



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Tuesday 5 August 2014

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Scottish Parliament

Tuesday 5 August 2014

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

Time for Reflection

The Deputy Presiding Officer (Elaine Smith):

Good afternoon. The first item of business is time for reflection. Our time for reflection leader today is Ms Ellen Douglas, the headteacher of St Ambrose high school in Coatbridge.

Ms Ellen Douglas (St Ambrose High School, Coatbridge): Presiding Officer and members of the Scottish Parliament, I thank you very much for this opportunity to address you.

Today marks a very significant date in the school calendar, as young people across Scotland receive their exam results. Of course, there is great interest in how pupils have fared in the first year of new national qualifications. As headteacher of a large Catholic secondary school, I am acutely aware of the importance of qualifications as stepping stones for our young people in moving to the next stage of their young lives. It is indeed always a pleasure and a privilege for me as a teacher to share in the successes that are secured as dreams start to materialise.

Alongside that, however, is the absolutely critical role of schools in delivering a values-driven education that is based on gospel values such as faith, love, equality, compassion, dignity and integrity.

Of course, schools do not act in isolation in cultivating values. That is achieved in collaboration with family, the faith community and the wider community to which our young people belong. The wisdom of the Indian chief Sitting Bull resonates. He said:

“Let us put our minds together to see what life we can build for our children.”

As a nation, it is important that we continue to work collectively to foster a common understanding and commitment that serves the best interests of the young, and especially those whose lives are vulnerable and blighted by disadvantage. Those whose endeavours seek to close the poverty, attainment and achievement gap are to be commended for their labours.

I am frequently humbled and heartened by the generosity of many of the young people whom I meet daily. It is tremendously reassuring to see so many of them seeking to fulfil their ambitions in roles that offer service and support. Examples of their willingness to act in the style of servant

leaders abound and give witness to the gospel values that they espouse. That desire to seek fulfilment by doing for others rather than by acting for self-interest and material reward mirrors the leadership of Christ and reflects gospel teaching.

As the new school session draws closer, I pray that all Scotland's young people may be guided and supported in their learning so that they may develop their God-given gifts. In so doing, they will be able to shine as beacons of faith, hope and optimism for our country.

Business Motion

14:04

The Deputy Presiding Officer (Elaine Smith):

The next item of business is consideration of business motion S4M-10728, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme that includes changes to the business programme for today.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 5 August 2014

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Ministerial Statement: Glasgow 2014 XX Commonwealth Games
followed by Scottish Government Debate: Scotland and Malawi, A Special Relationship
followed by Ministerial Statement: Policing
followed by Ministerial Statement: Data Retention and Investigatory Powers Act 2014 - UK Legislation
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 6 August 2014

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Training, Youth and Women's
 Employment;
 Commonwealth Games, Sport,
 Equalities and Pensioners' Rights
followed by Scottish Government Debate: Trident
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 7 August 2014

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
followed by Scottish Government Debate: The
 Legacy of the Glasgow 2014 XX
 Commonwealth Games in Scotland -
 Humanity, Equality and Destiny

followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time

Tuesday 12 August 2014

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 13 August 2014

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Finance, Employment and Sustainable
 Growth
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 14 August 2014

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time—[Joe FitzPatrick.]

Motion agreed to.

Topical Question Time

14:05

Gaza

1. Sandra White (Glasgow Kelvin) (SNP): To ask the Scottish Government what action it has taken regarding the situation in Gaza. (S4T-00756)

The Minister for External Affairs and International Development (Humza Yousaf): The Scottish Government condemns in the strongest possible terms the escalating cycle of violence, be it rocket attacks or air strikes in Gaza and Israel, and the disproportionate impact in particular on civilians in Gaza, who the United Nations estimates make up approximately 75 per cent of the Palestinian dead. We are appalled that the death toll now stands at more than 1,800, including nearly 400 children. We are pleased to note the ceasefire that was announced last night and the withdrawal of Israeli troops that was reported this morning, and we hope that meaningful peace talks, which we hope will lead to a lasting ceasefire, will start as soon as possible.

It was announced on 30 July that the Scottish Government is providing £500,000 in humanitarian aid, in addition to the United Kingdom contribution, to help people affected by the crisis in Gaza. The Scottish Government has also offered to treat here in Scottish hospitals casualties who require specialist care as a result of the conflict.

We call for an immediate lifting of the blockade in Gaza, which we believe to be tantamount to collective punishment.

Since the conflict started, the Scottish Government has written to the Prime Minister, on 25 July, the Home Secretary, on 18 July, and the Foreign Secretary, on 9 July, to ask the UK to take concrete action to make meaningful progress towards a lasting peace and to ask that it plays its part in international refugee settlement programmes, in which the Scottish Government is happy to play its part. The Scottish Government has demonstrated that we cannot, should not and must not stand idly by while innocent civilians are being killed.

I am today, on behalf of the Scottish Government, calling for an immediate arms embargo on Israel. The United Nations has said that there is a strong possibility that international law has been violated and the UN secretary general has described the recent shelling of a school in Rafah as “a criminal act.” It is imperative that we decipher whether or not UK arms have been used in any violation of international law.

Until that has been confirmed, the UK must implement a complete arms embargo on Israel.

Sandra White: I thank the minister for that very comprehensive reply and applaud the Scottish Government for what it has been doing. In particular, I commend it for its recent announcement.

The minister mentioned the aid that has been sent to Gaza—in particular medical aid—and talked about bringing Palestinian people here for medical treatment. He said that the Scottish Government has written to the Westminster Government. Do we have any update on that? Is the Westminster Government working with the Scottish Government to aid people from Gaza to come here to get medical treatment?

Humza Yousaf: Yesterday, we spoke to the director of Medical Aid for Palestinians, which is an organisation working in Gaza that I know the member is aware of. We spoke to its director in Gaza, who is putting together a list of those who are in priority need of specialist care. That discussion is going on with the non-governmental organisation on the ground. The member will appreciate that we have to consult a number of Governments: the Israeli Government; the Egyptian Government in terms of the Rafah crossing; the Palestinian Authority; and, indeed, the UK Government, which will issue the visas should we agree to offer people specialist care. I have to say that, in previous cases when we have wanted to bring people here for specialist care, the UK Government has not impeded that and has helped. I am sure that, because of the priority and the immediacy of the need in this case, it will also be willing to assist on this occasion.

Sandra White: I hope that the minister will keep us updated on what is going on. It is imperative that we get the injured people help.

The minister mentioned that 1,800 Palestinians have been killed and more than 9,000 injured—the vast majority of them children. We have seen horrendous pictures on television of what has happened. He also reiterated Ban Ki-moon’s comments with regard to international law that those responsible should be held to account. The Israelis are responsible in this instance for 1,800 people being killed. Does the minister agree with Ban Ki-moon and many others that those responsible should be held to account and should perhaps be sent before the International Criminal Court?

Humza Yousaf: We have said—be it the First Minister or me directly on behalf of the Scottish Government—that we call for an immediate UN investigation into all civilian deaths. Those who have violated international law must feel the full

force of international law and be brought to justice, but that must be on all sides.

We have condemned the actions of the Israeli Government in Gaza as “heavily disproportionate”. Israel has a right to safety and security, and of course nobody would tolerate rockets being fired indiscriminately—let us not beat around the bush: the rockets are designed and are fired indiscriminately to kill. However, we cannot ignore the fact that, as the member said, 1,800 have been killed, the majority of whom were civilians. Children who are playing on a beach, feeding pigeons in the street or sleeping in a United Nations shelter are not terrorists. They have committed no crime. Therefore, of course we back UN calls for an international investigation and Scotland would support that.

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I, too, welcome the ceasefire and sincerely hope that it will hold on this occasion. I also welcome the humanitarian aid that has been offered by the Scottish Government and the UK Government, and I hope that it is able to get to the people who need it most.

We surely must all abhor the loss of innocent lives in Israel and Palestine while condemning utterly the targeting of UN schools and other facilities, particularly when we now know that the UN has guaranteed that there are no missiles or weapons in or terrorists occupying those facilities, which, in one case, was said to be the position minutes before a rocket attack was launched by Israeli forces. We must also condemn the sheer scale of the loss of civilian lives in this small strip of land that the Palestinians inhabit.

Does the minister agree that the only way that this appalling tragedy will finally end is if the world community backs a secure Israel and a viable Palestinian state, the end of illegal settlements, the dismantling of the separation wall and the restoration of water and fuel supplies to Gaza as soon as possible?

Humza Yousaf: I agree entirely. Navi Pillay, the UN high commissioner for human rights, has said that there is a strong possibility that international law has been violated and UN secretary general, Ban Ki-moon, has called the shelling of the UN school in Rafah

“a moral outrage and a criminal act.”

Therefore it is imperative that a UN investigation is carried out with international partners and players.

We must show leadership. Indeed, the tone of the First Minister’s letter to the Prime Minister was that the UK must call for the matter to be dealt with urgently through international collaboration and leadership that has so far been missing.

I agree with Patricia Ferguson on how we should support peace. We believe in a two-state solution based on the 1967 borders, the dismantling of the separation wall, the removal of illegal settlements and the lifting of the inhumane and illegitimate blockade of Gaza, which the Prime Minister has called an “open-air prison”. No innocent civilians should be living in that prison and the blockade should be lifted. I welcome the cross-party support for those principles.

Jamie McGrigor (Highlands and Islands) (Con): We Conservatives abhor the loss of life in Gaza. Does the minister not agree that the reports from the UN itself about terrorists in Gaza using UN schools as hideouts and weapons stores are deeply concerning? Does he also agree that it is essential that we continue working towards the two-state solution? I hope that the minister shares my deepest concern about Hamas’s explicit commitment to the destruction of Israel as stated in its founding charter.

Humza Yousaf: I thank the member for his questions. I reaffirm our commitment to the two-state solution. However, as William Hague, the former Foreign Secretary, made clear in a statement earlier this year, the time for the two-state solution is beginning to run out the more settlements continue to expand into Palestinian land. We support the two-state solution, but action towards that must be immediate.

I agree with what was said about Hamas’s objectives and I, too, condemn those. Indeed, in every one of our six statements on the subject, whether from the First Minister or from me, we have been at pains to stress that rocket attacks on Israel are indiscriminate. They are designed to injure civilians; they are not targeted. No country should live with such a situation. However, according to international law, action must be proportionate. The Israel Government’s actions have been disproportionate. We should stand united in condemnation of that.

Bruce Crawford (Stirling) (SNP): We have all, night after night, watched with disbelief atrocity after atrocity on the television. We have seen the killing of innocent children and civilians and Patricia Ferguson has mentioned what has happened at UN schools and facilities. The Israeli response is that its military will investigate those events.

It is great to hear that we have moved on to ceasefire territory—I hope that that leads to lasting peace—but there is a danger that some of what has occurred will be forgotten. Will the minister assure me that, whatever happens, the Scottish Government, together with the UK Government I hope, will continue to pressure the UN to ensure that a proper international investigation takes

place? We cannot allow those events to be forgotten.

Humza Yousaf: I agree that we have witnessed horrific scenes; indeed, I think that all members, across the chamber, will have been horrified by what we have seen.

Bruce Crawford is correct. I give him an assurance that the Scottish Government will not let the matter go. If it goes off our TV screens and away from the pages of our newspapers, the Scottish Government will stand committed to calling for an immediate independent UN investigation. That was the nature and tone of the First Minister's letter urging the Prime Minister to show urgency and leadership on the question, so that people who have violated international law are brought to justice, regardless of who they are. At the heart of the entire issue is the fact that compassion and justice have been missing. I agree with the member and give him a firm commitment that the Scottish Government will not be dissuaded and will continue to call for a UN investigation into all civilian deaths.

Patrick Harvie (Glasgow) (Green): I congratulate the Scottish Government on the clear stance that it has taken on the horrific events of the past few weeks, and I endorse the call for an arms embargo.

The minister will be aware that there has also been a call for a wider programme of boycotts, divestment and sanctions targeted at the Israeli Government. The call has been endorsed by global figures, including Desmond Tutu. Some local authorities in Scotland have acted in that respect. Does the Scottish Government support such a stance? Does it support the call for a wider programme of boycotts, divestment and sanctions?

Humza Yousaf: I thank the member for his welcome for initiatives in relation to the Israel-Gaza violence.

The Scottish Government does not have a policy of boycott and does not advocate a boycott of Israel. We are not alone in that; the member will be aware that Mahmoud Abbas, the leader of the Palestinian Authority and the representative of the Palestinian people on the west bank, does not call for a boycott of Israel. At the same time, the Scottish Government has made it clear that we do not dictate to cultural institutions, organisations or individuals what they should choose to do or not do.

The reason why we must have engagement is that every time the Government engages, be it with the Palestinians or with the Israelis, we put forward our concerns in the strongest possible terms.

Jim Eadie (Edinburgh Southern) (SNP): Will the minister join me in congratulating my 14-year-old constituent Robert McEwan, who wrote to me about the plight of Palestinian children?

A quarter of the population of Gaza has been displaced during the conflict and the on-going destruction of homes, schools and hospitals is causing widespread devastation. What more can be done to ease the suffering of the Palestinian people? In particular, how will the Scottish Government's commitment of humanitarian assistance help to bring about the long-term reconstruction of civilian infrastructure in Gaza?

Humza Yousaf: I congratulate the member's constituent Robert McEwan. I have spoken to many young people and even children who have witnessed the scenes of devastation and destruction in Gaza and have been compelled to do something. In my constituency I walked past a bake sale whose proceeds were going to Gaza. People of all ages have been moved to do something.

On the wider issue, the humanitarian aid—the £500,000—that we sent to the United Nations Relief and Works Agency's Gaza flash appeal will go a long way, along with what other Governments have put into the pot, towards providing immediate assistance. That is important, because that is the priority at the moment.

In the longer term, we will continue to work with every international partner with whom we can work to exert pressure on the Israeli Government to lift the blockade. The blockade is making Gaza an open-air prison, where people are starving and dying a slow death. That is completely unacceptable and is utterly to be condemned. We will continue to make those calls and to work with whichever Government pursues the aim of lifting the blockade, to ensure that that happens.

On the displacement of people, very early on when the violence began to escalate, we made the offer that Scotland is ready to play her part in taking Palestinian refugees, if that will assist. I give the member the strongest possible commitment that the Scottish Government will do whatever it can do with the powers that it has and the leadership role that it can play.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I appreciate the comments about a UN investigation. There is also the International Criminal Court. Referrals to the ICC can be made only by the UN Security Council—that is unlikely, given the council's membership—or a member state, but given Palestine's observer-state status it would be possible for Palestine to ratify the treaty and make an application to the ICC. Would the minister encourage such an approach?

Humza Yousaf: Very early on in my role in this Government I wrote to the then Foreign Secretary, William Hague, to support the UN vote on enhanced status for Palestine at the United Nations. It is unfortunate that my request fell on deaf ears and the UK decided to abstain in the vote. We think that the political route is the best one.

As for whether the Palestinians pursue the ICC option, that is of course a matter for the Palestinians, who must decide what is best for them and their people. However, we have always supported the right of the Palestinians to a viable democratic state, and at the heart of the injustice over the past 60-odd years is the fact that, although Israel has the right to safety and security, the Palestinians have been denied a viable Palestinian state. We will do whatever the Palestinians believe is viable—and the Israelis believe is viable—in getting to such a position, within the two-state solution, with the 1967 borders and with Jerusalem as a shared capital.

The matter that the member raised is a decision for the Palestinians. As I said, we support Palestine's enhanced status at the United Nations.

Commonwealth Games 2014

The Presiding Officer (Tricia Marwick): The next item of business is a statement by Shona Robison on the Glasgow 2014 20th Commonwealth Games. As the cabinet secretary will take questions at the end of her statement, there should be no interventions or interruptions. Cabinet secretary, you have 10 minutes.

14:20

The Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights (Shona Robison): It is with great pride that I make this statement today, reflecting on the successful delivery of the Glasgow 2014 Commonwealth games.

What a fortnight it has been! From the very first moments of the opening ceremony, the Commonwealth games have been a huge credit to Glasgow and to Scotland. The atmosphere not just in Glasgow but across the country has been electric. Every competitor from the furthest and nearest reaches of the Commonwealth has experienced the warm welcome and support of the people of Scotland.

Team Scotland was absolutely phenomenal. *[Applause.]* They pulled off a record medal haul, smashing previous totals, national records and personal bests. The final tally of 53 medals, 19 of which were gold, is a fantastic reflection of the commitment and dedication of every member of the team and is also, I should say, an excellent return on our £50 million investment in Commonwealth games sports and performance programmes through sportscotland. Who could forget the beaming smile of Erraid Davies as she received her medal or Ross Murdoch's joy when he realised he had won gold? Those were very special moments indeed. A personal high note for me was having the unique privilege of awarding Scotland's first medal of the games to Aileen McGlynn OBE and her partner Louise Haston after they won silver in the tandem sprint.

The number of spectators at the games exceeded all expectations, with a remarkable 1.2 million tickets sold. Time after time, we saw amazing crowds who really helped to make the games and cheered on athletes whether or not they were winning. At Ibrox, we had the largest crowd at a rugby sevens tournament anywhere in the world, ever; more than half a million people participated in festival 2014 events; and the lawn bowls at Kelvingrove saw sell-out crowds.

It was not just the sport that was unforgettable. Memories of John Barrowman's kiss, trotting Scottie dogs, South African soprano Pumeza Matshikiza singing "Freedom Come All Ye" and

the incredible £5 million raised for the United Nations Children's Fund at the opening ceremony will, I am sure, stay with us all. The closing ceremony was particularly moving, with Dougie MacLean's "Caledonia" and the lowering of the Commonwealth Games Federation flag to "Ae Fond Kiss" really capturing the mood of the nation at that moment.

No games could happen without a vast amount of hard work from an incredible range of people, and it gives me great pleasure formally to offer my thanks to everyone who played a part in delivering these games. When one starts listing particular individuals or organisations, there is always a risk of missing someone out, but I am willing to take that risk this afternoon as there are some groups and people who really deserve a particular thank you.

First, I pay tribute to my colleagues in the chamber who have supported the vision and ambition of these games, particularly Patricia Ferguson, who guided the bid in its early stages, and Lord McConnell who, as previous First Minister, initially spearheaded the bid and who has continued to be a strong and enthusiastic supporter of the games.

Glasgow City Council, for the host city, has been a crucial partner in the seven years of preparation as well as the 11 days of sporting competition. Its significant contribution, its work in delivering venues for the games, and the way it stepped up its normal city operations work to ensure that the city sparkled were vital. The passion, professionalism and perseverance of the whole team at Glasgow City Council cannot be overstated and we owe them our thanks.

We must remember, too, the contribution of local authorities beyond Glasgow. Angus, Dundee, Edinburgh, North Lanarkshire, South Lanarkshire and East Dunbartonshire all hosted games venues and did a sterling job to ensure that the experiences of athletes and spectators at events outwith Glasgow matched the experiences within the host city. Every local authority took part in the curtain raiser to the games, the Queen's baton relay, affording it a fantastic welcome.

Commonwealth Games Scotland, as the host Commonwealth games association, has played an important role in supporting the delivery of the games. It has done a tremendous job not least in preparing team Scotland, and I extend my special thanks to the chairman, Michael Kavanagh, and the chef de mission, John Doig. The team's success owed a great deal to the work of sportscotland and its world-class sporting system model. That approach developed and inspired all of our 310 athletes at the games and delivered the biggest ever pool of talent for Commonwealth Games Scotland to draw on. I formally thank

Louise Martin, the chair of sportscotland and the honorary secretary of the Commonwealth Games Federation. Her passion and commitment in both those roles have made a significant contribution to the success of the games, and I recognise her fundamental role in winning the bid for Glasgow and Scotland.

Much of the painstaking preparation for the games was undertaken by the organising committee, the organisation that was set up by Commonwealth Games Scotland, Glasgow City Council and the Scottish Government to stage the games. I extend my personal thanks to Lord Smith, the chair of the organising committee, and David Grevemberg, its chief executive, whom we wish well in his new role. From incredibly visible aspects of games planning, such as the memorable ceremonies, to the unseen minutiae of sorting out volunteer shift rosters, the organising committee worked tirelessly to ensure that every aspect of the games ran smoothly.

Police Scotland did a fantastic job, working with a broad range of partners to deliver a safe and secure games. The patient and friendly approach of police officers across the games venues was wonderful. Both the visible and hidden work of all the emergency services was crucial to the success of the games, and I am grateful to them all. Particular thanks are due to the armed forces for their support in the security effort.

At any games, transport planning will always be a particular challenge and these games represented probably one of the most complex transport challenges that Scotland has ever faced, with almost 700,000 people visiting the city over the weekend of 26 and 27 July alone. I offer my thanks to those who worked tirelessly to keep us on the move. Despite everyone's best endeavours, some people experienced difficulties. However, every effort was made to resolve problems quickly and the learning from that will be used in future events.

As the Parliament will remember, one of the key aspirations for the games was to celebrate diversity and to deliver a truly inclusive programme. I thank our partners for sharing that vision and for including those considerations in their planning and in dealing with the workforce, athletes and the public alike to deliver a truly accessible games. I am delighted, too, that, with our support, Pride House saw many visitors from across Scotland and the Commonwealth and was a great success.

I offer special thanks to the people of Dalmarnock and other communities around games venues, who showed great patience and understanding in the face of disruption that was caused by the games. I am confident that the long-term benefits to those areas will be substantial, as

will be the benefits to the regeneration of the east end of Glasgow, which will continue. To every community in Glasgow and further afield that hosted games activities I say a big thank you.

The biggest thank you, however, must go to the real heroes of the games who gave up their holidays or took time off work so that they could volunteer and make the games a success. They were, without doubt, the face of the games and the games could not have happened without them. The Clyde-siders and the host city volunteers had unstoppable enthusiasm, limitless energy and an unending willingness to go the extra mile. The games could not have happened without them, and I say a great big thank you to each and every one of them. *[Applause.]*

It is hard to believe that it is only 40 hours since the closing ceremony brought the games to an end with the Commonwealth joining together to sing “Auld Lang Syne”. The games may be over, but the story of the games certainly is not. We have always made it clear that a legacy will not happen by chance and that we must continue to work long after the closing ceremony to ensure that it continues to be delivered for the whole of Scotland. I am pleased that the Parliament will have an opportunity on Thursday to discuss the games legacy.

Now, however, it is right to pause and take a moment to reflect on the extraordinary events of the past fortnight. With the eyes of the world turned to Glasgow two weeks ago, we were ready. We showed the world that Scotland provides the perfect stage to host major events. We showed that our people are among the friendliest and that even the Scottish weather can occasionally rise to the occasion and give us sunshine. Through hard work, grit and good humour, we have proven that, when we are handed such a great responsibility, Scotland delivers.

The games were described by Mike Hooper, who is the chief executive officer of the Commonwealth Games Federation, as

“the standout Games in the history of the Commonwealth movement”.

We thank him for those kind words.

I cannot think of a better way to end this statement than by echoing the words of the president of the Commonwealth Games Federation, Prince Imran, who has been a great supporter of the games and a great friend of Glasgow and of Scotland. He closed the games with the declaration—in a tremendous Scottish accent, which I am sure that he must have practised for quite some time—that they had been “pure dead brilliant”. All I can say is that I agree with him. Scotland and Glasgow have done us proud, and each and every one of us in the

chamber should be extremely proud of what has been achieved. *[Applause.]*

The Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 20 minutes for questions, after which we must move to the next item of business.

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I thank the cabinet secretary for her statement and for providing advance sight of it. It is not often that we hear a cabinet secretary—or, indeed, a member of royalty—talk about something being pure dead brilliant, but on this occasion I think that they were both spot on.

In her 10-minute statement, the cabinet secretary had time to praise all the many people and organisations that contributed to making the games such a success. As I do not have time to mention them all, I simply want to add my praise and thanks to all those—with one exception, in the interest of modesty—that the cabinet secretary mentioned. I would also like to mention one or two additional people who deserve our praise and thanks. I do not think that the cabinet secretary missed them out deliberately; in fact, she included them in her comments.

We should mention the executive member for the games at Glasgow City Council, Councillor Archie Graham, who led on the games in the council; Bridget McConnell of the city council, who was involved in the bid from 2002, when the vision was first an idea, and who led in the department that delivered the venues and the sport and culture events; and Mike Hooper, the chief executive of the Commonwealth Games Federation, who, although he always maintained the impartiality that we would expect of someone in that role, was always welcoming and ready to show support for Glasgow's bid in the early stages, as well as after we won it in 2007. He will stand down in a few months' time, and he deserves our thanks and praise.

I also want to mention the cabinet secretary, who, since her appointment, has led from the front. I know that that is not always an easy task. I have described her position as the best job in Government, and it is, but it is not without its challenges, so I say well done to her and her team for everything that they have done.

I think that it is right for us to reflect on the wonderful events of the past two weeks. We have all enjoyed a marvellous experience. I am not sure that all the volunteers had limitless energy, as the cabinet secretary described—I, for one, am still knackered and do not expect to be anything other for at least another week, although that perhaps says more about me and my level of fitness than anything else.

It is important, too, that we recognise that the enthusiasm that Glasgow and Scotland showed for the Commonwealth games showed us that such a multigames, multisport event can provide a real impetus for change in our country. It can inspire people to be more active more often, as we all want them to be, and it can act as the spark that encourages an individual to take up sport and to see that through to become a competitor and, we hope, a winner in the future.

As the cabinet secretary knows, I am a supporter of the legacy programme that the Scottish Government and Glasgow City Council have delivered but, ahead of Thursday's debate, I invite her to say a little bit about how we can harness the impetus that exists and ensure that we do not waste any time but move quickly to ensure that the opportunities that the games have given us to make a step change in Scotland's life and culture are taken.

Shona Robison: I thank Patricia Ferguson and I hope that she enjoyed her time as a Clyde-sider. I saw her in action and it was very impressive. I pay tribute to Archie Graham. Sometimes I saw Councillor Graham more than I saw my husband over the last—

Members: Oh!

Shona Robison: I know.

However, it was a team effort. I should say that Bridget McConnell did a tremendous job with the opening and closing ceremonies and having oversight of that. I wish Mike Hooper the best in his retirement, which I am sure he is very much looking forward to. Team Scotland in its broadest sense was absolutely the team that delivered; Scottish Government staff, agency staff and council staff all put their shoulders to the wheel.

Thursday's debate will give us the opportunity to talk about the legacy in more detail. We have 50 fantastic national legacy programmes that are delivering real change in communities. However, those take time, so I am very keen that we keep the momentum going. We will have more opportunity to discuss that in some detail on Thursday, and I look forward to that.

Liz Smith (Mid Scotland and Fife) (Con): I add a very strong thank you and congratulations to everybody who was involved in the Commonwealth games, which were outstanding. I am going to give my age away: these were the third Commonwealth games that I have attended as a spectator, and I have been at two Olympics, but nothing compares with the atmosphere that we had in Glasgow.

The cabinet secretary did not add her congratulations to the two Governments—the Scottish Government and the United Kingdom

Government—which worked extraordinarily hard and proved just how successful things can be when the two Governments come together.

On a general theme, the cabinet secretary mentioned the legacy, which we have an opportunity to debate on Thursday. I ask for a specific commitment that, in that debate, we will look at the legacy for our younger children—particularly those in primary school, because it is at that age that they first take up their interest in and enthusiasm for sport. That commitment would be very helpful for the debate.

Shona Robison: I have paid tribute to the armed forces, whose support was secured through negotiation with the UK Government. We are particularly pleased with the outcome of those discussions, because, along with Police Scotland, the armed forces provided a very important look and feel to spectators' front-of-house experience, and they did a tremendous job. We certainly recognise that contribution.

There is a lot to say about the legacy for children that Liz Smith wants us to focus on, because a lot of the legacy programmes focus on young children. I can certainly give Liz Smith that commitment.

Sandra White (Glasgow Kelvin) (SNP): I, too, congratulate everyone on facilitating a fantastic Glasgow Commonwealth games. I give special thanks to my fellow Glaswegians, who made everyone so very welcome and who also thoroughly enjoyed themselves.

Given that team Scotland women won a record haul of medals, what plans are there to encourage more female participation in sport?

Shona Robison: First, I note the fantastic job that our female athletes did. They made up approximately 46 per cent of the team and won just short of 40 per cent of the medals. It was really good to see our media profiling women athletes. In fact, on one day there was a whole page on women athletes who had performed. I would like to think that that might continue beyond the games, because the profile of women in sport is very important.

We have been working very hard through the active girls programme, which sportscotland runs to keep teenage girls, in particular, active, because we know that that is a big challenge. More broadly, the working group on women and sport that Baroness Sue Campbell chairs for me will report in the next few weeks on how we can support and improve the position of women in sport and encourage more female participation in sport. I very much look forward to her recommendations and to taking them forward.

Hanzala Malik (Glasgow) (Lab): Good afternoon, Presiding Officer. I have been very enlightened by the minister's statement and Patricia Ferguson's follow-up. What we have already achieved is fantastic, and I would like to see a lot more of it.

I feel that we have perhaps missed out the Foreign Office and all the embassies around the world that gave us a great deal of support and help. I know about that from my visit to Sri Lanka, and I add my thanks to them as well.

What else can the minister do to help and support minority communities to take more part in sporting activities in Scotland?

Shona Robison: I agree with Hanzala Malik: the embassies provided important support to the Queen's baton relay on its international leg, and our agencies worked closely with them to make sure that Scotland was promoted. The opportunities on the international stage were important to us when the Queen's baton was on its journey.

On work to encourage people from various communities into sport, a lot of work has been done around breaking down barriers. For example, sportscotland has been working closely with governing bodies and clubs to make sure that they are open to everyone and that barriers, whether they are physical or attitudinal, are removed so that everyone can take part in sport.

The 150-plus community sports hubs that are well on their way to being delivered provide an opportunity for people in communities to access sport locally in a straightforward, easy and simple way, and we have made it clear that they have to be open to everyone. We will continue to work on the issues and I would be happy to speak to Hanzala Malik about that in more detail at a later stage.

John Mason (Glasgow Shettleston) (SNP): On behalf of all the 15,000 Clyde-siders, including Patricia Ferguson and me, I thank the minister for her kind words to us. Can she give any indication of how she thinks Clyde-siders and other volunteers can be drawn into more regular volunteering after the games?

Shona Robison: I thank John Mason for his contribution as a Clyde-sider. I hope that he enjoyed the experience—I am sure he did.

We have been lucky in that, when people registered to become a volunteer, they were asked to give permission for their information to be shared. That has provided Volunteer Scotland with a huge database, not just of those who were successful in becoming Clyde-siders but of those who were not. I hope that, over the next few months, we will have a more detailed picture of

how many people continue to volunteer, perhaps volunteering for the first time within their community. That is potentially a huge resource for our local clubs and for sport in the community, and I am keen to follow that up as a priority.

Alison McInnes (North East Scotland) (LD): I add my congratulations to all who were involved in delivering such a successful games. The north-east's own Hannah Miley helped to set the tone, winning the very first of the 19 gold medals, and she did it in spectacular fashion.

The talent, determination and ambition of each individual athlete need to be matched by ambitious investment in coaching and training facilities. The aquatics centre in Aberdeen is a good example of that ambition—members might well remember Nicol Stephen's determination that it would be a 50m competition pool. However, there are other sports that are less well resourced. Looking forward, which sports does the minister anticipate being nurtured and developed so that future medal hauls excel even the bounty that we had this year?

Shona Robison: First, I say that Hannah Miley was absolutely fantastic and a great ambassador for sport and for women's sport in particular.

The member asked about investment in coaching and training facilities. I can tell her that sportscotland invested an unprecedented level of resource in both coaching and training and in facilities during the preparations for the games. A lot of the focus of the additional investment was on the 17 Commonwealth games sports, but that did not mean that other sports did not get investment—they did, but perhaps not at quite the same level of intensity.

Just a few weeks ago, sportscotland announced a new £20 million regional and national facilities fund, which will help to add to the fantastic, world-class, state-of-the-art facilities that we already have, and certain areas have been prioritised for that investment because it is recognised that they could benefit from additional state-of-the-art performance facilities. That programme will continue.

We should be very pleased with where we are at compared with the situation 10 or 15 years ago. The facilities that we have are now second to none, and we should ensure that we fully utilise them in future.

James Dornan (Glasgow Cathcart) (SNP): While we are congratulating people, I think that Stewart Maxwell should be congratulated, as he played an important role in the bid process and in ensuring that we won the games. Like many other members, I remember the day in the Fruitmarket when the result came through on a big screen, although I wish that I had been over in Sri Lanka

carrying Stewart's bag, as I worked for him at the time.

There has been a lot of talk about legacy. It is great that the games will bring a lasting legacy not just to Glasgow but to Scotland as a whole, but a number of local organisations are working to deliver a legacy outwith Scotland. One of those is Cathcart old parish church in my constituency, which is involved in the hit the net programme, to help protect children from malaria. The church has used the Commonwealth games particularly well to raise funds for that programme. What impact does the cabinet secretary expect the Glasgow games legacy to have on the rest of the Commonwealth?

Shona Robison: I thank James Dornan for recognising Stewart Maxwell and for allowing me to recognise his important contribution. As I said in my statement, giving a list of people always means naming some and not others. However, Stewart Maxwell's contribution was absolutely critical to the games. When I took over the sports portfolio in 2009, the work that he had done made my job a lot easier.

On James Dornan's comments about the work that is going on in his constituency, I pay tribute to all the legacy work and the events that were put in place by so many local organisations, which really added to the flavour of the games.

There are a number of programmes that I think will leave a lasting legacy in the rest of the Commonwealth. The game on Scotland programme—the education programme—has developed a lot of links between schools in Scotland and schools across the Commonwealth, which we should be pleased about. The UNICEF partnership has raised £5 million, which will allow work to take place on children's rights in all Commonwealth countries. We would like 33Fifty, the Commonwealth youth leadership programme, to continue, and we will obviously encourage the Gold Coast to consider it as a legacy programme. We have a huge number of opportunities to keep the work going across the Commonwealth, and I will certainly look to do that where I can.

Elaine Murray (Dumfriesshire) (Lab): The Commonwealth games were a fantastic success and I am sure that they will inspire young people to get involved and produce future generations of elite athletes. However, how can the success of the games be used to encourage those of us who are old enough to realise that we will never be a Usain Bolt, an Eilidh Child or a Hannah Miley to become more active more often?

Shona Robison: Never say never. Elaine Murray makes an important point. The focus has been on young people, and a lot of capacity has been created in clubs for the upsurge that we

know will come as people are inspired by all the fantastic athletes to take up a sport, perhaps for the first time. However, it will not just be young people who do that. I suspect that people of all ages will take up the opportunity to try new sports, particularly those that have been a focal point in the games.

Beyond that, we continue to fund great programmes through the legacy, such as paths for all. We know that walking can be an important way of getting people healthy who perhaps have had quite a sedentary lifestyle. The average age for those who are involved in the paths for all programme tends to be 50-plus. There is great feedback on the health and social impacts of the programme. I hope that the debate on Thursday will give us an opportunity to explore that in more detail.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): The cabinet secretary rightly recognised the huge contribution that volunteers made. Some worked 48-hour weeks, others worked for many weeks before the games and others are still working, at the village for example. Some, like one volunteer from the Presiding Officer's constituency, got up at 3.30am to make the 7am start. Can the cabinet secretary find a way to recognise that and so enhance their employment prospects and strengthen their CVs, perhaps by sending an email to those who want one, confirming their contribution and commitment?

Shona Robison: I am pleased to be able to tell the member that each volunteer will receive a certificate of achievement that is recognised by the Scottish Qualifications Authority and which will list their skills and attributes and, in particular, their achievements through the experience of volunteering at the games. They will also receive information on next-step options and, last but not least, a thank you letter from the First Minister.

The Presiding Officer: I apologise to the three members whom I simply could not call, but we need to move on.

Scotland and Malawi

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-10712, in the name of Humza Yousaf, on Scotland and Malawi, a special relationship.

14:50

The Minister for External Affairs and International Development (Humza Yousaf): I welcome the opportunity to highlight the special relationship that exists between Scotland and Malawi.

I thank members for attending the debate. I know how important the relationship is to members of all political persuasions across the chamber. Their attendance shows a real commitment to, and belief in, the relationship between our two countries. The timing of the debate is particularly appropriate, given the fact that the next round of the Malawi development fund opened this morning.

I was very involved in the Commonwealth games, as were members across the chamber, and I was asked constantly throughout my 11 days in Glasgow what my favourite part of the opening ceremony was. Was it the In Bru holding up the bridge, dancing Tunnock's tea cakes or Nessie? That was of particular interest to our foreign dignitaries. All of that was, of course, great but my favourite moment by far was when Glasgow's opening ceremony became the first opening ceremony ever to raise money for some of the poorest children throughout the Commonwealth. That first overshadows all the other firsts that we have had as a great city and a great country.

That was a great initiative in which to take pride, but the reason why people took such pride in it was that it highlighted our inherent feeling, as Glaswegians and Scots, that we have a responsibility to show our compassion on the world stage. I was pleased that that was a standout moment for many people.

This year, 2014, has also been a momentous year for Malawi. I was delighted to have the opportunity in January to take the Queen's baton to Malawi, as it arrived there during its journey throughout the Commonwealth. I represented Scotland on the baton's welcome to Lilongwe. It is a momentous year also because, in May, Malawi held its first ever tripartite elections. I congratulate the people of Malawi on those peaceful and stable elections and I welcome the new Government of Malawi. The Scottish Government, the chamber and, no doubt, the Parliament look forward to working with the new Government and parliamentarians for the mutual good of both our countries.

In his inaugural speech, which I read in great detail, President Professor Peter Mutharika spoke of Malawi being a young democracy and a country known for its political tolerance. He highlighted to his fellow Malawians that they had begun another leg of 50 years and that the next 50 years of their journey presented Malawi with an opportunity to reset its priorities, rethink its strategic focus and redefine Malawi as it makes progress. We want to continue to support the Malawian Government and its people on that second leg of their journey.

On 6 July this year, Malawi celebrated the 50th anniversary of its independence. I was delighted to attend the Scottish celebrations in Glasgow, which were organised largely by the Scotland Malawi Partnership. They were also attended by Lord McConnell and people from across the political spectrum. The celebrations had a real Malawian feel to them and affirmed the special and warm relationship between Malawi and Scotland. Diplomatic protocol and friendliness dictate that I not tell members the score of the table tennis match between me and the Malawian high commissioner, but it is fair to say that I won.

Scotland is an active player in international development. That reflects our historic outward-facing relationship with the world and our desire to be a good global citizen.

During the Commonwealth games, I spoke in the fantastic Empire Café about some of the more unsavoury parts of Scotland's history, such as the fact that Glasgow was the second city of the empire. At that event, there was a discussion in which the view was expressed that, for all the negative aspects of our history, we have a responsibility to the poorest and that, for all the slave owners that we had, we also had some of the greatest abolitionists, one of the greatest of whom was Dr David Livingstone, who undertook a journey to explore the Zambezi and took education to Malawi, helping to establish its educational infrastructure.

The Scottish Government has committed to continuing to contribute at least £3 million a year to Malawi from our £9 million international development budget. At present, we fund 40 projects that straddle all four of the strands of the 2005 co-operation agreement.

During the Commonwealth games, I had the privilege of meeting Malawi's newly appointed Minister for Sports and Youth Development—who had been in her post for only three weeks—the honourable Grace Obama Chiumia. She described the relationship between Scotland and Malawi as being like that of sisters in a family. Like families do, we also played and competed together at the games. The Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights and I were present at the Scotland v Malawi

netball game. For all that the Malawians are our sisters, I have to confess that they beat us pretty thoroughly. The cabinet secretary is a former netball player and was ready to get her trainers on, but time did not allow that to happen.

My visit to Malawi during the Queen's baton relay was a phenomenal pleasure, because I got to see at first hand the impact that our international development projects are having. It is an enormous privilege to do that, as not everybody gets to see how the money is being spent. There are many who will question why we choose to spend the money on those projects but, having seen them at first hand, I can attest to the impact that they are having. Although we have a modest budget—of which we are all proud—the impact that it is having is quite unbelievable. I was shown the Malawi renewable energy acceleration programme—MREAP—and, when I visited one of the projects near the Mulanje mountain, I was told how the micro hydroelectric scheme that we are helping to fund and develop had allowed a woman in a nearby village to be the first woman there to give birth in a room with a light in it. That is unbelievable in the 21st century. Think about how many lights and how much energy we have.

I visited the fistula hospital that Ann Gloag set up. We are helping to fund a project there. Many people are aware of the condition, but consider a heavily pregnant woman who is about to go into labour walking up to 20km or 30km and then delivering a stillborn baby and ending up with a fistula that could leave her incontinent and which is in need of repair. Such women can be cast out by their communities or divorced by their husbands. Through the fistula hospital and the initiatives that we are funding, we are not only repairing fistulas, which gives the women a better quality of life, but we are providing the women with solar-powered batteries, which they can use to raise income from, for example, people using them to charge their telephones. That means that the women go from being outcasts to being leaders of business in their community.

As well as with the work on maternal health and renewable energy, I am pleased with what our initiatives are doing with regard to sustainable economic development. Although we believe that our aid is imperative and important, we also want to ensure that we can help Malawians to create local wealth, local businesses and local jobs in order to lift themselves out of poverty. That is why I was delighted to meet representatives of the Opportunity International Bank of Malawi, whose microfinance initiatives and projects we have funded before.

As I said earlier, education has always figured strongly in Scotland's relationship with Malawi, and it does so to this day with the education that

the Church of Scotland provides. I am delighted that, as part of the Livingstone bicentenary celebrations, we provided funding for 37 gifted and underprivileged Malawians to study masters degrees in Malawi, with the aim of keeping that local knowledge and those local skills within Malawi. We are going to be working hard to develop capacity and sustainability in the Malawian education system. Representatives of Education Scotland who were with me in Malawi signed an agreement with their Malawian counterparts in relation to the inspection system for schools in the country, which will help to drive up standards.

I remind members that the first of the Malawian triennial funding rounds opened earlier today. We look to distribute £13 million over the period and I very much look forward to receiving applications.

In the first week that I was in this job, I noticed that the special relationship spans the length and breadth of the country and all sectors of society, from nurses to teachers to faith groups and everyone else. I put on record my thanks to groups such as the Scotland Malawi Partnership, its sister organisation the Malawi Scotland Partnership, the Network of International Development Organisations in Scotland and the many, many others who are involved in supporting the aims of the Government's international development policy.

I look forward to listening to and participating in the debate as it unfolds and to accepting the amendments in the spirit of our consensual and collaborative approach on the issue of Malawi.

I move,

That the Parliament congratulates the people of Malawi on their recent successful democratic elections; recognises that Scotland and Malawi have a special relationship that has endured for over 150 years and was formalised at governmental level in 2005 with the signing of the partnership agreement between the governments of Scotland and Malawi; notes that the basis of this relationship is one of reciprocity and mutual trust between the peoples and governments of both countries; recognises and welcomes the role of individuals and organisations across Scotland in supporting and developing Scotland's special relationship with Malawi; further recognises that Scotland demonstrates its commitment to international development through the maintenance of the international development funds for Malawi and its other priority countries; notes that the Scottish Government's engagement with Malawi and its other priority countries draws on Scottish knowledge, skills and expertise, historically in relation to health and education, as well as in response to new challenges, notably climate change and renewable energy, and further welcomes the next funding round for Malawi and the Scottish Government's ambition for Scotland to be a good global leader in the field of international development, championing best practice and innovation in partner countries such as Malawi.

15:00

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): It is a pleasure to speak again in the chamber about Malawi and to consider our shared commitment to that country. I wholeheartedly agree with the minister's comments about the involvement of UNICEF in the Commonwealth games. That initiative was amazing. It is the kind of thing that makes us wonder why we have not done it before. The opportunity of that captive audience there in the stadium and at home was too good to miss.

I had the pleasure of hearing the UNICEF ambassador, Sir Roger Moore, speak movingly and knowledgeably about his commitment to the cause and about how UNICEF plans to take forward the work that it will do with the money raised. For anyone who views Sir Roger Moore as the caricature that we sometimes see in Bond films, I can say that the Sir Roger who spoke before the opening ceremony of the games was a different person entirely. He is someone whom I could have listened to all night, but then I would have missed the opening ceremony, which probably would not have been so good.

While the initiative to support Malawi was begun by a Labour and Liberal Democrat coalition Government, over the years it has been a source of some pride in our Parliament that we have been able to come together in our support for Malawi and for international development. We recognise that, whatever our circumstances, the plight of people in Malawi and other countries is of such concern that we will work above and across the political divide to provide assistance where we can.

In our schools and colleges, and in our churches and community organisations, people from a diverse range of backgrounds and interests come together to support our brothers and sisters in Malawi, and they expect no less of us. That is why I was delighted last week that, during the Commonwealth games, the minister was part of a photo call with the Malawi and Scottish netball teams following their match. The coming together of two teams who had just battled it out on the court, in recognition of the partnership that our two countries enjoy, seemed to me to be a very good symbol of that work. I was only sorry that my volunteer pass did not give me access to the venue so that I could go along and cheer on the minister and both teams.

The recent report produced by the University of Edinburgh for the Scotland Malawi Partnership identified just how effective that work in Malawi over the years has been. Estimates contained in that report would suggest that approximately 2 million Malawians have benefited directly from the activities of SMP members, with many more

benefiting indirectly. The report suggests that as many as 4 million have been affected by work undertaken by SMP members. Of course, the relationship is not a one-way street. Some 300,000 Scots are estimated to have benefited indirectly from those inputs. It is important to remember that it is a two-way relationship.

We will all know of examples from our constituencies and regions, not least because half of Scotland's local authorities are members of the Scotland Malawi Partnership and involved in that vital work. My local authority in Glasgow is particularly active. The Lord Provost has a special fund that is used to support education, water, health and sanitation projects in Malawi.

City Building, the arm's-length construction and maintenance organisation, which happens to be based in my constituency, has built two prosthetic and orthotic clinics at Lilongwe central hospital, in partnership with the charity 500 miles. It has refurbished part of the former town hall in Lilongwe to transform it into a public health clinic, including an optician's and a dental suite. It has also built an HIV-AIDS clinic at Chikwawa district hospital. Each of those facilities is making a real difference to the lives of local people.

Perhaps the most inspiring example of all is the Malawi leaders of learning programme, which Glasgow City Council runs with Malawi's South West Division. That project delivers new school facilities but also encourages young students and teachers from Glasgow's schools to work in Malawi, teaching and learning with their Malawian counterparts. Springburn academy has been involved in that work and it has been a real pleasure to hear the students talk about their experiences.

This year's awards ceremony featured a presentation from a group of pupils who had just returned from Malawi and it was nothing less than inspiring to hear their accounts of their time there and to see how proud they were of their achievements and the confidence that it had given them as they talked about what they had done and the new friends that they had made. I have no doubt that the benefit was not just to the young people and teachers in Malawi whom they worked with but to the pupils themselves and the wider school community in Springburn. All that work is underpinned by the millennium development goals, about which my colleague Siobhan McMahon will say more in closing.

As the chamber will have noted, the Scottish Labour amendment also talks about the work being done by the Scottish Government complementing that of the Department for International Development. That is vital if we are to avoid duplication of effort and maximise effectiveness. After all, both Governments are

working with the interests of Malawi at heart, so it is important that they learn from one another and regularly discuss and develop partnerships wherever and whenever it makes sense to do so. DFID might have expertise and reach that the Scottish Government does not have, but, similarly, DFID could learn from the approach that the Scottish Government has taken over time in developing projects on the ground, working with the Malawi Government to identify what its priorities are.

We must also remember the many organisations throughout Scotland that work in Malawi day in, day out. They are too numerous to mention but include the Scottish Catholic International Aid Fund, Mary's Meals and a host of others.

I particularly want to mention Amnesty International, because it does a very difficult job: it reminds us that we have to be a critical friend of Malawi and that there are issues that we must take the opportunity, when appropriate, to raise with the Malawi Government—issues such as the anti-homosexuality laws that apply and the fact that the death penalty is still in force in Malawi, even though, thankfully, it is not often used these days. We have to be a critical friend and we have to raise those vital issues when the opportunity arises.

I applaud the many groups, organisations and individuals throughout our country that are involved with Malawi. I hope that they will continue their involvement for a very long time to come.

I move amendment S4M-10712.1, to leave out from “historically” to end and insert:

“in relation to health and education, as well as in response to new challenges, notably climate change and renewable energy, priorities set by the Malawi Government; welcomes the work carried out in and for Malawi by a wide range of schools, churches, NGOs and community groups around Scotland, and further welcomes the next funding round for Malawi and the Scottish Government's ambition for Scotland to be a good global leader in the field of international development, championing best practice and innovation in partner countries such as Malawi and complementing the work done by the Department for International Development around the world.”

15:07

Murdo Fraser (Mid Scotland and Fife) (Con): I warmly welcome this debate and declare my interest as a member of the Scotland Malawi Partnership. Like other members in the chamber, I had the privilege of visiting Malawi on a parliamentary visit some years ago. Just as the minister said in relation to his visits, I would say that those who visit Malawi and see the projects that have been supported by the Scottish Government's spend cannot but come away

impressed and deeply moved by the difference that they are making to people's lives.

I want to touch on three aspects of the support for Malawi. The first is the Scottish Government's programme. As the minister accepted, the programme started in 2005 and has been continued and developed by successive Scottish Governments. It is extremely welcome and, as I said, makes a huge difference on the ground.

The second is the civic engagement that Patricia Ferguson has just talked about and to which the minister referred as well. We are all aware of a range of charities, schools and church groups across Scotland, in all our constituencies and regions, which are helping in Malawi. Of course, the Government plays a key role here, but the support from broader Scotland goes way beyond what comes from Government. It is of huge value and I know that it makes a tremendous difference to the lives of millions of Malawians.

The third aspect, which my amendment touches on, is that we cannot talk about the support for Malawi without also making reference to the support that we in Scotland give through the United Kingdom and DFID, which in 2014-15 amounts to some £90 million to Malawi, supporting education, healthcare and food assistance.

The UK is one of only five countries meeting the target of 0.7 per cent of gross national income going to international development and humanitarian causes. That is very welcome and I noticed how the Scotland Malawi Partnership welcomed the fact that the Scottish Government is working hand in hand with the UK Government in delivering that target.

We know that we here in Scotland have a special relationship with Malawi. We only had to watch the opening ceremony of the Commonwealth games and see the rapturous welcome for the Malawian team when it entered Celtic Park to know that there is a special affection here in Scotland for Malawi.

The minister raised the important question of Scotland's and the UK's legacy in many of our former colonial parts of the country. Of course, there are dark periods there. It was interesting that at the time of the Commonwealth games a poll was published that showed that 49 per cent of people in the UK thought that the British empire left a generally positive legacy and 15 per cent disagreed. When I visited Malawi, I was struck by how positively our influence was viewed.

The minister also talked about David Livingstone, who was perhaps the Scottish figure who had the most influence and has the most resonance in Malawi's history. David Livingstone did not go to Malawi to conquer, exploit or enslave the people; he went there to bring freedom. He

went as a liberator. His self-confessed objective was to open up central Africa to Christianity and commerce. Commerce was so important to him because it was the way to defeat the slave trade. For much of his life, he was not actually engaged in missionary work; he spent much of his life in exploration and trying to open up trade routes east to west across Africa, so that central Africa could be available to trade with the rest of the world. He saw that as the way to build a local economy that would not be dependent upon the slave trade, so that it could be stamped out.

Anyone who goes to Malawi today will be struck by how the twin objectives of ending the slave trade and introducing Christianity made David Livingstone so important to Malawians today. Of course, Malawi is a very Christian country, as anyone who has been there can testify.

We can also play a role in helping to strengthen democracy. In my amendment, I mention good governance. The minister reminded us that a new Parliament has been elected in Malawi, and the Scottish Parliament has played an important role in twinning with members of the Malawian Parliament and helping them to strengthen their roles. We have a particular role to play in helping members of the Opposition to hold their Government to account. That could happen the other way around, but we will leave that debate for another day.

Politics in Malawi is rather different from in our country. They do not have party politics in the same way as we do. Political parties tend to be based around regional or tribal groups, or around the personality of a leader. That makes for a different environment in which parliamentarians have to operate. We can do a lot to help Malawians to strengthen their Parliament as an institution and to help them to hold their Government to account.

The Deputy Presiding Officer (Elaine Smith): I am afraid that you must close.

Murdo Fraser: I realise that I am out of time. I do not think that anyone who visits Malawi can help but come away with a strong impression of the deep affection for Scotland, and of the importance that Malawi gives to the ties that we continue to develop. I am happy to applaud the Scottish Government's on-going support.

I move amendment S4M-10712.2, to insert at end

“; further welcomes the contribution of the UK Government in achieving these successful democratic elections; recognises the £90 million that the UK is sending to Malawi in 2014-15, and supports the UK Government's objectives to address the poverty and inequality facing large parts of the population, support economic growth and wealth creation to turn the economy around and

sustainably help people out of poverty and actively promote good governance and an open society in Malawi”.

The Deputy Presiding Officer: We move to the open debate. We are quite tight for time this afternoon, so speeches should be four minutes maximum.

15:13

Maureen Watt (Aberdeen South and North Kincardine) (SNP): I congratulate the minister on initiating the debate. It is timely because Malawi has just celebrated 50 years of independence and because of the many recent meetings that there have been between our two countries during the Commonwealth games.

In relation to Malawi's milestone of celebrating 50 years of independence, I thank all those members who signed the motion that I lodged, particularly Alex Fergusson, Jackie Baillie and Richard Simpson, who were the only members of the Opposition parties to recognise the significance of the date. They did not immediately hit the delete button when they saw the word “independence”. Not being able to separate the wood from the trees springs to mind when I think about their colleagues, but the motion is still live and as I am an optimist I hope that others will sign it.

I was pleased to be able to attend the independence celebrations at Whiteinch community centre on 12 July, when Malawians and friends of Malawi gathered for an afternoon of speeches, good food, drink and music. I was particularly pleased to see two busloads of Malawians from Aberdeen and even people who had come up from south-east England to take part in the festivities in Scotland as there was nothing comparable in their own areas.

The event was much appreciated by all, and I thank the organisers and the Scotland Malawi Partnership for their role in making it a huge success. The participants were particularly pleased to see the minister there and to hear him announce that a further round of funding from the Scottish Government's Malawi development fund would be opened so that people could bid for new projects in Malawi.

I was also pleased to meet up again with Robert Kalin from the University of Strathclyde. He is involved in a number of projects relating to the provision of clean water, and it is time that we invited him back to give the cross-party group on Malawi an update on the impact of that work.

I thank Humza Yousaf for taking the time to meet Malawi's new Minister for Youth, Sports and Culture during the Commonwealth games; I know that she and the Malawi high commissioner much appreciated the meeting. As Humza Yousaf

mentioned, the new minister is the honourable Grace Chiumia, with whom I have been paired since 2010 through the Scottish Parliament's parliamentary pairing initiative with the Malawi Parliament. I am very proud of her achievement, not least as she was one of only four women who were returned to the Malawi Parliament after the elections, despite substantial efforts to ensure the maximum retention of women MPs and to encourage more women to stand. Sadly, there are fewer women in the current session of the Malawi Parliament than there were in the previous session. I hope that the minister's meeting with Shona Robison also went ahead despite the fact that she was held up in traffic.

While Grace Chiumia was here she avidly supported Malawi's netball team, which is ranked as one of the best in the world. She is a keen netball player herself, and the Malawi Parliament has a netball team of its own, which has played against the Kenyan Parliament. The Cabinet Secretary for Culture and External Affairs is a former netball player, as am I, so perhaps we have the beginnings of a team here. I am sure that the honourable Grace Chiumia will be an excellent minister; she has certainly given me much to do in gathering information to send her.

I know that we do not have much time in the debate, Presiding Officer, but I reiterate that Scotland's relationship with Malawi is very special and makes a real difference to the lives of people in Malawi and those in Scotland who are involved with Malawi. I hope that the relationship will strengthen and deepen as we move forward, and I support the motion.

15:17

Sarah Boyack (Lothian) (Lab): I welcome this first debate following the recess, coming as it does immediately after the Commonwealth games. It is important that we celebrate our special relationship with Malawi. Its existence during the past decade has enriched both countries through the various relationships between the two Governments and the two Parliaments and between people, which are all crucial.

I strongly support the Labour amendment because it places an extra emphasis on the vital connections that we are building between people. That is not to say, of course, that the relationship between the two Governments is not important: the development programme and the development of links between the two Governments during the past decade have been vital.

The initial links in health and education have been crucial in enabling our contribution to reducing maternal mortality and the levels of HIV infection that exist in Malawi. They have also been

crucial in addressing the challenge of expanding and improving education opportunities, particularly for young girls not only in primary school but, as time goes on, in secondary school and in further and higher education.

Those initial key areas of work have enabled a large number of non-governmental organisations and community organisations to come in with and build on the Scottish Government's work and to add their own contributions.

The work that is being done on climate change and renewables is important. Agriculture, for example, is crucially important to Malawi. When we last visited, rampant inflation was a key issue for the economy and all the Malawian community groups related to farming were very concerned about access to fertilisers. There is research on climate change, but a huge raft of work is needed on water quality. One lesson from our last visit was that it is not enough simply to put infrastructure in; trained local people with the skills, knowledge and resources to keep that infrastructure working are also needed. In a developing country there is nothing worse than a broken water feature—it is a tantalising feature that shows people what might have been.

The chance to share knowledge and skills and to promote sustainable development is crucial. The minister's point about enabling Malawi's economy to grow is right. In terms of civic participation, we can do more through fair trade and the Co-operative movement to enable some of the smallest and most isolated communities in Malawi to be successful.

The Parliament-to-Parliament relationship, which Murdo Fraser briefly mentioned, is important. People in Scotland should not underestimate the importance of the sharing of good practice. The foundation of our own Parliament was based on accountability, transparency and equality, and on the knowledge that we were building on the best practice of other institutions. We do not say that we represent the only way or the best way to do everything, but we can say, "Here is our experience, for good or ill. Here is what has worked and what has not worked."

A large part of the work that Alex Fergusson and I did on our last visit was to share our experiences, particularly on audit and on holding Government ministers to account. A successful parliamentary democracy needs effective opposition. It is very interesting to visit a country that is a developing democracy; it is not about imposing what we do and how we do it, but about opening up a discussion and a debate on how best to hold a Government to account.

I will finish on the people-to-people link, because that is the crucial element that Patricia Ferguson's amendment focuses on. Most of us get very excited about the people-to-people link, because of the huge number of people in our community—as is well recorded by the Scotland Malawi Partnership—who are involved in day-to-day organisational campaigning, volunteering, community solidarity and the provision of support for one of the world's poorest and most disadvantaged communities.

The Deputy Presiding Officer: I am afraid that you need to close, please.

Sarah Boyack: Thank you very much.

15:22

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): It has been said of Malawi that it is the warm heart of Africa. What better country could we seek to have a relationship with?

I will pick up on some of the things that Sarah Boyack said about agriculture and highlight some of the great challenges that we in our western developed world are imposing on countries such as Malawi—and perhaps on Malawi in particular.

Two thirds of Malawi's exports are tobacco. We are rightly seeking to remove tobacco as a major part of our society, for the health of people in our country, and other countries are doing the same. However, when we do that it will have a significant effect on the economy of a country such as Malawi, in which two thirds of exports are tobacco based. We therefore owe a duty to countries such as Malawi to help them cross over to a more beneficial mode of agriculture. They are essentially self-sufficient when it comes to food for themselves, but we are already seeing a danger that tobacco farmers, in the face of reducing profits, move across to grow cannabis. That will not be helpful in the long term for people who are in desperate need in countries such as Malawi.

Climate change is making agriculture a more formidable challenge in many countries in Africa, and we in the developed world are largely responsible for that. We therefore need to ensure that we support people in Malawi, which we are already doing. We have a number of programmes there that we support.

I have, of course, said before in the Parliament that climate change in Africa in particular has a gender bias in that it differentially affects women over men, as women are generally the homemakers and the agronomists. While the men sit round the village table discussing the state of world affairs, the women do the actual work. They walk further to get water and get less from the soil for their efforts, as a result of climate change.

Therefore, I very much welcome the initiative that the previous Administration took to build effective relationships with Malawi, which continues to be sustained by the current Government.

We have a number of relationships with Malawi. Hastings Banda, who was born in about 1898, came to Edinburgh to convert his medical qualification to one that was acceptable in the UK. In 1941, the University of Edinburgh awarded him three separate awards. My father, who was studying medicine, knew him; indeed, he was in some of the same classes. I do not necessarily hold up Hastings Banda's contribution to Malawi as one of unalloyed success, but he at least started off the country.

Let us remember that many of the African boundaries were arbitrarily imposed by colonialists, so we share some of the blame in that regard.

A great thing happening in Malawi is that a sense of adherence to that country—artificial as it was in its genesis—is clearly being reflected in public life today.

A democracy can be tested simply: a democracy exists if a Government allows itself to be removed from office by a ballot of its people. Malawi has passed that fundamental test, which we should much welcome.

I welcome what both the Opposition parties say in their amendments. I do not know what the Government's position will be, but each contains merit. Malawi is an important friend of ours; let us be an ever-important friend of Malawi.

15:26

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I will concentrate mainly on health issues. Malawi has an average life expectancy of 38 years, which reflects some of the world's highest rates for infant and maternal mortality, malnutrition and infectious diseases. Only 51 per cent of the 14.9 million population has access to good sanitation, 47 per cent of children under five are stunted, one in 36 pregnant women dies from preventable causes related to pregnancy and childbirth, and HIV/AIDS, which is prevalent throughout Africa, affects 10.8 per cent of the population. Despite those dire health statistics, the country has one of the lowest number of doctors per capita—one per 50,000.

International epidemiological studies suggest that the rates of mental illness in Malawi are at least as high as those in western countries. Mental health provision is, to say the least, extremely sparse. The country has only one state psychiatrist, Dr Felix Kauye.

The Scotland Malawi Mental Health Education Project, which is a charity, is a good example of Scots working together with Malawians. The project delivers the teaching of a psychiatry module to medical students, supports postgraduate psychiatric trainees and delivers training to psychiatric nurses and clinical officers based in Zomba mental hospital and the Queen Elizabeth central hospital in Blantyre. It helps to organise the annual mental health conference, which is attended by delegates from most of sub-Saharan Africa, the UK, Europe and the USA.

It is a good example of a project that receives multiple support from the Royal College of Psychiatrists in Scotland, the Scottish Government, NHS Education for Scotland, the Tropical Health and Education Trust and local postgraduate deaneries and tutors.

The other big topic is tackling infectious diseases, particularly pneumonia and diarrhoea, and over the past decade Malawi has made significant progress in reducing deaths in children under five. However, pneumonia is still the single biggest killer, taking the lives of 1,000 babies and young children in 2010. Diarrhoea is another major threat, causing the deaths of 600 children a year. No single intervention is effective in the treatment or control of either condition. However, the good news is that Malawi is beginning to reduce infections and deaths from those two previously stubborn killers by using multiple actions; vaccines against pneumococcal bacteria and rotavirus are two of the newest tools, which are now part of its regular routine childhood vaccination schedule.

As Patricia Ferguson said, it is important that the Government here works in partnership with the Department for International Development, whose expenditure in Malawi is £117.5 million, on its education, health, agriculture, water and sanitation programmes. An emphasis on the rights of girls and women is important and, I think, accepted.

The Dunblane Likhubula partnership is an example of how one community can connect with another at many levels. The partnership started when Dunblane cathedral connected to a Church of Central Africa Presbyterian church guild, and from its initial church links it spread throughout the community to include Dunblane high school and many other groups. It supports bursaries for the secondary school and the provision of clean water and sanitation, and it works in partnership with Mary's Meals to provide meals for primary school pupils in a kitchen that Dunblane donated. The Rotary Club of Bridge of Allan and Dunblane, working with the Gloag Foundation, supports the elimination of fistula through the Freedom from Fistula Foundation.

It is through such multilevel connections and support, which involve the UK Government, the

Scottish Government and various organisations and communities in Scotland, that we can continue to foster the growing number of partnerships with Malawi.

15:30

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): As a child I was taken on a school visit to the David Livingstone centre in Blantyre—I think that I have told part of this story before. I was a 10-year-old who was reading voraciously about all sorts of interesting things around the world, and tales of adventures in Africa pervaded my brain that day and got me really interested. I heard medical horror stories that I have never forgotten—any member who wants to know what bilharzia is should go and look it up; it is horrifying. As a child I was engrossed in everything, from the ending of slavery to the romantic story of Livingstone's body being carried across Africa so that it could be buried at Westminster abbey, as well as the animals, the flowers and jacaranda trees, the fight with a lion and so on—all those things were in the adventures about Africa that I had in my head.

The United Reformed church in Kemp Street in Hamilton, in my constituency, which is the church of David Livingstone and his family, still has strong links with the family and with Africa. That takes me to another adventure. In 2008 I was very blessed to be able to join the Westminster Foundation for Democracy on a visit to Malawi, to encourage women to stand in the elections. We are delighted that some of the women that we know in Malawi have been re-elected and are still involved in Government and politics. I am equally delighted that the Scottish Government has announced its development fund to empower women in Malawi, which is important. Members of all parties and none in the Scottish Parliament have always had a commitment to the issue.

My travels took me from Lilongwe to Nkhata Bay and I was able to see many projects, which are run on different funding models. My attention was attracted to projects that have been supported by the Scottish Government, from support for cassava growers and sweet potato growers to projects to set up fish ponds. I saw villages that run on a truly co-operative system, trading in food and creating commerce, jobs and the freedom from poverty that Murdo Fraser talked about. It was interesting to watch the trade between villages—there would be arguments about who had the best fish or cassava pod, whether a big fish was worth two pods and so on. It was fantastic to see that type of commerce going on.

Civic Scotland continues to have a relationship with Malawi, and in my travels in the country I met schoolchildren at a number of primary schools

who could tell me things that I did not know about David Livingstone—that was quite a feat, because I was a bit of a fan and had read about his time in Malawi and Zambia and his work to open up a route for boats across Lake Malawi. It was amazing to see so many wee kids taking all that on board.

The Scotland Malawi Partnership had a pop-up shop at the Commonwealth games last week, which had all sorts of information about Scotland's amazing and positive relationship with Malawi. According to a new report from the University of Edinburgh, some 94,000 Scots and 198,000 Malawians have been actively involved in building that relationship, which the Scottish Government's welcome international development grants help to maintain.

It is imperative that we nurture and grow the positive, deep and long-standing relationship that Scotland enjoys with Malawi. Our relationship with Malawi and with other members of the family of nations proves that Scotland is a good global citizen.

The Deputy Presiding Officer (John Scott): We now move to closing speeches.

15:34

Jamie McGrigor (Highlands and Islands) (Con): This has been a very interesting debate, with very good contributions from Richard Simpson on health matters, Stewart Stevenson on the history of Hastings Banda, and Christina McKelvie on the political elements—to name but a few.

The Scottish Conservatives recognise and are proud of Scotland's strong and enduring historic links with Malawi, which began with the missionary work of the explorer Dr David Livingstone, and we support the good work being undertaken in Malawi through more than 40 Scottish Government-funded projects.

We also recognise the scale of the challenges facing Malawi, which, as we have heard, ranks 171 out of 187 on the United Nations human development index. While Malawi has made some progress on its millennium development goals, it is still unlikely to meet most targets. Poverty levels in Malawi remain at 51 per cent and, despite many efforts, have not registered a significant reduction since 2004. Moreover, rural poverty has increased to 56.6 per cent, and income inequality, too, has increased.

There has been welcome progress on under-five and infant mortality, HIV treatment and access to water and sanitation, but maternal mortality remains high, with 10 women dying every day, and the well-publicised concerns about governance,

accountability and transparency in the country have led to some international donor countries ceasing to fund projects directly through the Malawian Government financial systems.

Nevertheless, I agree with the minister's positive remarks and sentiments, and I thought that Patricia Ferguson made some very good points about UNICEF. I well remember Sir Roger Moore playing Simon Templar in "The Saint", and he along with many others is doing some saintly work for Malawi.

It is clear that Malawi will continue to need significant support, which is why we are also proud of UK Department for International Development's work. As Murdo Fraser has stated, DFID has committed funding of around £90 million this year alone as part of a package of support worth up to £360 million between 2011 and 2015. The UK is one of the world's most generous donor nations to Malawi; the UK Government correctly wants to support wealth creation and economic growth in the country, and it is backing a new private sector development programme that will support the agricultural diversification that Stewart Stevenson referred to and which will address financing constraints to growing businesses.

Another big part of Scotland's special relationship with Malawi is the outstanding work done there by the Scottish charity Mary's Meals, which is a charity based in my local village of Dalmally and which was founded by my truly inspirational constituent, Magnus MacFarlane-Barrow.

Each day, Mary's Meals gives almost 690,000 children in Malawi a meal when they attend primary schools or under-six centres. This flagship programme began in Malawi in 2002, and this year alone the charity is investing £5.36 million in the country, around 75 per cent of which will be used to purchase maize and soya from 20,000 smallholder farmers, providing a reliable income to thousands of families and multiplying the programme's benefits throughout the country. It is indeed added value.

The charity's programmes are based on strong partnerships with the school, the children and the local community who are responsible for delivering and managing their programmes, and the food is prepared and served by tens of thousands of community volunteers. School feeding is a recognised social safety net that encourages vulnerable, hungry children to enrol in and attend school, and Mary's Meals meets hungry children's immediate needs by providing them with a meal and their long-term educational needs by encouraging them to go to school. All of that has been made possible because of a massive grass-roots movement of supporters in Scotland that is also growing globally.

The Deputy Presiding Officer: You must close, please.

Jamie McGrigor: I totally agree with Sarah Boyack's point about the importance of the people-to-people element of the Scotland-Malawi relationship, and I pay tribute to the more than 20,000 active supporters of Mary's Meals in Scotland.

We welcome today's debate and look forward to progress being made in Malawi, and I support Murdo Fraser's amendment.

15:39

Siobhan McMahon (Central Scotland) (Lab): I am pleased to take part in this debate celebrating Scotland's relationship with Malawi, and I welcome the funding announcement that the minister has made this afternoon. As he knows, however, I have had reservations about the allocation of previous moneys by the Scottish Government, and I know that he appreciates my concerns in that respect. I hope that those concerns will not be an issue this time round and that all applications will be treated on their individual merits.

The debate has been a good one that has allowed us, once again, to talk about the special relationship that we Scots have with our friends in Malawi. It has allowed some of us who have visited Malawi to talk about our experiences and the memories that have shaped our vision of the country. The debate has also allowed members to talk about the local projects that are running in their areas through church groups, schools or the many spheres of the voluntary sector. By sharing such examples, we begin to understand just how strong our relationship with Malawi is.

On Sunday, I attended my local parish, St Bernadette's in Motherwell, for mass. It was not unusual that the mass was about Malawi given that our parish has designated the first Sunday of every month as Malawi Sunday, meaning that there is always a display in the porch and that prayers are offered for the country. However, it was unusual that a Malawian priest was taking the service—the mass was said by the parish priest of St Anne's in Namulenga, Malawi.

The parishes have a formal partnership that was established last September, following a visit to St Anne's parish that was undertaken by my parish priest, Father Stephen Reilly, as part of a classrooms for Malawi project. My parish has now established a partnership team within our community, and it runs a parish 50/50 club with a monthly draw to provide a stable income for that project. The local primary school of St Bernadette's has also established a link with St Anne's primary school, and the schools continue to learn from each other. That is another example

of the tremendous work that ordinary people are doing on a daily basis to ensure that the relationship that our country has with Malawi continues to go from strength to strength.

In the previous debate on Malawi, which took place a few short months ago, I spoke about the conditions that many female prisoners experience in the country. I spoke about Amnesty International's concerns about the country's human rights record, and I asked that the Scottish Government impress upon the Malawian Government that it has a lot more work to do on its human rights and equalities records. As I stated in the previous debate, it is to be welcomed that both the Scottish and UK Governments give large amounts of funding to Malawi. However, with that money should come responsibility, and I can think of no more important an area than this.

Recently, St Margaret's high school in Airdrie was visited by a woman who had been freed from prison as a result of the actions of one of the school's pupils. During a visit to Malawi last June, Lauren Strain paid for a lawyer for an unjustly convicted woman, which resulted in the woman's release from prison. The Malawian woman had been jailed after her son died from an infected wound that was received during a fight with his brother. Locked up in a run-down prison for her son's death, the woman gave birth to a girl on Christmas day. After hearing her story, Lauren paid £40 for a lawyer and within a few days the Malawian mother was released along with her newborn child.

Lauren Strain carried out that act not for praise but because she could see the injustice of what is currently taking place in prisons across Malawi. That small act by Lauren has made a huge difference to that woman and her family, and we should be able to build on that. The elections in May of this year provide us with this opportunity to start afresh in many areas and to re-establish some of the work that we may not have been getting right previously. I hope that the Scottish Government will seize the opportunity.

Members have also heard me speak previously about the fantastic work that the Coatbridge charity Aiming Higher in Malawi does. I will not reiterate many of the points that I have made previously in relation to the charity, but I want to let members know of two projects that the charity is currently undertaking in the hope that it will receive the Scottish Government's support for its endeavours.

Aiming Higher in Malawi and St Margaret's high school have set up a Catholic women's co-operative in Makhoza as a result of a meeting with a young HIV-positive woman, Ruth Samson, who was being sponsored by St Margaret's pupils. Ruth was an outcast in her village but, through her

relationship with the generous Scottish pupils who visited Malawi several times over the years, her community was saved. Thanks to the fundraising efforts, Ruth now has a new house with a painting by a local Malawian artist on the side of it and, as a result of the co-operative, the villagers have managed to grow enough crops to feed themselves, with a surplus to sell.

The *Scottish Catholic Observer* has reported that, at the start of the project, when the Makhoza women were asked what their greatest need was, they asked for a shrine in which to praise God and decided to pray for their friends in Scotland every day for a year. They said that their faith had encouraged them to produce wonders, and they extended their thanks and prayers to all their Scottish friends.

The second project that Aiming Higher in Malawi has been working on, with the help of North Lanarkshire Council's provost, Jim Robertson, is helping disabled children in Malawi. In my previous speech, I spoke about the disadvantages that disabled children face while growing up in Malawi. The wheelchairs for Malawi programme supports children from the poorest rural areas by providing proper medical assessment, by purchasing and fitting wheelchairs, prosthetics, footwear and crutches, and by giving them the tools that will help them to achieve their life goals. In May, Jim Robertson held a gala dinner that raised over £20,000 for the project, but we can do more. I have passed an information DVD about the project to the minister, and I hope that he will look to throw his support behind it.

The global millennium development goals are due to expire next year, and the United Nations is negotiating the new framework. Although much progress has been made in recent years, the fact remains that one in eight people around the world continues to go hungry each and every day. We must ensure that the new framework tackles that statistic and makes it one that we never have to mention again.

SCIAF has called for the new framework to involve co-ordinated international action, with each and every state—not just those in the global south—playing its part. I hope that the Scottish Government will support such a framework and that it will work with our colleagues in the UK Government finally to eradicate food poverty once and for all.

15:45

Humza Yousaf: It has been a shorter debate than usual because of various ministerial statements, but I have really enjoyed it, and I thank all those members who have taken part.

I have now had the pleasure of leading a debate on Scotland's relationship with Malawi a couple of times, and it is one of those rare topics that brings everyone together, regardless of their political party. Although members have advice to give and rightly suggest that we should be a critical friend of Malawi, it is amazing that they can come together for an hour or so to praise one another in a giant love-in.

I give credit to previous Administrations. I am a great fan of all the work that Jack McConnell and the Administration behind him did to re-establish the relationship with Malawi. To his credit, Lord McConnell is happy to take phone calls whenever I need some advice on that relationship—well done for that.

Many members have said that the relationship that we have with Malawi, which has been about helping some of the poorest in the world through NGO-funded projects, needs to be about more than just aid. I want to touch on some of those themes.

Siobhan McMahon, Patricia Ferguson and others spoke about human rights and the importance of equality. It is absolutely correct that we raise those issues. Patricia Ferguson used the phrase "a critical friend", and that is exactly what we must be. This Government condemns human rights abuses wherever they occur. In my meeting with the Malawian youth and sport minister, I mentioned Malawi's human rights and the fact that Scotland is a tolerant and open country that believes in equality. I pointed to some of the steps that we have taken in that regard, such as the same-sex marriage legislation that we introduced. I said that we understood that Malawi operates in a regional context, that Malawi is on a journey and that we want it to make progress. We are willing to be partners and to allow our human rights agencies and civic society organisations to work with those in Malawi to help them to make further, much-needed progress. The minister welcomed that. I give members a reassurance that those issues were raised.

Patricia Ferguson was correct to mention the number of people and organisations that are involved in what is a two-way relationship. I have a great amount of time and affection for the Scotland Malawi Partnership, which does a fantastic amount of work. The fact that 400,000 people are involved in that relationship is incredible. The Scotland Malawi Partnership now has more than 700 members, which should be applauded.

As I said, in a collaborative spirit, I am happy to accept both amendments to the motion. We work closely with DFID in Malawi, and I met the head of DFID in Malawi to discuss how we might work together even more closely. I met Alan Duncan on the matter when he was the Minister of State for

International Development, before he was moved in the reshuffle, and such engagement will continue, regardless of the constitutional set-up that we have post-18 September, because the UK and Scottish Governments have the joint goal of lifting the poorest in Malawi out of poverty.

I have always been fair in giving credit to DFID for the good work that it does, and I have met the staff who work in Abercrombie house. Patricia Ferguson was right to mention that, as well as benefiting from some of the work that DFID does, we can complement some of the work that it does. I gave evidence to the International Development Committee in the House of Commons in relation to Scottish independence, and in its final report it noted that the Scottish Government has a fantastic relationship with NGOs. I am paraphrasing—I might have added in the word “fantastic”—but it said that we have a good relationship with our NGOs and that DFID could take a leaf out of our book in how we work with civic society and NGOs.

I also agree whole-heartedly with Murdo Fraser and the Conservatives’ amendment. Although the UK Government has been working with the Malawian Government in relation to civic governance, we would agree overwhelmingly that the credit for the peaceful democratic election would have to go to the people of Malawi, who have done well in their transition.

Murdo Fraser was also correct that Scots are extra generous when it comes to international development. Not only do we contribute through our tax money to the UK’s budget, which is 0.7 per cent of national income, but Scots of course also contribute towards our own efforts up here in Scotland. That gives me fantastic pride.

A number of members touched on various facets of the relationship that we have with Malawi, and I will try to rattle through some of them as well.

Sport was mentioned, and in my discussions with Maureen Watt’s pair member of Parliament—the Malawi youth and sport minister—I said that we can do more to develop that relationship. The Scottish Football Association is doing some projects in Malawi, but there is a lot more that we can do. I think that Malawi became a lot of people’s second team during the Commonwealth games because of the rapturous applause and welcome that they got at the opening ceremony. It was a close-run affair for me between Pakistan, for my father, and Kenya, for my mother; then there was the Tongalese athlete who came out with the Celtic top. It was difficult for me to choose, but Malawi was definitely there.

Murdo Fraser touched on commerce, as did a number of other members, including Christina McKelvie. I want to say a little more on that. Murdo

Fraser mentioned the three Cs of Dr David Livingstone: Christianity, commerce and civilisation. We can debate the point about Christianity, because apparently Dr Livingstone converted only one person and even that person became a lapsed Christian. However, I am sure that his Christianity was espoused in other ways and methods.

The commerce one is really important, not only because of Dr David Livingstone but because one of the first European companies to set up in Malawi was the African Lakes Company of John and Frederick Moir, which was set up in the 1870s. Mandala house was the headquarters of the company in Blantyre in Malawi. Although the company is now dissolved, Mandala house is still there and it still has pictures of the headquarters in Renfield Street in Glasgow. The company was renamed Mandala, and even many senior members of the Government had family who worked at the Mandala corporation. That includes former President Joyce Banda, whose mother worked there. The name still resonates in terms of ethical and fair trade, because the company was also set up to defeat the slave trade.

Sarah Boyack touched on the energy relationship. She made her points very well and very strongly. Paul Wheelhouse and I were delighted to host and take part in the European launch of the United Nations decade of sustainable energy for all during the Commonwealth games in Glasgow. We had a very passionate keynote speech from and a panel discussion with the UN secretary general’s special representative, Dr Yumkella.

I have mentioned trade, but Sarah Boyack also touched on fair trade. We have given our commitment to support that in any way that we can, which has helped Scotland to become the second Fairtrade nation in the world. I know that Mzuzu coffee is already being traded here. In the business conference that was jointly hosted for the Commonwealth games by the Prime Minister and the First Minister, I hosted a panel session on trade and investment and how we can lift countries out of poverty by closer trade links, so I am happy to commit to working on that.

Richard Simpson spoke with great authority and depth on the health side of things, and I agree with much of what he said. The temptation for a Scottish Government, be it part of the UK or even independent, might be to try to do too much and be everything to everybody. Richard Simpson was right to say that we should concentrate on a couple of narrow fields of health to make a big impact. He touched on the issue of infectious diseases. I mentioned that issue when I gave evidence to the International Development Committee, and Jeremy Lefroy MP, who is very

involved in the global fund in terms of tackling infectious diseases, wrote me a nice card to say that he thought that our approach on the issue was to be welcomed.

Patricia Ferguson: Will the minister take an intervention?

Humza Yousaf: Yes.

The Presiding Officer (Tricia Marwick): Sorry, but the minister is winding up.

Humza Yousaf: No, then. I am sorry, but I cannot take an intervention.

I would like to reiterate what everybody has said about the depth and strength of the relationship with Malawi up and down the country and across all education sectors, the health sector, faith groups and so on. Malawi is known as the warm heart of Africa, so it gave me great pride when the Malawian high commissioner said that Scotland was the warm heart of Europe through our humanitarianism and compassion. Long may that continue.

I thank all members across the chamber for their continued support.

Policing

The Presiding Officer (Tricia Marwick): The next item of business is a statement by Kenny MacAskill on policing. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions during it.

I recognise that we have moved to the statement early, but members are now well aware that we follow on from debates to statements. I note that some members, particularly some front benchers, are not present for the statement, and I will take that into account when I decide who is to be called to speak.

15:55

The Cabinet Secretary for Justice (Kenny MacAskill): I welcome this opportunity to make a statement to the Parliament on the use of armed officers within the routinely unarmed Police Service of Scotland, of which we are rightly so proud. I take this opportunity to thank the Police Service for its contribution to what has been the best-ever Commonwealth games. It made its contribution in a friendly and welcoming manner, like the city of Glasgow, and two officers even played a cameo role in the opening ceremony.

Scotland is rightly proud that its police officers conduct their daily business unarmed. That has always been the case, and I make it clear to the Parliament that that is how we intend it to remain. Armed officers have for a considerable time provided support for police colleagues and security for citizens. However, the public should be assured that the number of officers who are authorised to carry weapons is low and limited. Only 275 of the 17,318 officers who are employed by Police Scotland are deployed on firearms duties—that is less than 1.6 per cent of our police force. It should also be made clear that those officers operate on a shift system and are subject to extraction and indeed holiday entitlement, so only a fraction of that already low number will be on duty at any one time.

Gun crime in Scotland is rare, but in Police Scotland's first year, specialist firearms units attended 1,300 incidents across the whole of the country, including more than 100 in the Highlands. It is not just gun crime and firearms incidents that they deal with, as they are also called out to deal with incidents where there is a significant threat. Those can involve knives, samurai swords, machetes or even broken bottles. The presence of those officers in such situations is necessary for the safety of colleagues and the public alike. It is therefore essential that the chief constable has the operational flexibility that he needs to properly

protect the public and ensure the safety of his officers.

The decision on the deployment of armed officers and the granting of standing firearms authority within a police force that is recognised as one that goes about its day-to-day business unarmed is therefore an operational matter for the chief constable. That has always been the case. That is how it was before the inception of Police Scotland, and that is how it remains. The current standing firearms authority was given by the chief constable after a range of factors were assessed, including evidence and intelligence. The authority is not new. Three of the former constabularies—Strathclyde Police, Tayside Police and Northern Constabulary—had endorsed that position prior to the inception of the service, and the approach is taken in 42 of the 43 services in England and Wales.

When we debated the Police and Fire Reform (Scotland) Bill in the Parliament a couple of years ago, it was clear that operational independence was paramount. It was made clear by members in all parts of the chamber that our democratic structures require that the chief constable has operational independence and is free from political interference. However, given police officers' powers and the need to ensure that citizens' rights are protected, safeguards were built in. First, to ensure the separation of powers between Government and the police, the Parliament established the Scottish Police Authority, and it is for that authority to appoint the chief constable and hold him or her to account. The Scottish Police Authority has a broad membership with a wide range of experience.

Secondly, the Parliament decided that, as we were moving to a single service for Scotland, it was appropriate that the Scottish Parliament had oversight. It is for that reason that the Justice Sub-Committee on Policing was established, and it is able to scrutinise all aspects of policing.

As well as those safeguards, additional checks and balances have been built in. First, the Police Investigations and Review Commissioner was established under the Police and Fire Reform (Scotland) Act 2012 to deal not simply with any complaints against the police but with actions of the police, and any use of a firearm will automatically be remitted to him.

Secondly, we have Her Majesty's inspectorate of constabulary for Scotland, which is long established and which has great experience of advising not just the service but the Government on the quality of policing and the nature of police activities. HMICS is independent from the chief constable and from Government and is able to advise without fear or favour. The inspector provides a further level of scrutiny of police officers

and the decisions that they take, irrespective of rank. That includes all aspects of operational decisions, including standing firearms authority.

Thirdly, a standing firearms authority is reviewed quarterly, which ensures a regular and contemporary basis for the granting of what is exceptional authority for a police officer in a routinely unarmed constabulary. The next review is due next month. The chief constable has already confirmed publicly that, in addition to considering available information and intelligence, he will take on board views and representations that have been made. I welcome that commitment by the chief. I welcome the fact that further assurance will be provided by HMICS on this occasion. As normal, the report of HMICS will be published and available to the Parliament.

I believe that the public understands and accepts the need for a small number—I stress that it is small—of police officers to be authorised to carry firearms and for the chief constable to have operational independence over their deployment and use. However, I also understand the concern of the public that we do not slip into a situation where officers become armed as a matter of routine practice, which would clearly go beyond the operational into matters of policy. I give the Parliament and the public my assurance that that will not happen.

Following discussion with the chief constable, I can confirm that he has agreed to provide quarterly reports to the SPA and the parliamentary sub-committee on the number of officers who are deployed on firearms duties. As an additional measure and reassurance to Parliament, I can announce that, should the number of officers who are deployed on firearms duties routinely exceed 2 per cent of the total number of officers in Scotland, the chief constable will notify the SPA and the Cabinet Secretary for Justice of that fact. There may of course be specific occasions when there is a need to increase numbers on a short-term basis to respond to specific risks and threats. We fully support the chief constable's operational duty to take immediate decisions that reflect any such threats.

In conclusion, I once again state that we should be proud of the fact that our police officers are routinely unarmed, despite the challenges and dangers that they face on a daily basis. However, I believe that, in the world in which we live, it is necessary for the safety of officers and members of the public to have a very limited number of officers who are capable of providing firearms and Taser support.

Armed officers do a difficult job of which we should be proud. In a democracy, it is right that their deployment should be a decision for the chief constable and not for a political minister or party.

However, it is also important that there should be sufficient safeguards and checks and balances. It is for that reason that we have the Scottish Police Authority, the Justice Sub-Committee on Policing, the Police Investigations and Review Commissioner, Her Majesty's inspector of constabulary for Scotland and a standing firearms authority that is reviewed quarterly.

I hope that Parliament will join me in thanking the officers not just for their service during the Commonwealth games but for the job that they do on a daily basis in their communities the length and breadth of Scotland.

The Presiding Officer: The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow about 20 minutes for questions, after which we will move on to the next item of business.

Graeme Pearson (South Scotland) (Lab): By way of explanation, Presiding Officer, some of us who were slightly late in entering the chamber may have been waiting for the arrival of a copy of the cabinet secretary's statement, which was very late in being delivered.

The Presiding Officer: Excuse me, Mr Pearson, can you sit down?

Two wrongs do not make a right. When we move on to a statement in the chamber, I expect members to be here.

On the statement not coming, the member will be aware that the convention is that Opposition spokespersons receive a ministerial statement no less than one hour in advance of the statement being made, and I am concerned to hear that that was not observed in relation to today's statement on policing. It was also not observed in relation to the statement on data retention. That may be something that Opposition business managers wish to discuss with the Minister for Parliamentary Business.

You can continue your question.

Graeme Pearson: I am obliged, Presiding Officer.

There is substantial public disquiet, and the cabinet secretary is evidently reluctant to share information with Parliament. What legislation demands that he regards such non-urgent policy shifts as something to be maintained solely in the remit of the chief constable in terms of an assertion of operational independence, and what boundaries apply to the application of operational independence?

Only on 23 March this year, an officer unintentionally fired a gun in a police station and was deemed to have been negligent in a preventable accident. Will the cabinet secretary

initiate a review of the policy by ensuring that the SPA plays an effective role in governance, oversight and transparency, given the declared discomfort of some board members? If not, what is the point of having a police authority? What happened to the much-acclaimed local consultation process before such changes are made?

Kenny MacAskill: I very much regret that it was not possible for the statement to be sent earlier. I apologise for that discourtesy. I do not know the reasons for it.

Mr Pearson will know that the incident involving the discharge of a firearm in a police station was remitted to the PIRC, who reviewed it. Indeed, the PIRC's statement has been published and Police Scotland will take on board the recommendations that he made and the advice that he gave.

As a result of the debate that went on in the country and the Parliament when we set up the single national service, we have the SPA and the Justice Sub-Committee on Policing—an approach that Mr Pearson championed—as well as additional checks and balances in the PIRC, HMICS and the quarterly review. I have spoken today to the chair of the SPA. He is happy with the statement that has been given and the action that has been taken.

I hope that Mr Pearson will continue to contribute to the scrutiny of the police, as he does as a member of the Justice Sub-Committee on Policing. If he has comments to make about the SPA, he should make them to the chair and other members of the board. They meet in public every month and I am sure that Vic Emery and his colleagues would be happy to meet him and discuss their work with him.

Margaret Mitchell (Central Scotland) (Con): I thank the cabinet secretary for at least some advance notice of the statement.

The fact that, throughout Scotland, police officers are carrying firearms while responding to everyday duties is deeply disturbing for the public and represents a change in policy. The public's fears have been heightened by the unacceptable lack of transparency and accountability on this issue in particular.

It has been consistently acknowledged in the Parliament that someone who carries a knife for whatever reason is in danger of using that weapon or becoming a victim of knife crime. There is an interesting analogy with the arming of police, because there is real apprehension that, if police officers routinely carry weapons, those weapons will be used in a manner other than that intended.

How are the officers who carry firearms selected? How many police in Scotland have been

trained in the carrying and use of firearms? What form has that training taken, how frequently has it taken place, and is it due to take place in future?

Kenny MacAskill: I take pride—as, I think, everybody in the chamber does—in the fact that, in the main, police officers in Scotland routinely go around unarmed. That is the norm.

In response to Margaret Mitchell's questions, I say that the number who have been trained is limited, but the overwhelming majority—98 per cent—of police officers in Scotland routinely go around unarmed. Sometimes they face difficult and dangerous positions. We should pay tribute to them for that and take great pride in the fact that they do so without the routine ability to access firearms.

However, there are and have always been officers who are routinely armed. As I indicated in my statement, that is not a new policy but the policy that was operated by three out of the eight legacy forces: Strathclyde Police, Tayside Police and Northern Constabulary. The chief constable has now ensured that the policy applies across the country.

How the officers are selected is an operational matter. I do not know how it is done. I have no doubt that significant checks are carried out and are on-going on a regular basis. However, recruitment to the police and to specialist areas in the service is, correctly, a matter for the chief constable. There are more than 500 authorised firearms officers, but only 275 officers have standing firearms authority. The officers who have been seen by members of the public are a small fraction of the 275. However, this Administration appreciates the concerns. That is why we have the checks and balances that currently exist and are ensuring that there are further safeguards so that the public can be reassured that there is not—and, under this Administration, never will be—a routinely armed police service.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): As the chamber knows, I chair both the Justice Sub-Committee on Policing and the Justice Committee. I note the references in the statement to that sub-committee and to Her Majesty's inspectorate of constabulary.

The cabinet secretary will be aware of the correspondence between the sub-committee and the SPA on armed police and that the issue remains live before the sub-committee. Is he also aware that, in two weeks' time, HM inspector of constabulary will give evidence to the Justice Committee, when, no doubt, the issue of the arming of police will arise? Does he therefore agree that there is parliamentary scrutiny of the matter? Will he respond to any relevant issues that

arise from the scrutiny by the sub-committee and the Justice Committee?

Kenny MacAskill: I can give the member that assurance. Obviously, the Administration will respond to that. I am glad that HMICS is going to her committee. I will meet him shortly myself.

We welcome the fact that Parliament established the SPA and we believe that, as we now have a national service that serves all of Scotland, there should be a role for the national Parliament. That was, quite rightly, championed by Graeme Pearson, and I give due credit to him for that.

I am grateful to all the members who serve on the sub-committee that is chaired by Christine Grahame. I know that it has met on 21 occasions, that the chief constable has appeared before it three times and that, on six occasions, his deputies or assistants have attended on his behalf. I have no doubt that they received the same welcome and challenge that HMICS will receive in due course. I am grateful for the role that it plays. It is important, as it ensures that we have oversight and scrutiny and can ensure that we avoid political interference by a cabinet secretary who represents a political party.

Elaine Murray (Dumfriesshire) (Lab): Armed police were never used on routine operations in Dumfries and Galloway prior to the advent of Police Scotland. Once again, there has been no consultation or even communication with the local community about that major change in practice. What information will be made available to elected representatives about the deployment of armed police in their wards or constituencies? Will we—not with a desire to interfere politically, as I was accused of doing by the chief constable a couple of weeks ago, but on behalf of our concerned constituents—be kept informed about when and how armed police officers have been involved locally in patrols and routine incidents?

Kenny MacAskill: I have met armed response officers in Dumfries and Galloway, and those who now serve in Police Scotland. I am grateful for the service that they provide. I paid tribute to them in the past, when they lent support to officers south of the border when there was a tragedy and a significant firearms incident. I have also paid tribute to them more recently, when they addressed firearms incidents and armed robberies in, for example, Dumfries, in the member's constituency.

It is important that there is oversight and scrutiny. The Police Service has particular powers that are not available to the ordinary citizen. That is why, when the legislation was passed, we ensured that those safeguards and checks and balances were in place. I do not think that I have

to reiterate that position. Equally, we have ensured that there is engagement at a local level between the police—the local commander and other ranks—and those who serve on the local policing committee, in whatever manner the local authority has set it up.

I am aware—it is a matter of public knowledge—that, in addition to that local engagement, the chief constable has gone out of his way to engage with councillors in places such as the north of Scotland, where they have expressed concerns. I am grateful to him for that.

I think that we have the appropriate balance and have protected the police from political partiality.

Alison McInnes (North East Scotland) (LD):

When I queried why, up until 20 minutes ago, we had not received the statement, I was advised that it was still being worked on. That does not demonstrate to me a confident Government. It suggests that there is some turmoil behind the scenes on this issue.

The cabinet secretary said that the authority for armed officers will be reviewed. Any decent and sensible way forward would follow a strategic firearms risk assessment, which, in turn, should be determined by future demands and threats. It stretches credibility to ask us to believe that the threats and risks throughout Scotland are all the same. In the absence of any evidence this afternoon from the cabinet secretary, the approach is surely disproportionate to the risk.

The cabinet secretary's statement has not gone far enough and we must have a full review of the decision to move to the deployment of overtly armed officers on routine duties in our towns and villages. This is not about how many; it is about the change in deployment. I urge the cabinet secretary to make this the last time that he is dragged to the chamber belatedly to react to citizens' concerns.

Kenny MacAskill: I express my regret to Alison McInnes that the statement was not available sooner. I do not know the reason for that. I can assure her that I have had it before me for some time.

First, the chief constable—correctly—carries out the assessment. The authority is reviewed on a three-monthly basis, under guidance that goes across the border. Given the significance of firearms and, as I have said, given that we take pride in having a routinely unarmed police force, these issues should be decided only on the basis of intelligence and proper analysis—and the chief constable must deal with that.

Coincidentally, the next three-monthly review will take place next month. The chief constable has said publicly that he will take on board

people's views. I am sure that those will include not only the views of councillors who share Ms McInnes's political affiliation north of the border but comments made in the chamber today.

However, it is correct that any decision should be made by the chief constable. He is the person who has the information, intelligence and analysis. I do not have it and in many instances it would be quite wrong for it to be given to me. The chief constable has the experience, and he has the information before him.

Because of the significance of the issue, perhaps sometimes because of what can be an infringement of civil liberties and certainly because of the alarm that can be caused, we ensure that the numbers are limited and that we have safeguards and checks and balances. However, it is a matter for the chief constable, who is held to account by the appropriate authorities that we have enshrined.

Kevin Stewart (Aberdeen Central) (SNP):

Having served on a police board for some 13 years, I can say whole-heartedly that with the local policing committees, the Scottish Police Authority and the sub-committee, we now have greater scrutiny than we have ever had.

I ask the cabinet secretary to describe the detail of the training that is provided to specialist officers. What independent oversight is in place in relation to that training?

Kenny MacAskill: Some of those aspects are operational. What I can say, though, is that all authorised firearms officers are trained rigorously to the standards defined in the United Kingdom national police firearms training curriculum. That involves initial training and, frequently, refresher training. It is a significant investment by Police Scotland.

The oversight that the member asked about is exercised through the College of Policing, which ensures that the training delivered is consistent throughout the UK and meets the standards of authorised professional practice for armed policing. I concur with the member that we now have greater scrutiny. In practice, UK services, including Police Scotland, deliver training locally. However, they are independently assessed by the College of Policing to ensure that their training delivery meets the national standard.

Sandra White (Glasgow Kelvin) (SNP): The cabinet secretary said in his statement that the standing firearms authority is reviewed quarterly; indeed it is due to be reviewed next month. Can the cabinet secretary confirm that the chief constable will take public concerns into account on an on-going basis?

Kenny MacAskill: Yes, I can. I reaffirm to the chamber what I said in my statement, which is that the chief constable has made it clear not only that the standing firearms authority is to be reviewed in September but that he will take on board the comments that have been made and may continue to be made to him until he reports on his review.

As I said in my statement, as an additional safeguard, should at any one time the number of officers with standing firearms authority exceed 2 per cent of the total number of officers—other than when some instance has arisen—if it is to be routine, the chief constable will inform the SPA, the committee and me.

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): The cabinet secretary has been at great pains to say that three of the former constabularies—Strathclyde, Tayside and Northern—had endorsed the position of there being a standing firearms authority prior to the inception of the new service. Can he confirm that the police boards in those three areas were of that view and gave that authorisation to the chief constable to bring about that change in policy?

Kenny MacAskill: I do not think that I can be asked to answer for something that is not my responsibility. Those were the procedures carried out by those three authorities; they signed them off. If Ms Ferguson has cause for concern, she should raise it with those who served in the authorities. All I can reiterate is that the arming of police officers is not new, it is not routine and it is certainly the intention of this Administration to ensure that we never have a routine armed police presence on every street or in every community. We take pride in our police officers, who sometimes with great bravery go out at their own risk. Equally, to ensure their safety and indeed general public safety, we have to have access to a very limited number—and thankfully a very low number—of specialist officers.

Patricia Ferguson: On a point of order, Presiding Officer. I am sorry that the cabinet secretary seems to be suggesting that there may be criticism of the bravery of individual officers. That is not the case. What I was querying from his statement was that he prayed it in aid that three authorities had endorsed this position prior to the inception of the new force. Now, however, he tells us that that is not a matter for him and that I should take it up with those authorities. It is part of the cabinet secretary's statement, Presiding Officer, therefore he should be able to stand that information up or withdraw it.

The Presiding Officer: That is not a point of order.

Roderick Campbell (North East Fife) (SNP): Legislation rightly ensures that the chief constable

is operationally independent, so that decisions on policing are made free of political interference. However, could the cabinet secretary provide further detail on the role of the Scottish Police Authority in holding the chief constable to account in relation to the deployment of armed officers?

Kenny MacAskill: I agree with the member that decisions on policing should be free from political interference. It would be a sad day for democracy if there were such interference. That was one of the main issues that we debated and discussed when the Parliament passed the bill. The chief constable is, as I stated, accountable to the SPA and not to ministers. That is entirely appropriate. The SPA challenges and supports the chief constable to ensure the delivery of the best possible policing.

I have outlined the role that the SPA will play in ensuring the appropriate use of armed officers. I spoke to the chair of the authority earlier today and he is happy with and supportive of the proposals. He welcomes the contribution that will be made in terms of the information provided to him.

I think that if the member, or any other member in the chamber, wishes to make suggestions, the SPA will be happy to engage with them and to take on board any thoughts or views that they might have.

John Finnie (Highlands and Islands) (Ind): I apologise to you, Presiding Officer, and to the cabinet secretary for missing his opening few words and thank him for his statement.

The cabinet secretary made reference to the Highlands and Islands and Northern Constabulary on more than one occasion. There have been various versions of who was responsible, and when, for the fundamental change to the very successful policing style.

This is not about skills; it is not about numbers. Three armed officers attending a minor incident in Inverness high street is not what the public want to see. It is also inconceivable that a risk assessment would change at midnight for five of the constituent forces—that is lazy management.

Will the cabinet secretary agree to publish the decision-making process behind that change to policy for each of the constituent forces and place it in the Scottish Parliament information centre? That would be one way of advancing his view that local policing was considered. It is certainly not my view and it is certainly not the public's view.

Kenny MacAskill: I do not have that information. The information that would apply to previous police boards belongs to police boards or indeed to their constituent members. It is not something that the Government would routinely

have access to. That is an issue that perhaps the member would be better raising with council colleagues.

I understand and take on board the concerns that people have about seeing armed officers attending various incidents. However, I say to the member and to the chamber that reference was made to an incident in Glasgow last week or a fortnight ago, where armed police attended a road traffic incident.

I saw the information that Police Scotland made available on that incident. It did that because the armed vehicle was closest to the incident. When the officers arrived, they sought to have others come to relieve them but because of other pressures, no other officers were able to get there. One of the three ladies who were injured had a broken or dislocated hip and was in a significant amount of pain. [*Interruption.*]

Members should perhaps listen to this. In my understanding of what is in the report, the police officer cradled that lady as she was dealt with by medical staff. Those officers did not wish to be there; they would rather have departed, allowed other officers to come in and got back to patrolling. I think that they did the right thing and should be commended, not condemned. Had other officers been available, the original officers would have departed, but it was much better that they assisted with the welfare and care of that lady at the road traffic incident than that they waved goodbye, said that it was nothing to do with them and left her in pain and suffering.

Christian Allard (North East Scotland) (SNP): I checked my inbox this morning and I did not receive any emails from the public about this subject.

What criteria are applied by Police Scotland in deciding to deploy armed officers? What assurances can the cabinet secretary give that such deployment will remain proportionate?

Kenny MacAskill: The chief constable has made it clear that he does not wish to see any increase in such deployment, although instances may arise, subject to intelligence and analysis. Having discussed the matter with Police Scotland, we have made it clear that any routine increase above 2 per cent would have to be reported to us, the SPA and the committee. We are ensuring that the chief constable is taking on board the evidence and intelligence that he has, and he is keeping numbers low and proportionate. He is ensuring that all areas in Scotland can be protected, and he has commented on that.

The changes that Police Scotland offers in covering all areas of Scotland, whether with trunk road policing, dogs, horses or other functions, should be welcomed and supported. Armed

policing has always been there, but we have to ensure that the routine bobby on the beat remains unarmed. That is how it will be. Equally, when there are times that those officers or our communities are challenged, resources and backup, whether they be firearms or tasers, must always be available.

John Pentland (Motherwell and Wishaw) (Lab): Presiding Officer, please accept my apologies for being late and missing the cabinet secretary's opening remarks.

Nobody is arguing against firearms. What is relevant is that the statement has failed to address why, instead of being available in vehicles, they are now routinely being carried without good cause. Why is such a fundamental change in policing being hidden behind an arbitrary 2 per cent figure when the best safeguard is to revert to the previous policy?

Kenny MacAskill: I go back to the two particular points that I have been making. First, the Parliament decided, correctly, that decisions on operational matters would be for the chief constable. There was great and understandable concern that a cabinet secretary of whatever political hue might seek to interfere, so the Parliament made it clear that the authority lies with the Scottish Police Authority and the Justice Sub-Committee on Policing. Equally, we recognise that operational matters are best dealt with by the chief constable, whoever he or she might be, because they have the information and intelligence and are able to make that risk assessment. It is for a chief constable at the time to make a decision and to be held to account in the Parliament by the Justice Sub-Committee on Policing and the SPA, which appoints them. I also welcome the additional checks and balances and the commitment that we made to keep numbers low to ensure that the people of Scotland can always be reassured that our police, in the main, are routinely unarmed.

Ken Macintosh (Eastwood) (Lab): I also apologise for my late arrival and for not anticipating the early closure of the previous debate.

The cabinet secretary makes great play of the fact that this radical change in policy predates the establishment of the new police service. Does it predate his appointment as the Cabinet Secretary for Justice? Given the cabinet secretary's inability to point to any public discussion by any police board of this radical change in policy, will he simply clarify whether he believes that there should have been a public discussion before such a change in policy was implemented?

Kenny MacAskill: With regard to the precise timing, Mr Macintosh should know, as a member for and resident of Strathclyde, that the decision

was taken by the chief constable of the legacy Strathclyde police force, who was held to account at that stage by the Strathclyde police authority, Strathclyde Police Joint Board, so it was ultimately the board's decision.

My responsibility for the national police service was introduced by the 2012 act, but I am also subject—quite correctly—to the clear guidance of the Parliament in order to ensure that there is no political interference. The decision now is therefore not for the legacy boards or forces, but for the Scottish Police Authority.

If Mr Macintosh was not aware that Strathclyde Police had taken the decision, he may wish to raise the matter with political colleagues in his own area.

Data Retention and Investigatory Powers Act 2014

The Presiding Officer (Tricia Marwick): The next item of business is a statement by the Cabinet Secretary for Justice, Kenny MacAskill, on the Data Retention and Investigatory Powers Act 2014, which is United Kingdom legislation. The cabinet secretary will take questions at the end of his statement; there should therefore be no interventions or interruptions.

16:30

The Cabinet Secretary for Justice (Kenny MacAskill): The UK Government's Data Retention and Investigatory Powers Act received royal assent on 17 July 2014. I acknowledge the huge level of public interest that this piece of Westminster legislation has generated, raising as it did fundamental issues of civil liberties, privacy, security and the role of Government.

It is in every Government's interest that we combat crime and address security risks, as I am sure every member in the chamber agrees. As sophisticated criminals and terrorists seek to exploit an ever-changing and rapidly developing telecommunications market, so too must our law enforcement and our security and intelligence agencies have the tools that they require to keep pace if they are to keep us safe. They need to be able to track down the drug dealers, head off the would-be terrorists, pursue human traffickers, deal with child exploitation and find missing persons.

Serious organised criminals and terrorists have no respect for borders. The response from law enforcement, security and intelligence agencies and other partners requires a joined-up approach to those threats. Such an approach was demonstrated in response to the events of 30 June 2007, when two terrorists attempted to drive a jeep through the entrance doors of the terminal at Glasgow airport. Another example is the case of Ezeddin Khalid Ahmed Al Khaledi, who was found to have links to the Stockholm bombing that took place in December 2010. Joint working proved essential in bringing that individual to justice.

It is clear that, in tackling these issues, we are all on the same side. However, the situation cannot be used to explain away a need for proper scrutiny of powerful legislative changes. The tools that are needed to protect us must not be left unguarded by Parliaments or used in an unfettered way.

The provisions in the 2014 act are reserved, but they extend to Scotland and have implications for justice in Scotland. The subject matter relates to powers that enable law enforcement agencies in

Scotland to prevent and detect crime and prevent acts of terrorism.

Communications data—the who, when, where and how of a communication, rather than its content—is an essential element of Police Scotland's capability to respond to a wide range of operational issues. It can be used evidentially by the Crown Office and Procurator Fiscal Service, and it can provide evidence that can be considered by the courts.

There was, in Scotland, always going to be a significant level of interest in these matters, which is why we are discussing the issue today. It is regrettable, to say the least, that the Scottish Government was not given the opportunity that it should have been afforded to properly consider and express views on such a significant piece of legislation.

In May 2010, the Prime Minister, David Cameron, announced that he wanted an agenda of respect. He said:

"This agenda is about parliaments working together, of governing with respect ... because I believe Scotland deserves that respect and because I want to try and win Scotland's respect as the prime minister of the United Kingdom".

It appears that that level of respect was not afforded to the Scottish Government on this occasion.

A joint announcement on the intention to legislate was made by the Prime Minister and Deputy Prime Minister on the morning of Thursday 10 July. It was followed by a ministerial statement from the Home Secretary, Theresa May, later that same morning.

I received a copy of the draft bill by email that day. It was provided in advance of a hastily arranged telephone conversation that I was to have with the Minister for Security and Immigration, James Brokenshire. That ignores the proper processes that are expected from a Westminster Government when it is passing legislation that extends to Scotland.

It was not only the Scottish Government that was denied the opportunity to have its say. Elected representatives in the UK Parliament were denied the time and opportunities that the bill merited to consider and scrutinise its provisions.

As members will no doubt be aware, the Data Retention and Investigatory Powers Bill was subject to Westminster's emergency procedures. The bill had its first reading in the House of Commons on Monday 14 July and achieved royal assent on Thursday 17 July.

The reasons for that fast-track approach were provided in the Home Secretary's parliamentary statement on 10 July. A judgment by the European

Court of Justice called into question the legal basis on which the UK Government required communications service providers in the UK to retain communications data. The second reason was an "increasingly pressing need" to put beyond doubt the application of the Regulation of Investigatory Powers Act 2000 regarding the obligation on communications service providers to comply with legal obligations, irrespective of where those businesses are based.

There was a period of some three months between the European Court of Justice's judgment and the announcement of measures to address it. During the subsequent questions on the Home Secretary's statement on 10 July, the Conservative member of Parliament David Davis said:

"The Home Secretary has justified rushing this Bill through the House on the basis of an emergency. However, the case was put to the ECJ some time ago, and it took some time to reach its conclusion on 8 April, so if there is an emergency, it was a predictable one on 8 April."

I suggest that, in the three months between 8 April and 10 July, there was ample opportunity for the respect that David Cameron described so fulsomely in 2010 to have been paid to the Scottish Government and Parliament.

The Labour MP Tom Watson also criticised the process. He said:

"I have no doubt that the Home Secretary will get her Bill through next week, but the price will be a perception that it is the result of a last-minute deal between elites with little scrutiny by Parliament or civic society".—[*Official Report, House of Commons*, 10 July 2014; Vol 584, c 466, 469.]

The Scottish Government is supportive of Police Scotland having access to the information that it requires in order to keep communities safe, but I believe that, where the power of the state impinges on the liberty of its citizens, it is imperative that elected representatives always have an opportunity to debate the issues.

We said in "Scotland's Future: Your Guide to an Independent Scotland" that, in an independent Scotland, legislation will set out clear arrangements for investigatory powers and that it will build on, and update where necessary, the Regulation of Investigatory Powers Act 2000 and the Regulation of Investigatory Powers (Scotland) Act 2000. Planned legislation will ensure that law enforcement agencies have the powers that they need to do their job and keep Scotland safe, and they will also clarify the limit of those powers and the extent of the controls over them. Any new powers will, of course, be fully considered and debated in the Parliament.

When it comes to combating international problems such as organised crime and terrorism, we must all pull together. The ability of our law enforcement partners to access and use the full

range of investigatory powers is a critical part of our approach to tackling those problems and issues.

I find the lack of engagement from the UK Government in this instance regrettable. There was ample time for views to have been exchanged and there was sufficient opportunity for the respect that David Cameron spoke about in 2010 to have been paid to each of us sitting here today and to the people of Scotland who elected us to represent them.

The Presiding Officer: Thank you, cabinet secretary.

I say to members that we need to finish questions to the cabinet secretary at 5 o'clock.

Elaine Murray (Dumfriesshire) (Lab): I would have like to have thanked the cabinet secretary for early sight of his statement but, because I received it only 10 minutes before I had to sprint to the chamber, I am unable to do so.

The justice system is a balance between individual freedoms and restrictions on those freedoms to ensure public safety and to preserve the human rights of other individuals. Undoubtedly, the UK Government did not handle the consequences of last April's European Court of Justice's ruling as well as it ought to have done. However, it is not the only Government to have encountered issues when trying to rush through emergency legislation, as I am sure that the cabinet secretary will recall.

Does the cabinet secretary accept that the legislation passed in July by the UK Parliament contains greater safeguards and controls than the original act, including cutting the number of agencies that can access retained data and enabling the UK information commissioner to audit the integrity and the deletion of retained data? Does he accept that, in this age of social media and electronic communication, information held by internet companies and phone providers can be vital to the investigation and detection not only of terrorist activities but of atrocities such as child sexual abuse and paedophile rings, as evidenced only yesterday by the arrest of a convicted paedophile in Texas on the basis of material supplied by Google?

The cabinet secretary's Westminster colleagues voted against the legislation. Is it therefore the case that a Scottish National Party Government in an independent Scotland would not permit the tool of data retention to be used? If that were the case, what would it do to protect public safety in this age of electronic communication and to support the human rights of the victims of online abuse?

Kenny MacAskill: The Scottish Government accepts that covert work is required in every

jurisdiction, north and south of the border, to keep us safe and secure. I mentioned that in my statement. The same points were echoed by Elaine Murray.

Of course we require to address those who would flood drugs into our community, traffic people or perpetrate atrocities that we have seen carried out elsewhere and that were sought to be carried out here. Therefore, we accept fully that there is a basis and justification for the work to be carried out. However, there are two points that we must make.

First, the process here was not followed. A respect agenda is required to be met and that applies to this Government, to this Parliament and to the other agencies in Scotland. Although they were sighted in some ways, they were not given the opportunity to participate and contribute to the proper scrutiny of parliamentary debate. There is a principle in that regard. As I say, I have accepted that the legislation is required; equally, I accept that the matter is reserved. We must ensure that we get the balance right—I recognise that.

I met the information commissioner—I pay tribute to him and his predecessor, and I welcome their work. In some regards, I can criticise the process followed. On some of the principles of the act, I side with my Westminster colleagues. I also side with David Davis and Tom Watson. We do not know what some of it will mean because the legislation has been rushed through. We must never know some of the information because it would compromise security and the safety of investigation and perhaps officers or individuals in the field. However, we do not and did not have an opportunity for the required proper scrutiny. I contrast the information being sought by members here on my statement with regard to some of the points that they made on the legislation.

Margaret Mitchell (Central Scotland) (Con): I thank the cabinet secretary for the albeit limited advance sight of the statement.

Today of all days, I am sure that the cabinet secretary will appreciate and agree that, in an ideal world, all legislation and indeed ministerial statements would be introduced at the appropriate time and as soon as possible. However, as Governments of all political persuasions know that is not always possible. The Cadder emergency legislation in the Scottish Parliament is a case in point.

The issue before us is not necessarily the timeframe in which the Data Retention and Investigatory Powers Act 2014 was introduced; rather, the issue relates to the content. This emergency legislation was introduced to clarify the legislative framework for certain important investigatory powers to ensure that the UK law

enforcement and intelligence agencies can maintain their ability to access telecommunications data. Let us be quite clear: the police need that data to investigate criminal activity and to protect the public.

Will the cabinet secretary confirm that the legislation was necessary and that he is supportive in principle of the legislation to ensure that that crucial data, which is a powerful tool to those investigating horrific crimes such as child exploitation and terrorism, can be accessed and is not lost, which might have been the case had the legislation not been passed? Does he also agree that the act should cover anyone providing a communication service to customers in the UK, regardless where that service is based?

Kenny MacAskill: I think that we all agree that some data must be accessed; it is a question of proportionality and ensuring that there are sufficient checks, balances and safeguards.

The timing issue was raised not by me but by David Davis—I refer the member to the quotation in my statement. David Davis is not a member of the Scottish National Party group at Westminster but a former challenger for the leadership of the Conservative Party. To be fair to David Davis, he accepts that some action is necessary. His point was that the case went to the ECJ some time ago and reached its conclusion on 8 April. He made it clear that, if there was an emergency, it was an emergency that was predictable on 8 April—but the legislation that was rushed through Parliament was announced only on 10 July.

That takes me back to process. Everyone accepts the principle—the issue is where we draw the line—but the process seems to me to have failed, certainly in the context of the respect agenda and arguably in relation to the point that not just my parliamentary colleagues but David Davis, Tom Watson and others made, which is that there was insufficient opportunity for proper scrutiny in Westminster. That is where the failure was.

Marco Biagi (Edinburgh Central) (SNP): The cabinet secretary has repeatedly referred to the gap between the judgment on 8 April and the announcement on the bill on 10 July. Given that civil servants would not just have put pen to paper on 10 July, I presume that there was a process in the run-up to the announcement. Will the cabinet secretary say when he was first notified? Was it on 10 July, when the bill was already in draft form? What input would he have expected to have to the drafting process?

Kenny MacAskill: A draft copy of the bill was emailed to me at 10.20 am on Thursday 10 July, which was the day on which the UK Government announced its plans at Westminster. To be fair to

Mr Brokenshire, he sought to contact me before the Home Secretary's statement, but because I was on the move as a result of ministerial engagements I did not speak to him until later in the day.

I think that it is fair to say that the only intimation that officials who work for me had that something was on the move came very late in the process, just days before, and that the only information that we got was at 10.20 am on the day when the statement was made.

Willie Rennie (Mid Scotland and Fife) (LD): Sometimes I think that this Government revels in being insulted by the UK Government. The justice secretary knew that legislation was coming and that a reaction to the ECJ judgment was required. What efforts did he and his officials make to communicate their views to the UK Government about the changes that were required? He does not have to wait to be asked; surely he can be a bit more forthcoming.

Kenny MacAskill: I reiterate to Willie Rennie my answer to Marco Biagi. We did not receive any intimation or communication from the UK Government until 10.20 am on that morning. Officials had been advised that something was brewing, but they were not in the loop—they had been kept out of it.

I have condemned the process, but I accept that there is a principle here. We have to have data retention; the issue is where we set the mark and how we ensure that we have appropriate safeguards. However, let me quote not from the SNP group but from Shami Chakrabarti, the director of Liberty. She said:

“The Government”—

that is, the Liberal-Conservative coalition—

“has shown contempt for the Rule of Law by ignoring the Court of Justice. It has also shown contempt for Parliamentary Sovereignty. Our elected representatives will have just one day to consider a Bill with huge implications for the nation's privacy—making proper scrutiny, amendment or even debate impossible.”

Ms Chakrabarti, for whom I have the highest respect, clearly felt that the UK Government was disrespectful to the Westminster Parliament. She did not even consider how disrespectful it was to the Scottish Parliament.

Sandra White (Glasgow Kelvin) (SNP): It seems that the issue is non-consultation. How often was the Scottish Government consulted about communications data retention and investigatory powers prior to the announcement on the legislation?

Kenny MacAskill: We were not consulted. The only discussion that I had was with James Brokenshire. To his credit, he wanted to have the

discussion just before the Home Secretary went into the chamber, but as a result of commitments for both of us the discussion did not happen until she had made her statement. I found that highly regrettable, and I made that clear to him. I also made it clear that although I accepted the principle of data retention, clear questions that had been raised by David Davis, Tom Watson, my own parliamentary colleagues and organisations such as Liberty still had to be answered.

As I pointed out in my statement, we are all on the same side with regard to keeping our communities safe, tackling trafficking and protecting communities here and elsewhere from terrorism, and I find the UK Government's failure to take not only people here but its own colleagues south of the border into the loop not only disrespectful but, at times, harmful.

Graeme Pearson (South Scotland) (Lab): I identify with Tom Watson's comments and I appreciate that the cabinet secretary feels bruised by the way in which the process has been conducted. Nevertheless, I am pleased that we agree on the interim solution that has been reached at a UK level, and I hope that in a moment of self-awareness the cabinet secretary will think about the circumstances with regard to his approach to the arming of police, which we have just discussed, and the year of policy development that we have lost in that respect.

Has the cabinet secretary worked out how much of the £2.5 billion that the Government has identified for spending on defence will be ring fenced to deal with the current challenges of cybercrime and digital communications?

Kenny MacAskill: No. The issue of cybercrime is being reviewed by Police Scotland, with engagement with police services south of the border, Europe-wide and internationally. Cybercrime is a growing concern but, as with all aspects of crime, the people who are best placed to deal with it and to assess the risks and the actions that require to be taken are the police and the chief constable. Of course, given the nature of those who are involved in such crime, there will also be information from the security services, but I believe that that is an operational matter. Nevertheless, the appropriate safeguards, checks and balances need to be in place, and there should be appropriate discussion and debate about that. That discussion and debate did not take place here.

Bruce Crawford (Stirling) (SNP): With regard to the respect agenda that the cabinet secretary mentioned in his statement, does he recall that David Cameron also said:

"This agenda is about parliaments working together, of governing with respect ... because I believe Scotland deserves that respect"?

Does the cabinet secretary agree that by proceeding with the DRIP legislation without even the most rudimentary consultation with this Parliament the UK Government has shown its true colours in its disregard for the very institution of the Scottish Parliament?

If that was not bad enough, does the cabinet secretary also agree with the veteran Labour MP, David Winnick, who said:

"I consider this to be an outright abuse of parliamentary procedure"—[*Official Report, House of Commons*, 15 July 2014; Vol 584, c 689.]

or with Labour MP Tom Watson, who called it an insult and "democratic banditry"?

Kenny MacAskill: I share those views about the respect agenda not being adhered to; it is, as I have said, a matter of concern. Indeed, I intimated to James Brokenshire that process had not been followed.

Such concerns have been expressed because, as members on all sides of the chamber have pointed out, we are all on the same side with regard to tackling terrorism and protecting our communities from those who would harm them. Mr Pearson suggested that I might feel bruised; I do not take it personally—these things happen in the rough-and-tumble of politics—but it shows disrespect to the Government and the Parliament of Scotland. In previous incidents such as the incident and the challenges that we faced at Glasgow airport, security services co-operated with the police in Scotland. Moreover, the Lord Advocate, who at the time was Dame Elish Angiolini, took charge but co-operated with law enforcement south of the border. We did so because we knew not only that an atrocity had been perpetrated here but that atrocities had been and were being planned south of the border. We co-operated with each other and shared our resources, skills and everything else to keep our communities safe because, irrespective of where it is perpetrated, a crime against one is a crime against all.

As I have said, what happened was disrespectful to the Government and the Parliament. However, the greatest disrespect has been shown to those who serve to make our communities safe and who work with colleagues in other agencies and in other jurisdictions.

The Presiding Officer: I have three members who still wish to ask a question. Given that we finish at 5 o'clock, I can be slightly more generous than usual.

Patrick Harvie (Glasgow) (Green): As I understand it, the SNP's position in the independence white paper is that

“some of the work undertaken by security and intelligence agencies means, by necessity, interference with the privacy of specific individuals.”

In his statement, the cabinet secretary referred to would-be terrorists, drug dealers, human traffickers and others, and I do not think that anybody would reject the idea that those specific individuals might be targeted in that way. However, is that a clear rejection by the Scottish Government of the approach of the UK, which is the routine mass surveillance of the entire population of the country? Can the cabinet secretary confirm that if, in the future, he has the responsibility for updating the legislation in this area, as he suggests, that legislation will prohibit the routine mass surveillance of the entire population?

Kenny MacAskill: I agree. Patrick Harvie shares the view that we all share, which is that those people who would perpetrate evil, whether for terrorist purposes or simply for their own financial or other gain, require to be dealt with sometimes in a covert and subversive way, although we have to ensure that there are appropriate checks and balances.

In the white paper, we have specified that we will have a security service, and it is important that we separate the police service from the security services, which will be held accountable with parliamentary scrutiny as well as commissioners to address the issue. It is all about where we set the bar.

I say to Mr Harvie that I do not think that those are decisions for me. We have laid out what the basis of the system will be; ultimately, this Parliament will have the power to decide how far it wants to go. I would find it incredible if the Scottish Parliament wished to replicate wholesale what we see happening down south. We would want to ensure that we had balance and proportionality to protect our people, to pursue those who would cause us harm and not to interfere with the rights of the ordinary citizen to go about their daily business. That is my personal view, but it will be for this Parliament—with all the scrutiny, safeguards, checks and balances that will be built in—to decide.

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): My question follows on from those comments by the cabinet secretary. What will be the priorities of an independent Scotland for investigatory powers?

Kenny MacAskill: Those priorities will be the information that is available to those who are in charge of the security services and the chief constable. They will be required to consider a threat assessment, as they do, and we will take that on board.

The Government is clear that this is about protecting our people from harm and protecting others, because bombings in Madrid or London would be as reprehensible as a bombing that took place here. It is about protecting us from those who would harm us and who are operating in cyberspace, to which Mr Pearson has alluded, whether they are based in the Philippines, in Nigeria or in our own jurisdiction. It is about ensuring that we do that while taking on the points that have been made relevantly and cogently by Mr Harvie about proportionality, reasonableness and the need to ensure that we have the appropriate scrutiny to protect the ordinary individual while being able to pursue those who would harm us.

Ken Macintosh (Eastwood) (Lab): Like my Labour colleagues, I share the cabinet secretary's disappointment at the lack of proper consultation and debate in advance of the introduction of the legislation. However, does he propose any substantive change to the legislation? He does not appear to be doing so.

In his statement, the cabinet secretary said that, “where the power of the state impinges on the liberty of its citizens, it is imperative that elected representatives must always have an opportunity to debate the issues.”

Why does he believe that that principle should apply to data retention but not to the carrying of firearms, in respect of which Scotland faces a radical change in policy direction?

Kenny MacAskill: It is rather bizarre that, given that I have made a statement and answered questions, and given that we have a police committee, a Scottish Police Authority, HMICS, a quarterly review of the standing firearms authority and, indeed, the PIRC, Mr Macintosh still labours the point. The fact is that the criticism by Labour and Conservative members south of the border concerns the lack of discussion and scrutiny.

We have no intention of seeking simply to replicate the position that has been adopted south of the border. I cannot decide how I would vote because, at the moment, the matter is reserved and I therefore have no vote. It is also difficult for me to comment because I have not been privy to the debate or the information—that is part of our complaint about the lack of a respect agenda.

What I can say, though, is that I believe that, after the yes vote on 18 September, we will ensure that our people are protected and that we play our part in protecting the citizens in other jurisdictions. We will do so by ensuring that there is proportionality and that there are appropriate checks, balances and safeguards.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are three questions to be put as a result of today's business. The first question is, that amendment S4M-10712.1, in the name of Patricia Ferguson, which seeks to amend motion S4M-10712, in the name of Humza Yousaf, on Scotland and Malawi, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S4M-10712.2, in the name of Murdo Fraser, which seeks to amend motion S4M-10712, in the name of Humza Yousaf, on Scotland and Malawi, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S4M-10712, in the name of Humza Yousaf, on Scotland and Malawi, as amended, be agreed to.

Motion, as amended, agreed to,

That the Parliament congratulates the people of Malawi on their recent successful democratic elections; recognises that Scotland and Malawi have a special relationship that has endured for over 150 years and was formalised at governmental level in 2005 with the signing of the partnership agreement between the governments of Scotland and Malawi; notes that the basis of this relationship is one of reciprocity and mutual trust between the peoples and governments of both countries; recognises and welcomes the role of individuals and organisations across Scotland in supporting and developing Scotland's special relationship with Malawi; further recognises that Scotland demonstrates its commitment to international development through the maintenance of the international development funds for Malawi and its other priority countries; notes that the Scottish Government's engagement with Malawi and its other priority countries draws on Scottish knowledge, skills and expertise, in relation to health and education, as well as in response to new challenges, notably climate change and renewable energy, priorities set by the Malawi Government; welcomes the work carried out in and for Malawi by a wide range of schools, churches, NGOs and community groups around Scotland, and further welcomes the next funding round for Malawi and the Scottish Government's ambition for Scotland to be a good global leader in the field of international development, championing best practice and innovation in partner countries such as Malawi and complementing the work done by the Department for International Development around the world; further welcomes the contribution of the UK Government in achieving these successful democratic elections; recognises the £90 million that the UK is sending to Malawi in 2014-15, and supports the UK Government's objectives to address the poverty and inequality facing large parts of the population, support economic growth and wealth creation to turn the economy around and sustainably help people out of poverty and actively promote good governance and an open society in Malawi.

Bunchrew Land Declaration

The Deputy Presiding Officer (Elaine Smith):

The final item of business is a members' business debate on motion S4M-10591, in the name of Rhoda Grant, on the Bunchrew land declaration. The debate will be concluded without any question being put.

Motion debated,

That the Parliament congratulates Community Land Scotland on the publication of the Bunchrew Land Declaration; supports the renewed commitment that it makes to what it considers the just cause of further land reform in Scotland, including in the Highlands and Islands; notes its reference to Scotland having yet to take the decisive action of other European countries to bring about more equitable patterns of land ownership; further notes its call to established land ownership interests to recognise the manifest unfairness of current land ownership patterns in Scotland, and welcomes its reference to more people-centred land governance and the achievement of land justice in Scotland.

17:02

Rhoda Grant (Highlands and Islands) (Lab): I am grateful for the opportunity to debate the motion. Land reform is an issue that has moved up the political agenda in Scotland over the past couple of years, following a lot of action on the issue just before and directly after the Scottish Parliament was formed.

There is a danger that tonight's debate could become a debate about the outcomes of the work of the land reform review group or the Community Empowerment (Scotland) Bill. I hope that we will have a lot of time to debate those specific matters over the coming weeks and months, but that is not the purpose of tonight's debate. Tonight's debate is relevant to those issues, but it sets them in an international context, in which we should also have an interest.

People assume that land ownership in Scotland is the same as land ownership elsewhere, but it is not. That is news to many Scots. Our land ownership patterns are massively out of kilter with those in the rest of Europe and those in most of the rest of the world. Most European countries took radical action to reform land ownership centuries ago.

The Bunchrew land declaration emanates from the Bunchrew seminar, at which a number of local and international interested parties joined together to explore land ownership issues. They heard Professor Jim Hunter, the writer and emeritus professor of history at the University of the Highlands and Islands, who is known and respected by many of us in the Parliament and beyond, give a paper. What was striking about the paper was the close parallels that it drew between

our land history and what is happening to land ownership internationally today. At one point in his paper, Jim Hunter recounted the story of villagers in the Gambela region of Ethiopia being dispossessed of their land. That event mirrors uncannily events in Sutherland in the early 1800s.

What is happening today to many peoples across the globe, as powerful interests force them from their lands and deprive them of their principal means of existence, often with the connivance of their Government, is strikingly similar to aspects of our own history. We see the influence of that today in Scotland in the concentration of ownership of land, the concentration of power and influence and the increasing concentration of wealth that can come from land ownership.

From our history, we know of the actions of successive Governments, back to the end of the 19th century, on land reform, and despite that we are still debating land reform and the need for change today. We have over 150 years of legislation that tries to bring about change to land ownership patterns, yet we are still debating and trying to make decisive change. From our own experience, it is all too easy to see what faces the peoples in other parts of the world who are now fighting the land grab that is going on in their communities. They, too, face a future where the few will dominate the many, where a stake in the precious resource of land is limited or denied, and where power and wealth concentrate as a consequence of land ownership patterns. It must be right that we in Scotland show some solidarity with those peoples and that we learn from them today what their land reform actions are about and what is working best. It is therefore right that we offer to share with them our experience and insights, our policy and legislative actions and our thinking on the subject.

As Community Land Scotland has been discovering, our land debate is highly relevant to others, and their experience is relevant in helping us to confirm that our thinking is legitimate in the international context. The Bunchrew land declaration highlights those points. I hope that in his reply the minister will recognise that we in Scotland have something to offer in all this and that he will work with Community Land Scotland and others to build the links and dialogue that can help us and others. We sit firmly within an international context in which land reform is a necessary, just and common cause.

In commenting on the Bunchrew land declaration, Michael Taylor of the International Land Coalition, based in Rome, said:

"Like any country facing high concentrations of land ownership, challenging this structure also means challenging concentrations of economic and political power with which land ownership is so intertwined."

Wherever we go, land reform struggles are always motivated by issues of social justice, greater fairness and how better to empower people.

I have heard too often from vested interests that the way in which land is owned and managed in Scotland currently is the best way in which to do it and that we should be very grateful to those wealthy private landowners for subsidising us all. The truth is very different. We are now discovering just how much the public purse subsidises many wealthy landowners—through beneficial tax breaks and large public grants—while they watch their land values soar. Meanwhile, few others have a stake in the land. The Bunchrew land declaration reminds us that there are other ways forward, which empower people to have a stake in their own land.

It simply cannot be right in a country that believes in greater fairness and social justice that just 432 people own half of Scotland's private land. That reflects the concentration in very few hands of influence, power, and wealth. My motion congratulates Community Land Scotland on reinforcing for us, through its Bunchrew land declaration, the just cause of land reform in Scotland. I am encouraged by some of what has been emerging recently, but there is still a long way to go. I hope that in his reply the minister will build on the theme that he has been developing. I believe that we agree that there needs to be a fairer distribution of land ownership in Scotland today, and I hope that we can unite around that as an ambition.

The Deputy Presiding Officer: Thank you very much. We now turn to the open debate. If we have speeches of four minutes, please, I should be able to call everyone.

17:09

Rob Gibson (Caithness, Sutherland and Ross) (SNP): Rhoda Grant is to be congratulated on obtaining this timely debate. Community Land Scotland's vision of a fair and equitable distribution of Scottish land chimes well with the final report of the land reform review group—"The Land of Scotland and the Common Good"—which shows that land reform cannot be achieved with one simple formula but is incremental, as each tranche adds to the application of the public interest test to all the land issues that we face today.

In my large constituency, there are examples that show the need for flexibility of approach. For instance, at Leckmelm, a formerly larger family estate of about 6,000 acres that saw much of its hill ground sold off on the death of the father of the present owner, the current owner is now seeking to enlist the support of Ullapool Community Trust to see whether the community would be interested

in purchasing hill ground of some 5,000 acres that is again on the market. The community trust put out a questionnaire in the *Ullapool News* a fortnight ago to see what local people think. The motives of the Beattie family at Leckmelm are understandable as they work on many community projects and have strong local support year in, year out.

Meanwhile, a Dutch company that bought the nearby Foich estate of some 23,000 acres in the 1970s added that at Inverlael, which is closer to Leckmelm, in 1994 and bought Tir Aluinn, the former hotel at Leckmelm, in 2002. It has the ability to buy land in such quantities in Scotland. The international lesson is: why here, but not in Holland? Now it wants to add the Leckmelm hill ground to its extensive estate, not for cattle and sheep or for community uses but merely for the occasional sporting slaughter of deer.

Scottish Land & Estates is always saying that it wants collaboration with local people, and Community Land Scotland has an excellent track record where communities have bought land outright. However, the Leckmelm example is one where the common good needs the land laws to be made more open to community participation. The situation is all the more significant as Leckmelm witnessed the forcible removal of the crofters on the estate by the then owner in 1880, which was one of the triggers for the creation of the Highland Land League and for the crofters war. We need better solutions today.

The Bunchrew declaration encourages us to see land reform questions as a normal part of a nation's development. As Scotland debates its land reform issues, other countries around the world are facing up to challenging land questions, too, and they need to interact.

A parallel guide is the Scottish Government's commitment to make Scotland a hydro nation. It states:

"Water is of fundamental importance for Scotland's economy, health, social wellbeing and environment. All businesses rely on the water environment in some way or another and water plays a prominent role in the success of many sectors of the economy. Some are of strategic importance to Scotland's economy, such as tourism, food and drinks manufacturing and renewable energy generation."

It is absolutely the same with land, or even more so.

We can learn from many other countries about best practice on land reform. Just as Scotland, as a hydro nation, will gain direct economic benefit and enjoy an enhanced international profile, so community land reform in Scotland can gain direct economic benefits for our people.

We should be aware of the urgency of this reform. Farm land values have risen by 223 per cent in 10 years, according to Knight Frank, as reported in *The Press and Journal* on 30 June. Farm agent James Denne said:

"There has been a lot of talk about the ... referendum, CAP reform and land reform, but there is much more confidence in the market for agricultural land than you might imagine, particularly for good arable ground".

In contrast, the *Financial Times* on Saturday 2 August, in an article headlined "The twilight of private ownership in Scotland?", suggested that the referendum is making buyers back off. The author, Merryn Somerset Webb, concluded:

"Scottish landowners are used to the idea that what is theirs is not all theirs ... The direction of travel has long been clear—the new bills and reviews just mark a step up in the speed of the transfer of power from landowner to perceived public interest."

The Deputy Presiding Officer: Will you draw to a close, please?

Rob Gibson: Irrespective of the referendum result, property owners see that land reform is coming, but it would be so much easier with full tax powers over land being exercised by the Scottish Parliament. That is what I suggested in an amendment to the original version of the motion. There is wide MSP support and, all in all, the time for land reform for the common good is here and now.

17:14

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I congratulate Rhoda Grant on securing the debate and on highlighting the Bunchrew land declaration.

The pattern of land ownership in Scotland is underpinned by generations of inequality and is shaped by many wealthy vested interests that in effect prevent an equitable system that truly benefits communities. The declaration points out the lack of fairness in land distribution and reaffirms Community Land Scotland's commitment to a fair but radical alternative. At present, Community Land Scotland represents members who manage roughly 500,000 acres of land, which contains up to 25,000 residents. Those residents all stand to gain from the positive experience of engaging with and making the most of the land around them. As Andy Wightman points out in his publication "The Poor Had No Lawyers: Who Owns Scotland (And How They Got It)", half of the country's privately owned land is held by just 432 owners and as few as 16 owners hold 10 per cent of Scotland's natural land resources. That is quite simply unacceptable.

Ownership empowers communities and gives a greater sense of participation and inclusion. We

need only look abroad to see examples of that. The Bunchrew land declaration states that,

“having explored the parallels with land reform internationally”,

Community Land Scotland has found that

“Scotland lags behind land reform interventions which in Europe delivered greater land justice in past centuries”.

That is the case in France, for example, where patterns of ownership of national forests differ enormously from the current inequitable Scottish situation. As it stands, more than 44 per cent of private forests in Scotland are over 100 hectares in size and account for more than 94 per cent of the forest area. The conditions of tenure for workers and communities who live on that land are determined by a relatively small group of people. By comparison, French farmers, like farmers elsewhere in Europe, are also foresters, which means that there are no big estates with tenants relying on a landlord's good will. At the same time, public forests are owned by local communities, which gives a far more equitable outcome for all stakeholders.

In Andy Wightman's article “Scottish forestry still in hands of an elite”, he points out that the reasons why Scottish private forestry is dominated by large-scale absentee landowners is partly down to established ownership patterns in which a tiny elite possessed the land and all farmers were tenants. Until 2004, the law stated clearly that trees belonged to the landlord, so farmers have never been forest owners. As a result, huge swathes of prominent and valuable woodland are beyond the reach of community ownership, and that has remained largely unchallenged.

The declaration also touches on the human rights element of land reform, citing “Scotland's National Action Plan for Human Rights 2013-2017”, which seeks to increase people's understanding of human rights and their participation in decisions. The Bunchrew declaration is correct to identify that as one key area that has yet to be properly discussed. The use of land directly affects the wellbeing of citizens and therefore current legislation on community empowerment should reflect the human rights impacts.

That starts with information. Urban and rural communities have voiced a desire to know who owns the land around them, but as yet Scotland lags behind most comparable European countries in providing such data. Angus Robertson of Community Land Scotland, in evidence to the Scottish Affairs Committee consultation on land reform, highlighted that transparency and accountability in respect of land ownership are seriously damaged by the lack of a full register of rural ownership. He said that, even where the

ownership is available, some “hide behind charitable status” and

“have a board of trustees which has no local representation on it at all.”

That situation cannot continue.

I welcome the reaffirmation of the values of Community Land Scotland in the Bunchrew declaration, which sets out a shared agenda that I hope all members will get behind, including with regard to the Community Empowerment (Scotland) Bill.

I welcome the motion and give it my support.

17:18

Alex Fergusson (Galloway and West Dumfries) (Con): As others have done, I congratulate Rhoda Grant on bringing the motion to the chamber. It is timely, because there is no doubt that land reform issues are very much in the air, largely as a result of the publication of the report of the land reform review group but also, I like to think, as a result of the Parliament's positive history in supporting community buy-outs and ownership to the extent that, as Malcolm Chisholm said, some 500,000 acres are now community owned and run.

As an individual and as a Scottish Conservative, I very much welcome that fact. After all, it was a Conservative Government that initiated land reform in the United Kingdom. Indeed, we believe that true devolution does not and should not end with the transfer of powers to Edinburgh and that it must result in the genuine empowerment of communities or it is surely meaningless. It therefore follows that community ownership of land has to be integral to the beliefs of those of us who embrace devolution, and I certainly number myself among them.

However, I differ from some of the current thinking on how to promote increased community ownership as we take it forward. I believe strongly that successful community ownership results from local enthusiasm leading to local initiatives, local decision making and local processes.

I believe equally strongly that those processes should be based on entirely voluntary agreement. The idea that any community should have a right to buy land without the agreement of a willing seller is one that I cannot support, but that is the route that the land reform review group proposes, even if it is only as a last resort.

Even more concerning from my perspective is the proposed degree of centralisation of the process. Setting up three new Government agencies to oversee the policy is as fine an example of centralised overkill as I have ever seen and I cannot understand the logic of a centralised

Government agency having the right, never mind the ability, to determine whether a proposed community buyout is able to deliver the degree of public benefit that will apparently be required if the large amounts of taxpayers' money that will have to be provided to finance such ventures are to be sanctioned. There surely must be better ways of doing that than simply setting up three new quangos.

Community ownership is really positive, but let us keep it voluntary and local because that results in land reform with harmony rather than land reform with divisiveness. That, surely, must be the preferred outcome.

Nigel Don (Angus North and Mearns) (SNP): Will Alex Fergusson take an intervention?

Alex Fergusson: I do not have time. I am sorry.

I will finish with a brief word on the amount of land that anyone can own. I question whether the amount of land is at the heart of people's concerns. I could own 2 acres in the heart of my local village and have far more influence over that community than the owner of a 10,000 acre or 100,000 acre estate just up the road.

I would, and, as the debate goes forward, will argue that the real issue is not how much land people own but how that land is used. Simply putting a false cap on the amount will do nothing other than have lawyers rubbing their hands with glee as they devise schemes to drive a coach and horses through any legislation that seeks to do that.

Many of the land reform review group's recommendations, which are largely endorsed by the Bunchrew declaration, are well intentioned but some of them are ill thought out. As I said earlier, land reform and community ownership can and should result in positive and progressive outcomes for not only the communities but the whole country. That will be achieved only if the elements of compulsion and state interference are removed from the proposed equation.

I expect no applause, Presiding Officer, but I thank members for their time.

17:23

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): I, too, thank Rhoda Grant for securing this important debate.

The publication of the Bunchrew land declaration is an important contribution towards establishing new land ownership patterns in Scotland for the common good and in the public interest. Community Land Scotland also deserves our thanks for the work that it is doing on that vital issue.

Fundamentally, land is a God-given, finite, gift that must be used for the benefit of all. I am confident that any moves towards more people-centred land governance will meet with majority support in the Parliament and I urge Labour in particular to put aside party politics and join with those of us who are in favour of land reform to promote meaningful change. I was encouraged by Rhoda Grant's call for working together on that, but there is a challenge.

The Bunchrew declaration recognises that Scotland's land reform journey is behind that of most of Europe, where more equitable patterns of land ownership have been delivered in recent centuries. As Rhoda Grant and Malcolm Chisholm said, more than half of Scotland's private land is owned by just 432 people with 10 per cent owned by 16 individuals or groups, which means that Scotland has one of the most unequal patterns of land ownership in Europe. We cannot say that often enough.

We—Labour and the SNP—recognise that the declaration is a positive step and we are in agreement that such patterns of land ownership in Scotland are not fit for a modern nation. We have to build on that.

The declaration is positive and is an embodiment of intention that is notable and is a strong marker on the Scottish land reform road. That is why I am confident that we will unite with Community Land Scotland in the coming years to bring the ideas that are contained within the declaration to fruition.

However, as a Parliament, we also have to be honest about how we are going to do that, and it would be remiss of me not to mention that Westminster still makes many decisions for us, such as on postal privatisation and the renewal of Trident nuclear missiles—decisions that are not supported by this chamber.

As Rob Gibson said, Westminster also decides on most aspects of taxation and, because the tax system plays an integral role in perpetuating our unfair and concentrated pattern of large-scale private land ownership, it will need amending if we are to make a real difference. That is unlikely to happen, despite the sterling efforts of Westminster's Scottish Affairs Committee. The problem is that the establishment in London, the millionaires in the Cabinet and the members of the House of Lords will make it impossible to enact the type of radical reform we seek. The members of the House of Lords, especially, will always vote in the interests of their own kind, who have a vested interest in vast swathes of Scotland's land and in keeping things as they are.

Members know what the answer is. We can eradicate the House of Lords at the stroke of a

pen and take our taxation system into our own hands on 18 September. That will set us upon a true path to realising the aims of the Bunchrew declaration, and I hope that, on some level, that notion chimes with members of the chamber who are ordinarily against independence. I am sure that a majority of members in this chamber believe that there should be a fair distribution of land so that communities are able to fulfil their aspirations. However, we must be honest about how we achieve that.

We owe it to the people of Scotland to make sure that we make progress by advancing the principles of fairer patterns of land ownership, as laid out in the Bunchrew declaration, and by removing any blockages, such as the House of Lords, that prevent us from doing that.

The answer is in Labour's hands, but does it have the courage to grasp it?

17:27

Claudia Beamish (South Scotland) (Lab): I want to support all that Rhoda Grant has said in opening the debate. The land ownership question is fundamental to a fairer Scotland. It sometimes still feels as though the land debate is just a Highlands and Islands thing, but the question of land reform has relevance to South Scotland, the region that I and the minister represent.

We have much to learn from the Highlands and Islands and seek to involve more and more communities in the real future of their land. The fact that the Highlands and Islands has had Highlands and Islands Enterprise as an economic and social development agency for close to 50 years shows in the capacity of its communities, but also in the support systems that are in place. I hope that the minister will agree that, within Scotland, there is more that we can do to share best practice. I have to disagree with Alex Fergusson, and I ask the minister to agree that the new agencies that are proposed, or similar models, will offer local communities support and are not about centralisation.

However, tonight I want to focus principally on matters that originate beyond Scotland's shores but which are relevant here and can give us strength and confidence in our policy actions. I am not referring to human rights considerations. I want to concentrate on one particular international agreement, which was signed up to by the current UK Government.

I confess that I did not know about the existence of a document called, "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security" until attention was drawn to it by Community Land Scotland in the Bunchrew land

declaration. It is a United Nations food and agriculture organisation policy document that was agreed by the UN's committee on world food security and has since been endorsed by the G8. The guidelines have high-level international endorsement and they apply to all member states, not just developing countries. The guidance is designed to

"improve tenure governance by providing guidance and information on internationally accepted practices for systems that deal with the rights to use, manage and control land".

They are about internationally accepted practices and are now recommended for consideration by nation states in the development of land policies.

The guidelines are voluntary but they carry the weight of official endorsement at the most senior international levels. They set out helpful policy principles and cover Government-owned land as well as other ownerships. Other members have highlighted that issue.

On Government land, it states:

"Where States own or control land, fisheries and forests, they should determine the use and control of these resources in light of broader social, economic and environmental objectives."

That resonates with ideas about sustainable development in the Land Reform (Scotland) Act 2003 and proposals to update the act in the Community Empowerment (Scotland) Bill. I feel passionate about sustainable development because it is defined in economic, social and environmental terms.

The guidance makes it clear that redistributive reforms

"can facilitate broad and equitable access to land and inclusive rural development"

and that

"States may consider land ceilings as a policy option in the context of ... redistributive reforms."

So, as the Bunchrew land declaration suggests, the apparently controversial policy idea of ceilings on land holdings is legitimised through these international guidelines, which are approved by the UK Government.

However, having a ceiling is only one potential redistributive mechanism; there are many others. The guidelines make it clear that

"redistributive reforms may be considered for social, economic and environmental reasons ... where a high degree of ownership concentration is combined with ... rural poverty attributable to lack of access to land, fisheries and forests".

I have been able to describe only briefly the depth of the policy practices that are internationally endorsed in the document. The

voluntary guidelines are worthy of more study. I hope that the minister will consider that in his closing remarks. We should feel strengthened by this as we move forward to take what some may regard as radical steps, but which I and many—if not most—in this chamber believe are important steps in land reform for the future communities of Scotland.

17:32

Jean Urquhart (Highlands and Islands) (Ind):

As I am the last back-bench member to speak, a number of the issues that I wanted to raise have already been covered.

To pick up on one of Rob Gibson's points, I note that there are still difficulties for local groups. In the sale of land by the Forestry Commission, land is often offered in small pieces to the local community. If the local community decides not to declare an interest in the land, buy it or attempt to buy it, it tends to be put together in one very large piece. A local trust, which could not contemplate buying the land as a whole but, together with local businesses, could buy smaller pieces and make something of the land, is thereby denied the chance to do so. That is worth looking at.

I agree with Claudia Beamish when she says that the issue does not apply only to the Highlands and Islands. We now see in urban areas the interest and energy that is released in a community when it has ownership. The land fund is perhaps inadequate at the moment, but I hope that it will grow to allow people to take ownership of land in urban areas.

There is often frustration. There are examples of tenant farmers who are desperate to buy the land they farm but who know that the absentee landowner wants to deny the sale and, in the long term, wants to close the farm. There are small businesses that are tenants of large estates and who work on a month-to-month lease. That is an unacceptable practice if we are to grow sustainable communities.

I want to cite some examples. In Mull, the forest crofts are proving to be a success. Liberating people to do the best they can with a piece of land has to be the first consideration. That clearly is the case in the Community Empowerment (Scotland) Bill, in terms of the public interest. That says everything about what we would like to see in land reform.

I congratulate David Cameron—not that David Cameron, but David Cameron the chair of Community Land Scotland; he is from Harris, not London—and Peter Peacock, lately of this Parliament, on the work that they have done in bringing about the Bunchrew land declaration. I agree with just about everything that is in it. It is

the way forward. There is an enormous future if we can only see the potential of urban and rural land, given the opportunities that have been lost over generations—and now hundreds of years—as Scotland continued to have a feudal land system into the 20th century, which is really shocking.

Let us acknowledge the Bunchrew land declaration and its worth. I thank Rhoda Grant for bringing this debate to the Parliament. It is timely, it is right and I think that we can start to become very excited about the potential of land ownership in Scotland.

17:36

The Minister for Environment and Climate Change (Paul Wheelhouse): I am pleased to be here to discuss the Bunchrew land declaration, and I congratulate Rhoda Grant on bringing the debate to the chamber. I will say more about why I think it is the right time for this debate.

The Bunchrew land declaration by Community Land Scotland in March this year tells an interesting story, as we have heard. It also tells a story that brings us almost full circle.

The international human rights community has been debating community land rights for some time now. That debate, to date at least, has been driven by a recognition in many developing countries, where communities have already exercised collective ownership of land and have managed the land sustainably in the interests of the whole community, that those collective rights have had to give way to modern individual property rights.

In those countries, property rights have often been taken up by large interests wanting to own and extract mineral wealth. In the process they have displaced local communities, dispossessing them of both their land and, importantly, their futures. In an endeavour to start to protect community land rights, the international community has been drawing up guidelines to help encourage countries to take action where communities are losing those collective rights.

This international story has resonance here in Scotland, and I believe that Scotland has a lot to offer to the debate—a point that Rhoda Grant made earlier. Many of Scotland's crofting communities will relate to the current stories unfolding in the developing world. They have a long history of struggle, and legislative changes from the late 19th century through to the present day have resulted in a succession of legislative reforms and in security of tenure. That serves to protect the interests of their inhabitants and, more widely, their communities. I hope that colleagues

across the chamber will agree with me that that reform has made a real difference.

There have also been rights established for other rural communities throughout Scotland. Some of them—such as the community right to buy, to which a number of members have referred—are innovative and can make a real difference to the futures of communities that use them.

The determination of communities in Scotland to own and manage the land on which they live and work has led to roughly half a million acres of land in community ownership today. In the past year alone, more than 38,000 acres have come under community ownership. There are another 100,000 acres in the pipeline at the moment, which is very encouraging.

Scotland is not the only country that is working to restore community land rights. Where examples exist, there is growing evidence that community landowners place a far greater emphasis on sustainability and the environment. These really are key drivers to community, as well as national, success and prosperity. New Zealand is another prime example of where that happens.

I would like Scotland's community landowners, with their rich and long experience of rural and community development, to be willing to share their experience internationally, and to help communities in other countries at the start of their struggle.

I am already aware that the 1 million acre target set by the First Minister in June 2012, which would see us move from around 2 per cent to around 5 per cent of Scotland's land coming into community ownership, is being held up as an example in the international debate on community land rights. Therefore, I again thank Rhoda Grant for lodging her motion, record my agreement with the motion and congratulate Community Land Scotland on the publication of the Bunchrew land declaration.

I made it clear that this Government is committed to progressing land reform in Scotland when I spoke at the Community Land Scotland conference in June and also when I appeared before the Rural Affairs, Climate Change and Environment Committee. I take this opportunity to reiterate that commitment. My vision is for a fairer, wider and more equitable distribution of land in Scotland that provides communities and individuals with the access to land they need to fulfil their aspirations and needs and, in turn, contributes to the sustainable economic development of Scotland and to its social and environmental gains.

We have a target of 1 million acres, or 5 per cent, of land in community ownership by 2020. It is certainly an ambitious target but it is also a really

inspiring one. All Scotland should be engaged in achieving that target. We need communities to think about whether community ownership of land or an asset would make a real difference to their community and its success. We need the public, private, third and community sectors to work together to make sure we get the best from our land.

The target of 1 million acres in community ownership is sometimes portrayed as pro community and anti private ownership, but that is not the case. As the concentration of ownership decreases there will be room for more community owners and more private owners.

I agree with Claudia Beamish that it is also clear that land reform in Scotland is not something solely for the Highlands and Islands or for rural Scotland; it is for the whole of Scotland. We need to take land reform into urban areas. There are already numerous examples where community ownership of land has made a real difference in such areas. We want to encourage urban communities and those in our larger rural settlements to become involved and fulfil their potential.

We also want urban and rural communities to be able to tackle abandoned and neglected land, which is a real hindrance to the sustainable development of land to which communities have a connection. The Community Empowerment (Scotland) Bill will propose some key steps that can make a real difference, but further action is needed, which is why I have announced that I will seek to introduce a land reform bill during the current parliamentary session.

I have said it before—and other members have referred to this—that we might not design a system in which 432 landowners, or 0.008 per cent of the population, owns half of the privately owned land in Scotland. That is not to denigrate the individuals who own that land; this is not about the politics of envy. However, we are not aware of any other modern democracy in which such a pattern of land ownership pertains.

In the time I have left, I will refer to some of the points that have been raised by members. In response to Rhoda Grant, I say that we look to work with Community Land Scotland and others to implement the agenda. Rob Gibson referred to Scotland being a hydro nation. That is an important principle and, to an extent, we all depend on land for our wellbeing, as does the environment.

Malcolm Chisholm talked about the concentration of ownership of forestry. It is true that we have a highly concentrated pattern of forestry ownership, but we are implementing initiatives such as wood lots to explore how

communities and individuals can lease forests to manage. Indeed, the Forestry Commission Scotland national forest land scheme is a means by which we can transfer ownership of forests to communities.

Jean Urquhart made a fair point about the pattern of how the land has been disposed of. We are exploring means by which we can have smaller packets of land for sale. That happened most recently in the sale of Rannoch barracks, which gave opportunities for smaller plots to be bought.

Alex Fergusson raised a point about community empowerment and I welcome his support for that. I hope that there are aspects of the Community Empowerment (Scotland) Bill that the Conservatives can support, and we look to work with Alex Fergusson and his colleagues on finding common ground where we can.

Dave Thompson called for unity with the Opposition parties. I genuinely believe that we can achieve that unity on land reform, and I certainly look forward to working with the Labour Party and others in due course. I agree with Claudia Beamish's point about the support systems that HIE produces. They have been very influential in promoting community land projects in the Highlands and Islands.

My aim is for land reform to address the situation that we face in Scotland by ensuring that patterns of ownership and use of land in this country deliver the maximum benefit to the people of Scotland. I hope—and I have expressed as much to our stakeholders—that the land reform review group's report has given us the opportunity to take land reform away from the old, polarised arguments and into the 21st century.

Rhoda Grant is correct to say that we will have many opportunities to debate the issues in due course. The Scottish Government looks forward to working with Parliament and having the support of parliamentary colleagues for the Community Empowerment (Scotland) Bill and a future land reform bill.

Meeting closed at 17:45.

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