



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# HEALTH AND SPORT COMMITTEE

Tuesday 14 January 2014



---

**Tuesday 14 January 2014**

**CONTENTS**

	<b>Col.</b>
<b>COMMUNITY SPORT INQUIRY .....</b>	<b>4705</b>
<b>CHILDREN AND FAMILIES BILL .....</b>	<b>4731</b>

---

**HEALTH AND SPORT COMMITTEE**

**1<sup>st</sup> Meeting 2014, Session 4**

**CONVENER**

\*Duncan McNeil (Greenock and Inverclyde) (Lab)

**DEPUTY CONVENER**

\*Bob Doris (Glasgow) (SNP)

**COMMITTEE MEMBERS**

\*Rhoda Grant (Highlands and Islands) (Lab)

\*Colin Keir (Edinburgh Western) (SNP)

Richard Lyle (Central Scotland) (SNP)

\*Aileen McLeod (South Scotland) (SNP)

\*Nanette Milne (North East Scotland) (Con)

\*Gil Paterson (Clydebank and Milngavie) (SNP)

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

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Morag Arnot (Winning Scotland Foundation)

Kim Atkinson (Scottish Sports Association)

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab) (Committee Substitute)

Scott Cuthbertson (Equality Network)

Nigel Holl (scottishathletics)

John Howie (NHS Health Scotland)

Gavin Macleod (Scottish Disability Sport)

Michael Matheson (Minister for Public Health)

Charlie Raeburn

Dennis Robertson (Aberdeenshire West) (SNP) (Committee Substitute)

Christine Scullion (Robertson Trust)

George Thomson (Volunteer Scotland)

Stuart Younie (Voice of Culture and Leisure)

**CLERK TO THE COMMITTEE**

Eugene Windsor

**LOCATION**

Committee Room 2



# Scottish Parliament

## Health and Sport Committee

*Tuesday 14 January 2014*

[The Convener *opened the meeting at 09:45*]

### Community Sport Inquiry

**The Convener (Duncan McNeil):** Good morning, and welcome to the first meeting in 2014 of the Health and Sport Committee. Although it is now 14 January, I offer best wishes to everyone for the new year.

I have apologies from Richard Lyle, for whom Dennis Robertson is substituting—welcome, Dennis. Malcolm Chisholm is substituting for Richard Simpson—welcome again, Malcolm. We also have an apology from Gil Paterson, who is going to try to be with us later in the meeting.

As usual at this point, I ask everyone in the room to ensure that their mobile phones and BlackBerrys are switched off, as we do not want them to interfere with the sound system or, indeed, our proceedings this morning. I need to point out that some of us are using iPads or other tablets instead of hard copies of the committee papers to which we will refer.

Agenda item 1 is a round-table session to help us assess progress in support of community sport as part of our inquiry into that area. Some of you may recall that about a year ago this week we launched our report at the Royal Mile primary school, next door to the Parliament. We are a year on in our on-going work in this area.

Morag Arnot asked earlier why she was sitting next to me. We usually ask people in a round-table panel to introduce themselves at this point, and Morag will start us off.

**Morag Arnot (Winning Scotland Foundation):** Thank you. I am the executive director of the Winning Scotland Foundation.

**Bob Doris (Glasgow) (SNP):** I am an MSP for Glasgow and deputy convener of the committee.

**Christine Scullion (Robertson Trust):** I am head of development at the Robertson Trust.

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** I am MSP for Edinburgh Northern and Leith.

**Scott Cuthbertson (Equality Network):** I am the community development co-ordinator for the Equality Network.

**Dennis Robertson (Aberdeenshire West) (SNP):** Good morning. I am the MSP for Aberdeenshire West.

**Gavin Macleod (Scottish Disability Sport):** I am the chief executive officer with Scottish Disability Sport.

**Colin Keir (Edinburgh Western) (SNP):** I am the MSP for Edinburgh Western.

**Stuart Younie (Voice of Culture and Leisure):** Good morning. I am here representing VOCAL—Voice of Culture and Leisure.

**John Howie (NHS Health Scotland):** Good morning. I am programme manager for physical activity at NHS Health Scotland.

**Charlie Raeburn:** I am not representing anybody except myself, but I describe myself as an independent adviser.

**Rhoda Grant (Highlands and Islands) (Lab):** I am an MSP for the Highlands and Islands.

**George Thomson (Volunteer Scotland):** Good morning. I am chief executive of Volunteer Scotland.

**Aileen McLeod (South Scotland) (SNP):** I am an MSP for South Scotland.

**Nigel Holl (scottishathletics):** Good morning. I am the chief executive of scottishathletics.

**Nanette Milne (North East Scotland) (Con):** I am an MSP for North East Scotland.

**The Convener:** I am convener of the Health and Sport committee. Oh, I am sorry—I overlooked Kim Atkinson. I mistook her for one of our officials.

**Kim Atkinson (Scottish Sports Association):** I obviously look more official than I realised. I will take that as a compliment—thank you, convener.

Good morning. I am policy director at the Scottish Sports Association.

**The Convener:** Yes. You are such a familiar face around here that I thought that you were one of the permanent staff. I am sorry about that. I am just eager to get on.

To finish introducing myself, I am the MSP for Greenock and Inverclyde.

Rhoda Grant will kick off the questions, and then I hope that we can get a bit of a discussion going with the other participants.

**Rhoda Grant:** We all know the importance of taking more exercise and the health messages attached to that. How does community sport play into that agenda and help people to take more exercise and thereby live healthier lives?

**The Convener:** Who wants to take that one?

**Nigel Holl:** I am very happy to jump in on that. I would probably come at this question from the perspective of sports clubs, which are right at the heart of the community. Strong clubs provide opportunities locally and in a manner that suits their local community, albeit with the support of the local authority, trusts, sports governing bodies or whoever.

To me, one of the key drivers for achieving greater levels of participation in sport and physical activity is about ensuring that our sports clubs—for all sports across the country—are very accessible, are grounded in the community and have the right support. They need to be community enabled and embodied, so to speak—they need to be right in the heart of the community, linking with the local schools and with local community activities, whether it be community sports hubs or trusts or school facilities. They need to be very localised and they need to provide a very obvious pathway for young people and for older people of any age into sports because once people are in a club, they are in a community where they can stay involved in sport for life, arguably.

**George Thomson:** It may be helpful to think about community sport in terms of community in sport alongside sport in community. That may be a distinction that could help us consider the different ways in which we can approach this. In my experience of Stirling rugby club, it has been a very clear example of community in sport. It thrives on a whole series of relationships and engagements that are linked to the activity, but the activity is based on a community perspective. I think that some other sports that operate in the community but do not have that same degree of participation in relationships do not thrive in the same way. We may need to get to grips with what we mean by community and with whether we can genuinely find a way to embrace a much wider group of people into the life of a sport.

**Charlie Raeburn:** Briefly, physical activity is a very big agenda. You are asking where sport fits in. Sport has the potential to fit in although I am not always convinced that we play a huge role in the big challenge of getting everybody to be as physically active as they need to be—there is now a recognition that you have to be a little more intense with your exercise than was previously recognised.

On the other hand, there is big potential for sport in that regard. As some of you will know who have heard me speak before, I talk about Denmark a lot. I have just come back again from there. The biggest growth in participation in sport over there is among people who are my age—the old fogies. Their interest in sport, as well as in physical activity in walking groups and so on, is huge. The adolescents of today were mentioned

and learning athletics—if you learn something as a kid, it can continue to have an impact. At one time I used to swim competitively and I now use the knowledge that I learned then to swim every day. People ask, “How do you do a tumble turn?” I can help other people with that. I go on walks on the hills on a Sunday, up in the Pentlands—that comes from being taken on walks with organised groups when I was younger, which was part of a semi-sporting agenda.

However, as I pointed out when I was giving evidence the first time, I do not think that the main rationale for community sport is necessarily physical activity. That is one of the essential ingredients, but it then depends on how much you emphasise it. For example, in the football clubs that I used to deal with in West Lothian, I used to say, “Why don’t you dads play football yourselves in the summer on our seven-a-side pitches?” They could be doing that instead of just watching and shouting at their own kids, so the potential is there.

**The Convener:** Kim, Charlie has raised some other points on top of Rhoda Grant’s question. If you could respond to those points as well, that would be great.

**Kim Atkinson:** It is a very fair question and there are a lot of different angles to it, which is important. There are 13,000 sports clubs in Scotland and a fifth of the population are members of a club. I know that the committee has heard me say that before but, when we talk about stakeholders and we talk about constituencies and communities, that is an enormous community that we must not forget.

One of the community angles is that the people who participate in sport as members of a club participate more often and for longer. In response to Rhoda Grant, Charlie Raeburn mentioned certain health benefits and I should point out that, in the frequency and intensity of participation, clubs make a significant contribution not only to physical but to mental health. Of course, that is not to mention the benefits of volunteering, such as social cohesion, that come from being a member of a club.

Again, I apologise to the committee for having made this point before, but our chief medical officer has said that the key indicator of life expectancy is our physical fitness, and we should never forget that, when we talk about fitness, we are also talking about the length of people’s lives. The two go hand in hand, and much more could be made of the enormous prevention angle in that respect. In fact, that would be my plea to the committee as it moves forward with some of this work.

The active travel lobby has regularly suggested that a proportion of the transport budget be spent

on active travel and, at a recent meeting of the cross-party group on sport, which I believe was attended by Nanette Milne, we discussed what spending a percentage of the health budget on sport would look like and how we could make more of the benefits that have been mentioned. As quite a number of people have suggested, we could achieve an awful lot more if there were more cross-cutting agendas. The contribution that sport makes goes beyond health—indeed, it contributes to education, diversionary activities and so on as well as simply letting people enjoy themselves and have fun—and the opportunity for more cross-agenda working between different committees, agencies and national bodies is enormous and would make a fundamental difference. I also hope that community planning will play a particular role in this matter and certainly think that more engagement between sport and community planning will provide a key opportunity.

In order to get people to participate in community sport, we need young people who are competent and confident and have physical literacy. I know that we use that phrase every time but, as Charlie Raeburn has made clear, if young people learn the basic skills of running, jumping, throwing, catching and swimming they will be able to participate in sport their whole lives. A huge amount of progress is being made on that, but more can still be done. If every young person has an entitlement to physical literacy, they will be able to do whatever they like about community participation throughout their lives, but we need to get that building block in place to ensure that every partner makes more of that opportunity.

**The Convener:** Do other panel members have any comments?

**Christine Scullion:** I thank Rhoda Grant for the question but would suggest that the Robertson Trust comes at this from a slightly different angle, because it funds social enterprises and community sports clubs, externally evaluates them and then sees what lessons can be learned and shares that information.

Following on from Kim Atkinson's comments, I should say that most of our funding supports young people and efforts to move those who are most inactive towards being active. The key thing that we have picked up in our evaluations is relationships. The important thing for people in a club or community sports hub might not be the sport itself but their relationship with a youth worker or coach and the enthusiasm that they get from that. One of the projects that we are working with seeks to ensure that there are skilled youth workers in the sport environment to give young people who would not necessarily be enthusiastic about sport the encouragement to walk through the door. If a youth worker can engage with those

kids, they will come in and start doing some sort of activity. It might not even be physical activity—they might be part of a homework or youth club—but in that environment their confidence will grow and they will begin to take part in physical activity. I would not underestimate that angle.

**Stuart Younie:** I want to pick up on some of the interesting points and issues that have arisen in response to the original question. From a local authority perspective, I think that there are two important considerations. First, as Kim Atkinson, George Thomson and Nigel Holl have suggested, the physical activity and health and wellbeing aspects of community sport converge in clubs and volunteering. Community sports clubs play an important role in building a sense of belonging in communities and offering individuals the opportunity to volunteer and give something back to their communities and the young people who are participating. That is certainly important in the overall context of our communities' health and wellbeing.

As for individual participation and how it ties in with the physical activity agenda, I note the aspiration to deliver a more active Scotland in 2014 and think that community sport has a big role to play in not only developing young people but providing opportunities for adult recreational sport. We need to dig a little deeper and look at the motivations of people who want to get active, and the jogscotland initiative and other such things that are targeted more at the individual recreational participant rather than, say, the high-level athlete are the way to go to deliver a more active Scotland. Those would be our two main considerations with regard to developing and delivering those kinds of local authority services.

10:00

**John Howie:** My very quick answer to the original question is yes, community sport can play a vital role in increasing physical activity and benefiting Scotland's health. As the health and socioeconomic benefits have been well rehearsed, there is no need to go into them again, but we certainly need to increase levels of physical activity in Scotland and, in that respect, many will choose sport as their way of engaging in activity.

For me—and this has already been mentioned—the important issue is ensuring easy and affordable access to a whole range of community sporting options in a consistent way across the country. The introduction of the single outcome agreement for physical activity and inequality provides a very good start in ensuring that local authorities articulate how they will engage with local people, identify local needs and design sporting opportunities accordingly. We are at the beginning of a very good process for

developing future services but, in short, my answer to the question is very much yes. Community sport can play a vital part—we just need to make it affordable and accessible to the population at large.

**The Convener:** That has been useful because it brings us back to our starting point for this inquiry, which is whether community sport is a good thing. We all think that it is but, in the report that we published, we had a look at the whole issue and tried to identify the barriers to making it happen and how it might be delivered better. I think that, at this point, we need to review the report itself. I know that there are strong feelings about our starting point and the issues that we examined and, as people have pointed out, the agenda is a big one, but our objective should be that, at the end of this session, we have at least a clear indication about which aspects are important. We cannot cover the whole agenda and it might be that, as some have suggested, we need to encourage other committees to look at the issue or that we focus on local authority delivery or on community sport rather than the development of elite athletes. This is your chance to comment on what was right or wrong with the previous report, to influence our thinking and to point us in the right direction.

I see that George Thomson has put his hand up.

**George Thomson:** One key challenge comes to light if we consider the situation 10 years from now. There has been nearly a 20-year flatline in volunteer participation and I note that the recent research about people's motivations for volunteering for the Commonwealth games found that 74 per cent of people in Scotland had not been involved in any volunteering activity in the previous 12 months. That is the consistent message and picture that has emerged from different sources and research. If we simply carry on with some brilliant work and projects and a consensus that this is a good thing, I cannot see that situation changing. My concern is whether the same is true of participation in sport, and I think that Stuart Younie made a particularly salutary point about the need to examine people's motivations for volunteering and being involved and engaged. People are absolutely right to talk about jogging and ramblers and we can certainly learn from the tremendous growth that has been experienced in certain areas; indeed, Denmark seems to provide a particularly impressive example in that respect. Certain approaches to associational belonging and connections will be successful in engaging our community in volunteering and sport, but we do not yet have the vision or clarity about what it will take to step things up and bring about a sea change in this matter.

**Morag Arnot:** I would back George Thomson's comments in many respects, but the question for all of us around this table is this: what is the vision for volunteering 10 years from now? What will volunteering in Scotland and in sport look like? That is the big question. My colleagues around the table have made a few comments about employer-supported volunteering, but that agenda has not moved on.

We have a programme called workout for sport. It has its challenges, and we are reviewing it at present. However, the idea that employers are a separate subset of the community in Scotland is possibly not the right way to look at the matter, because most of the employees who volunteer are parents, are active members of the community or local clubs or have had volunteering experience already. If we are going to shift that pattern, we are going to have to do something different. One of the things would be to have more of a collective vision of what we are trying to do in relation to something such as employer-led volunteering.

**Nigel Holl:** I want to pick up on a couple of those points. Obviously, the report focused on the legacy of the Commonwealth games in Glasgow. We must not lose sight of that, but we must also recognise that the games are virtually upon us. The planning is virtually done, so we need to ask what will be the impact and catalytic effect of the games over the next 10 years.

With regard to athletics, we have touched on the capacity challenges that clubs face when it comes to delivering a legacy. We see athletics clubs and jogscotland groups being part of that legacy delivery. They are the environment in which young people who want to be the next Jess Ennis, Mo Farah or Lynsey Sharp are going to get involved in athletics, and stay involved for life.

In order to make that happen, we needed to get more coaches and volunteers in clubs so that the clubs could cope with the capacity increase. We tackled that very specifically at the most local level—right at the heart of individual clubs. We have had people in clubs deliberately shaking the hands of mums and dads and pulling them out of their cars. We joke that, normally, mum or dad drives the children to the athletics club, the car slows down but does not quite stop, the back doors open, two children fall out of either side, and mum or dad accelerate off to Tesco. That is why we have someone in the car park to shake their hands.

Another element, which touches on some of George Thomson's comments and on the community side of sport, is the research around the question of what is the biggest motivation for people to get involved and stay involved in sport. It turns out that the answer is socialising. It is not fitness, it is not elite performance and it is not

physical activity. It is the fact that, as human beings, we like to socialise with one another and sport gives us a unique opportunity to do that. However, it does that only if somebody actually makes it happen in the first place. If I drop my children off at a sports club for training and nobody speaks to me, I will go to Tesco. However, if I drop my children off at a sports club and somebody shakes my hand and says, "Hi, what's your name? I'm Nigel. Would you like to come and help?", all of a sudden I am dragged in.

We have had 900 new volunteers in 17 athletics clubs in 18 months as a result of that extremely localised direct approach. However, we have to make it happen locally. A policy is important but it cannot do it on its own. I have to shake somebody's hand to make it happen; I have to look them in the eye and we have to have a conversation. When the conversation starts, we are halfway there and can start engaging people, which is exactly the point that Christine Scullion made about youth workers being able to help young people who do not feel confident or competent enough to join a club. They need somebody there to help them with the socialising as much as with anything else. That would cut across all parts of society in Scotland in a totally integrated approach. I am looking at Gavin Macleod in particular when I say that, with regard to athletes with disabilities.

**The Convener:** I will bring Gavin Macleod in because I have missed him out, for which I apologise.

**Gavin Macleod:** I would echo what Nigel Holl has said. We face different difficulties in terms of getting athletes, players, coaches and volunteers involved, because there is a fear factor when it comes to working with disabled athletes and players. We have to overcome that, and we can do so in part through education and training. We push the inclusion agenda very hard. When we conducted research for our strategic plan recently and spoke to partners across the country, few understood what inclusion actually means. Many said that they were working inclusively, but when we asked how many disabled athletes they had they replied that they did not have any. For me, that is not inclusion; just saying that you are inclusive is not the point.

We must ensure that inclusion happens and we must overcome the fear factor. As Nigel Holl said, you need people who can give an introduction to a club and create a welcoming environment. That could be something separate, and it is down to the confidence and competence of the individuals who become involved. Work could be done to ensure that clubs are open, welcoming and inclusive of athletes with disabilities.

**Charlie Raeburn:** I have a little website called [spotlightonsport.com](http://spotlightonsport.com). My old man was an academic and he always told me that I should write everything down, but it is only now that I am retired that I am trying to do that. Immediately the report came out, I wrote my response to the report and put it on my little website. In summary, I was not very confident that the report would produce anything particularly fantastic. Without more commitment to making things happen, I do not see a lot changing.

Recently I gave a paper at a big conference in Denmark, and I called it "Community Sport in Scotland—A Misunderstood Lost Cause?" I put five points in that paper, one of which has just been raised. The first is about clarifying the purposes of community sport and school sport to reflect community development and the whole-school curriculum. We need to be clear what the thing is about, which is why I am saying that there is potential. Clubs can be hugely different from one another; sometimes they can be a negative experience for people. Something needs to be done at all levels.

Secondly, we must measure and investigate participation and governance in sport at community and school sport levels. We need evidence that has been gathered by independent sports research organisations and more investigative journalism. On my website, I encourage students and others to get involved a bit more in investigating what actually happens. Sport is vulnerable to there being only good news stories; you do not often hear the bad news, particularly in terms of governance.

The third point is about bringing down the cost of participation in sport for young people. It is astonishing to me that in Denmark 83 percent of kids are members of a sports club. Why are our levels of participation so different? I know that Duncan McNeil is interested in that personally; I have an extract from a study on volunteering in Danish sports clubs, which I will hand to the clerks at the end of the meeting so that members can see it. It shows the different kinds of volunteer that are needed. It is hard to get people to take on the role of treasurer in a club, or other roles that are not exactly exciting, so I am pleased that athletics is trying to find those people.

The fourth point is about consistently developing and supporting the social capital of sport. In other words, if I had a job in a commune in Denmark similar to the job that I had in West Lothian, looking after sport, I would be measured differently; I would be measured on what I did to support, enable and empower the community, not on how many facilities I had.

Finally, we must establish a community sport think tank. At the moment, we tend to go to former

athletes. Sportspeople are now becoming celebs, and the celebs are telling us how sport should be run. I am not convinced that many of those celebs ever touch base with community sport.

**Stuart Younie:** I will go back to the original question about the role of the committee in taking forward the report's recommendations. VOCAL would—understandably—emphasise the legacy agenda, which has been touched on. From our point of view, it is extremely important that we sustain attention to a legacy long term, beyond 2014, particularly given the current financial climate, about which I do not need to tell the people around this table.

10:15

We need to think about 2014 being a chance really to celebrate sport. I hope that we will have some successes—perhaps Andy Murray will get through to the final of the Australian open this time around and we will have success in the Ryder cup and the Commonwealth games. We need to capitalise on such things. We need to regard the legacy as a long-term project, and not to think about it just over the next couple of years. We need to use it to sustain levels of investment in sport in the current financial climate.

From that perspective, VOCAL has been working hard with the Convention of Scottish Local Authorities and the Society of Local Authority Chief Executives and Senior Managers to set up a legacy leads network, which is very much concerned with the legacy agenda. A lot of that work is focused on physical activity and community sport. However, it is not only that: economic development drivers are also included.

We also need to remember that a great deal of the local authority funding for sport is tied up in maintaining and operating facilities. Much of the work that the committee is interested in—the people aspect of sport, including community support and club development—is largely undertaken by sports development officers. Often, it is easier to reduce the budget in those areas of work than it is to close facilities because, in many cases, it is not politically acceptable to do the latter.

Something in the region of 90 per cent of local authority funding goes on facilities provision and operation, but we must not forget that an important aspect of our investment in sport is about ensuring that we have people who are able to work with clubs, and that we have volunteers—as Nigel Holl illustrated so well—who are able to shake somebody by the hand and say, “Come and get involved in our club.”

Those are things that VOCAL would like to be borne in mind as we implement the report's recommendations.

**Scott Cuthbertson:** We were really pleased that there was an emphasis on equalities throughout the report, although I do not think that anybody presented the case for inclusion of the various minority groups in sport in any of the evidence-taking sessions that I watched. However, a year on from the report, progress is mixed. Many new relationships have been established with governing bodies of sports, and new organisations and working groups have been established to challenge discrimination in sport, but there is a lot more work to be done on equality groups and a real focus is needed on how some groups will participate in sport in the future. I doubt that there is a person in the room who does not accept that.

**Kim Atkinson:** To return to the point that George Thomson made on vision, our members would all subscribe to the vision that the national agency for sport is about having a world-class sporting system at all levels. Part of the challenge is working out what a thing looks like when it is world class. Charlie Raeburn presented examples from different areas; that is part of the strength in finding what a world-class example would be.

There has been a huge amount of progress in a number of areas since the report was published, which is really positive. The focus on clubs about which Rhoda Grant talked, the £10 million direct investment in clubs by sportscotland and the club together programme, about which Nigel Holl talked, are key examples that are making fundamental differences. That is a really positive and welcome change.

The convener asked what benefits the committee could provide. More support and recognition are needed for the contribution that clubs make. Club sport is the foundation for most sports in which people take part. It is massive. That is not to say that there are no other ways in which people could, and should, take part, which are great, but recognition of clubs' contribution is an enormous point.

I am sure that Gavin Macleod will come on to speak about the disability inclusion training that Scottish Disability Sport runs. That is a real game changer for the inclusion agenda—for involving people who have barriers, as Christine Scullion and Scott Cuthbertson said. The committee can do more to promote that great programme, which has whole-hearted support among our members. However, as Gavin Macleod will say, the enormous challenge is in getting people trained and raising awareness about attitudinal barriers. I will leave that with him, but the committee can do more to support that work.

Huge progress has been made on the school estate. I am sure that everyone is aware of the report that sportscotland produced in partnership with local authorities on access to the school estate. We have learned from that, which is great. How can we share that learning about programming, management of facilities and community engagement in the process? Learning is available that we can move forward with, now that we know what the current state of play is. The work that sportscotland is doing with the Scottish Futures Trust on learning the lessons for new school builds is of massive importance. That is a welcome start, but huge progress can be made there. The committee should recognise that an enormous opportunity still exists to get people who are already active and people who are less active involved. We cannot miss that opportunity. Huge progress has been made.

Among the areas in which more progress can be made is the prevention agenda, which was mentioned earlier. As we all know, Campbell Christie called for a radical shift. Progress has been made, but it is open to question whether we have seen a radical shift. Last year, we gave evidence to the Finance Committee, when we discussed successful examples. The number of people who are involved in the jogscotland programme, which has been in existence for 10 years, is phenomenal. That could easily be replicated in other sports and activities, but it takes the dedicated funding and dedicated expertise that Nigel Holl mentioned to make a difference. There is more that we could do on that. The biggest challenge is in getting active the people who are not currently active, which is where programmes such as jogscotland have been successful.

Another area in which more progress can be made is on the volunteering legacy, which Morag Arnot touched on. We have talked about employer-supported volunteering. Given that we have a staff of only two, we have not been able to move that forward as we would have liked, but the potential is enormous. We have some small-scale programmes that we are working on with our members, where that can be beneficial.

It is a case of enabling and empowering people. The community empowerment agenda is enormous. We need to enable people to volunteer. People say that they do not volunteer, first because they do not have time and secondly because they do not know where to go to find out about it. We can do more about that—employer-supported volunteering could play a massive role. That is not about people going on commercial team-building days and painting club houses. We need club houses to be painted, but I am talking about things such as the events that Gavin Macleod runs, in which he struggles weekly to get people involved, and the junior athletics clubs that

run between 3 and 4 in the afternoon, in which people who work flexible hours could get involved. We can make that happen—it is not a big deal, as I see it—but it would be an enormous legacy, not just for sport, but for our communities and for all aspects of society. There is more that the committee can do in championing and considering how we can make a difference in volunteering.

The committee could also help us by taking a longer-term view of sport and encouraging longer-term commitment to it. That is not easy. We do not know what things will look like beyond 2014, but if we truly acknowledge the benefits that sport brings, as the Health and Sport Committee does, it is clear that there is an inevitable synergy there that is surely a massive opportunity.

Another important area, which the convener touched on earlier, is advocacy of and support for the contribution that sport makes in other areas and to the agendas of other committees. In our response to a consultation on Scottish planning policy, we said that the barrier that our members talk about to young people taking part in after-school activity is travel. If the school bus leaves at 4 o'clock and young people cannot take part in sport as a result, what does that mean? When we build new schools, new communities and new developments, are we considering how we can provide opportunities for young people to walk or cycle to school? Such activity is hugely beneficial in its own right, but making it possible also empowers young people to make choices. That is to do with planning policy, not sport, but those things come together. Through its work, the committee could help sport to engage in that broad agenda, which is difficult.

**Christine Scullion:** I feel slightly inadequate after that response. When it comes to what the committee should focus on, I was going to keep my answer much shorter and tighter.

Anyone who knows me even slightly knows that I am an action-oriented person. I am not very good at talking and going round in circles. From our point of view, it would be fantastic if people could get together and agree some outcomes, and then put together some actions that could be monitored over time. That would provide leadership and a basis on which we could move forward. Obviously, bodies such as sportscotland would need to be at the hub of that.

For us, increasing community ownership and management of facilities would be a fantastic way forward. Charlie Raeburn mentioned the amount of money that is tied up in running facilities. A couple of years ago, work was done in Argyll and Bute on swimming pools in the area. It identified that community-owned swimming pools were much cheaper to run than local-authority owned ones. There is something in there about handing

over facilities to communities, although it is not always the right thing to do—a community must have the capacity, the skills and the motivation to run the facility.

We are working with the Scottish Government, Social Investment Scotland and sportscotland on a programme of building community ownership and management.

The other area, which is mentioned in my written submission, is enabling groups to measure their impact better. That sport is being delivered does not mean that it is delivering the looked-for outcomes. That is particularly the case in community sport, when people are looking for sport to achieve other things—for example, to reduce crime or increase health. Enabling groups to measure better what they do and to be better able to evidence what works and does not work for particular outcomes is a huge area that could be dealt with.

**The Convener:** I will take Morag Arnot then Gavin Macleod. Colin Keir, Bob Doris and Dennis Robertson asked me ages ago to let them in and I will get to the MSPs, but our guests are filling the space, so I am letting them get on.

**Morag Arnot:** I back in some ways what Christine Scullion said and some of what Kim Atkinson said. The culture and ownership at psychological and community levels are important. Our experience through the positive coaching Scotland programme involves using the opportunity to allow a club to review its role in the community, what it was set up to do and what it wants to do for its young people.

Fantastic examples are out there. Hillfoots Rugby Football Club has gone from almost dying to being the fastest-growing rugby club in past years, because it set out with a small group of parents to ensure that everybody could play and it started earlier with its young people, although it does not concentrate on the sport too early. There are many examples, which involve investing in the human capital. We cannot get away from that. If clubs were growing at the rate that that club has grown at over the past three years, we would be in a much better position. That concerns the engagement between parents, volunteers and kids and their working together.

I go back to the point about employer-supported volunteering. We must look at the broader perspective. Clubs need skills, and we come from a business perspective. Our review has shown that fundraising, governance issues and development and marketing to get volunteers are the key niches that clubs want help with and which perhaps business can help with. Our organisation is quite small, and we are challenged by how we can upscale our programme, but we are happy to

get rid of the programme that we have, because there is still work to be done in that area.

From the experience of Sported in Scotland and investigatory work that we have done, I believe that there is a pool of older people who have business skills, are not restricted by being full-time employees and could become a target of volunteering. We have tried—not very successfully—to engage with such people, but I definitely think that involving retired people in something that can regularly contribute to their community will, without sounding as if it is cod liver oil, be good for them. That is something that they can give back. They have the skills that the clubs need and such people might not be bored by being a treasurer.

**Gavin Macleod:** I will follow up on the great advert that Kim Atkinson gave for some of the work that we are doing. The one real legacy that is left to us from the 2012 Paralympic games is the increase in public awareness of disability and disability sport. We are in a good place now, which is reflected in some of the work that we are doing, but big issues are still out there.

In 2009, we ran a conference on school sport and physical education. There were 200 delegates on the floor. When one of the speakers—not me—asked them how prepared they felt to cope with disabled pupils in a mainstream school environment, one hand went up to show that one person felt prepared. As a result, we developed with our sports inclusion model a training package for schools, with funding from sportscotland and Education Scotland. We have delivered that training package in schools and have had a great response. There has been a 98 per cent satisfaction rate with the training, and 90 per cent of those involved have indicated an impact on their delivery back in schools, which is the most important part from our point of view. We are seeing results.

The regional manager structure that we now have in place thanks to funding from sportscotland can support schools, so we can start to direct young pupils into community sports clubs, and we are working with 21 sport governing bodies. I put that down largely to the impact of the Paralympic games. We are working with governing bodies to ensure that clubs are inclusive and that coaches and volunteers are educated and prepared to work effectively with disabled pupils.

We are getting there, but we need governing bodies that are fully inclusive and clubs that are open and welcoming. One of the big things that we need to do is to ensure that disability inclusion training is embedded in the curriculum for tertiary education, so that all teachers come out prepared. At the moment, we are delivering in-service training that is only voluntary. We need to get into

the core and make the inclusion message fundamental to everything that is being done.

10:30

**The Convener:** I was going to bring in MSPs, but I will take John Howie first. My heart has melted for Colin Keir—I need to get him in.

**John Howie:** I will try to keep my comments brief. As a national advisory delivery board, we were drawn to recommendation 7, which is that local authorities should produce local sports strategies. I would be keen for that to be expanded to include not just sport but physical activity in its widest sense, of which sport is a component.

To ensure consistency of delivery and improve access to services, strategies should be based on best practice guidance. The content of that is no great surprise in terms of partnership working, which community planning partners would provide. That is about maximising SOAs and the forthcoming community empowerment legislation and about putting place—safe, accessible environments—at the centre of overall delivery.

As for maximising where we work, the school setting does a lot, and the national health service and the care setting have an increasing role in supporting and advising patients, residents and clients on how to become more active. It would be unwise not to consider the various populations, and age and gender, in designing local services, and we must ensure that the workforce is developed and skilled to support the spectrum of society.

I think that Charlie Raeburn picked up the vital point that we should use the knowledge and evidence from the application of the let's make Scotland more active strategy in the future delivery of services. We must communicate the positive message not just about how to become physically active but about how people can access local services and support and maximise new technology.

One of the big challenges now—which would not have been predicted 10 years ago, when the let's make Scotland more active strategy was written—is that more than 50 per cent of us do our Christmas shopping online. We took it for granted in the past that shopping and going to work would involve physical activity, but that is challenged because of online and home working. We must look at alternatives to fill that gap.

At a national level, the good news is that we are very good at policy. We are very good at developing structures and providing strategies. The trick is in how we translate that into local action that meets local people's needs and is consistently applied throughout the country.

**The Convener:** Colin, your opportunity has come.

**Colin Keir:** I have almost forgotten what I was going to say. Since I put my hand up, a lot of stuff has been said that I totally agree with. As usual, Kim Atkinson made some really interesting points.

Something has always confused me—maybe the panel can help me out. We start speaking about community involvement in sport and then we start saying that we hope that Andy Murray does really well. We jump between community sport and elite sport. I have always thought that what matters in sport is not what end of the range someone is at or where they are but how easy it is for people to access sport and whether they can find a level that they are comfortable at, whether they are meeting their mates once a week for five-a-side or doing 130 miles a week in distance running.

It has always been confusing to me that we make differentiations. It is all part of the same problem and should be looked at as such. How do people progress through athletics? I have been waiting 30 years to see whether Allan Wells's 100m and 200m records from Moscow will ever be beaten. There is David Jenkins's 400m in 1975. My old mates Graham Williamson, John Robson, Allister Hutton and Nat Muir still hold Scottish records, which we have never seen any improvement on.

There has been a breakdown between the bottom level and the top level. We need people to develop to the point where they think that they would like to do a little more than the level that they are on. Not many 40-year-olds will want to take up sprinting, but they might want to take up distance running, through the jogscotland initiatives and stuff such as that. That is about people finding the right levels.

The graph should head up from the base level to the international elite sport level, but that is not happening in tennis. We have Andy Murray, who was brought through the system in a specific way, but I do not see many other kids who have been given the same opportunity—I might be wrong.

I am picking on athletics a bit. I have been particularly critical of it because it is my old sport—people would not think so, but it is. The difficulty is getting into the sport. I have a hub around the corner from me with wonderful facilities but, unless someone is a member of a club, they cannot use it. There is a swimming pool that lies empty quite a lot of the time. Why is that?

We must get people in and get them to the right level for them. That comes down to the volunteer coaches—how well trained are they and how aware are they? How do we fit in the kids who are coming through as well as the people who are my

sort of age and just want to find something that they can do without killing themselves? How do we take people through and work in the same way from the bottom level through to elite sport? If we accept that one is not different from the other, we may have a gradient that is achievable. That is my opinion; perhaps you could discuss that.

**The Convener:** I ask for some responses. I remind people that we have about 20 minutes before the next item, which is evidence from the Minister for Public Health.

**Stuart Younie:** Mr Keir made his point—absolutely. I made the point that the balance is difficult to strike between performance sport and community sport, which is our interest today. We have seen the importance of role models, particularly in initiatives such as champions in schools that provide a benefit to our young people by taking into the classroom people who have a story to tell about how they have achieved success.

Initiatives such as that have the potential to inspire people. Regardless of our opinions about tennis or Andy Murray, he has been a success story, and many more success stories came out of 2012. Those people have acted as advocates for sport and role models for young people. That is the point that I tried to make about that role.

However, there is an argument that those performance athletes are not the most important role models. Alongside them are the local coaches and volunteers who deliver on the ground for our young people. In many ways, they are more important role models—that was the case when I think back to my experiences and the people who influenced me when I was growing up and the opportunities that I had.

There is a balance to strike. There is an important role for our performance athletes—we want to succeed on the international stage—but we should not forget about the influence of local people on the ground who volunteer and work with young people day in and day out.

**Nigel Holl:** I back that point. As regards the athletics side and the link between community and elite sport, one of the challenges in sport in Scotland—

**Colin Keir:** I was asking about everything in between as well.

**Nigel Holl:** Absolutely. There is a danger—it is not only in athletics; I have seen it in other sports in previous roles—in looking for champions when they are aged 12, 13 and 14. A potential issue in clubs is the egos of some coaches who think that they have found somebody who is very special and whom they will take all the way. The challenge is to face reality and not let children specialise too

early. Morag Arnot touched on that and I agree with her. There is a danger in putting too much emphasis on early achievers in sport, because big physiological disadvantages and big psychological weaknesses hit later when smaller, later developers start catching up.

A real issue is keeping people involved in a wide range of sport and physical activity. That refers back to physical literacy, which Kim Atkinson touched on. There is an undoubted link to a quality physical education right the way through primary and secondary school that is delivered properly by experts—at primary level as well as secondary level. It is then a question of not pigeonholing people too early into one sport or one discipline, such as sprinting or endurance, so that we can let them come through.

Jamaica has a bit of a reputation at the moment for success in sprinting. That country talent identifies its sprinters at the age of about 17. In Scotland, we talent identify sprinters at the age of 12. Something is wrong there. Which country would we back to be successful in sprinting in the Rio Olympics? It is not Scotland, that is for sure.

I am not saying that that is the only issue. There are big societal issues, in relation to role modelling and so on, and we are a very different country from Jamaica. However, there is something about how early we identify people and the pressures that we put them under. That can drive people away from the sport when they stop succeeding at 15, 16 or 17.

Some big issues that affect coaching are wrapped up in that. The positive coaching model is a big part of this. A lot of the work that we are doing and the support that is being delivered through sportscotland by working with clubs on the education of clubs and coaches is fundamental to that. We can do something about the issue, but we have to focus on that and spend a lot of time and effort on it.

**Charlie Raeburn:** I am pleased about the points that have been made. We have an issue to do with the governance of community sport and elite sport. As I have said, governance is very much top down, and a lot can be missed out.

We have to bear in mind the huge differences between clubs. My sport is swimming—I am involved in a big Edinburgh club called Warrender Baths Club. Some clubs in Edinburgh have kids training only twice a week. That is a different view.

Another issue is whether older people are involved. I am worried about that, because we are concentrating on youth sport, but youth sport activity does not happen by itself. I always regard a good community club as one that literally is a community club and which works in effect as an

extended family. As Stuart Younie mentioned, the sense of belonging is important.

On facility access, there is a big question to be asked about why our facilities are becoming so expensive for people to use. We should probably break up some facilities so that, as was suggested earlier, they are run more locally by the community rather than having what can be quite a big bureaucracy involved in their running. That would be okay if the bureaucracy helped the clubs, but it does not always do so; sometimes it just runs the facility.

There will be differences in governance. I helped with the review of Scottish golf some years ago. At that time, the mean age of a golf club member in Scotland was 55. Apparently, it is now 60. I assume that that is largely because clubs have their own clubhouses. However, it is a bit worrying. When I did that work, we learned that clubs have to be good at looking after the adolescents—you know, the age of the rebel. Some clubs will have to learn how to do that to make progress.

There are lots of aspects. The topic is so big that it needs more drive and a vision of what it could be.

**Kim Atkinson:** I am conscious of the time, so I will be brief. Colin Keir is correct that community sport and elite sport are not different; they are part of the same continuum. Our members would make the point that it is not one or the other—they are both important and they both support each other. There is a continuum up and down which people move. The aspects complement each other.

If our tennis colleagues were here today, I suspect that they would make the point that not many countries have two Wimbledon champions. They would also note that the impact of that has been a huge increase in tennis club membership. I do not have the figures for that, but I am sure that tennis bodies would happily provide them if the committee wanted them. Tennis club membership has grown massively. That echoes Colin Keir's point about the continuum.

**Dennis Robertson:** We have heard a fairly generic approach to the matter that we are discussing, and I want to address some of the points that were made by Charlie Raeburn and Kim Atkinson. I have not heard much about how we facilitate, resource and set down pathways in crucial areas. Most of our community facilities are in our urban areas. There is nothing in my constituency but, next door, there is Aberdeen sports village. That is an excellent facility, but someone in Braemar or Huntly does not have the same access to such facilities as other people do. What is there for such communities?

Do we do enough during a young person's transition from adolescence to middle and then older age—the full spectrum—to take account of their level of fitness and how they might change sports? Kim Atkinson mentioned that sport can be fun and that it does not have to be totally competitive. Perhaps we are just trying to get over a mindset and make an attitudinal change. The Scottish Disability Sport model is a good one that can be developed and used across the spectrum because that is about inclusion. Are we being too generic? Must we have the vision that someone mentioned in which some sports are micromanaged in order to engage our communities right down to the rural and remote?

10:45

**The Convener:** Can I have some responses?

**Stuart Younie:** I will give the first point about access to community facilities in rural areas a go. I deal regularly with that issue in my day job with Perth and Kinross Council, which faces similar challenges to the ones outlined by Dennis Robertson. It is difficult. We need to look increasingly to the role of school facilities, particularly in rural communities, where we can improve the quality of primary school sports provision and ensure that that is accessible to the community.

Travel and transport is an issue. Sometimes it comes down to the choice that individuals make to live in a rural area. There are advantages to doing so, such as access to the hills and other activities that people can do. A challenge that we face in particular areas is access to the school estate. Improving the quality of provision is perhaps an avenue that we should explore to do that. We are working with sportscotland to ensure that the quality of that provision is adequate and that there is access to it.

**Charlie Raeburn:** During the Olympic year, I was fortunate to be invited to attend the Olympic games in a local primary school on the Isle of Skye, where there were 14 kids, I think. That was quite something—it was very emotional for me.

As Stuart Younie said, we must use everything that we have, which is why you need local thinking on what is available. My big argument for community sport is the same as it would be for community music: by taking part you belong to something. You need to give people things to belong to in their community. I hope that that would reflect the culture. If you are in Skye, you would probably want to link with the shinty culture, for example, so that is one of the sports that you would want to put there. It is about belonging and then trying to connect with what is in the community.

Generally, as Kim Atkinson mentioned, travel is a big problem, even in the city. I used to work in West Lothian. I would broadly describe much of that area as semi-urban. The big issue is how you belong to such an area. We tried to make nine neighbourhoods out of West Lothian and plan on that basis. The issue needs a lot of thinking at local level, to try and give people that opportunity of belonging and expressing themselves.

**Nigel Holl:** I have two very quick examples of how clubs that are centred in bigger population areas can have an impact rurally. Once a week, the Law and District Amateur Athletic Club, which is based in Motherwell and Carluke, has an offshoot operating out of Biggar. Similarly, the Central Athletic Club in Stirling has offshoots in Callander, Killearn and elsewhere. They do not cater for all disciplines or levels of athletics, but they provide a fantastic opportunity, particularly for younger members, to get involved in the sport, along with mums and dads and local volunteers. As the young people progress, a point comes when they would need to go to more specialist facilities and coaches and return to the centre. We are doing a big push with some of the bigger clubs to cater for those rural areas and to keep the opportunities local up to a point.

**Kim Atkinson:** Dennis Robertson makes a very fair point. I am conscious that travel has been picked up, including in relation to the point that I made earlier about its importance for after-school activities as much as anything else. However, another key point for rural areas is recognising how much outdoor activity and adventure sport takes place there. I do not have figures on that, but I know that the contribution is hugely significant. Indeed, we cannot forget that sport's contribution towards tourism and income generation in rural areas is massive.

The wild landscape that we have in Scotland is something that others envy massively and we have world-leading outdoor access legislation. I hope that that brings people from urban communities into more rural communities. The opportunities that the landscape and the rural aspect provide are significant for participation in sport. I grant that that is a slightly different response to the question, but it is an important point that we cannot forget.

**Christine Scullion:** We fund community-led projects and it is worth saying that we get more applications for sports facilities from communities in rural areas than we do from urban areas. There tends to be more of a tradition of communities needing to do things for themselves, because there is not a tradition of local authorities doing it so much.

Three recent examples that came into my head are Tongue and Farr, which is probably about as

remote and far north as you can get in Scotland; New Deer; and Duns, in the Scottish Borders. They are examples of strong communities developing sports facilities for all ages in a variety of sports. The other thing is that they are multisport, rather than single-sport, facilities, which give people opportunities to engage in all sorts of ways.

**John Howie:** On the theme of rural living, affordability and a family focus—no doubt it has been mentioned at previous committee meetings—the High Life Highland model is an example from the Highland Council area of how a range of different resources can be made affordable. I think that £26 per month per family for access to all resources is a fantastic offer, and it is only 50p per activity for people on low incomes. That is an example of focusing on the family and making sport affordable for many.

Local resources that are available include primary and secondary schools. Building on sportscotland's school estate audit, I think that it has been recognised that there is an opportunity to offer much more access to those facilities. The report said that, based on responses from 329 secondary schools, 98 per cent of the facilities were available for use. However, in the school holidays only 43 per cent of indoor facilities and 20 per cent of outdoor facilities were used. There is potential to maximise the use of schools and their resources in rural settings.

**The Convener:** We have a few minutes before we need to break up. If no one else wants to ask a question, I will follow on from that.

The committee focused on facilities that are free and on the edge of a deprived neighbourhood but which are not reaching people in that neighbourhood. The barrier to hard-to-reach young people from deprived communities, including young girls and women, is not necessarily cost. The facility can be in the heart of the community. Whose job is it to get those people? We are all in the numbers game: we demonstrate numbers, apply for grants and say that we can do this and deliver that. Whose job is it to get the people who are not participating? Does it go back to the scrutiny question? Do we really understand who is participating—and who is participating in three clubs? Who is doing the job of getting those young people, whom we need to get into sport for all sorts of important reasons?

**Stuart Younie:** It is not any particular group or profession; it is a mix. I come back to my earlier point about the importance of having the right people on the ground, doing the right job and engaging with those hard-to-reach groups.

It is much more of a challenge for the particular group that you are referring to, in more deprived

communities. People with youth work and social work skills are excellent at engaging with young people but perhaps do not have the knowledge, understanding and ability to deliver sporting activities. At the same time, we have well-qualified coaches, volunteers and leaders in communities, clubs and local authorities, who perhaps are able to deliver the sporting aspect but do not have the softer skills to engage with that target group. The challenge is to bring those two skill sets together by upskilling our social work colleagues, community development colleagues and youth work colleagues so that they are able to deliver sporting activities and upskilling our sports coaches so that they are able to engage more effectively with harder-to-reach groups.

Alongside that is the work of the third sector and a lot of our streetwork projects. There are many United Kingdom-wide organisations, such as StreetGames, that target and successfully deliver activities to groups. It is not just about one particular group; it is about bringing together different skill sets.

**The Convener:** Is it delivering better outcomes? Are we getting greater levels of participation?

**Morag Arnot:** We are working with the North Glasgow Housing Association and have set up a 2014 legacy project to introduce sport to areas in the north of Glasgow, particularly Possilpark. The post that we have put in place has a connecting role for the workers that Stuart Younie just described. The project is specifically around swimming and free access to it. The fact is that there are now generations of people who cannot swim. If parents cannot swim, it is difficult to encourage young people to swim. We have therefore started training the parents to swim and are training some of them to become swimming teachers. That is happening in Scottish Swimming programmes as well.

There was a similar situation with bike skills, because the kids were just not ready for what was perceived as free and easily accessible provision. They either did not have bikes or they had no confidence whatsoever to start with bikes. We must therefore work with people as beginners and build up slowly from that. That work will probably take a couple of years to come to fruition.

**Christine Scullion:** I agree with Stuart Younie about the need for a link between youth workers and sports coaches. We are funding a legacy programme called active east in the east of Glasgow that is led by Scottish Sports Futures. It is bringing together sports clubs with local youth organisations to transfer skills and, I suppose, people. It is developing a network of local young leaders who then work with younger people in their communities to bring them on. The project is being externally evaluated by the University of

Stirling, but we are already seeing an increase in participation numbers in the project and young people volunteering. Scottish Sports Futures is now looking at establishing an academy for young people in the Emirates arena in the east of Glasgow to build on the programme and leave a lasting legacy.

There are examples of good practice that is making a difference. Some of the challenge is about sharing that good practice and about where that information goes and how others can learn from it.

**George Thomson:** I just point to the link with the race for life event, the moonwalk event and BBC Children in Need. Events such as those are highly participatory and filled with fun, with people raising cash for a family member who has suffered cancer, for example. They offer lessons, too, about how we can relate to a wider audience that does not participate in normal sports events but will do so in such events. For example, a massive number of people were involved in Graeme Obree's wonderful cyclothon event in Glasgow.

**The Convener:** I thank you all for your attendance here this morning. The discussion has been as wide ranging as some of our previous work on sport. The committee fully recognises that this is the Health and Sport Committee, so we are more than willing to do work on sport. Gil Paterson, who has just arrived, is one of the members who were pushing us to do some work on sport. We have begun that work and are more than happy to work with all of you to develop our committee's focus on sport. Indeed, you have made points about working with other Parliament committees to get them to realise the importance of participation in sport and its impacts on health and wellbeing.

We are happy to work with you in this process to get a greater focus. We can have short pieces of work and evidence sessions that focus on a particular subject to see whether we can make some progress on it. The committee will undertake that work over the remaining two years of this Parliament.

Again, we appreciate your attendance here this morning and the way in which you have participated. We thank you very much for being here.

10:59

*Meeting suspended.*

11:08

*On resuming—*

## Children and Families Bill

**The Convener:** We move on to agenda item 2, which is consideration of a legislative consent memorandum from the Scottish Government in relation to the UK Children and Families Bill.

In their papers, members will find the Scottish Government memorandum, a draft motion and an explanation of the LCM procedure. This morning, we have an opportunity to question the Minister for Public Health on the LCM before deciding whether we wish to recommend to the Parliament that it be approved.

I welcome Michael Matheson, the Minister for Public Health; Kenneth Htet-Khin, who is the senior principal legal officer in the Scottish Government—it is good to have him here; and Siobhan Mackay, tobacco control adviser in the public health division.

I invite the minister to make an opening statement.

**The Minister for Public Health (Michael Matheson):** Thank you, convener.

I welcome the opportunity to discuss the draft legislative consent motion on the regulation of tobacco retail packaging. It relates to an amendment by the UK Government on 16 December to the UK Children and Families Bill. The amendment, which extends to Scotland, provides for powers to make regulations on tobacco retail packaging to reduce the risk of harm and promote health. The Children and Families Bill will return to the House of Commons early in February 2014.

Members will be aware that the amendment was laid with very little notice, given the significance of the issue. That means that the Scottish Government and the Scottish Parliament have had little time to consider the detail of the proposals. I wrote to the UK Parliamentary Under Secretary of State for Public Health, Jane Ellison, to make clear my frustration at that. However, it is an important public health matter to which the Scottish Government is committed, and the proposals will make a real impact on Scotland's health.

Scotland is rightly recognised as a world leader on tobacco control. Our latest strategy, "Tobacco Control Strategy—Creating a Tobacco-Free Generation", which was published last year, set out our bold vision of achieving a tobacco-free Scotland by 2034.

A key measure contained in the strategy was the introduction of standardised packaging for tobacco products. That followed a joint UK-wide

consultation on tobacco packaging in 2012. I gave careful consideration to the consultation responses and all the relevant evidence on standardised packaging. I am clear that standardised packaging of tobacco products would reduce their attractiveness, increase the effectiveness of health warnings and remove design techniques that may mislead consumers about the harmfulness of the products. In particular, evidence has shown the measure to be most effective among young people.

Our tobacco strategy set out that we would await the decisions of the UK Government and the other devolved Administrations before setting out a way forward on standardised packaging for tobacco. Following a disappointing announcement from the UK Government that it would not proceed with standardised packaging but would instead await further evidence before deciding on legislation, our programme for Government set out our intention to introduce a bill on tobacco packaging in 2014-15.

Since then, the UK Government has changed its position and has decided to introduce enabling powers to regulate tobacco retail packaging, which once again opens up the potential for us to work with the UK Government on this important matter. I welcome the fact that the UK Government has followed Scotland's lead on it.

There is merit in the Scottish Government working actively with the UK Government to deliver regulations that could come into force at the same time. Because the measure concerns the protection of public health, it is a matter of devolved competence and the legislative consent of the Scottish Parliament is required for the UK secretary of state to make regulations on tobacco retail packaging in Scotland.

The UK Government's decision to make regulations will be subject to a further review of the evidence, which is due to report in March. I have been clear that the UK Government must work closely with the Scottish Government in developing regulations. That is reflected in the UK Government amendment and the high degree of official co-operation that has been put in place. Should the UK Government decide not to proceed with regulations or to delay or water down proposals, the Scottish Government would, of course, proceed with legislation through the Scottish Parliament.

I am hopeful that, in its latest review of the evidence, the UK Government will agree that there is strong evidence to show that regulating tobacco retail packaging will help to protect the health of future generations of young people from the harms of tobacco use.

I am happy to respond to any questions.

**The Convener:** Thank you, minister, for that opening statement. Are there any questions from committee members?

**Rhoda Grant:** I ask for clarity on the position, minister. You said in your opening statement that, if the UK Government does not use the powers that the LCM will give it, you will still be able to legislate separately. Does that mean that you could use the powers in the Children and Families Bill to introduce subordinate legislation, or would you need to introduce primary legislation in Scotland?

11:15

**Michael Matheson:** I hope that, after the UK Government has conducted its review of evidence and reported in March, it will be content that there is enough evidence to support the introduction of standardised packaging. Should the UK Government choose not to proceed with the introduction of regulations in March, or should it seek to water them down or vary them in a way that we do not believe would be beneficial in trying to achieve the public health benefit that we believe can come from this measure, we will require to introduce our own legislation in the Scottish Parliament.

I have arranged for our officials to continue to undertake the work that is necessary to set up the consultation that would be necessary before a bill. Should there be any change when the UK review is reported on in March, we will be able to respond to it if we need our own legislation.

**Rhoda Grant:** I have a final question on the process. The UK bill will obviously enable secondary legislation. When the secondary legislation comes to the Westminster Parliament, will another LCM come to the Parliament to be reviewed?

**Michael Matheson:** Given the tight timescale on the issue, which emerged just before the Christmas recess, we needed to act quickly to respond to the UK Government's position. I put it to the UK Government that it will be helpful if the regulations that will apply in Scotland come before the Scottish Parliament so that it has the opportunity to scrutinise them. It would be helpful if we could come to an agreement that will allow us to do that while using the UK bill to achieve the introduction of the regulations. I am still waiting for a response from the UK Government on that.

It might be possible, but there are limits on the timeframe in the House of Commons, with the bill being in the House of Lords and reported on at the end of January before going back to the House of Commons. The timeframe is compressed, so another LCM might not be possible. I have put my preferred position to the UK Government, but we

might not be in a position to bring the regulations to the Scottish Parliament.

I can give you the reassurance that the amendments are drafted in such a way that the Scottish Government has to be fully involved in the drafting of the regulations.

**The Convener:** I presume that you are concerned that the legislation might be watered down from the Scottish Government's expectation. What discussions about that concern have you had with UK ministers?

**Michael Matheson:** Following the joint consultation on standardised packaging, which ran from April to August, and given the evidence base that accompanied that consultation and the responses that we received, we were convinced that there is a strong case for moving forward with standardised packaging. I was very much of the view that the UK Government would also arrive at that view but, for its own reasons, the UK Government said that that was not the case. That is why we decided to implement the policy ourselves.

Given the limited time that we have had since the UK Government indicated the possible amendments, I want to be assured that, once it has completed this further review, which it feels is necessary, we will get regulations that are as strong as possible on the introduction of standardised packaging. However, I have made it clear to the UK Government that we reserve our right to act so that, if we think that the UK regulations that are eventually made are not sufficiently strong, we will seek to introduce our own legislation.

**The Convener:** What gives you that precise concern? What advice have you had from your officials that show that you should be concerned? You used a very pejorative phrase when you said that your proposals might be "watered down". Can you give me two or three examples of what gives you concern?

**Michael Matheson:** I will give you the practical example of a policy that we pursued during the work on the Tobacco and Primary Medical Services (Scotland) Act 2010: the introduction of the ban on displaying tobacco in shops.

We moved forward on that policy initially, and the UK Government then chose to follow our approach by having a display ban. The way in which the display ban was introduced in Scotland was different from that in the rest of the UK. For example, the door sizes that are allowed are different, so people can see tobacco more readily in other parts of the UK than they can here in Scotland. We took that approach in Scotland because we thought that making the door openings larger would compromise the policy

intentions of the legislation. The UK Government chose to take a different approach because it thought that our approach was too restrictive and it wanted to lessen the impact that the change would have on retailers.

I offer that as a practical example of a difference of approach that we have already taken on a specific issue. We have to wait to see what is in the draft regulations, to see whether they match our view sufficiently. For example, we want to ensure that there is nothing about companies being able to have something in the tobacco packets that can be used for promotion work, or any compromise on packaging around the tobacco that comes into the shop, such as packaging for multipack deals.

We have previously taken different approaches on tobacco control matters. Given that history, it is only right that we should reserve our position on whether we choose to take a different approach until we have the draft regulations.

**The Convener:** I would fully expect the Scottish Government to wait and see what comes through the process. I assume that the phrase “watered down” was used simply for emphasis.

**Michael Matheson:** Yes.

**The Convener:** I presume that you are asking the committee to support the legislative consent motion today because the principle is that we will get to the Scottish Government’s objective far quicker by doing so than we could on our own. At the recent session with the cabinet secretary, he said that the timeframe that we have been working to was up to 18 months. If we compare our 18 months with what the motion offers, the Scottish Government and many of us round the table believe that there is strong evidence for pursuing the motion. How will doing so affect the 18-month timeframe? How much sooner will we be able to see the legislation in place if we pursue the course that you are recommending?

**Michael Matheson:** The report that the UK Government has requested on a review of evidence is due to be published in March of this year. My view is that we should be in a position to have draft regulations quickly after that, and there will obviously then be a level of consultation with specific stakeholders. There will not be a general consultation, but there will be a specific engagement with the interested parties.

Once the regulations have been agreed, they are notifiable under European technical services regulations, for which there is a three-month standstill. If any European country makes a note of interest in the matter, there could be a six-month standstill.

My view is that we could move forward within this calendar year. The issue will be whether the UK Government agrees with that timeframe. I want it to happen sooner rather than later, and I hope that the UK Government will also be of that view. Aside from the technical aspects, we could be in a position in which the issue is taken forward in this calendar year.

**The Convener:** So we could take at least eight months off the current process.

**Michael Matheson:** Yes, it could be quicker, pending any external challenges.

**The Convener:** Thank you, minister.

**Gil Paterson (Clydebank and Milngavie) (SNP):** I apologise to the committee for being late—I had a family problem to deal with. I am sorry to arrive late, particularly as the committee was considering sport earlier.

My question follows on from the convener’s question, although I may be looking at the issue in a slightly different way. I think that it is a weakness for Governments and political parties not to change their minds. I always think that it is a mistake for people to believe that, because they have made a statement, it is wrong to change their mind, so I welcome the change of heart and I hope that it is real.

I think that there is cross-party consensus in Scotland that what the Scottish Government is proposing—which, by the sound of it, is what the Westminster Government is proposing—is a good thing. What would happen if we went down this route and the Westminster Government changed its mind again? Would that put in jeopardy any action in Scotland? Would we have enough time to legislate on the issue in the current session of Parliament?

**Michael Matheson:** We are fully engaged with the UK Government on taking forward the regulations that will be necessary to accompany the bill. The amendments that the UK Government has lodged place a requirement on it to consult us on that process. That work is already starting, even though the bill is still going through the House of Commons.

I have instructed my officials to continue the work that we have been doing to take forward our own legislation in the Scottish Parliament. The next stage is to have a public consultation on a draft bill, and the work continues. If, when we get to March and to the point of looking at the detail of the regulations, we feel that we have to proceed with our own legislation, we will be in a position in which we have continued that work and we will be able to see it through. We will be able to introduce legislation in the timeframe that we have set out in

the programme for government. Our timeframe would not be compromised.

**Gil Paterson:** Okay. That is good.

**Nanette Milne:** I share the minister's concern about the short timescale for us to discuss the matter. Our current position is that we want to wait and see what the report on the independent review says before we take a final policy position on the issue. At this stage, we would be happy to support the LCM, but we will reserve our policy position until we find out the outcome of the review.

**Dennis Robertson:** Good morning, minister. Do you have any indication of how much cross-party support there is at Westminster for the measure?

**Michael Matheson:** I think that there is cross-party support for it. Members who follow the policy issue might be aware that there was some surprise when the UK Government took the position that it did in August or September of last year, at the end of the consultation, given the nature of the consultation and the evidence that was submitted alongside it.

I think that the timeframe associated with some of the amendments has come about partly because of cross-party support for the measure in the House of Lords, to which the UK Government has had to respond. It has responded to that support by lodging its own amendments. It would be fair to say that there has been a level of cross-party support in the House of Lords that, to some degree, has pushed the agenda on in a way that I do not think that the UK Government anticipated.

**The Convener:** Committee members have no further questions. Do you need to make any other remarks, minister?

**Michael Matheson:** No.

**The Convener:** Therefore, I put the question: does the committee agree to recommend to the Parliament that the legislative consent motion on the UK Children and Families Bill be approved?

**Members** *indicated agreement.*

**The Convener:** I thank the minister and his team for their attendance and participation.

That concludes the public part of the meeting. As previously agreed, we now move into private session.

11:29

*Meeting continued in private until 12:00.*



Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

---

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Group Scotland.

All documents are available on  
the Scottish Parliament website at:

[www.scottish.parliament.uk](http://www.scottish.parliament.uk)

For details of documents available to  
order in hard copy format, please contact:  
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

e-format first available  
ISBN 978-1-78392-501-8

Revised e-format available  
ISBN 978-1-78392-518-6

---

Printed in Scotland by APS Group Scotland

---