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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 3 April 2014

Session 4

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Scottish Parliament

Thursday 3 April 2014

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

General Question Time

Child Poverty

1. Aileen McLeod (South Scotland) (SNP): To ask the Scottish Government what impact the estimated 100,000 increase in the number of children living in poverty by 2020 would have on health inequalities. (S4O-03106)

The Minister for Public Health (Michael Matheson): I am extremely concerned about the estimate that an additional 100,000 children in Scotland will be living in poverty as a result of the United Kingdom Government's welfare reforms. We believe that that will exacerbate health inequalities in Scotland.

We know that the lower a person's social position is, the worse their health. There is little doubt, therefore, that the UK Government's welfare reforms will further widen health inequalities between the richest and poorest in Scotland, negatively impacting on the most vulnerable children.

Aileen McLeod: The Government's "Equally Well Review 2013" highlighted the fact that any increase in demand for national health service services arising from the health impact of the increased poverty caused by the UK Government's welfare reforms and on-going austerity will mean additional costs. What scope will the Scottish Government have to redirect resources to mitigate those health impacts if Scotland's budget continues to be cut by Westminster?

Michael Matheson: We have acted decisively within the limits of our existing powers to mitigate the harmful effects of Westminster's welfare reforms, which will impact on the most vulnerable in our society and set progress back on tackling child poverty by at least 10 years. The ministerial task force on health inequalities was clear that the problem cannot be solved by a health solution alone. Health inequalities are caused by entrenched social and economic inequality. That is why we need the full powers of independence to create a different approach that supports the most vulnerable in our society.

Student Accommodation (Impact on Communities)

2. Sandra White (Glasgow Kelvin) (SNP): To ask the Scottish Government what action it is taking to protect communities from overprovision of student accommodation. (S4O-03107)

The Minister for Housing and Welfare (Margaret Burgess): Local authorities have responsibility for planning the range of housing in their communities. The provision of new housing, such as student accommodation, is therefore a matter for local authorities to consider through the planning system and their local housing strategies, using the houses in multiple occupation licensing regime to manage overprovision as necessary.

Sandra White: I am aware that councils have responsibility in this area, but some areas in my constituency of Glasgow Kelvin are in real danger of losing age-old communities and of becoming what some people call student villages. Will the minister meet me and other interested parties, such as representatives of community councils, to discuss the issue?

Margaret Burgess: I am aware that concerns have been raised about the pressure on some communities from relatively high numbers of houses in multiple occupation and the impact that they can have. I am therefore more than happy to meet the member to discuss the issue.

Fixed-odds Betting Terminals

3. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government what its position is on the impact on communities of fixed-odds betting terminals. (S4O-03108)

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): While problem gambling levels are relatively low, affecting 0.7 per cent of the population, we recognise the serious impacts on those involved and their families.

Gambling is a reserved matter. However, the Scottish Government shares the widespread concern about the impact of the introduction of new technologies and the liberalisation of gambling laws on problem gambling. We welcome steps that have now been taken by the Responsible Gambling Trust to explore more fully the impact of new gambling developments such as fixed-odds betting terminals.

In addition, Derek Mackay will this month host a summit on town centres that will explore the impact of betting shops and payday loan companies on our communities. However, the Scottish Government would welcome further powers to alleviate the impact of problem gambling.

Stuart McMillan: The minister might be aware that many reformed gamblers have described fixed-odds betting terminals as the crack cocaine of gambling. The *Greenock Telegraph* recently reported that £77 million was gambled on the fixed-odds betting terminals in Inverclyde in a single year. With that in mind, and although I appreciate the fact that gambling is still a reserved matter, can the minister advise me of what actions are open to the Scottish Government to curtail the proliferation of those machines in our communities?

Roseanna Cunningham: I am aware of the report in the *Greenock Telegraph*. As I indicated in my first response, our ability to address the issue is significantly restricted by the current constitutional arrangements. Although we can set conditions for premises, we are not permitted to intrude on reserved matters and therefore cannot, for example, regulate the number of betting machines in the shops. Nevertheless, we are keen to do what we can.

The Cabinet Secretary for Justice has previously written to United Kingdom ministers and has met the Gambling Commission to discuss, among other matters, areas where we can help. In addition, we can promote an awareness of the problems and encourage others to engage with the issue. I have already referred to the Minister for Local Government and Planning's planned summit, which is coming up soon.

Ultimately, however, only additional powers for this Parliament to regulate gambling will allow us to address the matter properly. It is fair to say that this Government would not have quite such a laissez-faire attitude to the issue as the Government in Westminster unfortunately has.

Software Engineering (Skills Support)

4. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government whether it will provide further details on how the industry-led talent academy model to be developed as part of its planned £6.6 million investment in the skills investment plan will support software engineering. (S4O-03109)

The Minister for Youth Employment (Angela Constance): Skills Development Scotland will manage the £6.6 million digital skills funding under the governance of the digital Scotland business excellence partnership board. It is for the board, working with industry, to identify what the priorities are. However, the recently published skills investment plan identifies that there has been a 50 per cent increase in demand for software professionals over the past 10 years. I would expect, therefore, that when the proposals for the skills academies are finalised, enhancing software skills will be central to their plans. I would also

expect targeted approaches for young people, particularly women, who are underrepresented in the sector.

Willie Coffey: I welcome very much what the minister has said. Attracting more youngsters, particularly females, into careers in software engineering is a priority and has my full support as a former software engineer. How will the fund be distributed? How might people in my constituency be able to take advantage of it directly?

Angela Constance: I appreciate the member's long-standing interest in the information and communications technology sector, how people can benefit from opportunities locally and how we can get more young people into a growing sector that is vital to the Scottish economy. On the skills academies, there will be two pilots: one in the Highlands and Islands and the other in lowland Scotland. Pending the outcome of those pilots, the plan is to have five locations for the skills academies where ICT companies are clustered. Willie Coffey will have an interest in that in relation to Ayrshire and his constituency.

A very important theme of the skills investment plan is ensuring that we have an education system that is responsive to the needs of industry. A number of actions flow from that, and I will give members just one example with regard to careers and young women: there will be opportunities for paid student placements in ICT and particularly in software development and engineering.

Rail Freight

5. Michael McMahon (Uddingston and Bellshill) (Lab): To ask the Scottish Government what discussions it has had with Transport Scotland regarding the development of rail freight. (S4O-03110)

The Minister for Transport and Veterans (Keith Brown): Transport Scotland is the national transport agency for Scotland. Scottish ministers meet transport officials regularly in the normal course of business, and rail freight is one of a number of topics that we discuss.

Michael McMahon: The minister will be aware that, in national planning framework 3, a number of ports and three specific rail freight facilities are identified as being important, or of some significance. However, the rail freight industry is concerned that there is not a level playing field and that ports are being given priority under NPF3. Will the minister confirm that the Scottish Government and Transport Scotland support the development of the Mossend railhead as a vital component of the transport sector and that ports are not being favoured over such rail freight facilities?

Keith Brown: First, NPF3 is still going through the system, if you like. On the specific development at Mossend, there is a live planning application there, so I am not able to comment on it specifically. However, I can say that in general we are very supportive of rail freight, as I think we have demonstrated through freight facilities grants and other measures to ensure that rail freight has the best possible chance of taking traffic off our roads, which we have been successful in doing.

We have continued with the freight facilities grants system, which Westminster did away with in 2005. There are sometimes difficulties in navigating the European regulations and in putting forward a business case for such things, but we are well aware of those difficulties and we work with partners across Scotland to ensure that we maximise the amount of freight that we can take off road and put on to rail. Our record, not least in relation to the £30 million Scottish strategic rail freight investment fund, set up under the new franchise, tends to support that system. If the member wishes to discuss particular issues, provided that they do not cut across the planning process that is currently under way, I would be happy to discuss them with him.

Cycle Infrastructure (Community Links Programme)

6. Alison Johnstone (Lothian) (Green): To ask the Scottish Government whether it will provide an update on applications to the community links programme for cycle infrastructure improvements. (S4O-03111)

The Minister for Transport and Veterans (Keith Brown): Sustrans, which is managing the process on our behalf, will make an announcement this Friday, 4 April, as previously stated, detailing successful applications.

Alison Johnstone: I am sure that the minister will join me in praising all those staff in local authorities and in Sustrans who worked hard to get a record number of bids into the scheme. That, I believe, reflects the demand for better cycle infrastructure across all parts of Scotland. Will the minister ensure that all councils appreciate the benefits of applying for that matched funding, and will the Government commit to continuing the upwards trajectory of cycle funding for 2015-16, so that more communities can see improvements?

Keith Brown: I share in giving praise to local authorities, those who have been involved in the bids and Sustrans, which undertakes the exercise for us. As Alison Johnstone rightly says, it has been extremely successful, with around £34 million worth of bids, although there is only £27 million of grant available, so choices will have to be made between bids that meet the criteria and those that were successful in other ways but did

not meet the criteria. There will always have to be choices.

That will help us to achieve the cycling action plan vision for Scotland, which is as it should be. Of course, there will be future commitments, and we want to continue with our commitment to active travel. That will form part of general discussions about budgets in future, but Alison Johnstone should not anticipate any diminution in our commitment to drive forward that agenda and to provide the resources to do so.

Claudia Beamish (South Scotland) (Lab): I am pleased to see that, in the context of climate change and active travel, the Scottish Government has included the national long-distance cycling and walking network in the draft national planning framework 3. Can the minister provide any details of funding allocated specifically to help to develop that project? I appreciate that there is a lot of funding to put together, but will he say whether the network will receive any additional funding due to its status as one of the 14 national developments? Are there any timescales for that?

Keith Brown: I am happy to respond to Claudia Beamish, although I did not catch every detail of her question. She will be aware that we have doubled the amount of resource going into active travel and she will know about the statement that the Cabinet Secretary for Finance, Employment and Sustainable Growth made during the budget about health-related active travel support. There is a 40 per cent increase in 2014-15 in annual spend on cycling, so that gives some idea of the commitment that we have made. I am happy to respond in more detail to the member's question in writing.

The Deputy Presiding Officer (Elaine Smith): Question 7, in the name of Tavish Scott, has not been lodged and an explanation has been provided.

School Closures

8. Jean Urquhart (Highlands and Islands) (Ind): To ask the Scottish Government whether the provisions regarding school closures in the Children and Young People (Scotland) Bill will be applied retroactively to schools that have recently been proposed for closure. (S4O-03113)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The recent amendments to the Schools (Consultation) (Scotland) Act 2010 have not yet been brought into force. However, we aim to do that as quickly as possible. There will need to be some transitional arrangements for closure proposals published before the new amendments come into force, and we will make those transitional arrangements clear. However, in general terms,

closure proposals published before the new arrangements come into force will be subject to the existing processes and procedures set out in the 2010 act. Closure proposals published after the amendment come into force will be subject to the new arrangements.

Jean Urquhart: The minister may be aware that there are on-going plans by Shetland Islands Council to close or limit the provision of secondary education—to limit Sandwick junior high school to secondary 1 and 2 years only, leaving secondary 3 and 4 pupils to attend Anderson high school. There are concerns, therefore, about the uncertainty over accommodation provision and course choices.

Will the minister confirm the power to call in those proposals, as they will have a negative effect on the educational experience of a number of Shetland's schoolchildren?

Dr Allan: The member will appreciate that I cannot comment on a case that is currently under consideration by a local authority.

On the call-in procedure more generally, the power will still exist for ministers to call in decisions. Of course the difference will be that instead of the future of a school being subject to a ministerial decision, in the case of a call-in it will be subject to a decision by an independent panel. The member has made her point and put it on the record. However, she will appreciate why I cannot comment on the case of an individual school that is currently being considered.

Bowel Screening Awareness

9. Nigel Don (Angus North and Mearns) (SNP): To ask the Scottish Government what the impact of the bowel screening awareness campaign has been since it was launched in February 2013. (S4O-03114)

The Minister for Public Health (Michael Matheson): Bowel cancer screening was the second detect cancer early tumour-specific campaign. It follows on from the successful breast cancer social marketing campaign that was launched in September 2012. The activity was backed by extensive public relations, field and partnership activity.

The national bowel screening centre has reported encouraging increases in activity at the centre, including increases in helpline calls and in the number of replacement kits being requested. In August, official statistics will be published that will report on the return of bowel screening kits over part of the period covered by the campaign. In addition, evaluation of the campaign itself indicates a 10 per cent increase in those claiming that they will complete the bowel screening test.

Nigel Don: It seems to me that the test is a very simple thing to do and it is surprising that not everybody does it. Statistics that I am aware of indicate that women are more likely to participate than men. Should we be doing something to ensure that men are more likely to complete the test?

Michael Matheson: As at October 2012, some 1.95 million people in Scotland had taken up the offer of screening since 2007, of which 896,724 were males. That has led to 1,692 bowel cancers being diagnosed in men through the screening programme. However, uptake by men is currently at 51.8 per cent while uptake by women is at 58 per cent. That is why the detect cancer early bowel screening programme carried out extensive research and tested a number of different campaign messages in order to ensure that the present campaign is weighted towards the male population.

The campaign has been taking forward the programme using a range of different fieldwork methods, including targeting football matches, which has involved PR features with Scottish Professional Football League clubs. The campaign has also involved television and radio advertising targeting men in particular. A combination of those actions should help to increase the number of males who participate in the bowel screening programme.

The Deputy Presiding Officer: If the questions and answers are brief, I will call question 10.

Asbestos in Workplaces

10. Bill Kidd (Glasgow Anniesland) (SNP): To ask the Scottish Government what input the Cabinet Secretary for Health and Wellbeing has had to its programme to deal with asbestos in public and private workplaces. (S4O-03115)

The Minister for Public Health (Michael Matheson): The cabinet secretary met Mr McMillan and Clydeside Action on Asbestos last year to discuss the proposal that the national health service recovers the costs of treating those with an asbestos-related disease. Since that meeting, we have paid close attention to the progress of the comparable bill that has been introduced in the Welsh Assembly. We are currently giving careful consideration to the proposal and we will outline the Scottish Government's decision in due course.

Bill Kidd: As the member for Glasgow Anniesland, which has a large number of former shipyard workers and present engineering workers and their families, I have been approached regarding the current cost to the NHS of asbestos exposure. Does the minister agree that my colleague Stuart McMillan MSP's current bill to

recover expenses from employers or their insurers for having exposed workers, their families or the public to the risks of these horrendous diseases is a very welcome step?

Michael Matheson: Mr McMillan's proposal is a very interesting one, which is worthy of consideration. The Cabinet Secretary for Health and Wellbeing, in the meeting with Clydeside Action on Asbestos, made it clear that we would monitor the situation closely, particularly given that there is a legal challenge against the bill that passed through the Welsh Assembly. Once we have had that ruling, we will be in a position to make an informed decision about the most appropriate approach to be taken here in Scotland.

First Minister's Question Time

12:00

The Deputy Presiding Officer (Elaine Smith): The next item of business is First Minister's question time. Today the questions will be answered by the Deputy First Minister.

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the Deputy First Minister what engagements she has planned for the rest of the day. (S4F-02011)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): With your permission, Deputy Presiding Officer, and, I am sure, on behalf of the entire chamber, I express my sincere condolences to the friends and family of Keane Wallis-Bennett. Keane's death on Tuesday morning at Liberton high school is a tragedy that has horrified all of us.

A thorough Police Scotland and Health and Safety Executive inquiry is now under way and I am limited in the detail that I can share. However, I spoke this morning to the City of Edinburgh Council's chief executive, Sue Bruce. She advised me that the council is co-operating fully with the inquiry. In addition, it has convened an incident response team and is conducting inspections of all other schools in its area.

This has been a most difficult time for family, friends, pupils and staff at the school. I am sure that all our thoughts, and indeed the thoughts of people throughout Scotland, are with them today.

Later today, I will have meetings to take forward the Government's programme for Scotland.

Johann Lamont: I thank the Deputy First Minister for that statement. Throughout the chamber, we share the sentiments that she expressed, at the saddest of times for the family, the school and all concerned.

Alex Salmond is off to the United States again today. I hope that he has remembered his trews this time—the taxpayer should not have to pay for another pair. I hope, too, that he has left the taxpayers' credit card behind, because he has still not accounted for his spending on his trip to the Ryder cup in 2012.

I asked the First Minister in January why a freedom of information request about his spending on that trip had not been answered. He said:

"The freedom of information request will be answered as soon as possible."

He then added:

"It will and why should it not be?"—[*Official Report*, 23 January 2014; c 26962.]

Nearly three months on, that request has not been answered. Can Nicola Sturgeon tell me now why it should not be?

Nicola Sturgeon: I am quite flabbergasted that that is, in Johann Lamont's mind, the big issue of the day. Nevertheless, she is the one who decides the questions that she asks.

All the relevant information about the trip to which Johann Lamont refers is, as far as I am aware, in the public domain. If there are specific pieces of information that Johann Lamont wants, she can request them and I will undertake today to seek to respond to that.

Johann Lamont started her question by referring to the First Minister's trip to the United States of America to take part in tartan week. It is worth pointing out a couple of things to the chamber in that regard. In the space of five days, the First Minister will undertake more than a dozen meetings with United States businesses that have an interest in Scotland, which we hope will lead to the creation of hundreds of new jobs throughout the country. I would hope that Johann Lamont would mention that.

Johann Lamont also referred to the Government's credit card. It might be interesting to the chamber if I shared some of the costs of previous tartan and Scotland weeks. I have the costs here going back to 2005; I will not read out the costs for every year, but I will take a couple of examples.

In 2006, when the current First Minister was not in office—I believe that it was one Jack McConnell—the bill for tartan week was more than £1 million. The bill for Scotland week in 2013—the most recent year that we have available—was £326,000. I think that the First Minister is right to promote the country in the United States this week. I think that he is right to do that and to get much more value for money than was perhaps the case on the part of the previous Administration.

Johann Lamont: We know that Alex Salmond is notorious for not answering the question that he was asked—[*Interruption.*]

The Deputy Presiding Officer: Order, please.

Johann Lamont: —but now he and his Deputy First Minister are refusing to answer the question that he himself asked. For the information of the Deputy First Minister, the First Minister has not answered the freedom of information request and he has not answered a series of parliamentary questions either.

The First Minister chose to stay in the \$2,000-a-night Peninsula hotel in Chicago, far away from the rest of the Scottish delegation. We know that because his spokesperson told an official briefing of journalists that that is where he stayed, and those journalists printed it. Now, the Scottish Government has said that it cannot tell us where he stayed, and for how much, for security reasons. Since the First Minister's spokesperson has already told us where he stayed, can we now be told how much taxpayers' cash Alex Salmond spent on himself in the Peninsula hotel?

Nicola Sturgeon: I have absolutely no doubt that Johann Lamont would be standing in the chamber criticising the First Minister if he were not going overseas when appropriate to promote Scotland's economic interests. However, when he does that, she stands here and criticises him as well. I think that we can safely conclude that Johann Lamont will criticise this Government regardless of what it does, and the reason for that is that she has no positive programme and no positive ideas of her own to put forward.

I can certainly tell Johann Lamont where the First Minister will not be staying when he is in New York this week. He will not be staying at the Benjamin hotel, which, I understand, is frequented by Paul McCartney, and was the favoured hotel of Jack McConnell when he attended tartan week.

Earlier, I gave the cost of tartan week in 2006. Let me give the 2005 figure: £895,000. The 2007 figure was £765,000. In no year since this Government has been in office have the costs of going to tartan week or Scotland week been anything close to the figures that I have just read out.

Can we agree that it is right for the First Minister, as it was right for his predecessors, to go overseas to promote Scotland's economic interests? Can we also agree that they have a duty to ensure value for money for the taxpayer? Based on the figures that I have read out, I think that this Government is rather better at doing that than the previous Administration was.

Johann Lamont: First, there is an issue of public trust and accountability for the public purse. [*Interruption.*]

The Deputy Presiding Officer: Order, please.

Johann Lamont: Secondly, nobody is disputing that there should be visits abroad. The Deputy First Minister is able to quote figures about previous trips, but the point is that we cannot quote the figures for the cost of Alex Salmond to go to the Ryder cup. [*Interruption.*]

The Deputy Presiding Officer: Order, please. [*Interruption.*] Ms Grahame!

Johann Lamont: It is an issue of transparency, and now the First Minister and the Deputy First Minister are refusing to answer. The only thing that we know for sure about the First Minister's trip to the Ryder cup in 2012 is that the Scottish Government does not want to explain how much taxpayers' cash Alex Salmond spent on himself. When we get an answer, the number of people on the trip changes and the figures change, but no accounting is given.

The First Minister went to the \$2,000-a-night Peninsula hotel in September 2012. In January 2014, he still could not say how much money he had spent on himself. In January 2014, the First Minister said that the question about his spending would be answered

"as soon as possible",

and he asked,

"why should it not be?"—[*Official Report*, 23 January 2014; c 26962.]

It is now April 2014. The question has not been answered. Why should it not be answered now?

Nicola Sturgeon: This is desperate stuff from the leader of the Opposition. The key points about Alex Salmond's visit to the Ryder cup are, first, that he was promoting Scotland as the host of this year's Ryder cup. Secondly, the reason that I am able to quote the figures that I have just read out is that we are transparent about the cost of overseas trips. We are also transparent about the benefits from those overseas trips, such as the jobs created. As I have been able to demonstrate from the figures that I read out, it would seem that we get better value for money than predecessor Governments did.

What Johann Lamont has chosen to do today—not for the first time and, I am pretty sure, not for the last, she has indulged in smear and insinuation instead of discussing the real issues of the day—is probably one of the reasons that Labour is in the sorry state that it is in Scotland today. As was commented on in *Holyrood* magazine just this week, every second word of Johann Lamont's party conference speech started with the letter "S" and ended with the letter "P". She talks more about the Scottish National Party than she does about Labour's prospectus for Scotland. I cannot put it any better than *Holyrood* magazine did:

"What has happened to Scottish Labour? It seems hope has been replaced by hate. It used to be a party of inclusivity but now it condemns its critics and isolates dissenters".

Labour has lost its way and Johann Lamont has just demonstrated that today.

Johann Lamont: It has been said that we can tell when the First Minister is "unadjacent to the

truth". Nicola Sturgeon's lips are moving. [*Interruption.*]

The Deputy Presiding Officer: Order.

Johann Lamont: The facts of the matter are very simple. In all of that nonsense, there was no answer to a simple question about spending public money. The public deserve to know.

The First Minister spent £500,000 to go to the Ryder cup, but he cannot, or will not, explain what he spent on himself. Was it like his trip to China, when he spent taxpayers' money on himself and repaid it only when there was a freedom of information request? Is that why the First Minister has not answered the freedom of information request this time? Is that why, a year and a half later, ministers still will not answer parliamentary questions on how much cash he spent? Has he paid any money back? The First Minister posed the question in January. Why should these questions not be answered as soon as possible? I ask the Deputy First Minister, why should they not be answered now?

Nicola Sturgeon: Johann Lamont's accusations and allegations are simply untrue. If her proposition is that money spent on the First Minister going overseas to promote the country is money spent on himself, I assume that she thinks that the more than £1 million spent on tartan week in 2006 was money spent on Jack McConnell personally. The utter hypocrisy of Johann Lamont on this issue is absolutely breathtaking.

Johann Lamont can smear the First Minister as much as she likes; she can smear me as much as she likes. The real question that Johann Lamont will have to answer—and she will have to answer it to her own back benchers—is why, seven years into this SNP Government, we are still ahead in the polls. She is languishing in the polls.

I can understand why Johann Lamont might not like the quotes that I have read out from *Holyrood* magazine. Here is another one: "Scottish Labour seems moribund." Perhaps she will pay more attention to a quotation from Len McCluskey, the leader of Unite union. He said that Labour has to do more to show that it is,

"on the side of ordinary people",

and suggested that the reason the SNP is in government and Labour is in opposition is that the SNP is more radical than the Labour Party.

On today's performance, Johann Lamont is staying in opposition. In fact, on today's performance she ain't even fit to be in opposition, let alone government.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): I, too, convey my thoughts and prayers, and those of my party, to the family of Keane Wallis-Bennett, her friends, teachers and her fellow pupils following this week's tragedy.

To ask the Deputy First Minister when she will next meet the Secretary of State for Scotland. (S4F-02008)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): No plans in the near future.

Ruth Davidson: Scotland's economy is starting to turn a corner, with growth rates among the highest in the western world, yet today we hear more warnings about the impact that a vote to break up Britain would have on that Scottish success story. Those warnings do not come from politicians but from job creators. Keith Cochrane, chief executive of the Weir Group says:

"the costs of independence are guaranteed but the benefits are uncertain. That has the potential to make Scotland less competitive, not more."

Having seen the Scottish National Party's plans, he is voting no.

This affects Scottish jobs. I see that the Deputy First Minister has upgraded the usual big blue folder of diversionary quotes and googled clippings, so I hope for a simple answer to a very simple question. How many Scottish jobs are held by businesses that have broken cover with concerns about independence in the past few weeks?

Nicola Sturgeon: I start on a note of agreement with Ruth Davidson, although I am not promising that it will last very long. The Scottish economy is showing signs of recovery and we should all welcome that. I suggest that those signs of recovery are in spite of Westminster policy and not because of it.

I turn to the important point about Keith Cochrane's comments and the Weir Group report. The Weir Group is an important company in Scotland. I welcome its contribution to the debate and I am looking forward early next month to meeting senior management and staff at the Weir Group to discuss those very issues. I hope to reassure them on some of the points that have been made this morning. It is worth pointing out—this is not a criticism of the Weir Group; rather it is to provide some context—that the Weir Group was against devolution before the 1979 and 1997 referendums. It warned then of consequences that simply did not materialise. It is also worth pointing out that the Weir Group, a successful Scottish company, operates in 70 countries around the

world; an independent Scotland would form the 71st country in which it operates.

I echo many of the comments in the Weir Group's report. Scotland "could succeed" as an independent country. "Independence would bring" control over policy making "closer to the people". It would allow an expanded range of economic policy levers to be tailored to the needs and circumstances of our economy and to the distinctive views and values of our people, and the flexibility to tailor business tax rates would be a significant attraction of Scottish independence in principle.

Many of the not-so-positive Weir Group comments are predicated on an assumption that there would be a separate currency. That is not the Scottish Government's position; as we now know, that is not the United Kingdom Government's real position either. I say simply to Ruth Davidson:

"Of course there would be a currency union."

Those are the words of a UK minister.

Ruth Davidson: The words of her Westminster colleague, Angus MacNeil, however, were that he has no idea how long that would last. Let us be absolutely clear about what the Deputy First Minister said. She misrepresents the Weir Group absolutely. It is clear that its views are nothing to do with the currency union. The group says:

"Under any currency scenario, it is likely an independent Scotland would face: increased borrowing costs; increased taxes and significant public spending cuts. All of which would have an impact on businesses and households."

None of what the Deputy First Minister said answered the question that I asked about the number of jobs. Here is the answer that she was looking for: more than 50,000 people are employed in Scotland by firms that, in the past few weeks alone, have warned of the risks of separating us from our biggest market. That does not include umbrella organisations such as the Confederation of British Industry Scotland, Scottish Financial Enterprise or Scottish Engineering, which, among them, represent more than half a million workers in Scotland.

We know the SNP's stock response to those voices: the First Minister dismisses them, the cybernats attack them—[*Interruption.*]—and SNP back benchers shout them down in the chamber and in committee hearings. Will the Deputy First Minister stand apart from all those negative, angry men? [*Interruption.*]

The Deputy Presiding Officer: Order. [*Interruption.*] Order!

Ruth Davidson: Can the Deputy First Minister stand apart from all those negative, angry men? [*Interruption.*]

The Deputy Presiding Officer: Order.

Ruth Davidson: What is her response to all the Scottish firms raising legitimate concerns and entering the debate?

Nicola Sturgeon: I am always delighted to stand apart. I am always delighted to stand up and argue the case for Scotland to be an independent country and I will continue to do it.

I did not misrepresent the Weir Group. I read out some positive comments that it had made and accepted the less-than-positive comments. I also said—I hope that Ruth Davidson will take this in the spirit in which it is intended—that I look forward to engaging directly with the Weir Group on some of the points that it raised today and that I hope that I will be able to reassure it on some of them.

Ruth Davidson mentioned a number of things. For example, she mentioned borrowing costs. Perhaps not surprisingly, she did not mention the recent report from Standard & Poor's that said that, even excluding North Sea revenues, an independent Scotland would qualify for its "highest economic assessment". Let us not be too selective in the quotations.

I made a serious point about numbers of jobs. I am not criticising any company that speaks out. Companies absolutely have the right to do that. I am saying that many of the companies that expressed concerns about independence expressed precisely the same concerns about devolution. The point that I go on to make is that those concerns did not materialise. All those companies are still here. All of them are prospering and the reason why they are prospering is that Scotland is a business-friendly country. An independent Scotland will continue to be a business-friendly country and, with our hands on the full economic levers, we will be able to make it an even more business-friendly country.

My last point relates to angry, negative men. I do not know whether the better together source that I am about to quote is a man or a woman. I have to be honest and frank about that. However, commenting on *The Guardian's* report of the UK Government minister who said,

"Of course there would be a currency union,"

the better together source said:

"They're completely off their rocker some of these people. It's bound to be a Tory."

I think that that is very unfair to the Tory party.

The Deputy Presiding Officer: Before I move on, I remind the chamber of rule 7.3 of the standing orders, which requires all members to conduct themselves in a courteous, respectful and

orderly manner. I expect us to proceed in that fashion hereafter.

I apologise to the members I have been unable to call for constituency questions; that is partly due to the Deputy First Minister's statement but also due to the length of exchanges.

Cabinet (Meetings)

3. Willie Rennie (Mid Scotland and Fife) (LD): To ask the Deputy First Minister what issues will be discussed at the next meeting of the Cabinet. (S4F-02009)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): Matters of importance to the people of Scotland.

Willie Rennie: From Sunday, more than 2 million Scottish workers will pay £700 less income tax than in 2010 because of the United Kingdom Government's decision to raise tax thresholds to £10,000. Next year, that will rise again to take even more people out of tax altogether. I have been puzzled by the Scottish Government's opposition to that policy. Why does the Deputy First Minister oppose tax cuts for millions of Scots on low and middle incomes?

Nicola Sturgeon: I am not in opposition to that policy. We have said clearly that, at the point at which Scotland became independent, we would inherit the prevailing income tax rates and personal allowances. However, I am concerned about the overall impact of Westminster policies on the most vulnerable in our society. The Treasury's own publication on the impact of the budget on Scottish households shows that the average loss is £757 and that the second hardest-hit group in the Scottish population is the bottom quintile—the poorest people in our society—who are hit more than the average.

The overall impact of the policies of the Government that Willie Rennie supports is making the poorest in our society worse off. I do not agree with that and am deeply concerned about it. I am also deeply concerned by the fact that, for example, the minimum wage has not kept pace with the rate of inflation. Had it kept pace with the rate of inflation over the past few years, the poorest and the lowest paid in our society would be some £600 a year better off.

It is fine for Willie Rennie to pluck individual policies out of thin air, but it would fit him better to look at the overall impact of UK Government policy.

Willie Rennie: I think that the Deputy First Minister is confused. I have heard her back benchers say that they do not support cutting income tax for low and middle-income workers;

her MPs voted against it; it was not in her manifesto; and page 119 of the white paper makes it clear that it would not happen under the Scottish National Party. It is even more important now, given that because of the UK Government's economic plan, 130,000 more people are in work. Just what is her position? Is she for or against helping low and middle-income workers cut their income tax?

Nicola Sturgeon: I am in favour of helping low and middle-income workers. I have already referred to the policy of this Government: if we had control over the minimum wage, we would ensure that it rises at least in line with inflation every year. I am also in opposition to many of the policies that are being implemented by the UK Government that lead to the scenario that I spoke about earlier on.

Willie Rennie cannot escape the facts. He is waving the white paper at me. I am proud of the white paper and I am happy to stand by the content of it. I am waving at him an extract from the Treasury's own publication on the impact of the recent budget, which shows that cuts to the lowest quintile of households in Scotland are equivalent to £757, which is 2.1 per cent of income. That is the reality of the policies that the Government that Willie Rennie supports in London is implementing. One of the reasons that I want Scotland to be independent is so that we have the freedom to pursue policies that will make this country wealthier but also fairer for everybody who lives here.

Trident

4. Kevin Stewart (Aberdeen Central) (SNP):

To ask the Deputy First Minister what the Scottish Government's position is on the Trident nuclear weapons system being based in Scotland. (S4F-02012)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): The Scottish Government's position is, as set out in "Scotland's Future", that an independent Scotland would neither possess nor host nuclear weapons. That is not up for negotiation.

It is our view that Trident should be removed from Scotland within the first term of an independent Scottish Parliament. Following a vote for independence in September this year, the Scottish Government would prioritise agreement with the UK Government on the arrangements needed for the speedy, safe removal of Trident nuclear weapons from Scotland.

Kevin Stewart: Some on the Opposition front bench think that Trident is a wee thing, but the majority of the people of Scotland want rid of these

weapons of mass destruction. Can we ensure that the nuclear-free stance that the Deputy First Minister has talked about will be enshrined in our constitution, so that we rightly put teachers before Trident, nurses before nukes and bairns before bombs?

Nicola Sturgeon: As Kevin Stewart knows, the constitution of an independent Scotland will be for the people of Scotland to determine, but let me make my view clear: I would want to see the written constitution of an independent Scotland banning nuclear weapons from being possessed by future Scottish Governments.

The case against Trident—the existing Trident and certainly the replacement of Trident—is overwhelming. When I address the Campaign for Nuclear Disarmament rally in Glasgow this coming Saturday, I will be happy to outline fully why I want to see an end to nuclear weapons in Scotland.

The Deputy Presiding Officer: I call Malcolm Chisholm. Very briefly please, Mr Chisholm. *[Interruption.]*

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): Sorry, Presiding Officer—I did not hear you.

Today it is no concessions on Trident. Yesterday the Cabinet Secretary for Finance, Employment and Sustainable Growth said that there would be no restrictions on the freedom of an independent Scotland to tax. Is it not the case that the Scottish Government is trapped in a triple fantasy—

The Deputy Presiding Officer: Briefly please, Mr Chisholm.

Malcolm Chisholm: First, it thinks that it would get a shared currency without any significant concessions; secondly—

The Deputy Presiding Officer: Mr Chisholm, make it on the issue of Trident, please.

Malcolm Chisholm: Secondly, on Trident, the Deputy First Minister said that there would be no concessions on Trident, while believing that there will be a shared currency in the first place—

The Deputy Presiding Officer: I am afraid that I have to ask you to hurry along.

Malcolm Chisholm: Thirdly—*[Interruption.]*

The Deputy Presiding Officer: Mr Chisholm, I am sorry—

Malcolm Chisholm: This is a question on concessions that the Deputy First Minister believes will not have to be made for a shared currency. Is it not the case that there will not be a single currency in the first place?

Nicola Sturgeon: The agreement on the currency will be based on the economic advantages that exist for Scotland and the rest of the UK and on a sensible negotiation on the debt position.

Members of the Scottish Government have set out and will continue to set out the advantages of being able to set our own priorities, which every other independent country can do. That will be the benefit to Scotland of being an independent country, and it is one of the reasons why I believe that, deep down inside, Malcolm Chisholm supports that, too.

The Deputy Presiding Officer: Because of the statement and all the interruptions, I will carry on with questions.

“An overview of local government in Scotland 2014”

5. Sarah Boyack (Lothian) (Lab): To ask the Deputy First Minister what the Scottish Government's position is on the Accounts Commission report, “An overview of local government in Scotland 2014”. (S4F-02015)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): The Scottish Government welcomes the report, which provides a high-level overview of local authority performance across Scotland and identifies a number of challenges for local authorities in the future, including ensuring that strong governance procedures are in place, dealing with the effects of Westminster's welfare reforms and providing value for money to deliver the best possible services for residents.

Sarah Boyack: Is the Deputy First Minister concerned about the report's findings that council budgets are being reduced at a time of increasing demand and rising costs, that budgets have been balanced by reducing staff numbers and increasing charges, that the situation is unsustainable and that people who are on the lowest and most modest incomes have been hardest hit?

Given that her Scottish National Party leader in Glasgow City Council does not want Glasgow to lose out from her Government's spending allocations, will the Deputy First Minister tell us how she will use her majority in the Parliament in the next two years to sort out the systemic underfunding of local government services?

Nicola Sturgeon: I am sure that it has not escaped Sarah Boyack's notice that we have lived through a period when Westminster has reduced our budget. That has implications for all parts of the public sector in Scotland, but we have taken

steps to protect local government's position in relative terms.

I can do no better than quote the speech of the president of the Convention of Scottish Local Authorities at the recent COSLA conference. He said:

“Looking forward, between 2013 and 2016, the revenue support and resources available in Scotland for the rest of the public sector, excluding Health, will increase by 0.2%. Over the same period, local government revenue funding will increase by 0.7%. This demonstrates that our success is not simply in the past but also with regard to the future”.

We have a good relationship with COSLA. It can be difficult at times, but it stems from our joint commitment to doing whatever we can to protect local government's position and the services on which many people across Scotland depend.

The Deputy Presiding Officer: I call Murdo Fraser for question 6—as briefly as possible.

Police Scotland (Public Accountability)

6. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Deputy First Minister whether Police Scotland has been subject to sufficient public accountability in its first year of operation. (S4F-02016)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): At a national level, the Scottish Police Authority is responsible for holding the chief constable to account. It meets regularly and holds its board and committee meetings in public.

At a local level, a direct relationship exists between each local authority and the Police Service of Scotland. There are now 360 councillors across Scotland who scrutinise policing—some in each of our 32 local authorities—which differs from the position before 1 April last year. For the first time, the Parliament also has a direct role in holding the service to account.

Murdo Fraser: In its first year of operation, the new centralised police force has closed local control rooms, removed traffic wardens without proper consultation, closed 60 public counters across the country and reduced community policing. What assurances can the Deputy First Minister give us that, in its second year of operation, Police Scotland will be more accountable to the communities that it serves and will engage properly with local people, rather than dictate from the centre?

Nicola Sturgeon: Murdo Fraser slightly misrepresents the position. Police Scotland is ensuring that its resources are focused on protecting the Scottish public. That is why we have

been able to protect the commitment that we made to having an additional 1,000 police officers across Scotland.

There are 214 more local councillors engaged in scrutinising the Police Service now than there were before 1 April last year. The proof of the pudding is in the eating. We live in a Scotland that is safer—crime is down, violent crime is down and the fear of crime is down. To be frank, that is down to the good work of police officers in every corner of the country. It is time that the whole Parliament got behind them and said thank you to them for the job that they do.

Local Courts

The Deputy Presiding Officer (John Scott):

The next item of business is a members' business debate on motion S4M-09454, in the name of Jim Hume, on keep justice local. The debate will be concluded without any question being put.

Motion debated,

That the Parliament considers that sheriff courts have successfully dispensed justice in communities across South Scotland for hundreds of years; regrets what it considers the disappointing decision of the Scottish Court Service to close sheriff courts in Duns, Haddington, Kirkcudbright and Peebles; considers that this creates difficulties in accessing justice for witnesses and victims of crime; further considers that this creates a worrying precedent in removing civil service job opportunities from South Scotland communities where every job is at a premium; notes the continuing work of the feasibility study group currently considering the future of court provision in the Borders, whose members include the Scottish Court Service, Scottish Borders Council, Police Scotland and the Crown Office and Procurator Fiscal Service, and notes calls for the group to engage in a full and transparent public consultation on the future of Jedburgh and Selkirk sheriff courts with a view to retaining access to justice in those towns.

12:36

Jim Hume (South Scotland) (LD): I speak on behalf of many constituents in saying that there are genuine fears about how local justice will be dispensed across South Scotland as a result of Scottish Government closure orders last June.

We have had members' business debates on the issue before. In 2002, Christine Grahame secured a debate on Peebles sheriff court, from which I will quote. It was said in that debate that

"The issue concerns how we bring democracy home to people and down to the roots. The fundamental tenet of any democratic society is a judicial system that is not only affordable but accessible and visible ... Fundamentally, the issue concerns how a democratic society works. Sheriff courts are part of the apparatus of state at the local level."—[*Official Report*, 27 June 2002; c 10277.]

Those are not my words; they are the words of Kenny MacAskill. What has happened to him in the past decade? Under his Administration, courts in Annan and Kirkcudbright have closed, and courts in Duns, Peebles and Haddington will close. Despite MacAskill's warm words over a decade ago, the Scottish Government exhibited last June its typically instinctive lean towards centralisation.

Haddington business will transfer to Edinburgh, and there are fears that courts in Edinburgh will struggle to deal with the extra case load. Figures that the Scottish Court Service released at the end of last year show that cases that were being heard at Edinburgh sheriff court had already increased by 42 per cent, that outstanding summary cases had risen by 49 per cent, and that the time taken to bring a case to court had increased by two

weeks. For the justice of the peace court, cases that were being heard in Edinburgh had increased by 50 per cent, outstanding summary cases had increased by 139 per cent, and the time taken to bring cases to court had increased by 17 weeks.

Those are really worrying figures. The busy Haddington court has served the large East Lothian county, and the public are rightly questioning the decision to close it on the basis of proximity to other facilities. The inevitable delays will damage public confidence in local justice, create a less efficient system and cause stress for victims and witnesses. The Law Society of Scotland has warned of exactly that scenario.

In the rest of South Scotland, Kirkcudbright has lost its sheriff court after 550 years and Annan has lost its justice of the peace court, with its 700-year history. The mass transfer of business to Dumfries represents a transfer over a huge geographical area.

The closure of all five courts presents huge travel issues. That is the view of the councils, professionals and individuals alike. The Law Society of Scotland stated:

"These closures seriously threaten access to justice in many parts of Scotland and could lead to a long term decline in our justice system. The changes will force many court users to travel further distances, at greater expense and with the result that access to justice is limited, particularly for vulnerable people and those living in rural communities."

East Lothian Council, Dumfries and Galloway Council and Scottish Borders Council echoed those concerns.

The Law Society and others say that removing courts will result in the non-reporting of crime because people will not want to get involved in the hassle of attending court, due to the cost and the long journeys. It has also been underlined that removing courts could harm the rehabilitation of offenders whose crimes have impacted on their local community. Those worrying concerns have been expressed by non-political professionals and legal experts.

In the Borders, we await the outcome of the feasibility study group's views on future options and what those might be, including the option of a justice centre. The decision to close Duns and Peebles courts was the starter for 10, and my fear is that the work of the study group is a fait accompli, with the closure of Jedburgh and Selkirk courts a done deal. Selkirk is the very place where our nation's hero, Sir Walter Scott, was sheriff for more than 20 years. Members of the study group admit that the closure of Duns and Peebles courts will create a situation where, come 2015, court provision will be untenable because access to justice will have been compromised.

There has been no information on what shape a justice centre would or could take, how it could work or what other services may or may not be incorporated from elsewhere. In essence, that means fundamental changes to our justice system in the Borders will take place at the same time as we are acting as a guinea pig in relation to the notion of a justice centre.

The constituents who contacted me about their fears over access to justice talked about their local towns being raided of yet another key facility, hot on the heels of the closure of police counters and control rooms. The removal of high-value civil service jobs from rural areas is a dangerous precedent. Every single job in our rural South Scotland is at a premium, even if the numbers are small. More than that, and as Kenny MacAskill said in 2002:

"Not only does the court's presence give the town a gravitas that would be denigrated if the court were removed, but the court provides the area with a symbol of justice in a democratic society."—[*Official Report*, 27 June 2002; c 10278.]

Those are MacAskill's words.

I have been frustrated by what I see as a lack of Government accountability on the issue. Answers to my parliamentary questions have insisted that responsibility for Scotland's courts is not a matter for Scottish ministers. The Scottish Court Service, however, says something different. In its recommendations in response to the consultation, it states:

"Any recommendations made within this report relative to closure of sheriff courts or closure or disestablishment of justice of the peace courts are matters that fall within the responsibility of Scottish Ministers."

That is the Scottish Government's responsibility.

The Court Service goes on to state:

"Where we recommend court closures, it will be for Scottish Ministers to consider and to take any necessary statutory orders to the Scottish Parliament."

That is the Government's responsibility.

The Court Service further states:

"We will therefore submit our recommendations for consideration by Scottish Ministers. It will then be for Scottish Ministers to reach a view on what orders they intend laying."

That is the Government's responsibility, which was, unfortunately, borne out in Scottish Government closure orders last June.

It is in the power of the Cabinet Secretary for Justice and the Government to reject further court closures. I look to the cabinet secretary and his ministers for assurances that they will reject any future recommendation to close Selkirk and Jedburgh sheriff courts.

12:43

Graeme Pearson (South Scotland) (Lab): I am grateful to Jim Hume for ensuring that today's debate can take place. It raises many important issues for those who live in the south of Scotland. I am also grateful to him for the statistics that he has outlined, which saves me a great deal of time as I do not have to repeat them.

There is no doubt that the outcome of the Government's policy is to starve justice in the round. We are now beginning to perceive an emaciated system that is being cut and reduced across the board. It is suffering outcomes that can only result in communities feeling that justice is not local, is not being delivered effectively and is not serving the purposes of our communities—the very purposes for which justice is provided.

The closures of the courts in Duns, Haddington, Kirkcudbright and Peebles were, in themselves, a great disappointment to many members across the Parliament, no matter their party, and the perceived threat to Jedburgh and Selkirk sheriff courts is felt strongly by the communities of those towns.

The notion of hubs has been discussed in the Parliament. Indeed, at one point it almost seemed as if the idea was hubbing around the country, as each area was promised that consideration would be given to a hub. That has further confused the matter, not just in my mind but for communities throughout the south of Scotland.

Court closures, along with the closure of police counters and the perception that local policing is not being delivered in a way that communities regard as valuable, mean that the delivery of justice faces a worrying future. If witnesses are to come forward, they need to be confident that the system is there to support them as they give evidence on behalf of us all.

Alex Fergusson (Galloway and West Dumfries) (Con): The member is experienced in the field of justice, given his previous career. Will he say what impact the closures, and the extra travel time and expenses that will be involved, are likely to have on people's willingness to come forward and engage in the justice system?

Graeme Pearson: It is common sense to realise that if witnesses must suffer the inconvenience of covering longer distances, with the possibility, if they are using public transport, of having to travel in the company of people or relatives of people against whom they will give evidence, there will be a disincentive to come forward, particularly for witnesses who suffer some incapacity.

In addition, legal aid cuts that have taken place elsewhere will affect working people. People who

have sufficient disposable income will be obliged to pay to be represented at the court, and if the court is also some distance from their community, that does not augur well for the future.

It is difficult to say that this is progressive policy in action. The policy has been driven by budget cuts and insisted on by the Cabinet Secretary for Justice, who has delivered a system that hungers for investment and is an emaciated shadow of its former self. I regret that, and I hope that the minister can give us some words of comfort and a commitment for the future.

12:47

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I am grateful to Jim Hume for bringing this debate and for reminding me of what I said in 2002.

However, we are not in 2002, when money was sloshing about the Parliament and we had a Labour-Liberal coalition; we are in 2014, when there have been huge cuts to the Scottish Government's budget. Let us start by being honest. Why did the closure of sheriff courts come up in the first place? It came up because of swingeing cuts to the Scottish Government's revenue and capital budgets. I have been following the issue and I know the detail.

The cabinet secretary said to the Justice Committee in June:

"The Scottish Court Service is therefore seeking to save £4.5 million from its revenue budget. It estimates that the proposals will save almost £1 million a year, and an estimated maintenance backlog of £3 million."—[*Official Report, Justice Committee*, 4 June 2013; c2907.]

I emphasise the word "backlog". Members must recall that the Liberal Democrats were in office for eight years, in coalition with Labour. Indeed, we had a Liberal Democrat justice minister in Jim Wallace, now Lord Wallace of Tankerness—that seems to be Liberal Democrats' ultimate destination.

Jim Hume: Will the member take an intervention?

Christine Grahame: I have listened to enough guff.

Why are we short of cash here? I have explained why. Who cut it? Why, it was Danny Alexander, Liberal Democrat chief secretary to the Tory Treasury. There is hypocrisy from the better together parties around the chamber today.

Jim Hume: Will the member take an intervention?

The Deputy Presiding Officer: Mr Hume, it appears that the member is not taking an intervention.

Christine Grahame: I have only four minutes; he had seven.

Lord Gill, the Lord President of the Court of Session and senior judge in Scotland, told the committee:

"Whether it likes it or not, the Scottish Court Service must achieve a reduction in its budget of 20 per cent over the four-year period from 2010-11 to 2014-15 ... At the moment, 40 per cent of our running costs are tied up in buildings that form the court estate and the very considerable costs of their upkeep and maintenance."

He said:

"The impetus for all of this work arose from the need to save money",

and:

"My feeling is that a perfectly good intellectual case could be made for the changes even if we were not living in these rather unusual economic circumstances."—[*Official Report, Justice Committee*, 4 June 2013; c 2938, 2940-1.]

Times have changed. Courts in my patch of the Borders landed where they are because that is where the farms, estates, horses and carts and markets were. Now Galashiels has a new transport hub under development for buses and trains, and an Asda Walmart and a Tesco Extra—those are today's market squares. That is why it makes sense to locate a justice centre in Galashiels.

I am indeed kept informed on progress. The most recent meeting was on 21 March 2014, at which the Scottish Court Service—it is much maligned by some members in the chamber, but it is in charge—met Scottish Borders Council and engaged with Victim Support Scotland, Scottish Women's Aid, Children 1st, local solicitors, the community justice authority and others. I call that wide consultation—the SCS seemed very satisfied in doing it, and it will report early in the summer.

The decision does not preclude courts from sitting elsewhere, as we on the Justice Committee know. For example, a court can be designated so that a child welfare hearing can be held in a more suitable location for the witness. I say gently to Jim Hume that the savage cuts from his team at Westminster have not led in Scotland, as they have in England, to a cut in legal aid for those who want contact with their children. If he wants to keep those courts open, he must say where the money is to come from. Perhaps we would have the buildings, but no one would have legal aid to cross the threshold.

I am so angry because there is a whiff of hypocrisy and false fury from members on various sides of the chamber. It comes from Labour, which got us into this mess in the first place, and from the Liberal Democrats and Tories, who have cut our budgets. They ask why we are doing this, and the answer is that they have cut the money. The

cabinet secretary has made a good choice to keep legal aid, not buildings.

12:51

John Lamont (Ettrick, Roxburgh and Berwickshire) (Con): I welcome the debate and—unlike the other Borders MSP, apparently—the opportunity to stand up for local justice.

I completely agree with the tenor and content of Jim Hume's motion, although I point out that, while court closures were recommended by the Scottish Court Service, the decision was made very much by the Justice Committee, and the decision to close sheriff courts in Duns, Haddington, Kirkcudbright and Peebles was forced through by the Scottish National Party members on the committee. I was proud to vote against the proposal.

Duns, in my constituency, hears—despite not being the busiest of courts—more than 330 sheriff cases a year, and the JP court sits fortnightly. I am in no doubt that it was an important local service that was worth fighting for.

The closure of Duns sheriff court will force victims and witnesses to travel more than 30 miles to Jedburgh sheriff court. Indeed, the Scottish Court Service has conceded that the closure will result in some of my constituents being unable to travel to Jedburgh by public transport without an overnight stay, which clearly breaches the SCS's own principles for provision of access to justice. The closure of the courts will place a huge amount of stress on courts that remain open and are forced to take on thousands of additional cases.

As the motion recognises, the closures will result in the withdrawal of high-quality civil service job opportunities in the Borders, which is a particular blow to such a rural area. The Scotland-wide court closures are yet further evidence of the SNP's increasingly urban prioritisation and centralising tendency. They represent the diversion of more and more public services to the central belt and major cities, thereby ignoring the importance of local services and local access to justice in areas such as the Borders.

Alternatives to court closures exist; they include moving courts to a part-time basis and making better use of existing public buildings. In my constituency, to add insult to injury, the closure of Duns will make only relatively minor savings, which means that an important local service will be lost for only a minimal gain to the Scottish Court Service's budget.

It is noticeable, and perhaps telling, that very few SNP members are in the chamber for the debate. None of the SNP regional members are

present, and only Christine Grahame comes from a constituency in the south of Scotland.

I am still unable to understand why Colin Keir, Sandra White, John Finnie, Roderick Campbell and Christine Grahame all voted in favour of closing a fifth of Scotland's sheriff courts, in light of the evidence that we received in the committee that showed that access to justice would be damaged.

Jim Hume: Mr Lamont talked about Christine Grahame and other members voting for closures. Does he not think that it was hypocritical that, just a few weeks before that, in December 2012, Christine Grahame stated in her Christmas message:

"Have a good Christmas. In the New Year the fight goes on to keep Peebles Sheriff Court open."

John Lamont: I thank the member for that point and I agree entirely. Back in June, SNP members of the Justice Committee, including Christine Grahame, apparently put party interests first and local people second. The SNP should not be proud of that trend, and I hope that SNP members will redeem themselves by opposing any further closures, although I doubt it.

Despite the withdrawal of justice from many towns in my constituency, the future of Jedburgh and Selkirk sheriff courts remains in doubt. The Scottish Court Service is currently assessing the most effective method of future provision of an integrated justice service for the Borders. That clearly means that further closures are being actively considered, and the number of courts in the Borders might yet fall from four to just one.

I hope that the Scottish Court Service will learn lessons from last year and properly consult and listen to the views of local residents who are telling me loud and clear that local justice matters and is important. The closure of Jedburgh and Selkirk sheriff courts would be a devastating blow for the Borders, and I will continue to speak out against that move.

12:56

Elaine Murray (Dumfriesshire) (Lab): I, too, congratulate Jim Hume on having this motion selected for debate, thereby ensuring that the decision taken by the Scottish Government and its majority in Parliament to close sheriff courts in rural south Scotland is not simply brushed aside and forgotten, as some might prefer.

On 11 June last year, the Justice Committee voted by a majority of only one not to annul the Sheriff Court Districts Amendment Order 2013 and the Justice of the Peace Courts (Scotland) Amendment Order 2013. Local members representing the affected communities made

arguments on access to justice, on possible alternatives such as sharing facilities with other public sector agencies, and on the wider effects of closures on local communities, to no avail.

On the closure of Annan JP court and Kirkcudbright sheriff court, I pointed out the unanimous opposition of all members of all parties on Dumfries and Galloway Council to the closures and their fears that they could lead to the non-reporting of crime because of the distances required to travel to court. I also mentioned the effects on staff in criminal justice social work, and on the police. A programme of closure of 10 sheriff courts and seven JP courts subsequently commenced, with the historic courts in Annan—as Jim Hume said, it was there for 700 years—and Kirkcudbright, which dated from 1455, closing last November.

The case against closure of those courts concentrated on access to justice for victims and witnesses, as Jim Hume's motion states, but he also makes an important point about the precedent of removing civil service jobs from rural areas. Taken together with the loss of jobs from police and fire control rooms and police counters, we now seem to be witnessing the reverse of the relocations policy of the Scottish Executive during the first eight years of the Parliament. Under that Executive, the small units initiative relocated small, discrete units of staff of around 10 to 15 people to rural areas to bring the benefits of public sector employment to rural communities. In contrast, the current Government is removing units of staff—and not always small units—from rural communities and relocating them in the central belt.

The other irony is that, since the Scottish Government pushed through its desire to close those rural courts, it has introduced legislation that will place additional pressures on the sheriff court system, which is already acknowledged to be under strain. If the requirement for the abolition of corroboration is passed—and it is odds on that it will be since Christine Grahame is the only person who has had the guts to stick her head above the parapet on that one—many cases will come to the sheriff courts that currently would not. They will probably be unsuccessful but they will add to the courts' workload.

The Courts Reform (Scotland) Bill, which is undertaking its journey through Parliament this year, proposes placing exclusive competence for cases of under £150,000 on the sheriff courts, thus removing 2,700 cases from the Court of Session to the sheriff courts. I know that the Government will argue that the bill also proposes establishing a specialist personal injury court in Edinburgh, but in rural locations, such as the south of Scotland, complainants might opt to have their

case heard in a sheriff court closer to home. Also, although the introduction of summary sheriffs to deal with less complex cases might eventually allow specialist sheriffs more time to devote to their specialisms, those sheriffs are to be appointed only when an existing sheriff retires or leaves, so it might take around 10 years for the system to be fully established. In the short to medium term, the reforms will add to the pressures on our sheriff courts.

The closure of rural sheriff courts a few months before the Courts Reform (Scotland) Bill came to Parliament does not seem an example of joined-up thinking on the part of the Government. Jim Hume was right to highlight in his motion the Government's failure to look at the bigger picture and its failure to safeguard public sector employment in the south of Scotland and in Dumfries and Galloway.

13:00

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): I welcome the opportunity to remind members that the proposals for rationalising the sheriff court structure are part of a wider set of reforms to create a modern justice system that better meets the needs of the people of Scotland, including those in the south of Scotland. The wider reforms, both civil and criminal, will ensure that cases are more effectively managed, reducing wasted time and the number of hearings required for each case. We cannot do that unless the court estate is rationalised by taking business out of courts that are underused or that duplicate provision in an area.

It is also important to remember that the volume of business carried out in the sheriff courts recommended for closure is only around 5 per cent of the total business. Overall, court business is down, with civil business in the sheriff courts down 13 per cent in 2011-12 compared with 2010-11, and, as we know, crime is at a 37-year low. The Scottish Court Service is confident that the transferred business can be moved without difficulty to a smaller number of better-equipped courts with modern facilities for victims, witnesses and jurors. The remaining courts will provide a more efficient structure for delivery of both general and specialist court services.

We have really not heard much about that in the debate, which seems mostly to be about location, location, location. John Lamont, for example, referenced Duns sheriff court. However, in 2011-12, there were only 45 sitting days at Duns, and the court does not meet equality standards and has no dedicated vulnerable witness facilities.

Jim Hume: Duns sheriff court covers not only Duns but the whole of what used to be called Berwickshire. If someone now has to go from, say, Eyemouth to a court in Jedburgh and must get there for 10 o'clock in the morning by using public transport, that is impossible. Accessibility is disappearing, and that is an equality issue.

Roseanna Cunningham: As if the Scottish Court Service had not actually thought about that and said already that it will accommodate as much as it can changing the times of cases to ensure that people who are required to attend can get to them.

I will just say something about the situation that we are in. Some members, including Jim Hume, still do not appear to understand that it is in fact the Scottish Court Service that makes decisions in relation to courts. Opposition members want us to overrule SCS, but if we did so we would then be accused of running everything from the centre. The Scottish Court Service makes the decisions, and the court closures were an operational matter for SCS, which is now an independent, judicially led corporate body. That has been the position since the enactment of the Judiciary and Courts (Scotland) Act 2008, which was passed unanimously by this Parliament.

Ministers are satisfied that SCS has considered its options carefully against the principles of access to justice set out by the judiciary. The SCS stipulated that court users should be able to get to court by public transport before their case proceeds and should be able to return home by public transport on the same day. That may mean that some cases will be set for later in the court day, but SCS is confident that it will be able to satisfy that requirement.

The fact is that maintaining old buildings that are unsuitable for the 21st century is too expensive. Christine Grahame is absolutely right to say that it is unsustainable. If Opposition members believe that we should keep paying the price to keep those old buildings going, they must say what other services would be cut. There will be no redundancies among Scottish Court Service staff, who will be redeployed to larger courts. In all cases, the resource—both judicial and SCS staff—will follow the business transferring. That is not a case of cutting capacity.

I can readily understand the concern about the future of the sheriff courts in Jedburgh and Selkirk—particularly given Selkirk court's link to Sir Walter Scott—and about Duns. Like others, I am a local member too. However, it is worth pointing out that not only has it been 40 years since a sheriff court sat in Hawick—and it was not the SNP Government that ended that court—but there has never been a sheriff court in Galashiels, for example. There are many communities in

Scotland where there are not sheriff courts—communities that are way larger than those that we are talking about in this debate—so travelling to a sheriff court has been a feature of life for a long time, not just in the Borders but for people across the length and breadth of Scotland. However, the number of people who have to attend court is small, most people do so rarely and that can be accommodated.

As I have said in previous debates, some of the contributions to today's debate lead inexorably to a solution that would mandate a sheriff court in almost every community. We have never had that—never in our history. Although members are long on criticism, they are short on solutions to the difficulties that we currently confront with a service that is outdated and has been badly resourced over many decades—something that the Government has inherited and must do something about.

The study group referred to by a number of members, including Jim Hume, is jointly sponsored by SCS and Scottish Borders Council and is considering the possibility of a justice centre in the Borders, with an assessment of the most efficient, effective and economic method for the future provision of an integrated justice service for the Scottish Borders. It is a feasibility study, not a blueprint for delivery, and there is no settled position on one type of model or another, despite the pessimism of some members here in Parliament.

The study group is working through phases of analysis and engagement with a wide range of organisations, and the next steps will be for it to complete its analysis and to reach conclusions on feasibility. The final stage will be a report to the SCS board and to the Scottish Borders Council leaders' group. That report is expected to be available and published in June 2014. We are not dodging issues; we are trying to work through them.

As I said, many of Scotland's courts date from Victorian times and are not fit for purpose in the 21st century, and many are underused. Others lie close to bigger courts, where business and court and shrieval time will be scheduled more efficiently. Ministers believe that the recommendations of the Scottish Court Service for the future shape of Scotland's courts will better meet the needs of the people of Scotland, and that is what we aim to do.

13:05

Meeting suspended.

14:30

On resuming—

Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Elaine Smith):

Good afternoon. Our first item of business this afternoon is a debate on motion S4M-09391, in the name of David Stewart, on the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill.

David Stewart (Highlands and Islands) (Lab):

It is with great pleasure that I open this debate on the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill. I thank the Local Government and Regeneration Committee, the Finance Committee and the Delegated Powers and Law Reform Committee for their robust scrutiny of the bill, and all those who worked hard to get it to this point. The non-Government bills unit, the legal team and the drafters have been superb in their support and encouragement. Any errors are, of course, my responsibility alone.

I also thank the Minister for Local Government and Planning, Derek Mackay, and his officials for the open and constructive discussions on my bill. It has always been acknowledged that the Scottish Government and I share the same goal, which is to improve local authorities' ability to recover their costs, although, of course, we differed slightly in our solutions. I think that the minister recognised that my bill dealt with a non-contentious and non-political subject matter and that agreement and consensual working would be the key to resolving timeously the difficulties that local authorities face in dealing with defective and dangerous buildings.

I hope that members will indulge me by allowing me to provide a little context to the development of the bill, not least because it has been four years, two sessions, two proposals and a statement of reasons in the making.

The first proposal on which I consulted was much wider and included issues such as building MOTs, although it also encompassed charging orders, which are important. My second, current proposal in this session focuses solely on charging orders, as I am acutely aware that local authorities need a solution quickly and that a single-issue member's bill is much more likely to garner support than one that tries to solve too many problems.

We all know, of course, that owners have a responsibility to maintain their properties, but members will be aware of properties in their

constituencies and regions that, as a result of their owners' neglect, blight their surrounding communities. Local authorities have a statutory obligation under section 29 of the Building (Scotland) Act 2003 to carry out work to dangerous buildings where it appears to the local authority that a building constitutes a danger to persons in or about it, to the public generally, or to an adjacent building or place. A local authority may recover from the owner any expenses that the local authority reasonably incurs.

Section 30 of the 2003 act makes provision for a local authority to serve a dangerous building notice, carry out the necessary work, and recover its costs where that work has not been done by the owner within the specified period. Under section 28 of the act, local authorities may also take action in relation to defective buildings where owners have failed to undertake the work specified in a defective building notice and may recover their expenses similarly.

I know from talking to building standards managers that councils do not recover all their costs. The Scottish Government's 2012 paper entitled "Research project to identify a cost recovery mechanism for local authorities dealing with dangerous and defective buildings" confirms that cost recovery sits at around 50 per cent. The Local Government and Regeneration Committee heard from witnesses that the average cost of work that is carried out by their particular local authorities was about £3,000, but there are examples of authorities being out of pocket for hundreds of thousands of pounds with little hope of recovering the money with the limited debt recovery tools that are at their disposal.

I will give an example of a case in Fife, which, although it is not an everyday one, perhaps illustrates the range of costs. The council spent £300,000 to demolish a precarious, heavily shored-up building in a tight town centre site. The building was at risk of collapse into the street. Prior to the 2003 act, local authorities relied on the Building (Scotland) Act 1959 to tackle dangerous buildings. Charging orders were available under that act to assist local authorities to recover outstanding costs. However, when the 2003 act repealed and replaced the 1959 act, the charging order mechanism was not carried over. The reason for that omission is not clear, although, suffice to say, it has left local authorities without an effective mechanism to tackle an increasing debt burden that needs to be addressed now.

How do local authorities currently recover any costs they incur when they use sections 28 to 30 of the 2003 act? If the owner is known, the local authority approaches the owner to seek payment of the outstanding sum. The problem lies in recovering sums from owners who do not have the

funds, who will not pay or who cannot be traced. If the owner can be located, local authorities can pursue them through the civil courts. That can be expensive, however, costing up to £5,000. Cost issues are more complex and mount up where there are multiple owners. Court action is, of course, not possible where the owner is not known or cannot be traced so, in some instances, the local authority has no alternative but to write off the debt. Building standards managers have told me that they estimate the write-off figure to be around £700,000 since 2005.

The Scottish Government's research project collated information from eight local authorities. The project estimated that the total unpaid debt for those authorities alone amounted to £1.5 million. That figure, when roughly extrapolated, produced an all-Scotland figure of £3.9 million. However, the Convention of Scottish Local Authorities considers that figure to be "too low". Those are substantial sums, and they have the potential to impact on the level of service that local authorities can provide.

That brings me to the primary aim of the bill, which is to enhance local authorities' ability to recover debts that have been incurred when dealing with defective or dangerous buildings by legislating for charging orders. It would perhaps be helpful if I explained that a charging order is a form of statutory charge that attaches to property and is registered in the land register of Scotland or, where appropriate, the register of sasines. My bill, in its simplest terms, provides for a charge to be secured on a property for 30 years and for annual instalments to be paid, and it can be used in relation to both residential and commercial property.

I will illustrate that point. A South Ayrshire night club caught fire. The fire extensively damaged the night club and also some street-level commercial premises. The council had to undertake works to make the buildings safe. There was real difficulty recovering costs, which ran into a couple of hundred thousand pounds. Had charging orders been available, the local authority would have been in a much stronger recovery position.

How will charging orders benefit local authorities? When a local authority registers a charging order against the title of the property, that means that, if the property is sold or transferred—bearing in mind the fact that a purchaser will want to get a clear and unencumbered title—the local authority is likely to be repaid through the proceeds of the sale. Another advantage of charging orders is that the cost of registering one is only about £50, which is significantly lower than the costs involved in pursuing the owner through the courts. Where the owner cannot be traced, a charge can be registered on the title, giving local

authorities some assurance that they will recover their costs at some time in the future.

Charging orders can also benefit those owners who want to pay but who are not in a financial position to do so immediately. A charging order allows them to pay by annual instalment over a manageable term. If, during that period, the owner's financial circumstances improve, the bill provides for early repayment and, if appropriate, negotiation of an early settlement sum, which, on payment, would result in the charging order against the property being discharged.

Until now, I have concentrated on dangerous buildings. Let us not forget that the bill will also make charging orders available to local authorities when they carry out work on defective buildings. That is an important feature of the bill, because the statistics from the most recent Scottish house condition survey, from 2012, show that 81 per cent of Scotland's dwellings were in some state of disrepair and 39 per cent were in an urgent state of disrepair.

It is my hope that, by providing local authorities with greater assurance that they will recover their dangerous buildings costs, councils will have more confidence to tackle what I call high-level defective or borderline dangerous buildings at an earlier point, which is less costly and will preserve the value and structure of the property, rather than dealing with the building in a dangerous state. It is notable that local authority action without notice under section 29 of the 2003 act, which is the most urgent action, has more than doubled from 402 instances in 2010-11 to 992 in 2011-12.

I thank the Local Government and Regeneration Committee for its insightful consideration of my bill and for supporting the bill's general principles, once again demonstrating that the Parliament can come together to deliver solutions where they are needed.

During its scrutiny of my bill, the committee's main focus was on the term of a charging order. Local authorities queried the long repayment term of 30 years, particularly for smaller sums. The Scottish Government's memorandum also considered that the

"terms of repayment should be flexible".

I reiterate the commitment that I gave to the committee that, should the bill progress, I will amend the relevant part of it at stage 2.

I also confirm that I have heeded another point of concern related to the registration of the charging order. Local authorities are concerned that a property might be sold or transferred—perhaps to another company—before they can register a charging order. I give a commitment to

lodge an amendment to provide a mechanism that will close that gap.

The Delegated Powers and Law Reform Committee suggested that my bill should be amended to allow the Scottish ministers to directly amend new schedule 5A to the 2003 act, to alter the form and content of a charging order, rather than there being the prospect of that being done by way of subordinate legislation. I have confirmed to the Delegated Powers and Law Reform Committee that I am content to amend the bill as suggested.

I again thank everyone for their contributions and their collegiate approach. I look forward to working with the minister and his officials to further refine my bill, should it be supported today. I am delighted to move the motion.

I move,

That the Parliament agrees to the general principles of the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill.

14:41

Kevin Stewart (Aberdeen Central) (SNP): I am pleased to speak in the debate on behalf of the Local Government and Regeneration Committee. The committee has heard evidence at stage 1 and this debate follows our report on David Stewart's bill.

I thank all those who provided the committee with evidence—both written and oral—at stage 1. I also thank the committee's Scottish Parliament information centre researcher and the clerks for their assistance and support.

Following a call for evidence, we received 30 written submissions, which were mainly from local authorities, but there were also a few from others with interests in issues such as conservation and construction and from housing associations and the legal profession. Thereafter, we held two oral evidence sessions. The majority of the evidence that we received supported amending the Building (Scotland) Act 2003 to introduce, as proposed in the bill, charging orders for use by local authorities.

The bill's key aim is to allow local authorities to make charging orders for the recovery of expenses incurred when they have carried out work to defective and dangerous buildings. Carrying out such work is a statutory duty imposed on local authorities—they are required to take urgent action to reduce or remove danger to people in and around buildings.

We heard various figures for the scale of the problems facing buildings in Scotland. The highest was that 83 per cent have some disrepair and we were told that around half require urgent repair to

prevent the fabric of the building from degenerating further into a dangerous state.

The bill would allow an additional means by which local authorities can recover costs and expenses that they incur when carrying out their statutory duties in relation to dangerous and defective buildings. They used to have that power but, for some reason that nobody could explain to the committee, it was removed when the Building (Scotland) Act 2003 was passed.

Currently, when a local authority incurs repair costs having served a defective building notice or a dangerous building notice, or having taken urgent action to deal with a dangerous building, it can pursue the debt through civil debt recovery procedures. Charging orders should therefore operate by means of local authorities attaching a formal charge over the building concerned. The charge would be registered in the land register of Scotland or, when appropriate, the register of sasines.

I will concentrate on the committee's findings, which are set out in our report. We looked closely at the provisions requiring the repayable amount under a charging order to be paid by means of 30 annual instalments.

The consensus from the evidence that we heard was that 30 years is too long a period for the recovery of expenses and that payment in annual instalments is too rigid an approach and might prevent people from paying back costs in a lump sum. The committee agreed that the bill is inflexible and recommended in our report that local authorities should be able to recover expenses over a timescale that relates to the amount that has been incurred and the debtor's ability to pay. I am glad that David Stewart raised that point today.

The committee received representations on the authorisation of retrospective notices in relation to outstanding debt. Approximately £4 million is due to local authorities as a result of work on defective and dangerous buildings, and some people want the bill to give local authorities the power to apply for retrospective notices. We agreed with the member and the minister on the issue and would not support the addition of retrospective powers to the bill. It is unusual to make retrospective provisions in general, and in this case difficult legal and technical issues would arise.

Evidence from local authorities noted that there was limited capital and revenue immediately available to undertake repair work. A number of authorities suggested that the Scottish Government should set up a national fund and stated that such a resource would allow local authorities to access funds to undertake their statutory duties in relation to urgent repairs of defective and dangerous buildings.

We recognise that local authorities have limited funds available and choices to make in how they prioritise and spend their money. One choice that they have is to undertake repair work but, of course, they will in many cases have to wait for repayments. We acknowledge the concerns and the choices to be made, but we consider a national fund to be an issue for the Scottish Government and local authorities to consider rather than something for which the bill should legislate.

In oral evidence we heard requests for the bill to increase the flexibility of charging orders to allow housing associations to pay building repair costs on blocks of flats in which they have properties and to have those costs recovered by local authorities on their behalf. That would avoid a situation in which housing associations would, in buildings in which they have a majority interest, have to make full payment and then chase other—perhaps private—owners for repayment of their share through the court system.

We note those concerns but do not consider it appropriate to burden local authorities in that way. We would, however, encourage local authorities to work closely with housing associations and to take a flexible approach to assist them when circumstances permit.

We heard a fair bit of evidence about private owners—generally companies or the like—chopping and changing ownership to try to evade repayment. I am sure that many members in the chamber have experienced such situations in their constituencies and regions, as I certainly have. We heard evidence to suggest that a power to make an interim order or a liability order that could be attached at the point at which the repairs were made would help to address the situation.

We sympathise with that suggestion and are keen to minimise avoidance opportunities. We recommend that consideration be given to providing appropriate powers, which we understand the Scottish Government is considering. We look forward to hearing more about that and, perhaps, to considering amendments at stage 2.

I congratulate David Stewart on introducing the bill, and we appreciate his flexibility in giving evidence to the committee. The committee supports the bill's general principles.

14:47

The Minister for Local Government and Planning (Derek Mackay): I am delighted to contribute to the debate, and I too acknowledge the significant amount of work that David Stewart has done in the past four years to get his bill on defective and dangerous buildings to this stage.

His bill proposes considerable improvements to the existing cost recovery powers of local authorities in dealing with defective and dangerous buildings.

The current powers in the Building (Scotland) Act 2003 require local authorities to take action on buildings that they consider to be dangerous. In some cases that will mean undertaking emergency work to secure the building and the surrounding area, and in other cases it will mean carrying out repair works. In certain extreme circumstances, local authorities can decide to demolish all or part of a dangerous building. They also have discretionary powers to deal with buildings that they consider to be defective. Unlike the situation with dangerous buildings, the local authority can, where an owner has not carried out the necessary repair work, undertake the work itself. The powers cover all types of buildings and allow local authorities to intervene to stop buildings deteriorating or to deal at once with immediately dangerous situations.

Those powers are important not only to ensure the safety of people inside and outside buildings, but to help in protecting our built environment for future generations. When a local authority becomes involved, its intervention is usually enough to prompt the building owner to rectify the problems themselves. In cases in which that does not happen and a local authority has to do the work itself, it can seek to recover its costs from the building owner.

As we have heard this afternoon, that currently means using the normal debt recovery methods, which to date have unfortunately not always been successful or adequate. Local authorities need a process for debt recovery that provides them with flexibility and gives them more certainty of recovering any expenses that they may have incurred.

The previous building legislation, up until 2005, included provision for charging orders for dealing with dangerous buildings. I, like many other members in the chamber, do not know why that power no longer exists. It linked the debt to the property and required the debt to be paid by 30 equal annual payments. Although, since 2005, powers have been widened to cover defective buildings, charging orders were not proposed. As such, the proposals in David Stewart's bill can be seen as reintroducing the system of charging order powers that used to be in place. The Government has acknowledged that the existing powers need to be strengthened. As part of that, it is essential that any changes must include registration of the debt against the property to alert future owners to any existing liabilities. Indeed, having recognised the concerns of local authorities, the Government included proposals for

improved powers in the consultation on the proposed community empowerment (Scotland) bill at the end of last year. Important differences to the bill that David Stewart has proposed were the inclusion of flexible repayment terms, the use of notices of liability, and a wider scope to cover all enforcement powers under the Building (Scotland) Act 2003.

We have now had the consultation responses to the community empowerment bill, and the Local Government and Regeneration Committee has taken evidence on David Stewart's bill. The responses show strong support for improvement, but ask that the payment terms be flexible. Many respondents also requested that the period between the debt being incurred and the registration on the appropriate property register be kept to a minimum to prevent avoidance tactics. Those views were echoed by local authorities at a consultation workshop in January, and by the Convention of Scottish Local Authorities. I am pleased to hear that David Stewart intends to address those two specific issues at stage 2.

As I said earlier, the Government acknowledges that the cost recovery aspect of the legislation should be improved. That important part of the Government's work is at the core of protecting the built environment, but it requires local authorities to invest time and resources, particularly when owners do not fulfil their legal obligations. Linking the local authority costs to the property would be a welcome improvement that would, in turn, give local authorities more certainty about getting their expenses back.

I am therefore pleased to confirm that the Government supports David Stewart's bill on the basis that he will address a number of key aspects at stage 2. I also confirm that the Government will work with David Stewart on developing his bill to improve existing local authority cost recovery powers. That will largely satisfy COSLA's request that we take this approach, as opposed to leaving it to the community empowerment bill that will come later in the parliamentary session.

14:52

Sarah Boyack (Lothian) (Lab): We, too, welcome the proposals for the bill. I congratulate David Stewart on the work that he has done thus far, and echo his thanks to all those who contributed to the discussions and gave evidence to the committee, and to the clerks for taking us this far.

Many properties are not properly looked after and can become dangerous and fall into a state of disrepair, which is bad news for residents, for neighbours and for the regeneration of our communities. Given the Scottish National Party's

persistent underfunding of local government, the bill provides a useful way for councils to recoup the costs that they incur in making buildings safe or when they are obliged to undertake urgent repairs. We support the bill and hope that it will enable our local authorities to recover a higher proportion of those expenses.

I agree with all the comments that have been made so far about the need for flexibility, and I am glad that David Stewart is keen to accept amendments at stage 2. The evidence shows that the 30-year payback period is too long. It has also been made clear that, for many people, a monthly payment might be a lot easier than an annual payment. It would be sensible to enable councils to be flexible in light of the circumstances of the owner and the size of the payment.

The Scottish Federation of Housing Associations raised a couple of issues in its submission that have not been mentioned this afternoon. First, the SFHA thinks that it would be desirable for housing associations to have similar powers to local authorities, either through possible collaboration with councils or by having the power to issue charging orders themselves. The SFHA argues that that would enable a more practical approach to the restoration of mixed-tenure buildings. I would be interested in the comments of the minister and the member in charge on that suggestion.

Secondly, the SFHA seeks clarification of when action could be taken to repair a dangerous and defective building. David Stewart referred in his opening remarks to his desire for high-level defective or borderline dangerous buildings to be tackled earlier. It would be quite useful to think about how that might be defined, so that people will know when it is appropriate in the future to apply the bill's provisions. The SFHA makes the obvious point that preventive repairs are much less costly and potentially safer in the long run. The issue is to consider how such repairs link with the bill's provisions and to decide at what point they would be triggered.

I cannot comment on the bill without reflecting on the statutory notice system in Edinburgh, because there are lessons to be learned from it. The system has been dogged by mismanagement and allegations of corruption, but the principle underpinning the system is sound. We need to think through Edinburgh's experience of the system in order to make the bill stronger. The City of Edinburgh Council commented in its written submission on potential delays in the sheriff court and costs being successfully challenged where the apportionment between owners is not clear; I know that that is a live issue in Edinburgh. Guidance to ensure fair and clear apportionment between owners would be very useful, particularly

in dealing with tenements. Where it is not possible to track down an owner, the capacity to lay a registration or an order on a property's title could mean that money would be recovered—that is an important principle in the bill.

I want to reflect on the linkage between different elements of legislation. I am glad that the minister will look at community empowerment principles being adopted in the bill. The law of the tenement enables owners to undertake repairs and claim back the costs from owners who refuse to pay their share. However, the fact that they have to resort to the courts to claim back that money means, in effect, that it is a possibility that is virtually never used, given the costs and the time delays.

An opportunity that could come from the bill would be to allow the council to step in and pay the contribution of an owner who had refused to take part, even though the law of the tenement had been used in the drawing up of a scheme of works, and then to enable the council to claim that money back from the owner, using the powers in the bill. That would empower neighbours who have come to an agreement but whose repair works have been stalled by an absent or unco-operative owner. It has certainly been the case in Edinburgh that such situations have forced the council to become involved, which has led to lengthy delays, disputes and increased costs.

I would be very keen to introduce at stage 2 a power for local authorities along the lines that I have described, but I would be interested in hearing members' views on it before we get to stage 2. I would be grateful for the view of the member in charge and his advisers on whether the bill as drafted would give local authorities that power. If their view was that it did not, I would be grateful if the minister and David Stewart would look at the proposal before we get to the detail of stage 2, because I believe that the bill presents an opportunity that we should not miss.

I very much welcome the bill. I hope that the motion on its general principles is passed today and that we can move to discuss the detail for stage 2.

14:57

Cameron Buchanan (Lothian) (Con): I tend to start my speeches by welcoming the opportunity to contribute. However, I confess that on this occasion I can say with an unusual amount of sincerity that I am pleased to speak in support of this bill. I have met David Stewart to discuss his bill, and I congratulate him not only on his hard work, but on his persistence. Dangerous and defective buildings are not a subject that is being hotly discussed in many households around

Scotland at this precise moment. However, the member has identified a real problem with the present situation and has come forward with a sensible and straightforward solution. We should be grateful for his efforts in pursuing the matter. Indeed, I suspect that his real and abiding achievement is to have brought forward good legislation that has not been hijacked by the Scottish Government.

The bill presents a fairly neat solution to the problem of recovering costs for repair work by using a charging order where, for instance, civil law routes are not appropriate due to difficulties in tracing the owner. The bill will allow local authorities to tie the debt to the property title as opposed to the owner. Put more simply, the bill will give local authorities another route to claiming back the costs and as such it is most welcome, with 80 per cent of councils indicating their support for it in their responses to our consultation. There are an estimated £3.9 million in outstanding costs for such work, so anything that makes it easier to recover that money is surely a good thing.

Of course, as David Stewart stressed in his evidence, the proposed route is an optional one, so it will not bind local authorities to using a charging order in every circumstance, and in some cases it will not be appropriate. In committee, I raised the example of derelict barns and outbuildings in rural areas where the titles are not clear or are non-existent. John Wilson memorably referred to that problem as a case of raiders of the lost titles, a reference that might explain his penchant for fedora hats. We want to avoid situations in which charging orders become a disincentive for the redevelopment of land, or where they push buildings and sites into negative equity.

Clearly, there are situations in which charging orders will not be a viable solution. There are also situations in which the ownership is not at all clear, and one of the key challenges that I have faced personally was a situation in which an owner simply could not be found. The fact of the matter is that tying a debt to the title of a property is no use when nobody will take responsibility for the ownership of it. Whether or not it is in the bill, there needs to be a review of such situations and of the feasibility of fixed timeframes for establishing ownership.

As members of the Scottish Parliament, we are all familiar with buildings that have sat abandoned for long periods of time and on which work has been required to make them safe. Alex Rowley referred to a derelict hotel in Cowdenbeath High Street in his constituency, where no owner could be found, and I seem to remember that a similar case brought revelations over Stewart

Stevenson's links with the business community in Panama, though not in a personal capacity.

The key to the bill's success will come from the difference that it makes not just to how effectively costs are recovered, but to how likely councils are to act on dangerous buildings. David Stewart referred to instances in which the decision on whether a building was dangerous or defective was not clear, and noted that in those circumstances it was likely that the decision would be taken not to take action because of the difficulties associated with recovering costs. I hope that the change will spur councils to act.

Another thing that must be considered is whether the remedial work that is to be carried out will be the bare minimum required to ensure that the building is safe and not liable to further or immediate deterioration, or whether local authorities have the confidence to act, knowing that costs could be recovered, to allow for a slight widening of the scope of the works so that they are more robust and longer lasting.

A couple of issues arose in the committee's evidence sessions about the timeframe for the recovery of moneys and the appeals process. There was near unanimous support for the proposal that the 30-year timescale should be a maximum rather than a set, prescribed collection period, and we now know that moneys will be collected in instalments.

I am pleased that David Stewart has indicated his intention to work to bring forward any necessary amendments at stage 2 to bring in a flexible regime for the collection of moneys over a shorter timeframe, which is particularly relevant given that some costs will be relatively modest. There has to be flexibility in that regard. Likewise, there was some discussion over the appeals procedure, which the member has clarified would be for the purpose of disputing the validity or competence of any order, rather than reviewing the overall cost and associated terms. I note that the minister will consider that issue further, since he requires assurances over the role of the Government and reporters. However those seem to be fairly minor problems and I feel sure that any issues will be resolved at stage 2 and that we can move forward with the bill.

15:02

John Wilson (Central Scotland) (SNP): I offer my congratulations to David Stewart on introducing his bill in such a consensual manner that he has actually brought on board the Scottish Government to lend its support to the bill's progress.

Many people assume that they understand what is meant by dangerous and defective buildings,

but in practical terms that may not be the case, although the Building (Scotland) Act 2003 offers legal guidance on the matter.

As a member of the Local Government and Regeneration Committee, I must respond to Sarah Boyack's comment about the Scottish Government and local government finance by reminding her that she was a minister in the Scottish Executive when the 2003 act was introduced and that that act took the charging powers away from local authorities in Scotland.

Sarah Boyack: Will the member take an intervention?

John Wilson: No. I do not have time.

Although Mr Stewart's bill has helped to provide a context as it has progressed, in that its intention and clear objective is to amend current statute in respect of the Building (Scotland) Act 2003, the general thrust of the bill raises concerns about how local authorities that have served either a defective buildings notice or a dangerous buildings notice, or which have taken alternative urgent action to deal with a dangerous building, can discharge their existing public safety role.

That raises an issue about the charging costs that were presented to the committee. We heard that the average charge was £3,000 for such buildings, but many witnesses indicated that that sum applied only to making the building safe, not to carrying out the necessary repairs that might be regarded as essential to make it habitable.

There is clearly a problem with keeping properties maintained, particularly in an era of buy-to-let owners who can be difficult to trace from title deeds, hence my reference in committee—alluded to by Cameron Buchanan—to the raiders of the lost titles. There are similar difficulties in cases where landowners operate from an offshore base.

As witnessed in the response from the Scottish Government, there is a high level of support for the principle of establishing better cost recovery powers, and the general point of the bill is to bring about an improvement in the current situation.

As has been stated, an overall theme is coming from discussion on the bill on the need to ensure that work takes place to tackle repairs, rather than simply make buildings safe and secure. Importantly, the principles behind the bill would provide certainty to local authorities that the debt should and will be recovered.

Although evidence that was given to committee centred on expenses, as reflected in the committee's report, there are issues regarding the repayment period. The repayment period in the bill was deemed by some to be somewhat restrictive, principally with regard to costs being repaid

annually. It is worth noting that charging orders are not a risk-free option and some respondents raised matters associated with their reintroduction. For example, charging orders are a long-term solution to debt recovery, especially when the period of repayment could be 30 years. That highlights my comments on flexibility.

In addition, a charging order will place a legal burden on the building, which may well impact on the sale of a property. There will no doubt be amendments at stage 2, as David Stewart and the minister intimated, which will take on board points about creating flexibility on the recovery of expenses, so that it is not overly prescriptive.

I thank David Stewart for bringing forward the bill and I commend the consensual manner in which it has been discussed. I look forward to the Local Government and Regeneration Committee's consideration of amendments at stage 2. I thank everyone who assisted us in considering the bill at stage 1, including those who gave us written and oral evidence, and I thank members for the manner in which they conducted themselves during that stage.

The Deputy Presiding Officer: We turn to the closing speeches.

15:07

Cameron Buchanan: We have had a good, constructive debate and found a great deal of consensual support for David Stewart's bill. We are all agreed on the bill's merit and necessity and most comments have been on the detail over its implementation. In that respect, it has raised a number of broader issues to do with repairs. However, David Stewart and the committee are right to recommend that we resist some of the suggested amendments and expansion of the scope of the bill.

One of the most obvious cases of that type of proposal was from Susan Torrance of the Scottish Federation of Housing Associations, who noted the appeal of the bill and suggested broadening it to offer some sort of power to local authorities to pursue costs on behalf of housing associations—a point that Sarah Boyack raised. Although David Stewart and the committee understandably rejected that proposal, given the taxpayers' resources that would need to be used, it is easy to see why the SFHA suggested such a power.

Never far from any discussion on the Local Government and Regeneration Committee is the issue of finance and in particular the fact that resources are scarce for councils at present. The bill is, of course, designed to improve the rate of recovery of funds, but in order to be recovered they have to be spent in the first place. That led some councils to argue in their submissions for a

dedicated fund for the purposes of repairs—that is, to argue for ring fencing. That would add a whole new dimension to the bill regarding extra resources and it is not a matter that should be addressed by the bill.

Linked to that issue, COSLA suggested that the powers could be used retrospectively. However, that struck me as something that would be quite a complex addition to the bill and I note the minister's comments on the competency of such a provision. Evidence from Alistair MacDonald of North Lanarkshire Council highlighted the administrative costs that would be associated with retrospective charges, and that point cannot be ignored.

The bill's overriding aim is to give local authorities another tool for recovering the cost of repairs, which is a very welcome and effective proposal. However, the bill understandably attracted a number of suggestions on how it could be tweaked or slightly expanded to address the many other similar problems that go with recovering the cost of repairs. Of course, the danger with such proposals is that if we begin to accept them, the scope of the bill immediately expands and we encounter all sorts of other, unforeseen problems. What starts as a straightforward proposal quickly evolves into a substantive and more far-reaching bill. Accordingly, I commend David Stewart for retaining his narrow focus on the issue of charging notices in relation to dangerous and defective buildings. The bill has exposed the need for a wider look at the broader issues, but for the moment we should support this bill, as it will give some welcome new powers to local authorities.

15:09

Mary Fee (West Scotland) (Lab): I, too, thank David Stewart for his hard work over the past four years to bring his bill to Parliament.

This stage 1 debate has been short, purposeful and very consensual, and I particularly welcome the very supportive comments that have been made by the Minister for Local Government and Planning; Kevin Stewart, the convener of the Local Government and Regeneration Committee; and Cameron Buchanan. Given the issue of local government finance that Sarah Boyack highlighted, the chamber must unite to support and implement the bill. With councils under severe pressure as a result of cost cutting, it is only right that they have the powers to recoup moneys for repairs to buildings for which owners take no responsibility. Indeed, ensuring that such owners do not profit from work that local authorities undertake is one reason why I fully support the bill.

The Local Government and Regeneration Committee's very thorough and helpful stage 1 report on the bill raises concerns about the period of time for repayment, but I am happy with the broad agreement on the need to review the bill's overly inflexible drafting.

On the issue of cost recovery, I agree with the evidence suggesting that the fixed-term repayment period is inflexible, and I am keen for that part of the bill to be reviewed. As a result, I welcome the remarks that David Stewart made on the matter in his opening speech. With the average cost of repairs coming in at under £3,000, it would be more beneficial for councils to base their terms on circumstance and the amount owed. I would certainly find it bizarre if someone who owed less than £3,000 had to pay 30 years of annual charges. Given the warning by the Institute of Historic Building Conservation that many one-off repairs costing £3,000 might require further intervention in future, it might, in the interests of public safety, be more beneficial to carry out full works in the first instance. Indeed, as the bill could also have beneficial effects in my area and help to transform and regenerate town centres such as Paisley—I am sure that the minister agrees with me on that point—I hope that things advance and that we get the repayment period right.

Local authorities have quite rightly indicated that without payments from owners their budgets for undertaking work are limited, and they have suggested the possibility of establishing a national loan fund. I hope that the minister will continue his dialogue with local authorities to find a practical solution to this problem. It might well be a result of the economic climate that more and more buildings are being classed as dangerous or defective but, given that councils are recovering only 50 per cent of costs, the Government must make it a priority to find a way of funding repairs without having a detrimental effect on vital services. The SFHA has suggested that housing associations and local authorities collaborate on recovering costs but, like Gillian McCarney of East Renfrewshire Council, I am apprehensive at the use of taxpayers' money to recover costs for associations.

That area needs to be further explored, as does the question of who can issue a charging order. Moreover, the bill does not address the issue of buildings whose owners are not known, and I look forward to amendments at stage 2 to remedy those points. Similarly, I am unsure where the bill sits in relation to councils and missing shares, and I hope that that, too, will be clarified as the bill progresses.

We fully support the bill and hope that the chamber will do the same. It will be a vital tool in ensuring that our buildings are kept in good repair.

The Deputy Presiding Officer: I call Derek Mackay. Minister, you have six minutes.

15:13

Derek Mackay: That is slightly longer than I had expected, Presiding Officer.

The debate has been very consensual, without much disagreement. Mary Fee was correct to say that, like the bill itself, it has been short, purposeful, consensual and clear. Indeed, I think that David Stewart and I share those attributes: we are both short, purposeful, consensual and clear in what we want to achieve.

The chamber is united on this issue. In fact, if there is any challenge, it might come from the Opposition spokesperson, Sarah Boyack, who, for good public benefit reasons, wants to expand some of the bill's provisions. However, the bill has been drawn in a very tight way to achieve its expected outcome.

Sarah Boyack: My concern is partly because I know that there may be further legislation coming down the tracks from the Scottish Government. The key problem for our constituents is that having to refer to different acts becomes a legal minefield. It would be useful if we could do simple things, without widening the focus too far, which Cameron Buchanan talked about, or if we could at least have a discussion about that at stage 2, so that the minister could reflect on issues that could be picked up in other pieces of legislation.

Derek Mackay: The member makes a valid point about emerging legislation. I want to be entirely clear, though, that the bill has a clear focus and we engaged with professionals to get the focus of the legislation—both the member's bill and what was proposed in the community empowerment bill—right, so there may be other opportunities to do what Sarah Boyack suggests.

Kevin Stewart rose—

The Deputy Presiding Officer: Can we have Kevin Stewart's microphone switched on?

Kevin Stewart: Thank you, Presiding Officer, although, as some of my colleagues are saying, I probably do not need it.

The simplicity of the bill is extremely good. It is when we get overly complex that we run into difficulties. It is perhaps the complexity of the 2003 act that led to charging orders disappearing from statute.

Derek Mackay: That is a fair point, but the bill will be focused and will make the necessary amendments. I will return to the details of those in addressing the points that have been made this afternoon and in the Local Government and Regeneration Committee.

I liked Cameron Buchanan's clarity in welcoming the opportunity to participate in a debate with sincerity. I am sure that that is the case. It is not the case, however, that the Government is hijacking the bill. Actually, it is a case of great minds thinking alike. Everyone recognised that we needed to do something about this, and I commend David Stewart for taking the opportunity to tackle an issue through a member's bill that we were dealing with through a community empowerment bill that I absolutely want to get right. We will, of course, reflect on the member's suggestions and continue to work with him on the necessary amendments. However, the bill will still have the Government's conditional support if the areas that we have identified can be addressed. We are happy to continue to support the bill and, indeed, offer the support of our officials to get it right, because the recovery of expenses that councils incur in dealing with defective and dangerous buildings is a serious and significant issue. We need to create a culture of proactivity in local government so that councils take the necessary action in the knowledge that they will be recompensed, where that is appropriate.

A wider issue around resources has been raised. I point out that we have made a major effort to de-ring fence resources—the amount that is ring fenced has fallen from £2.7 billion to just less than £200 million—and I do not believe that there is an appetite in local government to return to greater ring fencing of funds by creating a loan fund or something similar, even if the purpose is a good one. I believe that local government would welcome having the financial flexibility to take the approach that is appropriate in each local area, with the checks, balances and safeguards that Sarah Boyack mentioned in her speech, being very mindful of the circumstances in Edinburgh.

The bill has the potential to raise standards, to create a culture of enforcement and proactivity, to give the necessary reassurance and to challenge people. The guidance will be incredibly important in ensuring that there is clarity in the legislation and in the implementation. Again, I say that we look forward to working with David Stewart on amendments on issues such as the term of the charging order, so that there is flexibility, because it would be preposterous for some charges to be stretched over 30 years, where that is inappropriate. We do not want to unintentionally create avoidance and avoidance mechanisms. It would therefore be welcome if the bill could be amended to allow liability for costs to be registered as early as possible, to prevent the possibility of avoidance.

I am mindful of the Local Government and Regeneration Committee's view on the retrospective allocation of expenses. The member

is aware of the Government's position on that, as well.

The community empowerment bill will proceed without any element of the work that is contained in the member's bill, which will, we hope, deal with the issue with which it is concerned. That will enable the community empowerment bill to focus on the other areas that I have highlighted.

Once again, I commend David Stewart for the four years' hard work that it has taken to get the bill to this stage. I think that it will meet with the approval of members across Parliament. The power that the bill deals with is a necessary one. The lack of the power has been a missed opportunity and its restoration will, I think, be welcomed by local government and the people of Scotland.

15:20

David Stewart: My friend Councillor Jimmy Gray, who is the convener of Highland Council, first drew my attention to the hazards that buildings can pose to the public if they are not maintained properly. He had been unfortunate enough to experience at first hand the danger that is posed by a building in a state of disrepair when he was almost struck by a flying piece of masonry when out walking along Stephen's Brae in Inverness. Thankfully, he was unhurt. However, that prompted me to investigate this matter further with building professionals and local authorities. I readily acknowledge that there are many wider aspects of dangerous and defective buildings that need to be addressed. As a back-bench member, I cannot go as far as ideally I would have liked, though I believe that my bill is an important first step and will make a significant difference to local authority cost recovery powers.

The response from the Edinburgh Conveyancers Forum to the committee's call for evidence sums up the position well:

"Whilst the charging orders proposed are not a full answer to these specific issues in themselves they would hopefully offer a welcome first step to developing a system that can protect our built environment to the advantage both of the population at large and also to individual owners whilst shifting the financial burden back to the owners themselves."

I thank members for all their positive contributions and their hard work in analysing the bill. I share Kevin Stewart's view that it would be wrong for the bill to apply retrospectively. Certainly, the legal advice that I have taken is that it would breach the European convention on human rights if it did, and I share that view. I also share Kevin Stewart's views about the national fund and the housing associations. Although I am very sympathetic to Susan Torrance's position, the point for me is that what she wanted was out of

the bill's scope, not that it was incorrect. Obviously, I am keen to do anything I can to look at the notice of liability at stage 2, as I said to the minister earlier.

I share Derek Mackay's views and thank him for the offer to provide Scottish Government officials to work with me on amendments at stage 2—I will certainly do that. The only thing I query is his sizeist comment earlier, although I remember that my friend Bill McAllister, a well-known Highland journalist, once introduced me at an event by saying, "David Stewart is not old Labour and he is not new Labour—he's just wee Labour."

I also liked Sarah Boyack's contribution. There is a much longer answer to make on the issue of apportionment and I am happy to write to her about that. As members know, Edinburgh has different legislation that went through Westminster. We would generally look at cost recovery according to what the title says, but I would like to make a much fuller response to Sarah Boyack and I shall do so in writing.

Cameron Buchanan also made an excellent contribution. He is quite right to say that charging orders are not there so that they can be used in every single case; that would be nonsense. Clearly, it is a joint decision by the building control officer and the legal team in the local authority. However, these orders would not work in a situation of negative equity or an unclear title. The line about raiders of the lost titles, which I think John Wilson coined, was a good one, and legal assessment is required on that point.

I agree with John Wilson about the worries about offshore ownership. I think that Stewart Stevenson spoke to the committee on that point. I would like to see repayment periods being relative to the amount of funds outstanding. I will certainly pursue that issue.

Mary Fee also made some excellent points. Clearly, with so-called orphaned buildings, where owners are unknown, a charging order would still work if there is a clear title, even though the owner may not necessarily be found. That is important, given that the order would attach to the title of that individual building.

In the few minutes that I have left, I will in summary recap the advantages of charging orders. If there is still time, I would like to mention the case that Stewart Stevenson cited to the local government committee, which was very interesting.

The advantages of charging orders are that they add to the local authority cost recovery toolkit to meet the varied circumstances of debtors. They secure the debt over the property, which creates a priority for the debt that it would not otherwise have as an ordinary, unsecured debt. It also

includes a provision for recovery of expenses that are incurred over and above the basic cost of undertaking the work. That is very important indeed; it refers to local authority administrative costs, registering and discharge fees and, of course, interest. I emphasise that it would be for each local authority to have a mechanism for assessing what interest it would be charging, which would be based on the current bank rate.

As the order is against the property, it avoids the need to pursue an individual in the civil courts, which can be time consuming and costly and, depending on the sums involved and whether the owner is traceable, may not be a viable option.

The charging order would also provide a greater guarantee of the costs being recovered; it would also enable a person who cannot pay a lump sum to make instalment payments. In addition, the charging order would act as an incentive to make those who are liable pay rather than incur the additional costs. Furthermore, the normal requirement to clear the charging order prior to the sale or transfer of the property would give an incentive for property owners to make payment of the outstanding sums to facilitate a sale. It is also likely to be much better to have had repairs carried out and a charging order placed than for a property to fall into further disrepair. Finally, charging orders have an advantage in that their existence and the sums charged are easy to establish from the land register at the point of sale.

Presiding Officer, do I have time to quickly mention the very interesting case that Stewart Stevenson raised at the Local Government and Regeneration Committee evidence session on 26 February?

The Deputy Presiding Officer: I will give you an extra little bit of time.

David Stewart: Thank you.

The case illustrated both the difficulties and the costs involved in attempting to trace the owner of a derelict building in a village in the north-east of Scotland. After five years of attempts to confirm ownership, it turned out that the property was owned by a registered company in Panama, which would deal with the council only through correspondence in Spanish. I understand that the council incurred additional costs because all correspondence had to be translated into either English or Spanish.

Under my bill, local authorities dealing with a defective or dangerous property such as that would have the option of registering a charging order, which would enable the debt to be secured on the property, rather than pursuing an individual or company through the court. When it became apparent that the owner was not traceable or refused to pay, a council could pursue a charging

order and thereby reduce its outlay at the outset. If in the future the property was sold, it is likely that the proceeds would go some way to covering the council's costs.

My bill will improve local authorities' cost recovery powers. I hope that, come decision time, the whole chamber will unite to take a small but important step in the right direction for the built environment in Scotland.

Developing Skills for Scotland's Digital Economy

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on S4M-09575, in the name of Angela Constance, on developing skills for Scotland's digital economy. I invite members who wish to speak to press their request-to-speak button. I note that some members who are down to speak in this follow-on debate are not present.

15:28

The Minister for Youth Employment (Angela Constance): I am very pleased to have the opportunity to open this debate on developing skills for Scotland's digital economy. The debate follows the recent publication of the information and communication technology and digital technologies skills investment plan by Skills Development Scotland and the First Minister's announcement that the Scottish Government is investing an additional £6.6 million in promoting digital skills.

Last month, the internet celebrated its 25th birthday. In that time, it has transformed how we live, do business and interact with one another, and it will continue to do so in ways that few of us can even imagine. That is why the debate is so important. As opportunities increase, we need to ensure that our young people have the chance to develop the skills that will, I hope, allow them not only to succeed in a digital world but to shape that digital world.

Scotland is well placed to take advantage of the boom in new technology around the world. We have a successful digital and ICT sector that employs around 73,000 people, contributes £3 billion gross value added to our economy, and offers average full-time earnings that are 50 per cent higher than the Scottish average.

It is also a sector that is increasingly integrated across the economy as a whole. Successful organisations in every sector are striving to adapt to the digital world and, as they do so, we see a growing demand for people with skills to lead digital transformation. The skills investment plan estimates that 11,000 new entrants per year will be required to meet replacement and growth demand. Those challenges are not unique to Scotland: it is estimated that there is currently a shortage of up to 900,000 ICT and digital technology professionals throughout Europe. However, even though it is an international problem, we need to take action that will make a difference in Scotland. We have every opportunity to do that by focusing on the potential of Scotland's workforce and by ensuring that young

people and women are an increasing part of the solution and are attracted to careers in the vibrant and growing digital sector.

The skills investment plan identifies that, despite the growing demand for skills in the area, the figures on occupational segregation and young people employed in the sector are a concern. It is not only me that is worried; the sector is concerned, too. Only 14 per cent of the workforce is aged 16 to 24 and only 17 per cent of it is female. We need to get the message over to young men and women about the fabulous career opportunities in the sector.

As Minister for Youth Employment, I also have a key interest in issues that relate to women in the labour market, so it is inevitable that I regard this as a tremendous opportunity for young people and women. It is a potential win-win if we work effectively and in partnership with the industry. That is why I was determined that, in the same week as the skills investment plan was published, we would have a national campaign to make young people your business in digital technologies.

Jenny Marra (North East Scotland) (Lab): I take the minister's point about young people getting the message that there are opportunities in the sector for young women as well as young men, but does she agree with me that there is a capacity issue in our schools and colleges? According to the Scottish Government's figures, the number of teachers with computing studies as their primary subject has fallen by nearly 14 per cent over the past few years. We have issues with the availability of teachers who are qualified to teach it.

Angela Constance: Absolutely. The purpose of the skills investment plan is to be responsive to the needs of industry. That includes every aspect of our education system—primary, secondary, further and higher education.

The point that Jenny Marra makes about computing science teachers is accurate. There has been a nearly 14 per cent fall in the number of teachers with computing science as their main subject in our secondary schools. That is one of the reasons why Michael Russell and Alasdair Allan have made a commitment to at least double the number of student computing science teachers we recruit to teacher training colleges. There is a workforce plan on the number of teachers we then take forward, particularly into secondary schools. On that point, we can most certainly agree with the member.

What struck me during the make young people your business in digital technologies week was the way in which some of our most successful companies are embracing a twin-track approach to

recruitment by, first, seeking to attract top graduates from Scotland's universities and, secondly, recognising the value of modern apprenticeships and taking positive action to develop them as a route to meeting their skills needs. In 2012-13, Skills Development Scotland supported 468 starts for information technology modern apprenticeships. That is up from 344 in the previous year, and I am delighted that employers are engaging with that valuable vocational route.

Sir Ian Wood's commission on developing Scotland's young workforce has identified the point that the European economies with strong vocational pathways are also strongly performing economies. The Parliament has already agreed with the ambitions of the commission's interim report and I am pleased to say that, among other things, the commission is specifically examining the opportunities in the ICT industry as it moves towards concluding its final report in May. We also had a successful Wood commission summit on Monday, and I was pleased that Ms Scanlon was in attendance throughout that event. I hope that the work of the Wood commission will provide a further boost to our plans to provide education and training pathways that are specifically designed for the digital age.

We are taking action across the education system to develop digital skills. In our schools, the development of digital skills is embedded in the curriculum for excellence. The curriculum for excellence supports ICT skills across all subjects and provides specialised learning in computing science, including the opportunity to study for the new national 4s and 5s, which contain a strong element of software design and development—the very areas in which skills are so highly valued by employers.

Our colleges are working more closely than ever with employers to ensure that students have the skills that our key sectors need. In that regard, the ICT sector is well served by our colleges, which deliver a broad range of courses for the industry—courses in digital media computing, software development and computer animation are just a few of the many that are available.

Patrick Harvie (Glasgow) (Green): Are schools and colleges, which have an extremely important role to play in computing science, programming and software design, also ensuring that young people have an understanding of the different business models that exist, including those of free and open source software, as they have much more creative potential that could be unleashed and are fundamentally more democratic than the proprietary business models that are commonplace?

Angela Constance: Yes, I think that that is the case. I would be happy for Dr Allan to write to the member in more detail on the issue. Mr Harvie makes some very interesting points. It certainly sounds as if the sort of education that he suggests is in keeping with a broad general education that makes people aware of their rights and responsibilities as citizens.

In our university sector, the Scottish informatics and computer science alliance brings together researchers from all Scotland's universities to create one of the largest research clusters in informatics and computing science in the world. Our universities also offer a number of diverse degree courses to undergraduates on various strands of ICT and digital technologies provision.

I am very conscious that, despite all that activity, I have attended a number of events with the industry in recent months at which I have been told that we need more graduates in computing science. Too few students are taking computing science courses. Between 2012 and 2013, there was an 11 per cent increase in applications for places on full-time undergraduate computing science courses, but there was only a 3 per cent increase in acceptances. It is clearly unacceptable that, of those people who are accepted on to full-time undergraduate computing science courses, just one in eight is a woman.

We are therefore working closely with our universities and the Scottish Further and Higher Education Funding Council to explore what more can be done in those areas. That includes a commitment to provide at least 80 more taught postgraduate places in computing science from this year.

Jenny Marra: Will the minister take an intervention?

Angela Constance: I am sorry, but I am out of time.

Enhancing vocational pathways for the sector must also be a priority. We will be improving and prioritising articulation routes from FE to HE for ICT and digital technologies subjects. I am pleased to note that some of our universities already have excellent articulation arrangements in place.

I believe that the skills investment plan provides the focus and the framework—which has partnership with industry at its core—to take us forward. I will talk about it in more detail in my summing-up remarks.

There is no doubt that our ability to take advantage of the opportunities that are available to us is central to positioning Scotland as a world-leading digital nation in a global digital economy.

I move,

That the Parliament welcomes the publication of the *Skills Investment Plan For Scotland's ICT & Digital Technologies* sector and associated £6.6 million funding for digital skills; acknowledges the critical importance of digital skills across Scotland's economy; recognises that this is also a vibrant and growing sector in its own right, and welcomes a partnership approach with industry to meet future skills requirements, including increasing training, apprenticeship and employment opportunities for women and young people, who are currently underrepresented in the sector.

15:39

Jenny Marra (North East Scotland) (Lab): As the minister said, the digital and ICT sector is a thriving and growing part of Scotland's economy. It already contributes 3 per cent of our economy, employs more than 73,000 people and adds value of £3 billion.

As a co-convenor of the cross-party group on video games technology and a native of Dundee, where a great deal of digital jobs are based and which is home to one of Scotland's leading ICT educational institutions in the University of Abertay, I see at first hand how Scotland takes a leading role in ICT and digital economy development and how we shape and apply evolving technology across sectors and industry and around the world.

It is always a great source of pride to me every time that I hear the game Minecraft mentioned, especially on Radio 2. It is an international hit that was made in 4J Studios in Dundee by former NCR employees and Dundee natives. Such success in our digital industries is a great source of pride in my home city and in Scotland.

Whether it be in using technology to find better treatments for cancer or in creating the latest video game sensations, such as Minecraft, Scotland is often at the fore. It is clear that the ICT and digital sector will become an even more important part of Scotland's economy in the future, as the minister said. Such is the pace and scale of innovation that many of the jobs that those who are studying ICT courses at Abertay University and around Scotland will do in 20 years' time have not even been thought of or created yet, but that is a challenge that we must meet.

It is paramount that, as the industry grows, we identify, nurture and promote the talent of our young people to drive the change in coming generations. We have the expertise and the opportunity at our fingertips, and we have a responsibility to ensure that our digital sector remains competitive and sustainable.

That effort begins early. In our schools, we must work with young people to promote ICT courses as attractive and exciting to do, as I said in my intervention on the minister. It is remarkable that,

when the industry has such potential, the number of young people taking ICT courses to standard grade level in schools fell by more than a quarter in the four years to 2012. There was an associated fall of 17 per cent in the uptake of intermediate 1 courses. I was pleased to hear that the minister understands and has noted those figures and that she is prepared to take action.

We need to address the situation quickly, not least because the industry's workforce is ageing. The number of 16 to 24-year-olds who work in the digital sector is half the figures in other occupations, which is surprising given that we associate the industry with young people.

The demand for people to be employed in digital and ICT roles is forecast conservatively to rise by 15 per cent to 84,000 by 2020, so we must generate the necessary interest and skills among our young people to fill the gap.

ICT in schools should be exciting and inspiring, and it should use the latest technology, as Patrick Harvie pointed out. It should show young people the potential of learning the skills to participate and develop in the sector. A constant focus is required to ensure that teachers are trained to do the job. I welcome what the minister said about Dr Allan's commitment on teacher training. We must invest in our classrooms and link up with businesses and the technology sector, to show young people the possibilities of pursuing a career in ICT. I am sure that Angela Constance agrees that many of the recommendations in the interim Wood report go some way towards matching those aspirations.

According to the Scottish Government's figures, the number of teachers who have computer studies as their primary subject fell by nearly 14 per cent between 2008 and 2012. If we look at the next step, in further education, we see that the reality does not match the Government's ambition. Across further education, the number of students undertaking a computer-related course fell from 63,000 in 2005-06 to 42,000—nearly 43,000—in 2010-11. The number of all students undertaking a computer science course fell by nearly 13 per cent.

We know from previous debates that college ICT courses have been cut, so I would welcome a response from the minister about the action that the Government is taking to bolster technology courses in schools and further education in order to reverse the downward trend of provision and meet the skills gap.

One major concern that is cited in the investment plan is the number of women who are employed in the digital industry. The minister also addressed that. The plan notes that female participation fell by 13 per cent over the decade to

2012. We have a significant role to play in addressing that.

We must get better at promoting women in industry, not least through modern apprenticeships. Figures from Skills Development Scotland show that, in 2012-13, only 16 per cent of ICT modern apprenticeship starts were women and that women comprised only 15 per cent of modern apprenticeship achievements for the same year. What steps is the minister taking to improve the modern apprenticeship scheme to ensure that there is greater parity between men and women?

We face a skills shortage in one of the most exciting, rapidly developing and promising industries in Scotland. The facts that I have outlined on falling uptake and fewer courses in colleges, fewer teachers in schools and gender disparity in modern apprenticeships demand action from the Government if we are to mitigate the issues and grow our digital economy to its full potential.

The potential for Scotland's economy and a whole generation of young people to innovate, create and build fulfilling and exciting international careers is substantial, but in order to capture that and make it a reality, the Government must commit to action across our entire education sector to nurture and grow the skills.

I move amendment S4M-09575.1, to insert at end:

“, and notes that the investment plan calls for adequate teaching capacity in schools, colleges and universities and to ensure that more college and university places are available to meet an increased demand”.

15:46

Mary Scanlon (Highlands and Islands) (Con):

We will support the Government motion and the Labour amendment.

I would contest only one thing in the minister's speech. ICT and digital technologies are not only for younger people. I say that as a silver surfer, but I was also made aware this week that even people in care homes use Skype and FaceTime to keep in touch with their families. I put that on the record.

On Monday, I attended the Wood commission summit for developing Scotland's young workforce, which I found very encouraging and interesting. A recurring point of reference is ensuring that the education system meets the needs of the changing economy. Put simply, that equates to encouraging more Scots to take courses in information technology and, indeed, the STEM subjects—science, technology, engineering and mathematics—in school and further and higher education. That is vital to this debate

because of the current imbalance between the demands and opportunities of the digital sector and the trained and qualified supply of labour.

Jenny Marra probably mentioned many of the figures that I have here. Since the turn of the decade, the number of businesses that operate in Scotland's ICT sector has risen by 3.6 per cent, but the number of pupils who do what were standard grade computing qualifications has fallen by 27 per cent and there has been a 17 per cent fall in those taking computing intermediate 1 in the past few years. We have to reverse those trends, and that is why we welcome the debate. As Conservatives, we put on the record that we will support further measures to meet industry demand and provide opportunities for young people.

As Jenny Marra said, the number of computer studies teachers fell by 106 in the four-year period to 2012. That equates to a reduction of 14 per cent. That limits opportunities for young and older people to take classes that prepare them best for employment and entrepreneurship. Indeed, according to the Scottish funding council Infact database, enrolments in IT courses declined from 68,700 to 32,000 between 2007 and 2012. That is a fall of more than half, which is unacceptable given the opportunities that are available.

In higher education, statistics that were published last week revealed that the number of students who are studying computer science has fallen by more than 23 per cent in the past 10 years. I take the point about women, which both the minister and Jenny Marra mentioned. It is quite shocking that, even considering the skills investment plan, the female proportion of the digital workforce declined from 30 to 17 per cent in the 10 years until 2011.

Although attitudes are changing, they are changing only very slowly. As far as modern apprenticeships are concerned, recent statistics published by SDS reveal that, in the first three quarters of last year, there were 1,665 new engineering starts, of which 5 per cent were female. When it comes to IT, the figures were not much more encouraging. Out of 383 new ICT-related starts, 334 were male.

I refer to the Audit Scotland report on “Modern apprenticeships”, which came out last month. The Auditor General for Scotland recommends:

“Better IT systems could help SDS manage the administration of modern apprenticeships”.

Skills Development Scotland has an opportunity to lead by example and to recruit modern apprentices at all levels in order to make its own IT systems fit for purpose. I trust that ministers will be holding SDS to account.

Although we face a long battle ahead, there is much that can be done, such as the computer clubs for girls and the women in IT programme. It would be insincere not also to mention the briefing from the Prince's Trust, which should shock all of us. The trust's research on young people not in education, employment or training across the UK found that 10 per cent of young people cannot send a CV online and that 10 per cent feel out of their depth using a computer. This is also an inequalities issue.

15:52

Gordon MacDonald (Edinburgh Pentlands) (SNP): Christine Lagarde, managing director of the International Monetary Fund, said recently at Stanford University:

"We are certainly living through one of the most exciting periods in human history. We can feel the air hum with virtual activity and reality transform before our very eyes. The pace of change is so fast that even the technology of five years ago seems prehistoric ... students probably do not even remember a time when phones were not smart, when cameras contained film, when texts meant school books, and when wireless referred to an old-fashioned radio!"

Within that pace of change there is a problem and an opportunity. The problem is that, across Europe, the number of computing graduates is stagnating, and the number of ICT professionals leaving for retirement is on the rise. The European parliamentary research service estimated that, over the next few years, Europe is facing a shortage of ICT professionals, with up to 900,000 unfilled vacancies across Europe. The same research also highlighted the opportunity in that:

"This young generation has grown up in the digital era, making them engaged and confident ICT-users. However, not enough students choose ICT-related subjects, with the number of computer science graduates dropping since 2005. Meanwhile, the ICT sector keeps growing by 3% every year."

It is against that background of opportunity that I welcome the recent publication of the skills investment plan, produced by Skills Development Scotland, which is designed to encourage more people to train as ICT professionals, especially among our young.

The skills investment plan recognises that the Scottish ICT and digital technologies sector is thriving and that, between 2010 and 2013, the number of businesses operating in the sector increased to 6,500, employing 73,000 people and delivering £3 billion to the Scottish economy. The purpose of the skills investment plan is to co-ordinate the response from industry, education and Government in order to address the key IT skills shortages, focusing on the need for programmers and web designers and identifying the investment needed to tackle the issue.

Scotland is seen as a key player in areas such as big data, informatics and digital health but, if we are to retain that status, we need to continue to raise awareness of the employment opportunities that are available in the sector and to encourage more young people to study computer-related subjects.

What has been happening to address the issue? In our schools, curriculum for excellence gives young people opportunities to develop their understanding and skills by taking computing as a specialist subject. The number of young people who are undertaking the information technology professional modern apprenticeship has grown substantially in the past two years. Our universities continue to produce thousands of ICT graduates every year, and new degree courses are planned by the University of Stirling, in partnership with Forth Valley College.

The recent Scottish Government announcement of funding of £6.6 million to support digital skills and help to implement the skills investment plan will assist in the development of an industry-led digital skills academy, to support demand for up to 11,000 jobs per year.

To encourage students to consider a career in the IT sector, Edinburgh Napier University, in partnership with other public bodies, is delivering the e-placement Scotland programme, which encourages universities and employers to create more industrial placements in IT. IT students are helped to find the best work placements, and employers are helped to find the best potential employees.

Scotland has the potential to become a world-leading digital nation by 2020. The skills investment plan and the funding from the Scottish Government will help us to achieve that status.

15:56

James Kelly (Rutherglen) (Lab): I welcome the opportunity to take part in this important debate on the digital economy in Scotland.

There is no doubt that the world has changed a lot in members' lifetimes. When I left Trinity high school in Cambuslang in 1980 to go to Bell College of Technology and study for a higher national certificate in computer data processing, I had never seen a computer. In 1988, when I started at Scottish Power as an analyst programmer, the IT department was dominated by mainframe terminals and there was only one personal computer. In 1997, when I was the Labour agent in Rutherglen, we thought that we were really cool and keeping up with technology because we had pagers.

I fast forward to now. When I look at my teenage daughters, whose first action when they wake up to the day is to turn on their smart devices, which are very much their window on the world, I realise how much the world has changed. That makes us wonder why fewer people are taking courses in computing at school, why fewer teachers have a teaching qualification that includes computing and why there are fewer college courses in computing. Why are we missing out? Why is there a skills gap?

The issue is reinforced when we speak to employers, who are crying out for IT professionals. There is no doubt that there is a massive opportunity in that regard. We need to bridge the skills gap, and we must start with schools. We must ensure that courses are attractive to students and relevant to employers, so that when students leave school, college or university they are able to take the opportunities that 21st century Scotland presents.

We must do as much as we can to improve digital connectivity throughout the country. Local councils have an important role to play. In the run-up to the Commonwealth games, there are excellent examples from Glasgow, where more than 50 new wi-fi spots will be introduced. If we improve wi-fi connectivity, we increase opportunities for businesses and for individuals.

Digital exclusion is an issue. Three years ago, West Whitlawburn Housing Co-operative, in my constituency, carried out a survey and found that 64 per cent of people in the co-op were digitally excluded. We cannot get young people to undertake the courses and gain the qualifications if they do not have the opportunities in their communities that enable them to do so. I welcome the introduction of wi-fi hotspots, but we must ensure that people have the capability to access the technology; otherwise, we will not maximise the potential that exists.

The skills investment plan is welcome, but we need to do so much more to improve take-up in our schools and colleges and to upskill people if we are going to embrace the advantages that the digital economy presents in Scotland.

The Deputy Presiding Officer (John Scott): I now call Liam McArthur, to be followed by Clare Adamson.

Liam McArthur (Orkney Islands) (LD): It is over to Willie Coffey, isn't it?

The Deputy Presiding Officer: You are absolutely right—thank you very much. I now call Willie Coffey, to be followed by Liam McArthur—forgive me.

16:00

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): A little computer glitch there, perhaps, Presiding Officer.

James Kelly's speech reminded me of my early career in computing. One day in the early 1980s, I brought home a microcomputer and had to get my brother to help me to cart it into the house as it was so big and heavy.

Last night in the Parliament, I had the privilege of convening the cross-party group on digital participation. As members might expect, the group focuses on issues relating to the exclusion that James Kelly mentioned and on access to internet services. At the meeting we heard some stark messages from our contributors on the real story behind IT exclusion in Scotland.

We heard from Chris Yiu of the Scottish Council for Voluntary Organisations that 30 per cent of Scotland's population—approximately 1.3 million people—lack online skills, which is higher than the rate of 21 per cent for the rest of the UK.

We heard from Keith Dryburgh of Citizens Advice Scotland that only around half the clients his organisation deals with have access to an internet connection at home. More alarmingly, given the current direction of travel in the UK, three quarters of citizens advice bureaux clients said that they would struggle to apply for benefits, with 39 per cent of them saying that they could not apply online at all. We also heard from Douglas White of the Carnegie UK Trust that digital exclusion is prevalent among lower-income groups and the over 75s.

Many of the contributors asked for more to be done on improving digital literacy and people's basic know-how to enable them to use new technology not only to enrich the quality of their lives but, in many cases, to maintain their right to ordinary benefits and to keep their heads above water.

Looking at the wide range of initiatives from the Scottish Government and its various partners that are currently under way, I am encouraged to see considerable effort and resources being aimed at tackling those exclusion issues and improving skills, along with the on-going work to encourage girls and young women in particular to consider careers in computing.

One reason for the shortage of young people who are attracted to software engineering has been a lack of expertise in schools. Most software engineers whom I knew of would be too busy working in the industry to come back to school to try to encourage youngsters along that career path. The First Minister's announcement of £6.6 million to support digital skills development is a

great boost and will help us to address many of the issues that I am raising.

I am particularly pleased to read about the planned work with SCVO to reach out to some of our most excluded communities via the digital participation charter, and I am certain that our colleagues who attended the CPG last night will be delighted to hear about that. The funding to attract young women to the industry is also welcome.

It amazes me, as a computer science graduate, that we still have a problem in attracting enough young people—including young women—to study software engineering. It is a fantastic career, with median salaries in Scotland at around £38,000, and there is plenty of scope for people to develop their careers in almost limitless ways, constrained only by the limits of their own creativity. The opportunity to work in many locations throughout the world is also a real possibility.

Providing faster networks, connectivity and cabling will certainly take Scotland into the modern digital world, but, in order to go further and become that world-leading digital nation, we will need something more than just the best infrastructure. We have to make it easy for our citizens to get online, and we must offer them the skills so that they can use the software that is there. We have to make the software itself easy to use for both able-bodied people and disabled people.

Perhaps even more crucially, we need to think about opening up access to the internet for staff and employees at work. There are far too many examples of people being denied access to the internet and software at work. In my view, that hampers progress towards our goal of being world class.

The pace of change in new technology and software applications is such that we should positively encourage people to use what is out there. We should trust people to act responsibly and give them the freedom to learn and discover. Everyone will gain from that—and then watch us take off as a world leader in the coming years.

I am delighted to support the motion.

16:05

Liam McArthur (Orkney Islands) (LD): Thank you for the advance billing, Presiding Officer.

This is a brief but important debate and I am delighted to take part in it. I very much welcome the Scottish Government's investment plan.

In the short time available to me, I will cover the areas of access and skills.

In Colleges Scotland's briefing for the debate, I was struck by the suggestion that

"The digital economy brings benefits to those with the appropriate technological skills, however, it threatens to leave behind those unable to access digital technologies."

All those who have spoken in the debate have, in some way, talked about the risk of that digital divide, which we can see being played out at multiple levels. There is a digital divide between Scotland as a nation and those with whom we compete and trade; there is a digital divide between communities in Scotland; and there are individuals in our communities who are digitally excluded.

I was not able to attend last night's CPG meeting, to which Willie Coffey referred, but I remember an earlier meeting at which we heard evidence from the Carnegie UK Trust about its work on digital exclusion. Some of the figures, particularly from around Glasgow, are striking. There, the issue is not whether people have broadband access; the issue is that even those who have broadband access are not availing themselves of it. Some community members—those who are older, less skilled, disabled or poorer—seem to be suffering disproportionately as a result. The Carnegie UK Trust proposed options for addressing the situation, such as better collaboration, focusing on the person and not the technology, and making the technology fun and relevant. I see that in my own constituency, where the get IT together in Orkney project is doing fantastic work by making people comfortable with the technology and helping them to see its relevance.

All too often, however, the issue in places such as Orkney is not whether people want access to broadband technology or have the skills to access it; it is whether they can access it in the first place, given that there is a lack of coverage. Lack of coverage affects those who live in the remoter parts of my constituency, but it also impacts on the work on the European Marine Energy Centre, which sometimes struggles to monitor the deployment of its wave and tidal devices. Huge investment is being made in the roll-out of broadband in the Highlands and Islands, but there are still gaps to be plugged. The earlier that we identify those and find community-based solutions for them, the better.

Other members have referred to the figures on skills, so I will not go over them again. We face a real challenge, although it is a Europe-wide challenge and is not unique to Scotland. Colleges Scotland has given us alarming figures on the drop in the take-up of IT and telecoms courses between 2005 and 2013. It is not a problem for colleges only; it seems to come through the school system, and I have recently seen the problem of

teachers lacking the relevant experience. Jenny Marra is right to point to the reduction in the number of college courses, which is exacerbating the problem that we face.

We need to turn the situation around. Although the new qualifications will help, we need to work collaboratively with employers to get the relevant skills for current and future needs. Maggie Morrison gave interesting evidence to the Education and Culture Committee on that point earlier this week. The Prince's Trust has made the point that STEM literacy is not just for those who intend to work in STEM careers but needs to be applied across the board.

The digital economy offers huge opportunities, but without the relevant skills there is a risk of exclusion from the economy and wider society. I therefore welcome the investment plan and the work of the Wood commission, which give us confidence that we are going about addressing the issues in the right way. However, I do not think that we should be under any illusion about the challenges that we face.

16:09

Clare Adamson (Central Scotland) (SNP): I declare an interest as a member of the British Computer Society and as a member of girl geek Scotland, which is a networking group.

I stand here to speak highly of careers and opportunities in the digital sector as an IT professional who no longer works in the sector—the irony is not lost on me. However, the debate gives me the opportunity to concur with my colleague Willie Coffey and the minister on how good IT jobs are, what wonderful opportunities they offer and how highly valued they are in our society.

We have had many debates in the chamber about retention in STEM careers, particularly in relation to women. The issue is highlighted in the Royal Society of Edinburgh report “Tapping all our Talents—Women in science, technology, engineering and mathematics: a strategy for Scotland”. As the minister highlighted, the demographic challenges facing the IT and engineering sectors cannot be underestimated. Quite simply, we have not sufficiently educated and trained enough people in those areas, and we must encourage more young people into those highly valued, rewarding careers.

I welcome the publication of the “Skills Investment Plan for Scotland’s ICT and Digital Technologies sector”. I also welcome the commitment of £6.6 million for digital skills funding. As my colleague Liam McArthur said, at this week’s meeting of the Education and Culture Committee we heard evidence on the area from

Maggie Morrison, formerly of Hewlett-Packard and now director of the public sector and open digital services centre. She is a highly experienced IT professional who talked about the challenges she faced in securing suitable candidates to fill roles in her latest business venture in Glasgow, which offers more than 100 highly valued and highly rewarding jobs.

We also heard about the great partnership work that is being carried out across Scotland with further and higher education establishments to encourage more young people to study ICT and digital technology.

At the meeting, I mentioned New College Lanarkshire, which is in my region and which is promoting articulated routes through to degree-level qualifications by working with the further education sector. I commend New College Lanarkshire for topping the medals board at the recent national skills competition that was run by WorldSkills UK. Eleven of the college’s students received awards for outstanding work, including Kim Reid, who received a gold medal in the IT software solutions for business category, and Shona McGarrrity, who won silver in that category. We value the opportunity that that skills event offers young people. The event also promotes the sector to other students.

As I am the co-convenor of the cross-party group on video games technology, I must mention the group’s recent meeting. We had a presentation from Skills Development Scotland on skills and its work on the certificate of work readiness, which highlighted the opportunity to support young people into the creative industries, including the computer games industry. My co-convenor, Ms Marra, spoke very well about the strength of Dundee in that area. A pilot is being run in Dundee to support 10 young people into the games industry.

There was also a presentation from Creative Skillset on the funding that it offers—the funds come from the UK Government and the sector—to support the development of skills and cross-training for the games sector. A lot of good work is going on in Scotland, but we should not be complacent.

I commend Abertay University for developing an app for kids—an unpacking toolkit that lets those with no programming experience use building blocks to create their own apps. That will encourage young primary school children to get involved in games development.

I support the motion.

16:13

Hanzala Malik (Glasgow) (Lab): On the importance of the Scottish digital economy, business gateway Glasgow has launched a new business development project called building better business. Its aims are to boost the development of Glasgow's digital economy and to raise awareness of the benefits of social media and digital business among small and medium-sized enterprises in Glasgow. The digital economy is central to the growth of Glasgow's economy and has the potential to attract investment and facilitate job creation.

Building better business offers free workshops on social media to Glasgow businesses, with funding of up to £1,000—known as a digital business grant—available to new starts. That project and the grants offered are designed to help Glasgow businesses create an online presence and use digital tools to aid their development and growth.

In July 2013, 11 digital businesses in Glasgow won funding competitions. Among the winning ideas were small digital tags for wireless monitoring and security apparatus, and computer games tendering technology, which will help to make feature films easier and cheaper to produce. The winning companies were offered up to 60 per cent funding for those projects.

The UK's internet economy is growing at 10 per cent a year. By 2016, it will account for 10 per cent of gross domestic product. The UK spends more per head over the internet than any other nation, and UK businesses are leading the use of digital technology.

The health and care sector in Scotland is a major beneficiary of new technology and innovation. It is the first sector to benefit from Scotland's technology and engineering framework for action, the protocol for focusing on developing Scotland's capability in technology and engineering. The framework for action, which was launched at Scotland's technology show in Glasgow last year, is targeted at improving public services and growing Scotland's economy. It sits alongside the £10 million investment in the digital health institute, which will co-ordinate work between health and care, academia and industry to identify pioneering digital operations.

Glasgow City Council is also playing its role in supporting the flourishing of digital technology in Scotland—we have seen that time and time again. Glasgow city councillors tend to take the lead in supporting many of the new ideas in industry and technology.

I note that our young people in particular are doing well, although I take on board the fact that our elders are also keen on using technology. My

mother is an example of that—she tells me how I can access some of the free services that are available on websites.

I support the amendment, and I hope that other members will too.

16:18

Bruce Crawford (Stirling) (SNP): I am pleased to have an opportunity to speak in today's debate, but I am overwhelmed by the number of my colleagues who have significant IT experience and I feel a bit of a luddite in their presence. However, I know that digital technology, including superfast broadband, will be a hugely important element of Scotland's future economy, providing the very infrastructure upon which much of our business—locally, nationally and internationally—will depend. It is therefore essential that we ensure that Scotland has a communications infrastructure capable of delivering for Scottish businesses, communities and individuals. That is why the step change programme and the creation of a superfast broadband infrastructure are vital for all of Scotland.

Today, however, our focus is on developing skills for Scotland's digital economy, and particularly on the skills investment plan, which I know we all welcome. We should also recognise that the skills plan can work to its maximum effect only if it is properly joined up and linked with the step change programme, and I shall explain what I mean by that.

Gordon MacDonald and others said that Scotland's ICT and digital technology industries create billions for the economy and employ many thousands of digital technology professionals. The skills plan recognises that there must be appropriate training opportunities to satisfy the demand for a qualified workforce for start-up enterprises, existing indigenous companies and potential inward investors.

In the Stirling area, we have a skilled workforce, but there is no complacency on whether its skills will suffice for the digital economy of the future, which is why—as Gordon MacDonald mentioned—two new digital technology-based degree courses run by Forth Valley College and the University of Stirling are mirroring the Scottish Government drive to develop new ICT skills. They are a very welcome part of the developing picture of skills training available. The courses are innovative and recognise the increasing importance of having a skilled workforce ready to embrace new technology and development. In short, they are just what the sector requires and I hope that we see constant innovation such as that collaboration between those two excellent

education institutions replicated across the country.

Jenny Marra: Some of Forth Valley College's apprentices go into the oil and gas industry, not a million miles from here, and earlier this week I met some of them upstairs at the oil and gas academy of Scotland event. Eighty per cent of those apprentices are male. I understand that the Scottish funding council has the power to claw back funding from further and higher education institutions if gender targets are not met. Does Bruce Crawford agree that we need to empower the funding council to claw that funding back or have stronger sanctions? I do not believe that the power is used.

Bruce Crawford: Jenny Marra is ahead of me there; I was not aware that the power was available. I am not sure that using a stick approach rather than a carrot approach always works in such circumstances, but it is an interesting suggestion.

We will see the development of ICT skills and we will also face challenges in ensuring the scope and adequacy of the digital infrastructure—which Liam McArthur touched on—particularly in rural and remote areas, including parts of the Stirling constituency that I represent. Developing faster broadband speeds will be essential, as it will help hugely in delivering a workforce throughout Scotland that is highly proficient in ICT skills, whether individuals undertake an ICT distance learning package at home or vocational training in the remote or rural workplace.

That is what I meant earlier when I said that the skills plan can work to maximum effect only if it is appropriately joined up with the step change programme. High-speed internet connectivity is essential to ensure that people who live in rural Scotland are fully able to develop the digital skills that will equip them and Scotland to succeed in the future.

I am coming to the end of my time, so I will just say that I hope that the minister and her colleagues take my point on board and look at how best the step change programme can help to deliver the skills plan, particularly for rural and remote communities.

16:23

Margaret McDougall (West Scotland) (Lab): Developing skills for Scotland's digital economy has never been more important. The world is increasingly embracing technology in all aspects of life and we need to ensure that Scotland is equipped to be at the forefront of this technological revolution. As we have heard, the recently released skills investment plan has highlighted a worrying trend: from 2007 to 2012, there was a 27

per cent drop in those taking standard grade computing and a 17 per cent drop in intermediate 1 in our schools.

We can attract investment only if we have the best educated workforce in the world, yet the number of teachers who have computing studies as their main subject has decreased by 13.8 per cent, as has been mentioned many times this afternoon, and it has been reported that some schools do not even have dedicated teaching facilities for computing or ICT skills.

Between 2005-06 and 2011-12, 140,000 college places were cut and there was a 20,161 drop in the number of further education students who take computer-related courses. I note that the minister said in her opening remarks that the Government is increasing the number of student teachers for those subjects, but if it is to reverse the trend, the number of digital technology-related places in colleges should be increased. Just as important, our schools should at least be offering the subject and ensuring that they use the latest technology.

Another tool that we should be using to develop skills for Scotland's digital economy is modern apprenticeships, which we should ensure are properly accredited and approved and provide people with high-quality training as an alternative to the academic route. We could, for example, have a pooled apprentice scheme to help small businesses afford high-quality apprenticeships and help apprentices gain a wider range of work experience and skills. Such an approach could also address the problem of underrepresentation of young people in certain industries, including ICT.

As well as that underrepresentation, there is an increasing gender gap in the take-up of apprenticeships; for example, only 16 per cent of the 468 new starts in IT professional modern apprenticeships were female. Furthermore, over the past 10 years, female participation rates in ICT and digital technology occupations have fallen from 30 to 17 per cent. I am interested to hear what the Scottish Government is doing to encourage more girls and women to take up and pursue ICT as a career choice. After all, we do not want to be here in five years' time, discussing the same issues as we are highlighting this afternoon.

If we are serious about developing skills for a digital economy, we must increase the availability and take-up of courses now and ensure that all schools in Scotland have the capacity to teach the subject and, indeed, are teaching current-generation skills so that they are not outdated by the time the students enter the workplace. We must ensure that modern apprenticeships are robust and properly accredited and give our young people the best chance of gaining a wide range of skills that will lead to a future career, and we also

need to tackle the growing gender gap. The quicker we address those issues, the better it will be for our digital sector.

If our schools and colleges are not offering the right courses or places, if our modern apprenticeships are not robust, and if we do not tackle the increasing gender gap, we risk losing out to countries that are producing the right skills, and we could lose a sector that is becoming increasingly crucial to the Scottish economy overall.

16:27

Fiona McLeod (Strathkelvin and Bearsden) (SNP): Mary Scanlon, James Kelly and Willie Coffey, among others, have talked about digital exclusion and digital literacy, and I want to take the few minutes that I have to highlight what libraries are doing to address that issue. Unless we tackle the problems of the digital divide and ensure that people are digitally literate, our young people will simply not see the point of pursuing the fantastic careers that Clare Adamson and Willie Coffey have described. Of course, in making a speech about the role of libraries, I must refer members to my register of interests: I am a member of the Chartered Institute of Library and Information Professionals and the chair of the Scottish Library and Information Council.

If we are to address digital exclusion, we must secure physical access to the internet and to digital resources. I am proud that, to date, £400 million of Scottish Government money has been invested in the rollout of broadband across Scotland. I know that we are still not reaching the country's hardest to reach geographical areas and people, but we are making a good stab at doing so and plan to keep going in that direction. I also draw to the chamber's attention the fact that 8.5 million hours per annum of free internet access are available in Scotland's public libraries, which means that, until the broadband rollout has been completed, there will be a place where people can easily access these services.

However, as far as digital exclusion and efforts to involve folk in the digital world are concerned, the biggest issue is how we use, not how we access, this technology. That is all to do with digital literacy, which is what underpins ICT and digital technology skills—and all of that, in turn, is part of information literacy. These are core life skills. In this debate, members have mentioned many times the need for computing studies teachers in schools, but I make a pitch for the school librarian, who I believe is best placed to introduce the core skill of information literacy to every pupil in the country. After all, once pupils have such literacy, they can move along the line to digital literacy.

Increasingly, in the 21st century, information literacy and digital literacy are also lifelong skills. That is where public libraries have a great role to play. In Scotland, there are more than 500 public libraries—or, as I heard them referred to last night at a meeting of the cross-party group on digital participation, “information hubs”—which are freely accessible to everyone. Some 30 million visits are made to libraries every year—the majority of those visits are made by women—and 500,000 visits are made to learning centres in libraries. I say to the minister that one of the ways of increasing women's participation in the digital skills agenda would be to catch those women when they are in the public library.

Through the Scottish Library and Information Council, we invest Scottish Government money in the public library improvement fund. The projects have changed phenomenally in the past few years. For example, in North Ayrshire, we have mums and tots working with iPads, to get them used to being part of the digital world. However, in the short time that I have today, I want to bring the attention of the chamber to the coding sessions that are being held in libraries in Dundee and Edinburgh. That is where we are moving young people from being digital consumers to digital creators. They are learning—especially in Dundee, with the help of volunteer students from Abertay University—how to do the coding to make the games that they want to play. I should also mention that, last night, I heard that 3D printing is coming to schools in the very far north of Scotland.

We must overcome the digital divide by providing access and, above all, the skills and motivation to use the technology. I am proud of the comprehensive and inclusive role that libraries are playing, and will continue to play, in this area, and of the fact that they are funded by the Scottish Government to do so.

16:31

Patrick Harvie (Glasgow) (Green): I agree with much of what has been said on the likely growth of demand for skilled professionals; the need for our education services to provide those skills; infrastructure issues; the digital divide; and the opportunities for young people and, in particular, young women. I do not disagree with any of it and I will be voting for the motion and the amendment. However, there is much that has not been said about this issue, because digital participation does not only concern access. Being a creative citizen online, not just a consumer, as Fiona McLeod rightly said, means more than simply having those skills. If we are going to maximise the social, cultural and economic benefits that digital technology has to offer, it demands an agenda of digital rights as well. I regret that the chamber

does not have the opportunity to debate the amendment that I lodged—it is on page 29 of the *Business Bulletin*, if anyone is interested.

If people are going to be active citizens online and participate in a genuine way, we must have trust in the digital technologies that we are accessing. I believe that that requires an agenda of digital rights. That agenda raises questions of privacy, consent and the use of individual data and metadata by Government and corporate players. It raises questions of how power is exercised online, not merely of which products we choose to consume online. It raises questions about intellectual property. An intellectual property framework is important, but it has to strike the balance between the stimulation and the dissemination of cultural and creative goods, on the one hand, and fair recompense for creative work, on the other. Often, the IP framework that we have at the moment fails to strike that balance and serves only the corporate interests of those who control IP, not the interests of those who need to access it.

Today, the European Parliament made an important decision that was designed to protect the principle of net neutrality, which is that internet service providers must treat all data with parity and should not discriminate between different types of data. Back in the day, before most of us read our newspapers online, we would have found it bizarre that the newspaper that we bought could choose to alter its cover price for different groups of consumers or prevent us from accessing a rival newspaper. The principle of neutrality must be applied in the online world as well. The decision of the European Parliament to establish and try to protect the principle of net neutrality will be an important one, if the Commission does not attempt to overturn it.

In his opening remarks, the minister reminded us that the internet recently had its 25th anniversary. Sir Tim Berners-Lee used the anniversary to call for a digital bill of rights: legal protection for citizens' rights in the online world. I believe that it is essential to follow through on that if we want to maximise the social, cultural and economic benefits that the online world has to offer. For those of us who spend too much of our lives buried in Twitter, it is easy to forget the astonishing point in history that could come about in our lifetimes; a moment when the entire world's population can access the sum total of human knowledge at the touch of a screen. I find it hard to describe that provocative idea without using the word "revolutionary". If we want Scotland to be at the forefront of and to give leadership in that digital revolution, we need to engage not only with the technical questions but with the deeply political questions that a digital rights agenda raises.

I encourage the minister in her closing speech to give some indication of the Scottish Government's approach to that agenda.

16:36

Roderick Campbell (North East Fife) (SNP): A fortnight ago we debated the European youth guarantee and the difficulties that young people throughout Scotland and Europe face in trying to gain employment. In that debate, it is fair to say that we all agreed that Scotland can ill afford to have scores of young people unable to find employment. The youth guarantee seeks to assist young people after a period of unemployment. Having access to the necessary skills to find a job in the dynamic, ever-changing world of work is essential. Accordingly, at a time when there is an increasing focus on digital technology, the significant investment in job creation announced by the Scottish Government for digital Scotland, as well as the launch of the ICT skills investment plan, should be welcomed.

Every one of us in the chamber today will have seen technological advances that would have seemed alien to us just a few decades ago. Indeed, James Kelly and Willie Coffey have reminded us of that. Like Bruce Crawford, I am more on the luddite side of things. However, I recognise that technological advances can drive Scotland forward to become a world-leading force. To achieve that we first require the people with the necessary skills, which does not necessarily mean just those with university qualifications.

As the SIP states, Scotland already receives a significant amount of foreign direct investment in digital technologies but faces a significant skills shortage in that field, just like the rest of Europe. Scotland's digital sector needs to grow and adapt. To do that, however, we need to provide more people with greater access to ICT and digital technologies. Labour's amendment notes the SIP's reference to additional college and university places and to teaching capacity. To grow the digital sector we need to start engaging with people as early as possible in their education.

The SIP highlights the worrying and significant drop in the uptake of computing classes at schools across Scotland, with a 27 per cent fall in uptake at standard grade level between 2008 and 2012. How, therefore, do we engage young people with technology? That might seem like a moot question, as the vast majority of young people have access to smartphones, tablets and other such devices, but there is a substantial difference between using the technology and becoming pioneers in the digital sector.

The answer, at least in part, seems to be in digital participation at a nationwide level. In that

context, I, like others, welcome the Scottish Government's continued investment in superfast broadband and look forward with anticipation to the next announcement of areas set to benefit. Like many other MSPs, I receive regular complaints from constituents about broadband speeds of less than 1 megabit per second. For those constituents, some would say that upgrades cannot come soon enough, while others still struggle to receive even a patchy, 2G mobile phone reception. This is a really important issue for those in rural parts of Scotland.

To grow our digital sector, therefore, we need to continue to expand the number of people who are able to use fast, reliable digital technology. I sincerely hope that the target set in the Scottish Government's digital strategy will be met.

Young people will play a vital role in realising that vision. They need to be encouraged to take an interest in STEM subjects and I welcome the £250,000 investment in careerwise to encourage female participation. That is a good start, but I accept that more can be done.

There is an unmistakable link between the provision in education of ICT skills and improving the size and ability of Scotland's ICT workforce. By engaging with young people early on in their academic lives about the opportunities that the sector can provide, I hope that we can make sure that a new generation of people is ready to take forward Scotland's digital economy. As Carnegie UK Trust says in its briefing, digital skills are essential to the wellbeing of communities and citizens in 21st century Scotland.

Without doubt, Scotland needs and deserves a first-rate digital infrastructure that will one day, I hope, not only keep up with but lead the world.

16:40

Gavin Brown (Lothian) (Con): It has been a very good debate, furnished by academic and commercial expertise from members right across the chamber. I conclude a number of things from the debate. First, the ICT and digital technology sector has, thus far, been a success story. Indeed, there is broad consensus on that. The sector covers a range of fields and geographic areas in Scotland. We heard about the 73,000 jobs that it supports and the fact that a high proportion of those jobs are good quality and paid well above the national average wage. We have also heard from a number of speakers about the sector's GVA contribution to the economy.

Secondly, opportunities exist to grow that success story not just organically but substantially over the next decade or two. We heard statistics about the potential for up to 11,000 new entrants a year, and the opportunity to increase GVA by £3.7

billion, which would more than double the economic contribution. Of course, the sector makes contributions across various fields, including in foreign direct investment and, crucially, in exports.

Although the sector has been a success story so far and it has enormous potential, the challenge is managing to tap into that potential. We could face difficulties in that regard because demand outstrips supply so, without fairly major interventions, meeting that challenge will grow demonstrably harder. Therefore, I and others in the chamber welcome the skills investment plan that was published a couple of weeks ago and which was the subject of much of the debate.

The situation must be turned around if we are to extract all the potential. One or two positive figures are included in the report. The minister quite rightly referred to the substantial increase in modern apprenticeships—I think that she gave the figure of 468 modern apprenticeships for the most recent academic year. However, aside from that, a number of indicators in the report were moving in the opposite direction and in a trend that none of us wants to see. Numerous members mentioned those figures, including the 27 per cent fall in standard grade entrants and a small drop in higher grade entrants between 2007 and 2011, a drop in the number of computer studies teachers by 13 per cent between 2008 and 2012, and the reduction of student numbers in the college sector from 63,000 to just under 43,000 between 2005-06 and 2010-11.

All those figures are moving in the wrong direction, so it is critical that the plan is implemented swiftly and for the medium to longer term. It is also crucial that the plan is adapted to suit the circumstances of the time, given that technology changes year by year. On top of that, it is vital that the plan is suitably monitored by ministers, Skills Development Scotland and the Parliament more widely. It is easy to set targets for 2020; the hard part is monitoring the targets year by year to make sure that we make sufficient progress towards them. Without that monitoring, the targets would end up being fairly meaningless.

I ask whether the minister, if she has time in what I suspect will be a fairly short closing speech, will give us any further details on the promised £6.6 million funding to promote digital skills and whether that will be a recurring or one-off sum.

I have a final point to make on an issue that has not been touched on. Appendix 3 of the report says:

"It has been reported that some schools do not have any dedicated provision for teaching ICT/computing."

I do not know whether that is true and, if it is true, I do not know how widespread it is. Will the minister

give a personal commitment to get somebody from the Government to look into that comment? If it is true, it must not be true in weeks' or months' time. We can all agree that it cannot be the case if we are to tap into our potential.

16:45

Jenny Marra: I welcome Gavin Brown's final comments and add my support for the suggestion that the Scottish Government look into the issue as a matter of priority.

The debate has been constructive and interesting. It has focused on a wide range of issues. We agree that the digital economy is a thriving and essential part of Scotland's economy, but the main theme that has been carried throughout the debate is that we could do a bit more to encourage it, nurture it and help it to grow into the industry that we want it to be.

Chief among the points that have been raised is the need to promote the right skills in the right people to support future growth and investment. The Scottish Government obviously has a significant role to play in that through Skills Development Scotland.

The investment plan ought to be used as intended: as a pulse check for the industry and its key partners to inform future policy developments in areas where we can make improvements. Labour has raised areas where we believe that improvements can be made: our education system—our schools and colleges—and modern apprenticeships.

As we have heard from several members, we have fewer teachers in our schools who have ICT as their main subject and, as Gavin Brown highlighted, there is a concern that there might be no ICT provision in some schools. As we know, college courses have been cut and there is less uptake of the courses that remain. We also know—and the minister acknowledged—that fewer women are engaging in our digital economy. That could be improved, particularly through our modern apprenticeship scheme.

There is growing demand for skilled labour in the sector, with up to 11,000 jobs per year. To fill them, we must be proactive in every part of our education system, encouraging and inspiring young people to enter the industry.

The Government has committed to using £12 million of Barnett consequential to implement the Wood commission's recommendations and I am certain that that will provide us with an opportunity to work with businesses, local authorities, colleges and schools to develop digital skills and link opportunities with our young people.

Some interesting and useful speeches were made in the debate. Mary Scanlon pointed to research from the Prince's Trust that said that 10 per cent of young people feel out of their depth using computers to prepare their CVs. She said that that is an equalities issue. I thoroughly agree with that. It is also a poverty issue and an issue of digital exclusion, which my colleague James Kelly touched on.

I would very much like to hear something on digital exclusion in the minister's closing remarks. It is a particular problem in my home city of Dundee, and it is a problem not only for the industry. We know that digital exclusion results in families paying more on their weekly and monthly bills and has all sorts of impacts on our communities.

James Kelly said that we must improve our digital connectivity throughout Scotland and remarked on the improvements that Glasgow is making as it produces more wi-fi hotspots. However, we all know that a marked improvement in 3G coverage and wi-fi could be made throughout Scotland.

Fiona McLeod: I agree with Ms Marra's comments about digital exclusion in relation to hardware. Is she aware of the work by the Carnegie UK Trust that indicates that, once we give people the hardware, we need to ensure that they want to connect?

Jenny Marra: I agree with that to some extent, but there is an issue with coverage in some areas. There is also an issue about access to hardware and the cost of connecting. Perhaps that is fodder for another debate.

Liam McArthur mentioned another important point that the Prince's Trust made. STEM literacy is important not just for the ICT industry, but for our schools and the whole future generation. Every time I speak to young people, I find out that they are taking fewer science and language courses. It must be a concern that there are no compulsory measures in place to ensure that our next generation is literate in those subjects.

I was not surprised that Patrick Harvie made one of the most articulate speeches in the debate. He focused on digital rights, which, again, is perhaps a subject for another debate, but it is certainly a concept that Labour would be interested in exploring. I welcome the motion that was passed in the European Parliament today.

The debate has been very constructive and positive. I welcome the investment that the Government has made in our digital economy and the commitment to it that it has announced today. The investment plan identifies an emerging skills gap, which should and could be filled. Jobs in our digital economy are among the most rewarding

and exciting jobs for our young people—indeed, for everyone. As the industry continues to develop, I am certain that we can work together to build the necessary skills in our young people to make it as profitable and rewarding for our country as possible.

16:51

Angela Constance: The debates that I enjoy the most are those in which members bring their own passions, interests and experiences to the chamber. We heard that Jenny Marra is very passionate about Minecraft. My six-year-old son will be exceptionally impressed by the fact that his favourite subject has been debated in the Parliament. We heard that Fiona McLeod—who made a thoughtful contribution—is very interested in libraries. As far as experiences are concerned, we heard James Kelly and others take a trip down memory lane. In addition, Clare Adamson outed herself as a girl geek—and a very proud one, at that.

Bruce Crawford, Gavin Brown and Liam McArthur all made the highly legitimate point that the digital skills agenda sits in a much broader context. The issue of digital skills has obvious connections with the digital economy, digital infrastructure and, of course, digital participation. Fiona Hyslop will launch the new digital participation strategy in the near future. Members made the point that participation is closely linked to the needs of our economy. For small businesses in particular, digital literacy is a continuing issue, which links to what Mary Scanlon described as inequalities. The Prince's Trust, in what was a highly informative and challenging briefing, made that point very well.

I hope that members will not mind me focusing my remarks, in the little time that I have available, on the skills agenda, young people and women. Whether in the Parliament or when I am out on ministerial engagements, I always have some trepidation when the subject matter relates to technology, ICT or anything digital, because I am very conscious of my IT limitations. When a problem arises, quite often my response is to bash the technology and to shout at someone to sort it—that person is usually my husband.

Like James Kelly, I was probably among the first school pupils to experience the teaching of computing science in school back in the early 1980s. As a young teenager at the time, my experience was that—to my shame, I suppose—I was completely and utterly disengaged from it. Of course, schools today are very different from the schools of my time in how they engage with young people and how they teach a variety of subjects in the curriculum.

There is no doubt that the conundrum is that, although young people are voracious users of technology, they do not always see the relevance of formally studying computing science and related subjects to their careers and their future working lives. It is important that we consider why that is and what young people's views are. When questioned, nearly a third of young people will describe how ICT is not engaging enough for them. That is where the skills investment plan is important to schools in supporting ICT learning and supporting teachers to have the most up-to-date knowledge about technology and current practice in the workplace.

The skills investment plan is important to raising the profile of careers. I am not sure whether "The IT Crowd" has done much to persuade parents about the contribution that people who pursue an IT career can make to the economy. However, an important point for schools in the plan concerns engagement with the world of work—with business and industry—in every aspect of our education system.

I am pleased to inform the chamber that I will accept the amendment that Jenny Marra lodged. I was interested in Patrick Harvie's amendment, which was not selected. I would certainly have been minded to accept it or at least the spirit in which it was presented.

Patrick Harvie: I am grateful for the minister's words. I offer one practical suggestion that would give effect to the agenda. If the UK Government seeks in any way to undermine or overturn the European Parliament's decision on net neutrality, will the Scottish Government object to that clearly in public and in joint ministerial committees?

Angela Constance: I give Mr Harvie the undertaking that I will discuss that with my ministerial colleagues who are more directly responsible for the issue. I can say that, by and large, the Scottish Government tends to be more pro-Europe than our UK counterparts.

Jenny Marra and Mary Scanlon made serious points. It must be acknowledged that the number of young people in schools, colleges and universities who are studying computer science or related subjects is falling. We need to do our utmost to reverse that tide. A range of actions needs to be taken across the education system, which should start from the early years and go through secondary schools, colleges and universities. Actions also need to be taken in the workplace.

Jenny Marra: Will the minister commit to looking at the point that I raised with Bruce Crawford, which was about the Scottish funding council's power to claw back funding when gender targets are not being met? She and I have both

acknowledged that those targets are not being met in our colleges and universities.

Angela Constance: I give Ms Marra the undertaking that I will look at that in conjunction with my colleague Shona Robison. Ms Marra and I might differ in our understanding of what is and is not possible, but I will not quibble about giving her an undertaking to look at the issue in more detail.

The skills investment plan is important to the range of actions that we need to undertake, but so are regional outcome agreements, which are intended to ensure that our universities and colleges respond more flexibly to the demand from students. There is also additional funding for additional STEM places, because it is important that the intake on ICT courses does not improve at the expense of other STEM subjects.

As for the modern apprenticeship programme, we can be pleased with the rapid increase in the number under the ICT framework from 24 in 2008-09 to what I hope will be nearer 600 this year—we will have to wait for confirmation of that. It is regrettable that only 20 per cent of the cohort under that framework are women, which falls far short of our aspiration, although it is much better than the figures for the engineering and construction frameworks, for example.

Members sought information on actions that have been undertaken by Skills Development Scotland. We gave an undertaking to the Equal Opportunities Committee to have an awareness-raising campaign in Scottish apprenticeship week; Skills Development Scotland has undertaken a range of actions with the Scottish resource centre for women in science, engineering and technology; and it is working very closely with Scottish union learning to raise awareness and reach others, which is important.

Ultimately, the skills investment plan is crucial. It has been devised and developed with industry leading the way. There are four very important themes that respond to the immediate needs of industry. Earlier in the chamber, I answered questions from Willie Coffey about the digital skills academy. We also need to raise the sector's profile, broaden the future talent pipeline and make our education system far more responsive to the needs of industry. It is important to make the point that we will review progress and revisit issues in a year's time to ensure that the skills investment plan is doing what it set out to do.

Parliamentary Bureau Motions

17:01

The Deputy Presiding Officer (John Scott):

The next item of business is consideration of two Parliamentary Bureau motions. I ask Joe FitzPatrick to move motion S4M-09567, on committee membership, and motion S4M-09568, on substitution on committees.

Motions moved,

That the Parliament agrees that—

Gordon MacDonald be appointed to replace Joan McAlpine as a member of the Education and Culture Committee;

Joan McAlpine be appointed to replace Christian Allard as a member of the Economy, Energy and Tourism Committee; and

Dave Thompson be appointed to replace Richard Lyle as a member of the Rural Affairs, Climate Change and Environment Committee.

That the Parliament agrees that—

Maureen Watt be appointed to replace Gordon MacDonald as the Scottish National Party substitute on the Justice Committee;

Bob Doris be appointed to replace Joan McAlpine as the Scottish National Party substitute on the Economy, Energy and Tourism Committee;

Annabelle Ewing be appointed to replace Dave Thompson as the Scottish National Party substitute on the Finance Committee; and

Joan McAlpine be appointed to replace Marco Biagi as the Scottish National Party substitute on the Education and Culture Committee.—[*Joe FitzPatrick.*]

The Deputy Presiding Officer: The questions on the motions will be put at decision time.

Decision Time

17:01

The Deputy Presiding Officer (John Scott): There are five questions to be put as a result of today's business.

The first question is, that motion S4M-09391, in the name of David Stewart, on the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill.

The Deputy Presiding Officer: The second question is, that amendment S4M-09575.1, in the name of Jenny Marra, which seeks to amend motion S4M-09575, in the name of Angela Constance, on developing skills for Scotland's digital economy, be agreed to.

Amendment agreed to.

The Deputy Presiding Officer: The third question is, that motion S4M-09575, in the name of Angela Constance, on developing skills for Scotland's digital economy, as amended, be agreed to.

Motion, as amended, agreed to,

That the Parliament welcomes the publication of the *Skills Investment Plan For Scotland's ICT & Digital Technologies* sector and associated £6.6 million funding for digital skills; acknowledges the critical importance of digital skills across Scotland's economy; recognises that this is also a vibrant and growing sector in its own right; welcomes a partnership approach with industry to meet future skills requirements, including increasing training, apprenticeship and employment opportunities for women and young people, who are currently underrepresented in the sector, and notes that the investment plan calls for adequate teaching capacity in schools, colleges and universities and to ensure that more college and university places are available to meet an increased demand.

The Deputy Presiding Officer: The fourth question is, that motion S4M-09567, in the name of Joe FitzPatrick, on committee membership, be agreed to.

Motion agreed to,

That the Parliament agrees that—

Gordon MacDonald be appointed to replace Joan McAlpine as a member of the Education and Culture Committee;

Joan McAlpine be appointed to replace Christian Allard as a member of the Economy, Energy and Tourism Committee; and

Dave Thompson be appointed to replace Richard Lyle as a member of the Rural Affairs, Climate Change and Environment Committee.

The Deputy Presiding Officer: The fifth question is, that motion S4M-09568, in the name of Joe FitzPatrick, on substitution on committees, be agreed to.

Motion agreed to,

That the Parliament agrees that—

Maureen Watt be appointed to replace Gordon MacDonald as the Scottish National Party substitute on the Justice Committee;

Bob Doris be appointed to replace Joan McAlpine as the Scottish National Party substitute on the Economy, Energy and Tourism Committee;

Annabelle Ewing be appointed to replace Dave Thompson as the Scottish National Party substitute on the Finance Committee; and

Joan McAlpine be appointed to replace Marco Biagi as the Scottish National Party substitute on the Education and Culture Committee.

Meeting closed at 17:03.

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