glasgow to take part in coaching sessions, including Shawlands academy.

As well as offering opportunities in sport, the cashback for communities programme offers funding in the themes of communities, creative, early years and youth work—as I highlighted earlier with the examples from the report. It was through the youth-work element of the programme that Ardenglen Housing Association in Castlemilk got more funding for its teenzone sporting programme. Teenzone is a group of young volunteers who work to encourage other young people to participate in their community. It uses diversionary sport programmes to tackle antisocial behaviour in the area. The programmes are targeted specifically at young people who are least likely to engage in existing forms of youth participation.

When the sports programme came to an end, mostly because of the prohibitive prices that Glasgow City Council charged to use the local school facilities, the teenzone committee, which is now 13 members strong, worked to set up teenzone media productions, which has secured a couple of film commissions to film the welfare reform work of the Glasgow and West of Scotland Forum of Housing Associations and the play in the dark event at the Jeely Piece Club. That goes to show that one piece of initial funding from cashback for communities can ignite a spark that can empower young people to get involved and make their communities and their prospects better.

A number of members have asked how we can be sure that such activities are helping to fight crime. My suggestion is that, somebody who is playing basketball or is involved in some artistic thing cannot do that and commit crimes at the same time. Many of the activities take place on Friday and Saturday nights, when many of the young people who are involved would otherwise be out on the streets and might then either be the victims of crime or fall into criminal activity themselves.

The Deputy Presiding Officer: Please draw to a close.

James Dornan: I will do that.

I firmly believe that the cashback for communities programme has more than proved its worth as a successful initiative that gives back to communities. How much more could have been invested in programmes such as the ones that the programme helps if we had the power to keep all

the moneys from fines—more than £80 million in the past decade—which are currently paid back to Westminster? That money could have been used, along with the money that we have available from cashback for communities, to help our communities in Scotland to be better and safer places.

The Deputy Presiding Officer: Before we move on, I advise members that the little bit of extra time that we had at the beginning of the debate has rapidly evaporated, so there is only a few seconds extra for members.

15:38

Alison McInnes (North East Scotland) (LD): I, too, welcome the opportunity to take part in this debate and to highlight how the cashback for communities scheme is improving the lives of thousands of young people across Scotland.

The motion rightly notes that many successful applicants, but by no means all, support young people who are at risk of becoming involved in crime, and target areas where offending behaviour is most common. These diversionary projects enable those who are growing up amid difficult circumstances, disadvantage or deprivation to achieve their potential. Some projects realise that potential through education, new vocational skills or opportunities to enter the workplace, while other activities offer peer support and a chance to build positive relationships and to develop interests in an informal and safe environment. All seek to instil self-confidence and improve social cohesion, and to give those who feel detached from their communities a sense of purpose and belonging.

YouthLink Scotland reports that £1 that is invested in youth work delivers a social return worth £13. It is the most effective way to reinvest the money that is seized from offenders across Scotland.

In my region—North East Scotland—£5.5 million from cashback has helped to establish 200,000 activities and opportunities since 2008. That has enabled the just play partnership in Angus to engage young children and parents from 89 families that have criminal histories. Through facilitating shared play experiences and purposeful activities during the early years, just play builds familial bonds and ensures that children get the best possible start in life.

Elsewhere, cashback is helping Street Soccer Scotland to reach people who are contending with mental health problems and addiction in Dundee. It is funding third-generation pitches in Aberdeen and is supporting basketball teams, including the Portlethen Panthers.

The voices of the young people themselves tell the story in the cashback for communities booklet. They include that of Mohammad Ibrahim, who says:

“I’m not sure where I would be if I hadn’t discovered Twilight Basketball ... it has definitely had a real positive influence on my life.”

Paul Gillespie says:

“The project provided me with structure and a reason to get up in the morning. I developed new social skills and built on my confidence and through the Programme I found a new sense of self-worth.”

That is very valuable work.

Key to the success of each initiative is the remarkable commitment of volunteers, coaches and youth workers—people across sport, art, business and the third sector who are dedicated to increasing opportunities for others. The efforts of the Crown, the police and other agencies that are involved in detecting crime, catching criminals and seizing assets must also be commended.

The independent national evaluation of cashback for communities describes how the impact assessment, monitoring and reporting processes can be improved. There is also scope to make the application process more transparent and accessible. Outwith the application windows, there is little information for interested organisations; they are simply told that all the money is currently allocated, while the cashback website still states that applications will be accepted until December 2013. I know that that hit-and-miss approach has caused some frustration.

The evaluation report states:

“annual average Proceeds of Crime Act (PoCA) payments have been relatively consistent at around £5 million.”

I know that we can get some high-profile windfalls, which can mean that the figure is much higher. However, if we can reasonably estimate what to expect, the Scottish Government could provide potential applicants with clarity on application and payout timetables, which are currently shrouded in mists and secrecy. That could also allow for applications to be made all year round, even if the funding decisions continue to be taken intermittently. Perhaps interested parties could even subscribe to an email alert system, rather than having regularly to check an out-of-date website for details of future funding opportunities.

Communities should be involved in identifying the needs of their children and neighbourhoods, because they are best placed to tell us where we can make a difference.

One of Kenny MacAskill’s first acts as Cabinet Secretary for Justice was to commit to using the

proceeds of crime to give our young people more choices and chances. That is to be commended. The motion and amendments suggest that there is continued cross-party agreement on the need to focus reinvestment on preventing and reducing youth offending.

The cabinet secretary has not properly addressed the fact that some of the proceeds of crime will apparently be siphoned off to top up Police Scotland's budget. The national force seems set for a £10 million windfall over the next two years, following sustained lobbying by the chief constable. Despite Assistant Chief Constable Nicolson insisting that he needs the money to maintain community projects, Police Scotland told the SPA on 30 April that its intention is to use the money to fund its contributions to the UK-wide National Crime Agency and to support management and maintenance of closed-circuit television systems. Those strike me as being routine financial commitments. They do not cohere with either the cabinet secretary's pledge or the ethos of the cashback programme. What has changed since 2007, apart from the need to meet unfounded and unrealistic savings targets? Can the cabinet secretary tell me how many people will miss out on opportunities as a result? I listened to the cabinet secretary's response to Graeme Pearson, and he seemed to insist that that will not be the case. I would be most grateful for absolute clarity from the cabinet secretary in his summing up. If the £10 million that is currently identified in the SPA budget were to go to day-to-day services rather than to cashback projects, I estimate that about 340,000 opportunities for young people would be lost.

The cabinet secretary has said that he intends to bolster the proceeds of crime legislation to make it faster and tougher, and to crack down on criminals who avoid paying. We firmly believe that those resources should continue to be used to get lives back on track and to give our young people the best possible start in life.

The Deputy Presiding Officer (John Scott): Many thanks.

I alert the chamber to the fact that, as we are now tight for time, I must ask for speeches of up to six minutes.

15:45

Annabelle Ewing (Mid Scotland and Fife) (SNP): I, too, am pleased to have been called to speak in this debate on the excellent cashback for communities programme. As we have heard, it was introduced by the SNP Government in 2007 and launched the following year and—I am happy to say—involves taking money that has been recovered from criminals under the Proceeds of

Crime Act 2002 and reinvesting it back in young people and the communities in which they live. Its benefit is twofold, in that it provides young people with worthwhile local activities, particularly but not exclusively in sport, and helps to reduce crime and antisocial behaviour by giving young people a different road to travel, instead of their being caught up, as a small minority are, in causing trouble in their communities. I believe that it is working to provide a different path that can make a key difference to the lives of young people who are desperate for real chances.

Although there has been some debate this afternoon about the Scotland-wide nature of the programme, I think that that is very important, because crime and antisocial behaviour are not limited to certain geographical areas. The programme does not discriminate on the basis of postcodes, but considers applications on a case-by-case basis to determine whether need has been established. That is only fair; after all, it must be accepted that young people in all parts of Scotland need a chance.

Football features widely in the sporting opportunities that the programme facilitates. As my colleague James Dornan said, cashback resources can also be used for girls football. Such projects might be less common at the moment, but I hope that that will not be the case in the future. In fact, cashback money is helping to fund Scotland's only girl-specific football scheme—the girls football academy at Lornhill academy in Alloa, which is being piloted for the women's section of the Scottish Football Association. The fact is that girls are already participating in football in schools across Scotland, and local authorities that I understand might have been a bit sceptical when the project in Alloa began are now considering setting up their own girls football academies. I very much look forward to that happening in the years to come.

Another sport that has attracted cashback programme funds in the wee county of Clackmannanshire is basketball. The unique jump2it programme, which is supported by the cashback scheme, provides education through sporting initiatives that are delivered to primary schools across Scotland by the charity Scottish Sports Futures. In addition to that scheme, the Glasgow Rocks professional basketball team has provided information on healthy lifestyles to primary school pupils, including over the past year 900 pupils at 16 schools in Clackmannanshire. Moreover, more than 300 youngsters in the wee county created more than 30 teams to compete in a regional tournament that was delivered by Clackmannanshire active schools and sports development team. Four teams of girls and four teams of boys won the exciting opportunity to attend a Glasgow Rocks game and, in fact, played

their finals at half-time, with the girls' winner being the team from Tillicoultry primary school and the boys' winner being Abercromby primary school. Both teams were crowned Clackmannanshire's jump2it champions.

Those examples represent the real stories behind the dry statistics of the cashback programme that some of us have got involved with this afternoon, and which are set out in the lengthy evaluation document. The real story behind cashback for communities is the opportunity that is provided to young people to realise their potential, so I congratulate Clackmannanshire Council on its 110 per cent enthusiastic take-up of the project, and I congratulate all the teachers and others who have been involved in delivering it.

Time does not permit me to discuss or to go into any detail on the other exciting projects that are going on across Perthshire and Fife. However, I will say that, further to an oral question that I put to the Cabinet Secretary for Justice last December, I am pleased to note that Fife has benefited from £1.3 million in cashback investment and more than 55,000 activities and opportunities for young Fifers.

In conclusion, I would like to say what a fantastic initiative the cashback for communities programme is. It is a credit to the SNP that it has ensured that this unique approach has been rolled out so extensively and successfully. At the end of the day, there can surely be no more important goal in life than to do everything we possibly can to ensure that young lives are nourished and that young people are nurtured so that they have confidence in themselves and can realise their potential.

The Deputy Presiding Officer: Thank you for your brevity.

15:50

George Adam (Paisley) (SNP): I welcome this debate and I want to talk about the many benefits of cashback for communities. The very idea of money coming from those who are involved in criminal behaviour and being invested in our communities is exciting and is extremely popular with members of the public. As the cabinet secretary has already stated, we are taking money from criminals and investing it in the futures of our children and young people. As he and others have stated, cashback for communities has invested £74 million that has been recovered from the proceeds of crime. Those investments have taken place across the country.

I want to talk about my constituency. During the election campaign in 2011, I met people from Gleniffer Thistle boys club, which had received a small grant to enable it to have a football park of

its own. James Dornan has already mentioned difficulties in accessing football facilities. The club secured the park using a basket of funding measures, of which cashback was one. The First Minister attended the opening of the facility.

The club has produced footballers who have played at a senior level, including legends such as St Mirren's own Barry Lavety, Steven Thomson and current Aberdeen manager and Paisley boy Derek McInnes, whose only unfortunate credential is that he played for Greenock Morton at one point—I will leave that for one of my colleagues to mention later. It has also produced players such as Paul Gallacher, who played for St Mirren and plays for Partick Thistle at the moment. The continued investment in that football team gives it the opportunity not only to invest in football but to get young people involved in activity that will give them a healthy lifestyle.

Duncan McNeil: As I said earlier, we agree that these initiatives are really good, but why is Renfrewshire not getting more out of this than it is? Currently, it gets £274,000 per 10,000 young people. Angus gets £687,000 and Clackmannanshire gets £654,000. Why is that unfairness in the system? Why is Renfrewshire not getting more and why is George Adam not demanding that it gets more?

George Adam: I am talking about the many positive differences that the community's access to that funding is making. That facility was not available to that football club in the past, so I think that I will stick to the positive nature of that.

Only last week, the Cabinet Secretary for Justice announced that one of six successful applicants was Castlehead high school—in Paisley, in Renfrewshire. That funding will build on funding that it got previously to create an SFA school of football excellence, which is also a great scheme. We have managed to get many young people involved in that, participating as referees and players and having healthy lifestyles. Those are all examples of the scheme working. Hopefully, the young men and women who are playing football in Castlehead high school can follow in the footsteps of another well-known Paisley buddie, Archie Gemmill, and score wonder goals in the world cup. Such schemes are all going to help.

I will make a suggestion—we could call it a pitch—to the cabinet secretary. St Mirren's street stuff project has been mentioned by me and other members on numerous occasions. People from St Mirren go out and work in the community and are able to access areas that local authority services and third sector groups cannot access, because they have the credibility that comes from representing the football club. The cabinet secretary is aware of a lot of the work that the club

has done in the community, because he has recently visited St Mirren. It goes out into the community and gets involved in street football and it has a gym bus. It also has a mobile venue called the box, which lets people get involved with dancing and DJ-ing—I am getting a bit old for some of that, although I might try football from time to time.

The club also runs other projects. It works with a lot of community groups, because it is based in Paisley's Ferguslie Park, which is an area of multiple deprivation. It has helped young fathers who have not been able to cook a meal—the kids go out to play football and, when they come back, dad is in the corporate hospitality area and has made a meal for them. We could maybe take that idea forward. The cabinet secretary recently visited the Dome, which St Mirren financed itself. That shows that it is possible to retrofit what is almost an indoor facility very cheaply.

Here is the pitch, Presiding Officer. Why do we not take that idea and create a football club-based community hub, which would have credibility in the community? I have mentioned previously that the chairman of St Mirren, Stewart Gilmour, has said to the local authority, "Why do you not second some of your social workers to me? I will use them to make a difference in the community." It is about credibility, becoming part of the community and using the community hub to make a difference to an area. I am sick of hearing that areas such as Ferguslie Park in Paisley are regarded as areas of multiple deprivation. We can use the local football club as an example.

The project would involve multiple sports. Kelburne Hockey Club—which, incidentally, has worked with Duncan McInnes, who is the brother of the Aberdeen manager and is involved in hockey—is one of the best clubs in Scotland. It has got to the stage at which it wants to be part of this and to have a water-based hockey pitch.

Why can we not use sport as a way not only to take kids off the street to ensure that they avoid antisocial behaviour on Friday nights but to push them so that they get the idea of accessing education, jobs and other things? I am not asking for cashback for communities to pay for all that, although if anybody wanted to do that, it would be fine by me. A basket of measures is required.

Patricia Ferguson: Will the member give way?

George Adam: I am closing, thanks.

We should look at that option to take the scheme to the next level.

I welcome the debate and all the fantastic work that is done in communities throughout Scotland as a result of cashback for communities. However,

I think that there is a way that we can take it to the next level.

15:56

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): There is a difficult balancing act when speaking in the debate, because I am sure that most of us could speak for a lot more than six minutes about initiatives in our constituencies that have benefited from cashback but, at the same time, there is an obligation on us to ask whether the money is being spent in the best possible way. I will try to do both.

I will start with my constituency, where many projects have benefited. For example, the Spartans football academy in the Granton and Pilton area of my constituency has certainly done an enormous service to a large number of young men and women in my constituency. Like James Dornan and Patricia Ferguson, I particularly welcome the emphasis that it has put on girls' participation in football. Indeed, a year or two ago it hosted the launch of a national initiative to expand the involvement of girls and young women in football. That was funded by cashback, so all credit to that project.

In the Leith end of my constituency, there is a project called Inspiring Leith, which is one of the link-up projects that are funded by cashback across Scotland. The link-up initiative is an asset-based approach that starts by asking what is good about a community and what local people can contribute instead of reinforcing the usual focus on deficits. The projects bring local people together around a specific activity or area of interest. For example, on either side of Leith Walk the Bethany Christian Trust, the Friends of Lorne Primary School, the Pilmeny Development Project and the Cassel-Kirk Neighbourhood Association all benefit from cashback funding for that initiative.

Finally, I mention Trinity academy, which is in the middle of my constituency. I was there last night to speak at its prize-giving ceremony and to give out the prizes. I noted when I was there last night that it is a school of rugby funded by cashback for communities and I was particularly pleased to hear that it recently trounced Fettes at rugby.

Having said that—here I switch gear into the second part of my speech—I think that it is still valid to ask, as Graeme Pearson did, whether it is right that just play receives £310,000 while Scottish Rugby receives £2.5 million. We must ask that kind of question. In that context, I found table 3.1 in the evaluation report the most interesting table, although there were others, as Duncan McNeil reminded us. In summary, sports received £27 million over the period, youth work received

£10 million, cultural activities received £3 million, community assets received £2 million and early years initiatives received £0.449 million. We need to ask questions about that sectoral balance, to which I will return in a moment.

The other thing that we have to ask about is the area balance. I agree with colleagues who have said that the areas that are most affected by crime should benefit. They are often the areas of most disadvantage. The original idea was that the assets should go back to the communities that they have come from, benefiting those communities and acting to prevent crime in those areas. There are serious questions to be asked about the area balance, as other members have highlighted.

I also think that there is an issue even within those areas about whether we need to target if we are serious about crime prevention. I looked at the YouthLink Scotland evaluation of the youth work and anti-violence fund and noticed among other comments that

“young people with more demanding needs require more intensive interventions.”

That is fairly obvious when we think about it. Even within areas that we want to target, are we targeting individuals who would most benefit from those activities?

That, of course, leads to the wider point that Graeme Pearson and Duncan McNeil made. What is the evidence on who is being reached and what is effective?

All those questions have to be seriously asked, and it is perhaps a bit disappointing that they have not been dealt with in the evaluation in any worthwhile way.

To go back to the sector balance, I looked at the youth work allocations to projects in my constituency for this year, for example. We are very grateful for any money. Granton Youth Centre received £2,500, Pilmeny Development Project received £2,500 and Citadel Youth Centre received £4,600. Thanks for the money, but it seems to me that those projects in particular are critical and crucial in reaching people whom we might want to reach, and I would rather those grass-roots youth projects received a bit more of the money. If that means, as it logically must, less money for some sports activities, that is a hard choice that we should make. It is a bit of a cliché that politics is all about hard choices, but sometimes people are not prepared to make them.

In passing, I will make a comment about the half a million pounds for the early years. The rhetoric of Government and all that we have said in many contexts for the past few years has been that, if we could have early intervention, we would stop a

lot of crime, so I wonder whether there should be a bit more in that direction, as well.

I will draw to a conclusion. Recommendation 11 in the evaluation report is about a future evaluation. I hope that it will take on board the point that I have made about evidence.

On outcomes and indicators, recommendation 4 is important. It says:

“Project partners should focus on a relatively small number of key outcomes that they intend to deliver.”

Duncan McNeil referred to recommendation 7. In respect of the inadequacies of the current situation, it says:

“the Scottish Government should set out clearly the roles and responsibilities of the delivery partner and agree a clear proposal from any prospective delivery partner about the way that they would deliver these roles and responsibilities, and the indicators and measures by which delivery will be monitored, reported and evaluated.”

There are useful recommendations in the report, but let us also have a bit more concentration on the evidence in the next evaluation report.

16:02

Maureen Watt (Aberdeen South and North Kincardine) (SNP): I am extremely pleased that we are having this debate on the back of the evaluation of the cashback for communities scheme. The document is very helpful in taking forward the scheme, as there are always things that can be done more efficiently and effectively.

The scheme is inspirational. Whoever thought up ring fencing the assets that have been seized from criminals and their criminal acts had a light-bulb moment. I realise that the scheme builds on a previous scheme, but seeing communities benefiting from money that has been taken from criminals who perhaps lived in those communities and terrorised people in them through gang-related activity, drug-related activity, racketeering or profiteering is truly inspirational, and the scheme is welcomed by those who know about it.

I have been in the company of the police, voluntary bodies and those who deliver cashback schemes. When they hear that a criminal has been caught, the conversation is not about what length of sentence he or she will get, as it might have been in the past; it is about how much money will be stripped from them through the Proceeds of Crime Act 2002 to go into the cashback scheme.

I welcome the cabinet secretary's latest announcement, in Aberdeen yesterday, on where cashback money is going. He announced £1.5 million for 3G pitches at Aberdeen Sports Village and elsewhere. Obviously, playing on top-notch pitches is very important in our climate.

In my years as an MSP, I have visited many football schemes that the cashback scheme has funded at venues throughout my constituency—whether that is in Torry, Garthdee or the rest of Aberdeen. I recognise that the SFA has been actively engaged in delivering diverse programmes.

We should recognise that we cannot always separate out youth schemes from sports schemes, because they are often the same things. Many of our youngsters have a great love of football.

I do not know how many individuals are involved in scheme activities, but I very much doubt whether basketballscotland could have delivered twilight basketball coaching in the north-east without cashback money, in conjunction with sponsorship from private firms. I have been at successful tournaments that have been delivered with companies such as Shell, whose Woodbank centre has been used.

I have been struck by the number of eastern European young women who are excellent basketball players. As a result of such tournaments, they are progressing their skill by joining regional teams and even the national team. I doubt whether that talent would have been recognised without the cashback scheme.

It is clear from discussions that I have had with coaches and others that some participants would definitely have taken a different and more negative path if the basketball coaching had not been available.

Much focus is placed on sporting activities, but not everyone responds to that, which is why I am pleased that the document refers to arts, music and dance activities that are funded by cashback. The wider the variety of activity, the more disengaged youngsters can be stimulated to undertake positive activity and feel included in their communities.

I was heartened to learn from the document that the Prince's Trust and YouthLink Scotland have accessed cashback to increase employability and help young people to realise their potential. The last—but by no means least—page highlights the just play joint venture between Angus Council and Police Scotland. That scheme works directly with families who have a child who is between nought and three years old where the parents have a history of criminal activity. The outcome has been that the children involved have more successfully started at pre-school or a playgroup and that the families are using parks and local libraries together.

Appendix 2 to the report tells us about the partners, the stated outcomes and the progress against the outcomes. The more that can be done on that, the better.

In the past five years, Aberdeen has accessed £1.5 million from the scheme and Aberdeenshire has accessed about £1 million. As I go out and about in my constituency in the evening, in sports centres and community centres, I see the benefit of cashback money.

I was asked to round up one event that had brought together children from Aberdeen primary schools to try a variety of sporting activities. In my speech, I pointed out that the event was funded by cashback. I was surprised and heartened by the number of parents and teachers who were unaware of POCA money and the cashback scheme but who were impressed by that and thought that it should be publicised much more. No one should be complacent about the scheme, but surely it is very much on the right trajectory.

16:08

Stuart McMillan (West Scotland) (SNP): I am delighted to speak in the debate. I refer members to my entry in the register of members' interests, as I will highlight the work of Ocean Youth Trust Scotland.

We have heard a lot about how cashback for communities has helped our communities across Scotland. We know how beneficial it can be. The Scottish Government's announcement yesterday of funding for more 3G pitches across the country, including pitches in Paisley in West Scotland, highlights how the scheme can turn a negative situation—crime—into a positive. We can all agree that obtaining the assets from ill-gotten gains is positive and that, unfortunately, they will continue to be a part of society. There will always be people who think that the law does not apply to them, but I hope that obtaining those ill-gotten gains and investing them wisely can provide some recompense to society.

I particularly like investment in providing young people with opportunities. From looking at the evaluation report, it is clear to me that there has been an improvement in the scheme because of the processes that were introduced in 2011, as paragraph 26 points out. Paragraph 27 says that the evaluation continues and that there is

“an increasingly strong focus on outcomes.”

Furthermore, paragraph 28 points out that, as a consequence of the evaluation,

“project partners have increased their understanding that more needs to be done to engage some young people”.

I will take the opportunity to highlight the work of the Ocean Youth Trust Scotland, for which I am an ambassador and for which the slogan is “Adventure under sail”. I have met a number of young people who have undertaken a voyage with the OYTS, and I have been delighted to hear their

thoughts after their voyage. I am struck by the equalities impact of sailing. The OYTS provides voyages for young people from all communities in Scotland, including for those who have disabilities.

Through the £72,320 that the OYTS has received from cashback for communities, 177 young people have had an opportunity to do something different. They have been given an opportunity to get involved in a scheme that really takes people out of their comfort zone and helps them to build self-confidence and self-esteem. Those 177 young people came from a variety of locations across the country—Inverclyde, Renfrewshire, East Renfrewshire, East Ayrshire, South Lanarkshire, East Dunbartonshire, Falkirk and Aberdeen. Many of them were referred by another body, such as a youth project, Engage Renfrewshire or a local authority community learning and development department.

I will read two quotes that I have found to be probably the most useful in defining how beneficial cashback for communities has been. The first is from Emma Noble, a group leader with the Prince's Trust, who says:

"The experience certainly had an impact on them. I was able to see personal development outcomes over 5 days that would have taken 5 weeks in a classroom environment."

She goes on to say:

"The group are just back from work placements; they've been a massive success and a lot of that stems from their OYT trip. They applied the skills they learned with OYT and some have now been given job placements. One lad has since been on OYT's bosun training to become a volunteer. He was the quiet wee mouse of the group and biggest turn around."

The second quote is from Thomas James, a project development worker with the positive alternatives project, who says:

"I learned that young people can achieve amazing things if given a chance."

He goes on to say:

"Please continue to support OYTS as the trips they provide are an amazing opportunity that the young people I work with would never be able to pursue or achieve."

Those two quotes highlight to me the positive features of the OYTS and of the cashback for communities money.

Duncan McNeil: The OYTS is a good example of how to deal with young people with particular problems, and the member's involvement in the trust is recognised. However, does the member not agree that so much more could be done to target those individuals? Does he not despair, as I do, that the West of Scotland—the member's constituency—suffers in comparison with Shetland, Orkney, Angus and Clackmannan in

terms of share of the cashback for communities fund?

Stuart McMillan: From the question that Mr McNeil asked my colleague George Adam earlier, I thought that he was arguing for Inverclyde to have less money.

Duncan McNeil: I am talking about the West of Scotland.

Stuart McMillan: I hear what the member says, but that was the impression that I got earlier. The member is right that the West of Scotland is my constituency. I welcome the fact that cashback for communities funding helps people from across the country. Irrespective of what some might think, we live in the country of Scotland, and it is incumbent on all MSPs to try to ensure that everyone in Scotland has the best opportunity in life.

I am conscious of the time, Presiding Officer. I am keen on listening to young people and hearing how opportunities that have come about through cashback for communities have helped them to change their lives. One young lady's life was about 200m in diameter—that was all—but as a consequence of cashback for communities her horizons were broadened, her self-esteem and confidence improved and she began to respect herself and others. That tells me that, irrespective of where the beneficiaries are from, cashback for communities is a good thing and should be continued.

16:15

John Pentland (Motherwell and Wishaw) (Lab): Cashback for communities has the potential to help our most deprived areas, which are often blighted by crime.

In Motherwell and Wishaw, as in other areas of Scotland, cashback funds sports, including basketball and rugby. At Braidhurst high school there is a school of football, which involves Motherwell Football Club Community Trust. There are also youth and arts programmes, such as SPL music box, which also involves Motherwell FC.

The new opportunities project in north Motherwell is a good example of how cashback can benefit communities. It was set up by North Motherwell parish church minister Derek Pope and his wife and project worker Helen, and it involves St Bernadette's church. It is funded through Inspiring Scotland's programme, link up.

The project draws on strengths in the community, building on the many skills and talents that local people have to offer. It has about 50 regular volunteers, who run a community cafe, a running club, a youth club and groups for arts and crafts, women and parents and toddlers. The project engages with about 200 people per week

and can evidence the benefits of developing networks and friendships, tackling isolation, building confidence and self-esteem, contributing to health and wellbeing and enabling volunteers to acquire skills that will help them to gain employment. The project is inclusive. Last month it held an international women's evening, which brought together 80 women from six different nationalities.

That is the good news. Let us just think how much better it could be if we tackled the very poor record on asset recovery. The figures for the UK show that just a quarter of 1 per cent of criminal proceeds are confiscated, with only 2 per cent of confiscation orders paid in full. As Graeme Pearson said, the Scottish Government is unable to say whether the Scottish figures are better or worse.

If we had the figures, we would be able to see whether we are making progress. Work needs to be done on that, but I am concerned that the issue will be parked until after the referendum, as is happening with other important issues. Perhaps when he sums up the debate the cabinet secretary will tell us when work will start.

There are also questions about the distribution of the money that is recovered. Are funds distributed on the basis of who shouts loudest—or even who knows how to ask—rather than on the basis of need? If we take child poverty as a measure of need, North Lanarkshire Council is not in the worst position. Its rate is 21 per cent, which puts it in eighth place in the list of local authorities, just behind other authorities that have been mentioned. However, there is significant variation in the council area, which includes areas of very high deprivation. Despite that, per capita expenditure from cashback has been just 85 per cent of the Scottish average. Although North Lanarkshire is in the top quarter of local authorities in relation to need, it ranks 22nd—just outside the bottom quarter—in expenditure per young person.

That works out at just over a fiver a year per young person. North Lanarkshire had only 3.9 per cent of the total activities and opportunities that were funded—to put it another way, in the course of six years there has been less than one opportunity per young person. Only one area had fewer activities in terms of the population that it serves. North Lanarkshire is an example of how the system is not targeting funds in the way that it should be doing.

The amount recovered might be a lot less than we hope, but even then, is what we do recover getting through to the intended users? We have heard that it is getting diverted to areas that should receive direct funding, replacing funds that were previously met by the Scottish Government. In particular, is the Scottish Government planning to

use the proceeds of crime to fund policing? Are the proceeds of crime already being used to plug the gaps left by Government cuts? Again, the cabinet secretary might want to answer those questions in his summing up.

I note that funding enhanced recovery was mentioned in a response to a parliamentary question that confirmed that the Scottish Government had advised that it is content to proceed with a budget that includes the receipt of POCA money. Are the police recovering money to pay for the police who are recovering the money? We need far more transparency on police budgets here and across the board.

Cashback for communities was set up to assist projects in communities across Scotland, particularly those that were affected by deprivation. Let us make sure that it does what it says on the box and that the cash gets to those communities.

16:21

Colin Keir (Edinburgh Western) (SNP): There is something deeply satisfying about cash coming from the criminal fraternity and heading back into society. We have all been speaking about that, and many have mentioned it. We have to look at the fact that it is doing a lot of good, despite some of our differences about evaluation and some of the things that have been taken on. This has been a particularly useful debate.

I was very interested indeed in Malcolm Chisholm's contribution, given that he is in a neighbouring constituency to mine. Some of the cashback money has been focused on that area of Edinburgh that perhaps has seen better times and most certainly has a better future. Some of the initiatives in that area should be commended.

I am delighted to have been called to speak in this debate because it gives me the chance to talk about a couple of projects in my area. We have gone through the figures and I do not want to regurgitate what has been said already. One of the areas that is very close to Malcolm Chisholm's area—the council ward covers parts of both constituencies—is Muirhouse Forth ward, which contains the north Edinburgh arts centre, run by Kate Wimpess. The other day, she was gushing to me about what has been done through cashback for communities. The NEA demo fund was awarded £7,870 for a project that allowed five unpublished solo artists or bands up to the age of 25 to record professionally mastered demo tracks and create links with industry experts, thereby increasing access to further education opportunities.

When we think about such initiatives, we should remember that it is not just about communities but

about individuals. One of those individuals, Calum Cummins, a production volunteer and artist, said:

"The demo fund gave me the kind of specialist support which encouraged my development both as a youth worker, musician and artist and gave me valuable experience which will hopefully help me move towards my goal of taking on a professional role in the creative industries."

The other project, the Muirhouse youth development group ruffin it project, gained just over £25,000. The project engaged young people from the Forth ward area, which I share with Malcolm Chisholm. The area has seen lower levels of engagement with the arts, as was found through a taking part survey. The project encouraged greater participation to inspire people's lives and that of the extended community. Through film-making, the project provided a range of opportunities for young people to input creatively. A short film entitled "Ruffin' it in Muirhouse" was created and screened to more than 200 people at NEA and the Filmhouse in October 2013.

That project aimed to support the health and wellbeing of young people by getting them involved with and participating in film-making. It provided them with a platform to air their reflections on life, and contributed to their overall wellbeing and sense of self. It filled a gap in provision by creating opportunities for intergenerational work between older and younger community members and, through work with ethnic minority young people, encouraging greater community cohesion. It is a fine piece of work.

Perhaps the most exciting part of those two examples, which have happened thanks to cashback for communities, is the sense of achievement that comes from having the confidence to try. Personal development is the key to cashback for communities. It really does work and it should be highlighted.

Many people have talked about basketball. It is not a sport that I know terribly well, but it turns out that my community sports hub, which I believe that the cabinet secretary has visited on a few occasions, at the Forrester and St Augustine's complex, is one of the centres for basketball. I spoke to Chris Dodds, a senior officer at basketballscotland, which is sited at the Gyle in my constituency, who gushed forth about what cashback does for sports in the local community.

One of the issues that came up in the Health and Sport Committee some time ago was the participation of girls under 16 in sport. Therefore, it was fantastic for me to hear that, through cashback, basketballscotland is able to run programmes that encourage girls under 16 to participate and a record number of young girls are taking up the sport. Given the debate that we had on that issue a few months ago, I think that is

fantastic. It is a real success story. Given all the other elements, such as creating team spirit and community spirit and bringing in kids from areas that have seen better days, whoever thought this project up had a light bulb moment, as Maureen Watt said. It really has been absolutely fantastic.

I see that my time is running a little bit short, so I commend the motion from the cabinet secretary. Whatever we think about the evaluation, this project is something that works and it is effective.

The Deputy Presiding Officer: Before we go to closing speeches, I remind all members that they should be in the chamber for the closing speeches. I call Annabel Goldie, who has up to seven minutes.

16:27

Annabel Goldie (West Scotland) (Con): The Proceeds of Crime Act 2002 was an exciting innovation in our justice system—a very good UK act, as Christine Grahame so appositely pointed out.

For a justice system to work, there need to be three components. First, the law and court sentences should reflect the public need for justice to be seen to be done. Secondly, the mechanisms of law enforcement and prosecution must be efficient and effective. Lastly and perhaps most important of all, there must be public confidence in how the whole system works.

The first two components will be materially important in creating that confidence, but I think that the Proceeds of Crime Act brings an added dimension. What it does is to provide tangible evidence to the public that reporting crime, helping the police to solve crimes and assisting in the prosecution of crime can result in real community benefit.

Back in 2002, I do not suppose that anyone was quite clear what the practical consequences of the act would be. The results, under both the previous Scottish Executive and the current Administration, have been positive. As others have pointed out, since 2007, £74 million has been recovered from criminals and invested in various activities.

The breadth of activity represented by the partnership organisations in sport, youth work, cultural activities, mentoring and youth employability, early years and community assets, all of which enable projects and facilities to be delivered across all of Scotland's 32 local authorities, demonstrates both the diversity and the geographical reach of such benefits.

Many communities have seen at first hand the positive effect of recovering money from criminals and distributing it to communities. From the public perspective, ill-gotten gains are being recycled into

positive community benefit. That is good. There is nothing to separate me from the cabinet secretary in how that is being addressed. However, I think that there is still a rich vein to be mined.

My colleague Margaret Mitchell was right to call, in her amendment, for more to be done to identify crimes with the potential to increase the recovery of proceeds from criminals. I do not think that anyone could object to that. Indeed, I say to Mr Adam that that might even benefit street stuff. He and I would cheer if that were the case.

Of course, the price of success is that more people become interested in getting their mitts on the cash. It is important to sort out some of the mitts. I have mentioned how important to a workable criminal justice system are efficient and effective mechanisms of law enforcement and prosecution. Those mechanisms are essential for public services and it is therefore a primary responsibility of Government to ensure that they are both provided and adequately funded. It is therefore with some unease—other members have echoed this—that I have noted, over the past five years, that some of the recovered proceeds of crime have been channelled to the Crown Office and, over the past four years, to the police. Indeed, very recently Police Scotland has voiced enthusiasm for getting its mitts on more of the booty.

Although the amounts are small—I accept that—there is an important principle here. Proceeds of crime were never intended to be a substitute for any part of the core funding of essential public services. That is a Scottish Government responsibility. However, quite distinct from that is whether, in certain circumstances, Police Scotland and the Crown Office should be able to benefit from the recovery of money from criminals if they can identify a project or initiative that is quite separate from their routine activities, which are already covered by their budgets. That is a different proposition. It would be on a bid-by-bid basis, the case would require to be made and there would have to be a transparent link to a specific benefit for the wider community.

That is a reasonable proposition, hence the reference to it in the Conservative amendment. I appeal to the flinty heart of the cabinet secretary. We are trying to help not to hinder. We are trying to introduce a degree of flexibility that is not hugely at variance with the cabinet secretary's own assessment. What is unacceptable is that Police Scotland or the Crown Office should be put on a footing of automatic payments from the proceeds of crime that are recovered, because that would equate to Police Scotland being paid a commission on crime, which is undesirable. In that situation, there would be a clear danger of diluting

attention on all crimes and focusing only on financial high-yield crimes.

If the cabinet secretary rejects the Conservative amendment, I am a little apprehensive as to where he is going. What is his direction of travel? I think that the amendment reflects what he may have had in mind and that he stopped short of doing something that everybody would regard as unhealthy, undesirable and not a good destination.

The cabinet secretary may, when he winds up, want to take the opportunity to reflect a little on the tone of Margaret Mitchell's amendment. As I say, it is not meant to be provocative or hostile; it is meant to try to introduce an important element of flexibility. I am not unsympathetic to what I think Police Scotland is anxious to try to achieve; I am just cautious about going down a route of travel that may open the gates to something very undesirable that I do not think any of us would want to see.

At the end of the day, the police are there to serve us all. They are there to enforce the law when any crime has been committed. We would not want a police force in Scotland that was interested only in bonus, commission, dividend yield and targeting only high-value crime. We must be very careful that, whatever is proposed by the cabinet secretary, that is not where we end up.

I have found the debate constructive and interesting. I do not think that there is a world of difference in the chamber on where we want to try to go. I appreciate that my colleagues on the Labour benches are hostile to any possibility of any recovered proceeds going anywhere but to communities. All I am saying is that if the money would not be there in the first place but for the successful operation of the police and the prosecution service, do they not deserve the opportunity to get a wee bit of the cake? I do not think that that is too unreasonable.

I urge the chamber to support Margaret Mitchell's amendment.

16:34

Elaine Murray (Dumfriesshire) (Lab):

Christine Grahame made a comment about a turf war. There was no intention on our part to suggest that there was a turf war. A progression took place between the passing of the Proceeds of Crime Act 2002 and March 2006, when Cathy Jamieson announced that £2 million of criminal gains would be reinvested in areas of Scotland that were hardest hit by crime. Those funds were targeted at local authority wards in Glasgow, Edinburgh, Inverclyde, North Ayrshire, Renfrewshire and West Dunbartonshire to show young people in those areas that crime did not pay. We are pleased that,

in 2007, the SNP Government decided to take on that initiative and to build on it and expand it.

Seven years on, we need to ask whether the cashback for communities programme can be used in an even more effective way than it is being used at the moment and whether more proceeds of crime can be seized. As John Pentland pointed out, across the UK only 0.25 per cent of the proceeds of crime are recovered from criminals and only about 2 per cent of confiscation orders are paid in full, so there is a lot more that we could get our mitts on, as Annabel Goldie put it. As others mentioned, it is estimated that serious organised crime costs the Scottish economy about £2 billion per annum, but last year we managed to seize only £8 million of that. There is general agreement that we could do more in that regard.

A number of colleagues raised concerns about the lack of information and the correlation with communities in which the highest percentages of children and young people are living in poverty. I think that that is the point that Patricia Ferguson was making. One in three children in Glasgow lives in poverty, yet Glasgow receives only slightly more than the Scottish average per 10,000 young people. Surely an area where there is significant deprivation should get more than areas where a smaller percentage of children live in poverty.

Bruce Crawford: That point was made in a number of contributions, and I understand where people are coming from. I was trying to work out why that might be. If £50,000 is provided to make a project happen in an area such as the Western Isles, that £50,000 will not equate to the same amount per young person as it would in Glasgow, but it might take £50,000 to get a facility going in areas such as the Western Isles. There might be a rational explanation for the figures. There will be something in the evaluation about that, although it might not fully explain the situation.

Elaine Murray: As someone who represents a rural area, I accept that costs in rural areas are higher, but we are talking about a five-year period. There are parts of Scotland where there is significant deprivation, and it does not look as though those parts of Scotland are necessarily getting the share of the moneys that they need to combat crime.

Members made many important points. Duncan McNeil asked how cashback could work better and what outcomes we could expect to see. Bruce Crawford made extremely important points about evaluation of the economic benefit of the programme and youth employment. What is more important in diverting young people away from crime than having a job? Malcolm Chisholm commented on the allocation to different activities and questioned whether enough was being put into early years and disadvantaged communities.

We cannot just assume that, because someone is taking part in sport, they are not taking part in crime, and that, if they were not taking part in sport, they would be taking part in crime. It is not logical to turn the proposition on its head. We need to know whether we are reaching those people who need to be diverted from crime rather than providing opportunities for young people who would never commit a crime anyway.

There are many good projects. In my constituency, the cashback programme supports a range of community sporting and cultural activities. For example, as in other areas, it supports the Bank of Scotland midnight league, along with the SFA and others. Earlier this year, I went to watch the midnight league at the Hillview leisure centre in Kelloholm. Despite the fact that it was a horrendously wet and miserable night with horizontal rain, about 20 young men were engaged in playing football. Kelloholm is a former mining community and one of the 15 per cent most deprived communities as measured by the Scottish index of multiple deprivation. It is good to see money being provided to support communities.

Dumfries and Galloway has many reasons to be grateful to the cashback scheme. We used to be the only region in Scotland not to have a 3G pitch. Thanks to contributions from cashback, sportscotland and others, by 2012-13 it had three pitches—one in Annan, one in Dumfries and one in Stranraer—and we now have another one at Queen of the South, so we have a lot to be grateful to the programme for.

I will say a bit about an issue that worries not only me but a number of members, including Alison McInnes and John Pentland, and Annabel Goldie who mentioned it in summing up. It concerns the £6 million that has appeared in Police Scotland's revenue budget, and which looks as if it could be substituting for some things that Police Scotland already did.

The revenue budget proposal that was presented to the SPA board at its meeting in Inverness in March stated at paragraph 2.9:

"in addition to Grant in Aid funding £1,016m, further funding of £6m has been anticipated in 2014/15 representing the expected resources from the Proceeds of Crime Act, which the Scottish Government will allocate to the Authority. This funding is to be applied to support Police Scotland's payments to third parties in our communities".

That funding seems to be new, as I cannot see it in the budget document—which was in a different format—that was approved in the previous year.

Furthermore, Assistant Chief Constable Ruairaidh Nicolson was pretty sure that the funding was needed to supplement Police Scotland's

budget. He told *Holyrood Magazine* in March that Police Scotland wanted the Government to

“fund these projects that Police Scotland is no longer able to fund—community projects—through the proceeds of crime”.

He went on to say:

“There’s no question that community projects are under threat ... some will have to stop. It could be anything all the way from CCTV to partnership working to some of the third-sector work that is supported by the police service”.

A subsequent paper that was submitted to the SPA board meeting in Airdrie in April, which was for noting only and not for approval, provided detail on how the proceeds of crime money is to be used and allocated within Police Scotland. The paper stated that the Government had written to the SPA to confirm that

“estimates of anticipated receipts from the proceeds of crime can be contained with budget proposals for 2014/15 and 2015/16.”

That money was to be applied to

“support Police Scotland’s payments to third parties and in our communities”,

and a bidding process would be required.

The paper goes on to give examples of initiatives, organisations and community organisations that have previously been supported by Police Scotland, such as the National Crime Agency, CCTV, Crimestoppers Trust, a community fund, the Police Scotland youth volunteer scheme and VIPER, the video identification parades electronic recording system.

I want to know whether the £6 million from cashback is now substituting this year for funding that was previously supplied by Police Scotland’s budget. If it is, it represents part of Police Scotland’s savings package.

I have not been able to find out what the estimate for receipts from POCA to Police Scotland is for next year, but there have been reports in the media that a total of £16 million will be transferred over the two years.

Bearing in mind that the total sum that has been received from the proceeds of crime in Scotland was £12 million in 2012-13 and £8 million in 2013-14, it would appear that, unless there are going to be many more seizures this year, the Scottish Government has agreed that 75 per cent of the sum that was seized last year will go directly into the coffers of Police Scotland.

I am confused now. Does the £24 million over three years for cashback that the cabinet secretary announced include that funding? Is the funding in the Police Scotland budget now being considered as part of the cashback scheme?

Given the content of the two papers that went to the SPA board in March and April, I was puzzled by the written answer that the cabinet secretary gave to my colleague Graeme Pearson in May this year. It stated:

“The Scottish Government has not currently allocated any money seized under the proceeds of crime legislation to support the budget of Police Scotland or the Scottish Police Authority in 2014-15 or 2015-16.”

and that

“The Task Force agreed that, should additional proceeds of crime funding become available, it will advise Scottish Ministers on the options of how to allocate the money”.—[*Official Report, Written Answers*, 22 May 2014; S4W-21076.]

Graeme Pearson’s question was answered after the Scottish Government had, apparently, written to the SPA to confirm that the receipts could be added to the revenue budget. Some clarification is required, and I would be grateful if the cabinet secretary could put that on record so that we know what is going on, because the situation seems to be very unclear.

We all agree that the cashback scheme is a success, but I need to know the answer to my question. Is £6 million being taken out of cashback and given to the police to do things that they already did using their own revenue budget?

16:43

Kenny MacAskill: I will deal with some of the remarks that members have made, not only in the winding-up speeches but throughout the debate. There has been a general welcome for cashback, and I am grateful for that. It appears to me appropriate that we should build on a scheme that we, as a Government, are proud of, which we accept was started by the previous Executive but which has since been changed and refined by us.

The cashback scheme builds on the 2002 act, on which not only does Annabel Goldie agree with Christine Grahame but I agree with both of them. We welcomed the 2002 act, and we support the action that it sets out. No Administration in any jurisdiction would oppose it.

Equally, I welcome the comments made by members about the good things that have been done through cashback. Members have seen good things involving sporting activities, for example, and have spoken to those involved. James Dornan and Patricia Ferguson referred to girls’ participation in sport. We are grateful to the organisations that have targeted that area because, as other speakers have mentioned, we have had debates in the chamber about the issues and difficulties involved in it.

Patricia Ferguson made a fair point about seeking to broaden cashback to areas other than

sport. It is fair to say that, when we started the scheme, we got the biggest bang for our buck by addressing the issue of young people hanging around street corners on a Friday or Saturday night. The immediate and easy hit for that is to introduce street football and similar activities that are easily pulled together.

We very much welcome the SFA's input but, equally, we welcome the input of organisations from rugby, basketball, boxing and other sports. However, cashback is not simply about funding sport. Various members mentioned music projects, for example, and John Pentland referred to a music project in Motherwell that I have visited. Cashback funding must also go to music, drama, art and dance projects and we must ensure that we can offer an opportunity for every young person.

It is also fair to say that cashback might be a victim of its own success. We would love to fund everything, but we cannot, because we are constrained by the limits of the money that we have. There will be organisations that will be disappointed, and some of them have made representations to me. I am disappointed that I have to disappoint them, but we can do only so much with the funds that we currently have. However, we are seeking to spread them more broadly.

George Adam and other members across the chamber suggested ideas that we are happy to take on board to see what we can do. More funding will come in and we always seek to have more projects that we can pull down from the shelf if we get a windfall sum of money. We have had such money from the Weir Group and the Abbot Group, for example. We make a commitment to many organisations that if we currently cannot fund them but think that they are worth while, we will keep them on the shelf so that we can deliver to them any windfall money that comes in.

Two specific issues were raised in the debate that I need to comment on. The first is the cashback funding formula for where the money goes, which was raised initially by Duncan McNeil; and the other is the proceeds of crime aspect, on which I will be happy to address remarks to Margaret Mitchell and Annabel Goldie.

The evaluation report states clearly in table 3.11, to which Duncan McNeil referred, that the number 1 council for funding, as James Dornan pointed out, is Glasgow, with over £5 million. Then it is Edinburgh, with just under £4 million, North Lanarkshire, with just over £2 million, Dundee, with almost £1.75 million, followed by other councils.

On where the money goes, Duncan McNeil referred to the percentage of funding per 10,000 of

the population in those areas. I refer him to paragraph 3.14 in the evaluation report:

"The figures show that relative expenditure has been higher in the island authorities and that a number of predominantly rural authorities have also received above average expenditure (based on the population of young people)."

Duncan McNeil: The cabinet secretary is just reading out what the evaluation report says. However, Bruce Crawford said that he shared my puzzlement about why the funding for the island and rural areas should be so high. There is no explanation of that in the evaluation report.

Kenny MacAskill: We have made it quite clear that some rural areas have a relatively high population of young people. Equally, there are significant costs in rural areas, particularly the islands, for running certain events. I think that Bruce Crawford alluded to that. When I have visited areas such as the Western Isles, people there have made representations to me about such costs. For example, to run a football event in Greenock or, indeed, east Edinburgh is an awful lot cheaper than running one in the Western Isles, because the very nature of that area's peripherality and rurality means that kids are required to be bussed in. I have no doubt that that will also be the case in some areas that Elaine Murray represents.

Patricia Ferguson: Will the cabinet secretary take an intervention?

Kenny MacAskill: Not at the moment—let me make this point.

We have to recognise and accept that there is a rurality cost and a peripherality cost, not simply for the island communities in Scotland but for rural communities in the north and south of Scotland and in other areas of the country. They should not be prejudiced because they do not have the funding wherewithal to provide what can be done at a significantly cheaper cost in an urban area, whether in east Edinburgh or Greenock.

Patricia Ferguson: I absolutely accept that there will be issues of rurality that come into play, but where in the report does it show us where issues of deprivation come into play? Surely it is harder to do things in more deprived areas that have more young people than it is in areas without those issues.

Kenny MacAskill: In the areas and the money that we put in, we take that into account. We are quite clear that we are not prepared to end up with any means testing whereby a youngster is told that they cannot participate because they are not viewed as deprived enough, or whereby people have to apply. We factor that in and ensure that those areas of multiple deprivation that are blighted by crime get that additional benefit.

Equally, I disagree vehemently with Duncan McNeil that, somehow or other, we are spreading the jam thinly. Every child in Scotland, whether they live on an island in Shetland or in an urban area in central Scotland, is entitled to participate in these things, and we will not impose a postcode lottery that excludes youngsters. That deals with that aspect.

Let me deal with a second aspect. We are happy to engage. I said before the meeting to Margaret Mitchell that I am happy to try to engage because I think that we can work together. We have been taking money that is seized from the proceeds of crime, and money has been put back in. As Bruce Crawford mentioned, that is about speculating to accumulate. For example, money has gone into forensic accountants because a lot of this is about dealing with the money trail.

Margaret Mitchell made a good point about those who are involved in repeated high-level thefts and shoplifting but, equally, a lot of this is about serious organised crime. I refer to the advert that Patricia Ferguson read out. People can afford to have the best accountants and lawyers to try to hide assets that they have taken and to launder money that they have made through drugs or other things, so we ensure that we employ forensic accountants. Many of them are not police officers but civilian staff, and they do a remarkably good job. That is where we come from on that.

As was mentioned, I think, by Annabel Goldie, there is a hierarchy. The Crown is quite clear that, initially, it will look to prosecute. That is the right thing to do. Unlike some other jurisdictions not too far from here, we are not prepared to consider an approach where it quite often appears that people can make a deal and pay almost a tax or a levy. The principle here is that, if there is offending and criminality, we will first seek to prosecute. Equally, if we can recover from offenders, we will also seek to do that. If there are instances where we cannot get proof beyond reasonable doubt in a criminal matter but the person's lifestyle is clear, we will pursue the matter thereafter.

Annabel Goldie: Can the cabinet secretary reassure the Parliament that the Scottish Government is not proceeding to a situation in which Police Scotland can expect an automatic annual dividend from the proceeds of crime?

Kenny MacAskill: Yes, I can give the member that assurance. There is good reason for that. Not only would it be the wrong thing to do, it could be subject to challenge under the European convention on human rights. There are some suggestions that there may be issues south of the border, but we have never gone there.

As was mentioned, the priority here is, first, to fund the cashback scheme and secondly, as

agreed by the task force, to provide other funding, whether it is for forensic accountants, the Crown Office and Procurator Fiscal Service, the police or even the Scottish Prison Service or other organisations. In the serious organised crime task force, we have organisations as diverse as the Scottish Environment Protection Agency, the Society of Local Authority Chief Executives and Senior Managers and other representatives of local authorities. We are looking to do the best things that can be done. If we can speculate to accumulate with any organisation, we will do so, but a decision will be made by the task force. If, above that, moneys are still available, we are happy to look at community projects.

However, rather than denigrate the chief constable, I make it quite clear that I think that the proceeds of crime have benefited from Chief Constable House. He is the one who put it to me that there has been a change in how the police have dealt with matters. There was a time when officers went in and perhaps arrested and detained the drug dealer and took the bag of white powder as evidence. Now, it is clear that police officers—not simply those who go in but those who investigate and community bobbies—are also looking at assets. If the accused who is detained has a lifestyle whereby they have the Rolex, the plasma screen and the BMW—all those things that hard-working, law-abiding people who pay their taxes do not have—let us look about seizing them.

It is about making sure through Crimestoppers that people who live well beyond their means and are preying on our communities are reported and dealt with.

Graeme Pearson: Will the cabinet secretary take an intervention?

Kenny MacAskill: By all means.

The Presiding Officer (Tricia Marwick): Very briefly.

Graeme Pearson: Does the cabinet secretary understand, given the concerns that have been expressed about the funding source being the proceeds of crime, that there is a challenge to the integrity of why officers and prosecutors operate if they are given an interest in generating income rather than pursuing justice? Whether that perception is accurate or otherwise, we need to be alive to it.

The Presiding Officer: That was a strange interpretation of “briefly”.

Cabinet secretary, please be brief. I need you to wind up now.

Kenny MacAskill: I gave the assurance on that to Annabel Goldie, and I reiterate it. The chief constable is quite right: it is a matter of ensuring that everybody realises that serious organised

crime is our business, and it is entirely unacceptable.

I urge members to support the motion in my name, saying that cashback for communities has been a remarkably good scheme, which will continue to serve the young people of Scotland remarkably well.

Public Bodies (Abolition of Food from Britain) Order 2014

16:55

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-10284, in the name of Richard Lochhead, which is a public body consent motion on the Public Bodies (Abolition of Food from Britain) Order 2014, which is United Kingdom legislation.

Motion moved,

That the Parliament consents to the making of the Public Bodies (Abolition of Food from Britain) Order 2014, a draft of which was laid before the UK Parliament on 6 May 2014 and which makes provision that would be within the legislative competence of the Scottish Parliament if it were contained within an Act of that Parliament.—[*Richard Lochhead.*]

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

“Hybrid Bills”

The Presiding Officer (Tricia Marwick): The next items of business are consideration of two motions in the name of Stewart Stevenson, on behalf of the Standards, Procedures and Public Appointments Committee.

The first of the two debates is on motion S4M-10243, on the committee’s report on “Hybrid Bills”.

16:56

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I am, of course, proud to have been the minister who introduced the Forth Crossing Bill, which was the first and only hybrid bill to have been considered by this Parliament. The rules for considering hybrid bills were added to standing orders in order to facilitate consideration of that bill, and were an amalgamation of the rules for public and private bills.

The Forth Crossing Bill was successfully passed, and work has now commenced on the Forth replacement crossing, which will be named the Queensferry crossing. When it had completed its work on the bill, the Forth Crossing Bill Committee helpfully produced a report that suggested improvements to the hybrid bill process. That has resulted in the Standards, Procedures and Public Appointments Committee recommending a number of relatively minor changes to those rules and to the corresponding rules for private bills. They include clarification of the role of the assessor and streamlining of the production of accompanying documents.

I commend the changes to members; the committee believes that they will improve the process for consideration of hybrid and private bills.

I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee’s 4th Report 2014 (Session 4), *Hybrid Bills* (SP Paper 513), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 27 June 2014.

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

“EU Legislative Proposals: Review of Standing Orders”

The Presiding Officer (Tricia Marwick): The second of these short debates is on motion S4M-10244, on the report by the Standards, Procedures and Public Appointments Committee on “EU Legislative Proposals: Review of Standing Orders”.

Mr Stevenson, I would be obliged if you would continue speaking until 5 o’clock.

16:57

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): In 2010, the Parliament agreed a new European strategy for its committees. That followed major changes that had been introduced by the treaty of Lisbon, which gave the Scottish Parliament, through the UK Government, a role in raising subsidiarity concerns.

The strategy was supported by standing order changes. At the time, the Standards, Procedures and Public Appointments Committee thought that they were sufficiently important to merit review in a couple of years—a review that the committee has undertaken.

The main concern that was raised with us by other committees was the very tight timescale for considering potential subsidiarity issues. Although that is largely beyond the Scottish Parliament’s control, we have proposed a couple of changes to make the rules more flexible.

Instead of requiring committees to consider issues that are referred to them, the changes will give committees discretion to decide whether they need to scrutinise a subsidiarity concern that has been raised with them, and whether they are able to do so in the available time. The changes also mean that committees can reach informal agreement on which is to be the lead committee, rather than having to await a Parliamentary Bureau designation.

I invite Parliament to agree the changes, which have been welcomed by committees.

I have pleasure in moving motion S4M-10244, which I will read. I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee’s 2nd Report 2014 (Session 4), *EU Legislative Proposals: Review of Standing Orders* (SP Paper 506), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 27 June 2014.

The Presiding Officer: Mr Stevenson, I am not the only one who is obliged to you for that.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are six questions to be put as a result of today's business. I remind members that, in relation to this afternoon's debate, if the amendment in the name of Graeme Pearson is agreed to, the amendment in the name of Margaret Mitchell will fall.

The first question is, that amendment S4M-10278.1, in the name of Graeme Pearson, which seeks to amend motion S4M-10278, in the name of Kenny MacAskill, on cashback for communities, 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)
 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)
 Griffin, Mark (Central Scotland) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 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)
 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, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, 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)
 Maxwell, Stewart (West Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 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)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

Abstentions

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnstone, Alison (Lothian) (Green)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (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 31, Against 62, Abstentions 13.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S4M-10278.2, in the name of Margaret Mitchell, which seeks to amend motion S4M-10278, in the name of Kenny MacAskill, on cashback for communities, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Hume, Jim (South Scotland) (LD)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (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)
 FitzPatrick, Joe (Dundee City West) (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)
 Griffin, Mark (Central Scotland) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 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)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 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)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 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)
 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)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

Abstentions

Harvie, Patrick (Glasgow) (Green)
 Johnstone, Alison (Lothian) (Green)

The Presiding Officer: The result of the division is: For 15, Against 88, Abstentions 2.

Amendment disagreed to.

The Presiding Officer: The third question is, that motion S4M-10278, in the name of Kenny MacAskill, on cashback for communities, be agreed to.

Motion agreed to.

That the Parliament welcomes the publication of the first *National Evaluation of the CashBack for Communities Programme: Final Report*; notes that, since its launch in 2008, the programme has provided over 1.5 million positive opportunities and activities for young people across Scotland; welcomes the fact that this uniquely Scottish CashBack for Communities programme is being funded by

over £74 million recovered from criminals using the Proceeds of Crime Act 2002; notes that the independent report highlights the significant impact that the programme is delivering; believes that every effort should be made to ensure further progress in recovering money from those who profit from crime, and believes that funds obtained from the proceeds of crime should continue to be focused on projects in communities across Scotland as well as those particularly affected by crime and antisocial behaviour and, in so doing, continue to tackle breaking the cycle of youth offending in communities.

The Presiding Officer: The fourth question is, that motion S4M-10284, in the name of Richard Lochhead, on the Public Bodies (Abolition of Food from Britain) Order 2014, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament consents to the making of the Public Bodies (Abolition of Food from Britain) Order 2014, a draft of which was laid before the UK Parliament on 6 May 2014 and which makes provision that would be within the legislative competence of the Scottish Parliament if it were contained within an Act of that Parliament.

The Presiding Officer: The fifth question is, that motion S4M-10243, in the name of Stewart Stevenson, on “Hybrid Bills”, be agreed to.

Motion agreed to,

That the Parliament notes the Standards, Procedures and Public Appointments Committee’s 4th Report 2014 (Session 4), *Hybrid Bills* (SP Paper 513), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 27 June 2014.

The Presiding Officer: The sixth question is, that motion S4M-10244, in the name of Stewart Stevenson, on “EU Legislative Proposals: Review of Standing Orders”, be agreed to.

Motion agreed to,

That the Parliament notes the Standards, Procedures and Public Appointments Committee’s 2nd Report 2014 (Session 4), *EU Legislative Proposals: Review of Standing Orders* (SP Paper 506), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 27 June 2014.

The Presiding Officer: That ends decision time.

Meeting closed at 17:03.

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