

MEETING OF THE PARLIAMENT

Thursday 8 March 2001

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CONTENTS

Thursday 8 March 2001

Debates

	Col.
FISHING INDUSTRY	301
<i>Motion moved—[Mr Jamie McGrigor].</i>	
<i>Amendment moved—[Rhona Brankin].</i>	
<i>Amendment moved—[Richard Lochhead].</i>	
Mr Jamie McGrigor (Highlands and Islands) (Con)	301
The Deputy Minister for Rural Development (Rhona Brankin)	304
Richard Lochhead (North-East Scotland) (SNP)	309
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	312
Mr David Davidson (North-East Scotland) (Con)	314
Lewis Macdonald (Aberdeen Central) (Lab)	315
Dr Winnie Ewing (Highlands and Islands) (SNP)	317
Iain Smith (North-East Fife) (LD)	318
Mr Murray Tosh (South of Scotland) (Con)	320
Elaine Thomson (Aberdeen North) (Lab)	322
Tricia Marwick (Mid Scotland and Fife) (SNP)	324
Maureen Macmillan (Highlands and Islands) (Lab)	325
Brian Adam (North-East Scotland) (SNP)	327
Euan Robson (Roxburgh and Berwickshire) (LD)	327
Mr Alex Salmond (Banff and Buchan) (SNP)	329
Rhona Brankin	331
Alex Johnstone (North-East Scotland) (Con)	334
CRISIS IN RURAL SCOTLAND	337
<i>Motion moved—[Alex Johnstone].</i>	
<i>Amendment moved—[Ross Finnie].</i>	
<i>Amendment moved—[Fergus Ewing].</i>	
Alex Johnstone (North-East Scotland) (Con)	337
The Minister for Rural Development (Ross Finnie)	340
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)	344
Dr Elaine Murray (Dumfries) (Lab)	346
John Scott (Ayr) (Con)	349
Mr Duncan Hamilton (Highlands and Islands) (SNP)	351
Mr John Home Robertson (East Lothian) (Lab)	352
Lord James Douglas-Hamilton (Lothians) (Con)	354
Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)	355
Christine Grahame (South of Scotland) (SNP)	356
George Lyon (Argyll and Bute) (LD)	358
Ben Wallace (North-East Scotland) (Con)	359
Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)	360
Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab)	361
Mrs Margaret Ewing (Moray) (SNP)	362
Ross Finnie	364
David Mundell (South of Scotland) (Con)	366
PARLIAMENTARY BUREAU MOTIONS	370
<i>Motions moved—[Tavish Scott]—and agreed to.</i>	
BUSINESS MOTION	371
<i>Motion moved—[Tavish Scott]—and agreed to.</i>	
QUESTION TIME	373
FIRST MINISTER'S QUESTION TIME	390
INTERNATIONAL DEVELOPMENT BILL	398
<i>Motion moved—[Malcolm Chisholm].</i>	
The Deputy Minister for Health and Community Care (Malcolm Chisholm)	398
Mr George Reid (Mid Scotland and Fife) (SNP)	399
Bill Aitken (Glasgow) (Con)	401

George Lyon (Argyll and Bute) (LD)	402
Des McNulty (Clydebank and Milngavie) (Lab)	402
Donald Gorrie (Central Scotland) (LD)	403
Mike Watson (Glasgow Cathcart) (Lab)	404
Malcolm Chisholm	405
LEASEHOLD CASUALTIES (SCOTLAND) BILL: STAGE 3	407
<i>Motion moved—[Mr Adam Ingram].</i>	
Mr Adam Ingram (South of Scotland) (SNP)	407
The Deputy Minister for Justice (Iain Gray)	409
Phil Gallie (South of Scotland) (Con)	409
Euan Robson (Roxburgh and Berwickshire) (LD)	410
Pauline McNeill (Glasgow Kelvin) (Lab)	410
Christine Grahame (South of Scotland) (SNP)	411
Karen Gillon (Clydesdale) (Lab)	412
Mr Ingram	413
PARLIAMENTARY BUREAU MOTION	414
<i>Motion moved—[Tavish Scott].</i>	
CULTURE AND RECREATION BILL	415
<i>Motion moved—[Allan Wilson].</i>	
DECISION TIME	416
POINTS OF ORDER	427
LESS FAVOURED AREAS	428
<i>Motion debated—[Alex Fergusson].</i>	
Alex Fergusson (South of Scotland) (Con)	428
John Farquhar Munro (Ross, Skye and Inverness West) (LD)	431
Maureen Macmillan (Highlands and Islands) (Lab)	432
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)	433
George Lyon (Argyll and Bute) (LD)	434
John Scott (Ayr) (Con)	435
Euan Robson (Roxburgh and Berwickshire) (LD)	436
Mr Duncan Hamilton (Highlands and Islands) (SNP)	438
The Minister for Rural Development (Ross Finnie)	439
POINTS OF ORDER	443

Oral Answers

Col.

QUESTION TIME	
SCOTTISH EXECUTIVE	373
Domestic Abuse	378
Fire Safety	383
Hospital Services	381
Internet (Dangers to Children)	378
Land Reform (Scotland) Bill	387
Landfill	376
Opencast Mining	373
Planning Appeals	373
Public Sector Jobs	380
Scotland Against Drugs	386
Scottish Secure Tenancy	388
Statistical Information	375
Waiting Times (Tayside)	384
Young Disabled People (Personal Care)	377
FIRST MINISTER'S QUESTION TIME	
SCOTTISH EXECUTIVE	390
Biodiversity	395
Fishing Industry	394
Power Supplies	396
Prime Minister (Meetings)	392
Secretary of State for Scotland (Meetings)	390

Scottish Parliament

Thursday 8 March 2001

[THE PRESIDING OFFICER *opened the meeting at 09:30*]

Fishing Industry

The Presiding Officer (Sir David Steel): Good morning. Our first item of business today is a debate on motion S1M-1725, in the name of Jamie McGrigor, on the fishing industry, and two amendments to that motion.

09:30

Mr Jamie McGrigor (Highlands and Islands) (Con): Before speaking to the motion, I should like to say that we find the Scottish National Party amendment to be acceptable as it adds to the motion.

Yesterday afternoon, I listened to Gordon Brown, the Chancellor of the Exchequer, praising his Labour party for having achieved low rates of inflation and low interest rates, but I must point out that that party has caused the lowest morale among people in rural communities, especially those in the fishing industry, that has ever been experienced.

Scottish fishermen take great risks to bring in their valuable harvest, which contributes much to our economy. That deserves recognition and our party recognises the importance of the fishing industry in Scotland to the lives and incomes of those who live in fishing communities. That is why this party is using, for the second time in succession, valuable debating time on this issue.

The Executive has so far refused to make any statement on the new crisis facing fishing and we hope that this debate will give it the opportunity to produce some good news for those people making an enormous sacrifice to protect fishing for Scotland's future generations. Of course, unless the Executive supports the industry through this vital period, it may have no future. Will the Government now put its money where its mouth is and bring in the essential ingredient that the cod recovery plan lacks—emergency financial compensation—which, as we have said before, is essential if the plan is to have any hope of success?

Last week, Edinburgh saw a massive protest not just by fishing boat owners or fishermen's representatives, but by the rank and file of the industry, whose jobs, lives and future depend on the Executive's actions. On Tuesday, a flotilla of

fishing boats sailed up the Firth of Forth, emphasising that protest. Yesterday, fishermen's representatives met with the Minister for Rural Development and his deputy to put their case again. There has been no result so far. The fishermen ask for emergency help in this crisis. They do not ask for a long-term solution because, without short-term help, there may well be no long term. Fishing as we know it in Scotland may be destroyed; fish and chips, the staple diet of many, might become the luxury of those who can afford it or find it.

Yesterday, after the fishing meeting, the Deputy Minister for Rural Development issued a press release in which she said:

"I had another helpful meeting with the industry ... I underlined that the Executive is fully committed to the industry.

Ministers are now working with officials as a matter of urgency on what we discussed. I will be in a position to make an announcement in the Scottish Parliament tomorrow, Thursday."

Here we are, in the Scottish Parliament, waiting for an announcement confirming the Executive's commitment to Scotland's fishing industry. I hope that we hear more than *toujours les platitudes* all over again but, after Elliot Morley's performance in the House of Commons yesterday, I do not hold out much hope of that happening. However, fishing is more important to Scotland than it is to England, and perhaps the minister will recognise that by confirming emergency financial support for those in the fishing sector.

Mrs Margaret Ewing (Moray) (SNP): Does the member recall that, during the time of the Conservative Government, the fishing industry was in crisis? Is he proud of the record that that party now holds? I remember seeing in my constituency burning effigies of Conservative ministers with responsibility for fisheries. If the Conservative party is now saying that it has an alternative policy, can it clearly tell us what that alternative policy is?

Mr McGrigor: As I have said before, our policy is spelled out in our manifesto. I am proud of this Government's record—[*Laughter.*] I beg your pardon, Presiding Officer, I mean that I am proud of my party's record. We spent a lot of money in 1993-94 on decommissioning.

Had it not been for the determination and the united front shown by the fishermen, the crisis would have been overshadowed by the foot-and-mouth disease outbreak. Let me assure the minister that the loss of income to fishing communities from the fishing crisis is every bit as bad as the loss of income to farmers from the foot-and-mouth disease outbreak. The farmers are being supported to some extent but our fishermen, who have taken a responsible stance, deserve

support in their aim to conserve stocks.

The Executive was warned time and again that the closure of cod spawning grounds would result in a displacement of fishing effort elsewhere. What is the point of protecting one stock—cod—if the 1999 class of haddock is to be decimated as a direct result? That is what has been happening. There is filmed evidence of fishermen throwing back nine out of 10 fish dead. That is not conservation; it is destruction. Surely it is not beyond the Executive to realise that some money invested now might save far greater expenditure at a later date.

In yesterday's press release, the minister also said that

"the Scottish Executive is committed to securing a long-term sustainable future for the fishing industry".

In that case, will the minister tell us her plan for annual tie-up payments during the minimum five-year period that the cod recovery plan is set to last? Will she explain to the Scottish Parliament the commitment, if there is one, to the decommissioning of vessels to allow the fishing industry to match the fleet to future catch expectancy? Only by coupling that initiative with a sensible effort limitation policy and capacity reduction can fishermen hope that fishing will become and remain sustainable once again.

The Scottish Fishermen's Federation has spelled out what will happen if restrictions on effort and capacity do not run alongside the cod recovery plan. Stocks of haddock, whiting and prawns will come under great pressure and there will continue to be wasteful and damaging discards. Although the cod recovery programme might regenerate the cod species in a few years, without corresponding restrictions on effort and capacity, too many boats will be chasing too few fish. Boats that used to fish for white fish will start to fish for prawns, which will cause severe difficulties for the small prawn boats off the west coast, which rely on a good price and good catches of nephrops to sustain their livelihoods. Scallop fishermen on the west coast have been deprived of their livelihoods for the past two years without any compensation.

We want to have a united fishing industry of which Scotland can be proud and a sustainable fishing industry that supports rural communities and gives a lead to the rest of Europe. I hope that the Scottish Executive agrees with that and I hope that the minister will tell us her plans for the short-term sustainability and the long-term future of the Scottish fishing industry.

I move,

That the Parliament supports the aims of the cod recovery plan; acknowledges the financial sacrifices made by the Scottish fishing fleet towards that end, and calls

upon the Scottish Executive to utilise Financial Instrument for Fisheries Guidance funding to provide financial support to our fishermen during the twelve week closure period and to outline its plans for the protection of other stocks such as haddock and programme for vessel decommissioning at the earliest opportunity.

09:39

The Deputy Minister for Rural Development (Rhona Brankin): I am glad to see that Jamie McGrigor is proud of this Government's record. I am grateful also to have the opportunity to speak about the issues facing the Scottish fishing industry. The Executive is committed to ensuring that what is a key industry for Scotland has a sustainable and prosperous future, and I will demonstrate the extent of that commitment this morning.

As has been said already, over recent weeks—in fact, for much longer than that—we have been in discussion with industry representatives about the problems that they face. It has sometimes seemed that I have spent my whole time as Deputy Minister for Rural Development in discussion with the fishing industry; however, I recognise the severity of the situation, which is why I am happy to have done so.

There is no doubt that the industry is in difficulties because of the poor state of some key fish stocks, over-investment in catching capacity and a range of other reasons. The situation has been exacerbated by the prevalence of small haddock on the fishing ground. They are below marketable size, and fishermen are unable to land them. Some people have, mischievously and wrongly, sought to blame that on the emergency measures that were introduced at European Community level—and with the Scottish industry's support—to protect cod stocks in the North sea and off the west coast of Scotland.

The abundance of small fish was anticipated and was recognised when quotas were set for the current year. It is a result of fish biology, not of poor fisheries management. The Executive is in the lead in the EC in introducing measures to protect young fish. Our initiative on square-mesh panels was a groundbreaking move.

We have worked closely with the industry and with our European partners to put together a cod recovery plan, the first elements of which have been put in place. Closures in the North sea and off the west of Scotland will protect spawning cod, improving the chances of better recruitment. We are working with our European partners to develop further conservation measures, and we aim to have a comprehensive recovery programme in place across the European Community by the end of the year.

We had to withstand some pressures from

interests in the industry, which argued that the constraints that the plan placed on fishing activity were excessive. We had to persuade the European Commission and other member states that, with proper technical conservation measures—including square-mesh panels, which we introduced unilaterally to protect young haddock—we could keep the haddock and whiting fisheries open. We and the industry knew that there would be a large number of immature haddock in the North sea this year and that discard levels would inevitably be high. It is absurd that some fishing interests, supported by some Opposition members, are now criticising the Executive for putting the future of those stocks at risk.

I would now like to talk about sustainability.

Mrs Margaret Ewing *rose*—

Mr Alex Salmond (Banff and Buchan) (SNP): Will the minister give way?

Rhona Brankin: Not just now. I have a number of important announcements that I want to make.

I have said it before, and it remains the watchword of our fishing policies: sustainability. It is clear that there is currently a mismatch between the fishing vessel capacity and the number of mature fish that are there to support that capacity. Sustainable fishing means having to increase the number of fish in the sea and to reduce the capacity of the fishing fleet.

In order to deliver a better focus on the conservation of stocks and to deliver sustainability in the fisheries, the Executive is willing to make a significant investment in the industry. We intend to introduce a package of measures that will deliver sustainable fishing in the short term, in the medium term and in the longer term.

There can be no doubt that we need to reduce the size of the fleet so that the available stocks can be shared out among fewer boats, which will enjoy better returns. We will commit up to £25 million towards a vessel decommissioning scheme over the coming months. The scheme will remove around 20 per cent of the capacity of the Scottish white fish fleet. Vessel owners will be compensated for surrendering their vessels and licences. That will not only help to balance capacity with fishing opportunity, but should ensure a more secure economic future for the remainder of the white fish fleet.

The cost of the scheme will be met by bringing forward planned spending under the financial instrument for fisheries guidance programme and by making use of end-year flexibilities in the Executive's budget. We will of course consult fully with the industry on the details of the scheme and on how compensation can best be targeted.

Mrs Ewing: Will the minister give way?

Rhona Brankin: No, I really want to get through these announcements, if the member does not mind.

The initiative is very significant, and I expect that it will be warmly welcomed by those who are seriously concerned about the future of the Scottish fishing industry.

At the same time, we intend to continue to take the lead in measures to conserve stocks through improvements to fishing gear. The destruction of juvenile haddock, which has understandably upset our fishermen, can be prevented. Some marketable fish will escape, but that is a small price to pay to secure the long-term future of the industry.

I intend to introduce emergency measures to improve the selectivity in fishing gear. Later today, I will issue proposals for consultation with the industry, together with other fisheries departments in the United Kingdom. Those enhancements to fishing gear will cut discards by up to 70 per cent this year, when coupled with the twine thickness limitations that were introduced by the Executive earlier this month. Even next year, when the fish will have grown larger, discards will fall by about a third.

Those measures will cost little or nothing and will lead to major improvements. I have it in mind to ban lifting bags, to limit the length of extension pieces and to require square-mesh panels to be inserted closer to the cod end. We will use every endeavour to get those measures in place within three to four weeks.

I also intend, as soon as possible, to put an extra £1 million into a new partnership between scientists and the fishing industry to improve selectivity of fishing gear. That will include the chartering of fishing boats and replacement of any lost earnings. We will discuss the programme with the industry as a matter of urgency.

We need to bear it in mind that the impact of recent developments is also felt in the processing sector. We have had some very positive discussions in the working group that I set up recently.

To help deal with those impacts, £1 million will be made available through Scottish Enterprise to implement the recommendations that were set out in the report of the Scottish fish processors working group. I will be issuing a full response to that working group shortly.

Taken together, those measures represent an unprecedented investment in the fishing industry in Scotland.

I am of course aware of the demand from parts

of the industry for a funded tie-up scheme. We do not intend to go down that route, and let me explain why not. [MEMBERS: "Shame."] No—I suggest that Scottish National Party members listen, because this is important. Let me explain why not: I have just announced—[*Interruption.*]

The Presiding Officer: Order. Let us hear the minister.

Rhona Brankin: I have just announced the biggest single investment in the Scottish fishing industry ever. I suggest that members on the SNP side of the chamber actually listen to the rest of what I have to say.

First, and most important—

Mr McGrigor: Will the minister give way?

Rhona Brankin: No, I want to be able to get through this. I have a limited amount of time.

We have considerable doubts about whether tying up the fleet for the remainder of the cod recovery programme would have much conservation benefit. That is what we have to consider.

We need to tackle the abundance of small haddock and a very strong 1999 year class, which needs to be protected.

Mr Salmond: How do you know?

Rhona Brankin: I can tell Mr Salmond, as he shouts out to me, "How do you know?" that I have the benefit of information from scientists at the marine laboratory in Aberdeen, and I am taking the up-to-date advice from them. If Mr Salmond is not happy with that, I am sorry. The—

Mr Salmond *rose*—

Rhona Brankin: No, I am sorry. I need to carry on with this statement.

The issue that we need to tackle—

Mr Salmond: She has not given way once. What sort of minister is she?

Rhona Brankin: I am sorry—Mr Salmond shouted out at me. I have responded. [*Interruption.*]

The Presiding Officer: Order. Mr Salmond, you have your time coming.

Rhona Brankin: The issue—

Mr Salmond: It is pathetic.

Rhona Brankin: Mr Salmond might call the biggest single investment in the Scottish fishing industry pathetic. Frankly, if he thinks so, that is fine.

Mr Salmond: The minister should give way then.

Rhona Brankin: We need to tackle the abundance of small haddock and a very strong 1999 year class, which needs to be protected. The difficulty may be exacerbated by the diversion of effort that was caused by the cod recovery closures, but the abundance of haddock is widespread and would have been encountered in any event.

The small haddock will still come below the minimum landing size on 1 May, when the closures come to an end. We need a measure to provide a protection for those fish that will extend beyond that date. A tie-up on its own simply delays the inevitable.

A short-term tie-up is a quick-fix approach that does not guarantee long-term benefits. The way to tackle the issue is to maximise the escape of small fish whenever and wherever they are fished. That is best delivered through technical measures. The Executive's initiatives are based on scientific advice. They will work in the short term and provide us with the best available means to safeguard the 1999 year class, which is the seedcorn for a sustainable future.

Neither is a tie-up the cheap option that some people would have us believe. The industry has asked for £1,000 per vessel per day. There are more than 500 boats in the white fish fleet. If we tied up the fleet for the last 50 days of the cod closures, that would come to £25 million, which is far in excess even of the maximum amount that would be available through the FIGF. I would much rather spend £25 million on measures that will have a lasting impact, such as decommissioning, than on a one-off tie-up scheme.

Mr Salmond *rose*—

The Presiding Officer: The minister is in injury time.

Rhona Brankin: The key target must be to reduce capacity permanently. That is why we are introducing a decommissioning scheme, coupled with robust conservation measures.

I now look to the industry to embrace the focus on conservation. That will start immediately with the forthcoming discussions on stage 2 of the cod recovery plan. We will need to set out a clear and ambitious programme of further long-term conservation measures. The focus on conservation will also be carried through to implementation of our strategic framework for Scottish sea fisheries, which is under development in consultation with the industry. That focus will also inform the direction that is taken by the Scottish fishing industry initiative, which was recently created to help to refocus the Scottish industry for the future.

Mr Salmond: On a point of order, Presiding Officer. To your knowledge, is there a parliamentary precedent for a minister who is making an important announcement refusing to take a single intervention from people who are concerned about the industry?

The Presiding Officer: The minister is already over time. I ruled some time ago that interventions should not be taken in the closing stages of speeches. I have been listening carefully to the minister. She is making announcements that are of interest to everybody in the chamber.

Rhona Brankin: I will come to a close now. In implementing these measures, we rely critically on industry support. What happens in the fishing grounds is crucial to the health of stocks and the future well-being of our industry. Fishermen can and must take measures to minimise discards. In their own long-term interests, I strongly encourage them to do so.

I hope that the industry and my colleagues will welcome those measures. We are already working closely with the industry, and will continue to do so, towards a sustainable, prosperous future for the Scottish sea fisheries industry.

I move amendment S1M-1725.2, to leave out from "utilise" to end and insert:

"continue to develop a range of measures aimed at returning whitefish stocks to sustainable levels."

09:52

Richard Lochhead (North-East Scotland) (SNP): I welcome this debate, which is very timely as Scotland's fishing industry is in the middle of a crisis. Although we welcome the long-term measures that the minister has announced to help the industry, the crux of the debate and what the industry is looking for from the debate are the short-term measures that will allow the industry in Scotland to be around to take advantage of long-term measures.

I express the enormous disappointment of SNP members that the Scottish Government has failed to deliver for the industry in its hour of need. In recent days, Government ministers have not hesitated to build up expectations among our fishing communities. Ministers should hang their heads in shame for failing our fishermen at this crucial time. They have failed in their duty to defend our fishing communities and they are failing to save Scottish jobs.

I refer the chamber to last week's First Minister's questions, when the First Minister gave the impression that he would stand up for Scotland's fishing communities.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): Will the member take an intervention?

Richard Lochhead: I will certainly not take an intervention from Duncan McNeil.

The First Minister told the chamber that he accepted that urgency was required. In response to Alex Salmond, he said:

"I understand the serious consequences that lie ahead for the industry."—[*Official Report*, 1 March 2001; Vol 11, c 164.]

Now we know that the First Minister and his sidekick, the Deputy Minister for Rural Development, have betrayed Scotland's fishing industry.

Today will be seen as a black day for Scotland's fishing communities. The minister laughs, but the reality is that her speech did not announce the short-term aid that is desperately required by the industry. Instead, in effect, she has announced redundancy notices for hundreds of people in our fishing communities in the short term. In the long term, thousands of jobs are on the line due to the Government's failure to stand up for our fishermen at this most crucial time.

Time and again, the Government was warned that the cod recovery plan must not be allowed to become a haddock destruction plan. Our fishermen have faced a heart-breaking dilemma in recent weeks. They can go to sea and destroy their futures by catching billions of juvenile haddock in the only fishing grounds to which they are allowed to go. They have had to discard 90 per cent of those fish dead over the side of the boat, because they cannot bring them to shore.

Will the minister listen to what the SNP is saying? The fishermen face the choice of going to sea and wiping out their future or staying at home and letting the bills pile up and bankruptcy creep closer each day. The Government had the power to announce today a compensatory tie-up scheme to remove that dilemma, but it has not taken that route. Our fishermen now face the straight choice of staying at home and going bankrupt in the coming weeks or going to sea and wiping out their future.

Is the minister unaware of all the dangers that the industry faces or of what the whole idea of displacement means? I will read from the letter that we have all received from the Macduff branch of the Scottish White Fish Producers Association. It says:

"If Fishermen adapt from one type of fishing to another (eg. move from haddock, cod, etc to prawns) or move to other areas for which they have quota then other species and other areas will come under undue and in all probability unsustainable pressure."

The minister is putting many smaller fishing communities around Scotland's coasts at particular risk from displacement of effort and the knock-on effect of her policy.

I remind the minister of the safety implications for the industry. Earlier this week, there was a tragic reminder of the dangers that are inherent in the fishing industry when Spanish fishermen were lost off our shores. Our fishermen are under economic pressure to go to sea to find fish to make a living. They will have to seek out deeper waters, go to places to which they would rather not go, and go out in conditions in which they would rather not sail, because they have to make a living and the minister has not answered their call for help.

The Government is completely isolated. All our fishing communities were looking to the Government for a tie-up scheme, and so too were the environmental organisations. Scotland's members of the European Parliament support the case for a tie-up scheme, as do three out of the four main political parties in the Scottish Parliament, including, apparently, the Liberals. The cross-party Rural Development Committee wrote to the First Minister urging that a tie-up scheme be considered as a matter of priority. However, one of Europe's most ancient fishing nations has to fight tooth and nail to get its Government to help its industry in its hour of need.

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): On a point of order, Presiding Officer. It is factually inaccurate to say that the Rural Development Committee asked for a tie-up scheme.

The Presiding Officer: I am sorry, but the content of speeches is not a point of order.

Cathy Jamieson: But it is factually inaccurate information, Presiding Officer.

The Presiding Officer: I know, but that is not a point of order.

Richard Lochhead: In conclusion, the fishing industry and our fishing communities, which in recent weeks have led dignified, responsible and well-conducted campaigns to highlight the threat to their livelihoods, have been betrayed by the Labour Government today. My message to the Parliament is that if the Government will not stand up for Scotland's fishing communities, it is down to the Parliament to do so, to save 25,000 livelihoods in fragile coastal communities. Parliament can do that if it puts the Scottish Government in its place, stands up for fishing communities and supports the SNP amendment and the Tory motion at 5 pm.

I move amendment S1M-1725.1, to leave out from "Financial Instrument" to "period" and insert:

"funding from the Financial Instrument for Fisheries Guidance or other appropriate financial resources to provide financial support to our fishermen during the twelve week closure period in the form of an immediate compensated tie-up scheme and other suitable measures".

09:58

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): When I think about the handful of jobs that are involved in the fishing industry in my constituency, it is easy not to take proper account of their importance. However, one can imagine that in communities such as Kinlochbervie and Lochinver those jobs are vital, as the loss of any jobs at all would threaten those communities.

Richard Lochhead has, rightly, referred to the role of the Rural Development Committee. None of us should misunderstand the fact that the minister, who is in a very difficult situation, has announced no less than £25 million for decommissioning. That is hugely important and it is something for which the fishing industry has been crying out for long enough—I see Hamish Morrison in the public gallery. I hope that all members of all parties welcome that announcement.

However, I cannot see the way forward for communities such as Kinlochbervie and Lochinver in the short term. The minister's position has been difficult, so I will make three constructive suggestions. First, the Rural Development Committee played an important role this week and—despite our huge work load—I believe that, with Alex Johnstone's permission, we should conduct a short, sharp, urgent inquiry into the short-term future of the industry.

Secondly, the matter should be raised at the next meeting of the Council of Ministers in April. In some ways, one could say that the problem is of the European Community's making. There is an opportunity in April to take a wider view, given that the problem will be faced by other EC states.

Richard Lochhead: Will Jamie Stone give way?

Mr Stone: I will, with great pleasure, take an intervention from Richard Lochhead later, but I want to make these points.

Thirdly, the stark reality is that the industry does not want a permanent subsidy. However, like me, the industry wants to see a way into the future. We are talking about the cost of one battle tank or one fighter plane—not much in the scheme of things. While much was to be welcomed in yesterday's budget statement, it is a little unfortunate that it did not mention fishing. The quest must be taken to the Treasury as well as to Europe. We should face up to the fact that this is not simply a Scottish issue—trawlermen in Grimsby and Hull will face similar problems. When the minister is able to, she and the Executive should take the matter to the Treasury to see what it can do.

Richard Lochhead: Will Jamie Stone give way?

Mr Stone: I will give way in due course.

It may be an old cliché, but fishermen are brave men who literally risk their lives. I had the misfortune to sail through a storm during the late 1970s and although I was on a container ship, I saw with my own eyes just how dreadful sea conditions can be. Fishermen risk their lives to help to feed the nation.

We have heard about the £25 million, which is welcome. We have also heard about the consultation with the industry, which will be key in making decommissioning work and in trying to work out a way forward for the short-term future. We have heard about selectivity in fishing gear, and I particularly welcome the announcement of £1 million for the fish processors. I suppose one could say that, thus far, we are taking steps in the right direction, and I welcome those steps. They are an example of how the Parliament can make a difference.

Richard Lochhead: I thank Jamie Stone, who is the Liberals' fisheries spokesperson, for giving way. Does not he appreciate that this is not the time for inquiries? The fishing industry is meeting today. Fishermen face a choice of staying at home and becoming bankrupt or going to sea to try to make a living, which will threaten their future.

Jamie Stone is a fisheries spokesperson who is on record as supporting a tie-up scheme for the industry. He is a member of the same party as Tavish Scott, who joined the Shetland fleet—he was in the leading vessel—to support the calls for a tie-up scheme. Does not Jamie Stone agree that Parliament should vote today to save Scotland's fishing industry and that the Liberals should vote with the other parties to do just that at 5 pm?

Mr Stone: Richard Lochhead is quite right, in so far as I cannot see a way forward in the short term. However, I put it to him that this is not the time to make party-political points.

Dr Winnie Ewing (Highlands and Islands) (SNP): Oh, come on.

Mr Stone: No. I will be quite frank. Many fishermen who attended the meeting are not SNP supporters, and it behoves us all to make progress in finding a way through this situation. This is not the time for cheap political points.

Churchill said:

"this is not the end. It is not even the beginning of the end."

However, I think that it is

"the end of the beginning."

We have much more to do, but all of us should welcome what the minister has done so far. Richard Lochhead is right—this is a matter of urgency. We must use every means at our disposal, in whatever way we can—whether

through the Rural Development Committee, the Council of Ministers, or the Treasury—to try to help our fishermen in the short term.

10:03

Mr David Davidson (North-East Scotland) (Con): I stand here saddened, because the minister has failed to realise that two distinct issues are involved. We all agree about long-term decommissioning. We all agree with Jamie Stone's suggestion about taking up matters with Europe, but that will take months. How will fishermen survive that long? The banking industry is watching with great interest what is going on. It needed a confident move from the Government, as that would have given it the confidence to extend bank loans. Many fishermen have upgraded their vessels, leaving them in deep trouble with debts, and have no income.

It is vital for the minister to understand that today's motion is primarily about short-term aid. Yesterday, the chancellor gave millions of pounds of taxpayers' money back to the taxpayer in whatever form he fancied. This morning, the announcement is that the Scottish Executive is getting an additional £200 million. Surely the minister could afford to spend £5 million to £10 million of that amount on the tie-up scheme. By doing so, the minister would buy time and take one further step towards the First Minister's apparent intention to save the fishing industry.

On Monday last week, Richard Lochhead and I were at a meeting in Peterhead with 400 fishermen who were fighting to keep themselves united, despite the divisions in the industry. Last Wednesday, 500 or 600 fishermen came to the Parliament, and many of us spoke to them. Jamie Stone promised the Liberals' support for their short-term needs. On Friday, I went to Peterhead and met 550 fishermen, who were still fighting to keep their unity and their dignity. The fishing leaders asked their members, "Shall we carry on, now that we have started?" The answer was, "Yes." For once, the industry is united, and all the divisions between the different sectors have been totally buried. The minister should realise that this unique occasion is an opportunity.

The minister has forgotten that this debate is not just about boats—it is about communities and onshore jobs. One million pounds will do nothing for the small fish processors—that money will be gobbled up by this year's increase in water charges. I accept that the minister has a target for taking steps for the industry. I also accept the proposal for long-term decommissioning. We all know that technical measures will work, but there is no doubt that the other countries that fish in the same pond must also adopt them.

Today's debate is about what happens now and what will happen over the next six to 10 weeks. It is about the survival of the industry. I am disappointed that the minister did not deal with those issues. She was dismissive of a tie-up scheme, but her figures do not add up. The SFF breakdown gives a figure of between £5 million and £10 million, depending on which sectors and efforts are removed from the equation. At present, prawn boats and inshore boats are tying up. Although they are not directly affected yet, they will be, because the minister is displacing efforts that are being made elsewhere.

The short-term situation is in the hands of the Executive. I want the minister to tell us today what she has asked Westminster for. What has been demanded for Scottish boats from Elliot Morley and Gordon Brown? Has the minister asked them for anything? Has anyone gone to Westminster to argue with them? That argument must be had eventually with the UK Government, through which we must involve Europe. There are no ifs and buts—I see Mr Finnie shaking his head, but that is how these things work and it is about time that he acknowledged that.

The Presiding Officer: Please wind up, Mr Davidson.

Mr Davidson: I am sorry, Sir David, if I sound angry, but I am very angry today; like other members in the chamber—including members of your own party—and people throughout the country, I know the fishing community well. We all accept longer-term decommissioning—there are no arguments about that. However, we cannot accept the refusal to provide short-term aid. Along with others, I call upon the Liberal Democrats, who have been honest and open in their recognition of the problems, to support the motion at decision time. That would demonstrate that the Parliament is able to act and work for Scotland.

10:08

Lewis Macdonald (Aberdeen Central) (Lab): It is a matter of some satisfaction to those of us who have worked with the fisheries industry over the years that it continues to attract the attention of Scotland's Parliament and of members of all parties. Today's announcement of support from Scotland's ministers is welcome, particularly as it was made in the Scottish Parliament. Queries were raised earlier about whether the announcement was made by means of a novel procedure, but I do not think that that was the case. Statements of such importance certainly ought to be made in the chamber, and we should all welcome that procedure.

Mr Salmond: What the minister announced today is exactly what Lewis Macdonald announced

to the fishermen at last Thursday's rally. Given the reception that he received last Thursday, what reception does he think the minister will receive from the fishing industry?

Lewis Macdonald: I like to discuss matters closely with ministers, when I get the opportunity to do so, but I did not announce last week that a decommissioning scheme would be set up. There has been a campaign for a decommissioning scheme for the Scottish fisheries industry for many years. Rhona Brankin made history today when she announced that scheme to the chamber. Had I been able to stand up last Thursday at the Hub and announce a £25 million decommissioning scheme to 300 or 400 Scottish fishermen, I would have received a positive response. I look forward to the industry's response to Rhona Brankin's positive message.

The decommissioning initiative creates the possibility of a sustainable, long-term future for Scotland's fisheries industry and Scotland's fishing communities. Surely, above all, that is what we are here to debate and to achieve. There has been a sea change over recent years in the Scottish fisheries industry: a growing recognition of the need to match capacity to available stocks of the fish that are there to be caught. That recognition means that it is Scottish fishermen and their organisations that have campaigned for a decommissioning scheme that would allow a planned and funded reduction in the capacity, in particular, of the white fish sector. That restructuring is essential.

Mrs Margaret Ewing: Does not the member recognise that the Scottish fishing fleet has been in the vanguard of fishing conservation measures? If those measures had been adopted elsewhere in the European Community, we might not be following this crisis at this stage.

Lewis Macdonald: I absolutely accept Mrs Ewing's point. I support and applaud the fact that the Scottish fisheries industry, and Scottish ministers, have taken the lead together in working up technical measures to promote conservation that the rest of Europe would do well to follow. I urge ministers to continue to press that point.

We all recognise that restructuring is essential, not just in the long term but as early as possible. The fact that ministers have identified £25 million to make that happen is something, I believe, that all those who are committed to the future of the industry should welcome.

Mr Davidson: Lewis Macdonald is waxing eloquent on the subject, but perhaps he could tell us whether the fishermen need support now. It is a yes or no question: if the answer is yes, how would he go about it?

Lewis Macdonald: What fishermen need is a

sustainable future for their industry: the scheme will make that happen.

Before I finish, I want to put on record my welcome for the minister's announcement that £1 million will be found to implement the recommendations of the action group on fish processing. That group has produced a coherent and sensible set of proposals that are based on the processing sector's recognition that, in the long term, only restructuring can secure a future for fish processing businesses and the many thousands of people who work in them. I urge the minister to ensure that that funding, which is modest in comparison with the funding found for the catching sector—[*Interruption.*]

Richard Lochhead *rose*—

The Presiding Officer: The member is on his last sentence.

Lewis Macdonald: To ensure that the industry has a sustainable long-term future, I urge the minister to ensure that funding for the processing sector includes support for restructuring. What we need for both sectors of the fishing industry are long-term solutions for long-term problems. I welcome today's announcements.

10:12

Dr Winnie Ewing (Highlands and Islands) (SNP): I am a sad person today. I was a member of the European Parliament Fisheries Committee for over 20 years, at a time when the committee included Labour and Tory members, but no British Liberals. Time after time, I was the only one who fought against the unfair advantages that were proposed by Spanish members. Time after time, all the other British members voted with Spain. For members of every political party in Spain, fishing is the top priority, and they went to the European Parliament to fight their corner. I kept being told by unionists of three colours that we benefited from Britain's 30-vote clout. It is a strange clout that does not treat the fishing industry—a vital part of the Scottish economy—with the priority that it deserves.

Are the fishermen who are sitting up there in the public gallery exaggerating the crisis? Are they wrong when they claim that 25,000 jobs are at risk, as well as the communities that are totally dependent on fishing—one of which is my adopted home of Lossiemouth? Are the fishermen exaggerating when they say that half their boats are liable to go bankrupt unless they can return to sea and try to catch something, probably in waters that are too dangerous and without enough crews left, as the crews are leaving the boats? Do we want the deaths of fishermen to stain the hands of the Scottish Parliament? The acid test for the Scottish Parliament is whether it is able to solve a

problem that is in front of it.

I welcome all the positive things that the minister said, but the fishermen cannot have a future unless they have a present, and the present is at risk. That is what the fishermen in their hundreds, and in their solidarity, are telling members. Members are almost playing into the hands of those of us who say that the Scottish Parliament does not have enough powers. If the Parliament will not create a short-term solution, that is all the evidence that we need.

Not a lot of money would be required to fund a short-term solution, when one thinks of Tridents and domes and all the money that the chancellor has in his big box. Not a lot of money would be required to try to ensure that the fishing industry has a present. What will happen if the banks get fed up waiting? If the boats are sold, who but my old friends, the Spaniards, will buy them?

All the fishing communities look to the Parliament for help. The minister has talked about the long term, which is fine. I welcome everything that the minister has said. She mentioned the new twine arrangements, which I welcome. When I met those hundreds of fishermen, they had nothing but good will for the minister; they called her, rather affectionately, a wifie who listened. The minister, the wifie who listened, is not listening to the crux of the problem. As one skipper said, she does not seem to be able to make a decision. Skippers have to make decisions every minute that they are at sea. They have no difficulty in making decisions. That is their job.

This issue will be the acid test of the Parliament.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Will the member take an intervention?

Dr Ewing: Yes, certainly.

The Presiding Officer: The member is on her last minute. I am sorry, but we cannot have an intervention.

Dr Ewing: I wish that Mike Rumbles had got up sooner, as I am very willing to give way.

The Commission, which did not consult the industry on the measures, must accept a lot of blame, but so must the UK Government, which allowed the Danes to catch 6,000 tonnes of fish to feed to pigs, so that the Danes could compete more effectively with our pig industry. Where is the clout that I keep being told about? The UK has no clout for the fishing industry. It is time that Scotland was independent and had its own clout like the Danes, the Dutch and all the others.

10:17

Iain Smith (North-East Fife) (LD): No one in

the chamber, or in the country at large, underestimates the seriousness of the crisis that faces the Scottish fishing industry today. However, we must also recognise the fact that there are no easy answers. There are no simple solutions. There are no political slogans that can be stuck on poster boards for the election. Long-term thinking is required to protect the future of our fishing industry. Long-term solutions are needed to bring long-term sustainability.

That is why I welcome today's announcements from the minister on the decommissioning scheme that she intends to introduce after consultation with the fishing industry. The industry has been calling for such a scheme for a considerable time. I am delighted that the minister has this morning announced £25 million for that scheme. That is welcome news.

Richard Lochhead *rose*—

Iain Smith: Not at the moment, I am sorry.

Richard Lochhead: Will the member give way?

Iain Smith: I said not at the moment. Please sit down.

The news is welcome, because it will help to reduce the capacity in the fishing industry and will result in long-term sustainability. Long-term sustainability requires a balance, as the minister rightly said, between the fish stocks in our seas and the catching capacity. At present, the balance does not exist; there is too little stock and too much catching capacity. That is where the Conservatives' decommissioning scheme went wrong.

Richard Lochhead: Will the member give way?

Iain Smith: In a moment. Let me finish this point.

The Tories' decommissioning scheme failed because it decommissioned boats, not capacity. The fishing industry simply became more modern and more efficient as a result of the Tory decommissioning scheme, which did not deal with the long-term problem.

Richard Lochhead: I thank the member for giving way.

Ronnie Hughes—a distinguished fisherman whose vessel is based in Iain Smith's constituency and who is in the public gallery today—has spoken from the heart and has called, time and again, for a tie-up scheme to save his livelihood. Does Iain Smith support his cause? Yes or no?

Iain Smith: I do not believe that there are simple short-term answers to the crisis. The matter must be considered in detail.

A number of points that were made by the

minister require further consideration. There is, clearly, a difference of view between the scientists and the fishermen on whether the technical conservation measures that have been introduced recently—and the proposed improvements to those measures—are adequate to protect the fish stocks. It is best that ministers and the fishermen discuss those matters between them to find out the correct position.

Obviously, there is an immediate concern: fishermen have difficulty in maintaining a livelihood. I was concerned about the proposals for the cod recovery plan because they introduced the closure of fishing areas without dealing with capacity. Ultimately, capacity is the problem. If we close off large areas of the fisheries without reducing the capacity of fishermen to fish, there will be displacement. That is a concern not only in relation to the 1999 class of haddock, but in relation to people in areas such as north-east Fife, most of whose fishing now takes place in the prawn area. We do not want displacement that results in fishermen of white fish catching nephrops, which would put fishermen in the East Neuk at risk.

Tricia Marwick (Mid Scotland and Fife) (SNP): Will the member give way?

Iain Smith: I am in my last minute.

There is an immediate financial crisis. I hope that the Government will look beyond the decommissioning scheme to ways in which it can provide support to ensure that our fishermen can get through this short-term problem without going bankrupt, without having to sell their boats and without their boats being seized by the banks. I believe that there may be measures that would ensure that none of those things happened and I hope that the Government will take an imaginative look at alternative proposals to help fund the industry through this difficult time.

A tie-up scheme may be one answer, but it is not the only answer. Technical conservation measures need to be examined fully. Perhaps the three to four weeks that has been suggested is too long. We need to get technical conservation measures in place as quickly as possible to protect our fleets. I hope that the minister will take that on board. However, overall, I welcome the minister's statement this morning.

10:21

Mr Murray Tosh (South of Scotland) (Con): I welcome—as I am sure every member welcomes—the announcements that have been made this morning. A significant sum of money has been announced; the objective of a sustainable policy is worth while; the intention to pursue technical measures will be applauded by

everyone; and the commitment to reduce capacity as a means of finding a long-term solution must command support.

However, the point of the debate today, and the point of the demonstrations and the lobbying of the past couple of weeks, has been to focus attention on the immediate crisis. Iain Smith has just said that a tie-up scheme may not be the answer. It may not be, but as has been argued by several members, there is a strong belief—not least in the fishing community—that such a scheme is part of the answer and that it is an essential part of dealing with the intermediate problem about which Winnie Ewing spoke forcefully.

I was disappointed with the minister's handling of the tie-up scheme. She got to the point of dismissing it only at the very end of her speech; she did not take any interventions; and there was no opportunity for any member to question her in any detail on why the Executive did not propose to pursue a tie-up scheme. That was not only discourteous to members, but disappointing to the people in the gallery and the people outside. Those people want answers.

As Iain Smith suggested, there may well be good scientific arguments for dismissing the tie-up period of 10 weeks. It may well be that 10 weeks of intensive fishing among juvenile haddock stocks would not have affected the long-term supply of fish. I do not know, but I know that the fishermen do not agree, because they are all tied up so that they do not damage their long-term future. However, if the scientists know better, it is a pity that the Labour and Liberal Democrat MSPs who went to all the meetings last week did not tell the fishermen that they were wrong. They had the opportunity, face to face, to tell them that the scientists knew better. It is a pity that nobody here today has told us what the scientists have said and why they know better.

I would genuinely like to know why a tie-up scheme is not felt to be appropriate. All the fishermen who spoke last week, with despair and anger in their voices, believe that a tie-up scheme is an important part of their future. We are not talking about a long-term commitment, a massive subsidy for the industry, or the bankrolling of a loss-making industry for ever and a day. We are talking about a temporary fix to get people through what they believe to be a temporary problem.

Iain Smith said that there are no easy answers. We all appreciate that. I do not think that anyone is looking for easy answers. We are, however, looking for responses. As has been said, the funding package is coming from end-year flexibility. The sum of money that would be required for a tie-up scheme is rather small in relation to the amounts that the Administration's end-year flexibility would allow. The fishermen

have been talking about a package costing an estimated £7 million to £10 million; but the minister has indicated that the figure would be higher. Okay—let us hear the arguments. There are many things that we could argue about and many things that we could explore, but from the Executive we have heard about the long-term solution, the long-term solution and the long-term solution. We agree with what the Executive is saying about the long-term solution; but let us have a response on the concerns that have been raised and let us have a proper argument. Let us know what the Executive's reasoning is. Otherwise, we will not have had a debate and we will have no answers to take back to the people who have contacted us.

Mr John Home Robertson (East Lothian) (Lab): Will the member take an intervention?

Mr Tosh: Am I allowed to?

The Presiding Officer: No.

Mr Tosh: I would have been delighted to take an intervention, but I am in my last minute.

The people who listened gratefully to what John Home Robertson said last week at the Quaker House meeting, and who appreciated the work that he did to advance the long-term solution for the industry, would like to hear him explain—in this debate or on some future occasion—the Executive's reasoning. The minister did not do so and, so far, no one speaking from the Labour benches has done so. We need that to happen before we finish today.

10:25

Elaine Thomson (Aberdeen North) (Lab): The minister is to be congratulated on her announcement of the biggest package of measures to support the industry that we have heard about in this Parliament. We have discussed many aspects of fisheries over the past two years, especially the cod recovery plan, which has been developed to meet the crisis in the fish catching and fish processing sectors that came about because of low fish stocks.

We all recognise that the underlying problem is overcapacity in the fleet. We have too many boats and not enough fish. We need a fishing policy that will be sustainable, in terms of fish stocks and the size of the fleet.

Mr McGrigor: Will the member give way?

Elaine Thomson: If the member does not mind, I am really not up to interventions today.

I was delighted that the First Minister and Rhona Brankin, the minister with responsibility for fisheries, were able to respond so quickly to requests from the fish catching sector for urgent meetings. I know that they met industry

representatives yesterday and that they have moved quickly and effectively to put together the package of measures that were announced today. It is vital for the future of the fishing industry that the Scottish Executive and industry representatives—whether they are catchers or processors—can work together to ensure that fishing in Scotland has the sustainable future that we want.

Mrs Margaret Ewing: Will the member give way?

Elaine Thomson: No, I am not taking any interventions.

I welcome the minister's commitment that the fishing industry will be consulted on any further actions and on the development of the decommissioning that she has announced. Many positive steps are being taken. I commend the swift establishment of the Scottish fish processing action group in Aberdeen, which has reported recently. I welcome the £1 million that the minister has announced to support the fish processors. That industry is very important for jobs in Aberdeen.

We need to put conservation and sustainability at the heart of fishing policy. We all know that restructuring the industry is essential. I look forward to the Scottish Fishermen's Federation working with the Scottish Executive in building the decommissioning scheme and utilising the welcome £25 million, which will allow some 20 per cent of the white fish fleet to be decommissioned.

Some members this morning have said that we need to take action now and that decommissioning will take a number of months. They are right: decommissioning will take a number of months. However, what can be put in place now are conservation measures—in particular, technical conservation measures.

Mrs Ewing: Will the member give way?

The Presiding Officer: She is on her last minute.

Elaine Thomson: The fact that the fishing industry has been willing to work with the Scottish Executive in developing leading technical conservation measures is welcome. I look forward to the implementation of the measures that the minister has mentioned—for example, moving the square-mesh panels closer to the cod end to allow more fish to escape. I especially welcome the reduction in twine thickness and the further development of technical measures. Those measures can be implemented and have an impact right now, allowing fish to escape. I hope that the measures will reduce discard levels by some 76 per cent. We are all appalled by discards, which have led to the current tie-up. I have never

forgotten seeing the twine thickness of net at the marine laboratory in Aberdeen and I have always wondered how any fish could escape.

The Presiding Officer: Will the member close, please?

Elaine Thomson: I welcome the measures, which will have an impact in the short, medium and long term.

Michael Russell (South of Scotland) (SNP): On a point of order, Presiding Officer. Will you reflect on the ludicrous nature of this morning's debate in terms of interventions? Some members will not take them and those who want to take them are being prevented from doing so by you.

The Presiding Officer: No—

Michael Russell: Well, I think that the rule needs to be reconsidered.

The Presiding Officer: Order. I am sorry Mr Russell, but you are quite wrong. We have made it clear that there will be no interventions during the last minute of speeches—that was announced some time ago—for the obvious reason that, if members take interventions in the last minute, their speeches overrun and other members are cut out. That was agreed some time ago. I do not stop interventions during speeches. It is up to the member to decide.

Michael Russell: With respect—

The Presiding Officer: If the member chooses not to take an intervention, that it is her choice.

Michael Russell: With respect, she was not in the last minute of her speech when you stopped the intervention, as she carried on speaking for more than a minute afterwards.

The Presiding Officer: Well, yes, but she would have spoken for even longer if I had allowed an intervention in the last minute. Technically, she was in the last minute. Let us move on, otherwise members will be excluded from the debate.

10:31

Tricia Marwick (Mid Scotland and Fife) (SNP): Like many members today, I am angry and sad that the minister has failed to understand and has failed to act. Action is needed now; without it, there will be no long-term future for the fishing industry.

I will concentrate on the fishing industry in the East Neuk of Fife and on the communities throughout Scotland that are dependent on the fishing industry. Richard Lochhead and David Davidson spoke about the effect of displacement. I am disappointed that Iain Smith has looked to his long-term future as a minister instead of speaking up for his constituents in the East Neuk of Fife. I

thought that his remarks were appalling. If there is displacement, it will mean that the East Neuk fishermen who need to fish for prawns will find that others are coming in and fishing them. He fails to understand and fails to act. I am extremely disappointed with his remarks.

The dignified way in which the whole fishing industry has conducted itself deserves to be recognised. The Government has ignored the industry's representatives, who have fought not for higher wages but for the future of their industry and their communities. Theirs is a just case. A relatively modest amount of money to support them through a tie-up scheme would have assured a future. In some communities, up to 60 per cent of all employment is fishing related—there is no other employment. Whether it is the delivery vans that deliver fresh fish from the East Neuk to the rest of Fife and beyond, the fish processing industry or the shops that serve the communities, all are dependent on the men who fish our waters.

There used to be two great industries in Fife: one was mining, the other is fishing. If action is not taken now, the First Minister and I will have witnessed in our lifetime the demise of both of them. Henry McLeish and I are both Fifers, born and brought up in mining communities. We have seen the destruction of the mining industry and of the communities that went with it. We know the effect of the pit closures on the strong, independent and proud mining communities. We see the effects today on communities that were dependent on the pits: high unemployment, loss of amenities such as shops and, most critical, loss of hope. Henry McLeish may not have been in a position to save our mining communities, but he is in a position to save our fishing communities and our fishing industry. I urge him to act and to act now—it is obvious that the fisheries minister will not.

Tomorrow, my colleague Mike Russell and I will visit the wonderful Scottish Fisheries Museum in Anstruther, which is dedicated to an industry that is the life-blood of so many of our coastal communities. Museums help us to understand the past. It is the job of the Parliament to ensure that the fishing industry has not only a present, but a future. Little in what the minister said today gives fishermen in the East Neuk and throughout Scotland confidence that they have a present, let alone a future.

10:34

Maureen Macmillan (Highlands and Islands) (Lab): I congratulate the minister on her announcement of the decommissioning scheme that the industry has for so long demanded.

I want to think about how we got ourselves into a position where stocks are so low. Bigger and more

sophisticated boats have increased efficiency, fishing is a competitive business and, in the past, catches have been indiscriminate—one ex-skipper described it as “fishing for Chappie”; another talked of “hoovering up the sea”.

Thank goodness that such attitudes are in the past; they were part of the start of our problems. If we add to them the disastrous common fisheries policy, which the Tories took us into and which the present Government must negotiate to change, disagreements in the not-too-distant past between fishermen and scientists about the best way forward, and regulations that did not work or were circumvented, we can see why we are left with dangerously low stocks. We must find ways of balancing the need to give fishermen and those who work in the fish processing industry a livelihood with the need to do as little damage as possible to remaining stocks. We are having to choose not the best option, but the least bad one, and to decide where resources are best targeted for the industry's future.

It is in the industry's interest to preserve stocks. Closing the cod spawning areas is the only option to preserve cod. I note the announcement of closures on the west coast. There were concerns from fishermen on the west coast that there would be displacement fishing in their waters. The fact that young haddock are caught in some areas where cod fishing is allowable is the problem that confronts us now. Is the least bad option to tie up boats or to find ways of lessening the bycatch of small haddock?

Mr McGrigor: If Spanish and Portuguese vessels can be compensated for tying up, why cannot Scottish vessels?

Maureen Macmillan: That is a strange question from a Tory.

Phil Gallie (South of Scotland) (Con): Answer the question.

Mrs Ewing: Will the member give way?

Maureen Macmillan: I am happy—

Phil Gallie: Answer.

Maureen Macmillan: My inclination is that the best way forward is through technical measures to lessen the bycatch and the discards. I welcome the proposed compulsory technical measures that the minister announced. What other measures could be used to limit the bycatch? What about the speed of the vessels as they trawl? I am told that lessening the speed could lessen the bycatch. I welcome discussions between the industry and the Executive about the technical measures that can be used to protect the young haddock. Where the bycatch is exceptionally large, as it is around Fair Isle, could the minister consider closing specific areas?

If we are to have a fishing industry, we must take a long-term view. In the past, a good living was made out of the sea, although it was hard and dangerous. I know that, because my family worked in the fishing industry. That living is now precarious. The Executive must support the fishing industry at this difficult time, but not through short-term measures; it must look to the long term.

Mrs Ewing: Will the member give way?

Maureen Macmillan: Yes.

The Deputy Presiding Officer (Patricia Ferguson): The member is in her last minute. I ask Maureen Macmillan to continue.

Maureen Macmillan: Sorry, Margaret.

We must look to the long term so that the prosperity that fishing brought to the Scottish coast can return. However, as the minister said, that cannot be done by too large a fleet competing for a diminished catch. I welcome the minister's proposals for decommissioning—£25 million is the best offer that the fishermen have ever had.

The Deputy Presiding Officer: I will call Brian Adam if he can confine his remarks to one minute.

10:38

Brian Adam (North-East Scotland) (SNP): I am in my last minute already.

Welcome though the research into seal activity and the potential increase in technical measures in the next three or four weeks are, will the minister tell us why the tie-up scheme, which would act now to remove fishing effort, is not worthy of consideration? I gather that the working party has reported on a wide range of matters. Will she give us some idea of her plans and of the efforts that are being made to provide alternative supplies of fish to our fish processing plants?

10:39

Euan Robson (Roxburgh and Berwickshire) (LD): This has been an interesting debate. First, I apologise to Jamie McGrigor; because of traffic problems, I was not able to hear all his opening remarks.

I welcome the £25 million decommissioning scheme announced by the minister. It is a Scotland-only measure, which shows that this Parliament responds to Scottish issues and problems. I noted that the intention is to reduce capacity by 20 per cent and not to reduce the number of boats by 20 per cent—that is interesting, as capacity is the issue. With ever-increasing technical improvements to boats, the target is ambitious for £25 million, but let us see how things go.

I stress to the minister the importance of officials making the strongest possible case in Brussels for the return of the remaining half of the 20 per cent cut in the prawn quota, which would do much for a number of boats in my constituency and on the east coast.

Mr Salmond: Given that Euan Robson and the rest of the Liberal group have just heard the minister's announcement and so could not have known before what was in it, and given the support that a number of Liberal members have expressed for a tie-up scheme, can I take it that the Liberal group will be meeting before decision time to consider how it should make its votes count in this vital matter?

Euan Robson: Mr Salmond can be assured that there will be on-going discussions. I will make a suggestion in due course on how we might proceed.

The conservation measures are extremely welcome. I noted a number of points about, for example, square-mesh panels, twine and banning lifting bags, which are fine. A 76 per cent cut in discards is welcome, if it is achievable. I am not in a position to say whether it is realistic. I suspect that the level of discards will fall as a result of the introduction of conservation measures, but of course the figure applies only to this year. The conservation measures that the minister announced for next year will mean that the level of discards will fall to a third of the catch, because of the growth of the haddock.

Although the measures are welcome and helpful, I am not sure whether it is being suggested that, once they are introduced in three to four weeks' time, fishermen can go back to sea because most of the haddock catch will swim through their nets. If that is the case, that is welcome, but I would need scientific and fishing advice before I put too much store in the conservation measures that the minister has outlined, welcome and helpful though they are.

In my constituency, prawn and haddock fishing out of Eyemouth are particularly important. There is concern among line fishermen that their future livelihood is being fished out by colleagues who are displaced because of the cod recovery programme.

Mrs Ewing: Does the member agree that the fishing industry is not one with a dependency culture? Our fishermen are fiercely proud and fiercely independent. Are the Liberal Democrats going to support a package of only £10 million, which is small fry in the big economic pool, to see fishermen through this immediate crisis?

The Deputy Presiding Officer: You are in your last minute, Mr Robson.

Euan Robson: Can I say—

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): Yes or no?

Euan Robson: The important point is this: if we are saying that the conservation measures will help in three to four weeks' time, what is to happen during those three to four weeks? I seriously suggest to the minister that we look at that period. Measures, including the tie-up scheme, could be introduced for that period, so we may not be talking about £10 million—the figure may be less. I would like the minister to address that in her closing remarks.

As Margaret Ewing rightly says, the fishing industry is made up of proud and independent people. On a number of occasions, I have heard fishermen contrast the support that is given to the agricultural community with what is given to the fishing industry. Support to the agricultural community is welcome and vital, but there are times when the fishing industry feels that it could be given more support. Although I welcome the decommissioning scheme, I believe that more thought needs to be given to the period before the conservation measures are introduced.

10:44

Mr Alex Salmond (Banff and Buchan) (SNP): We have just heard a shift in position, I hope, from the Liberals on pursuing short-term measures for the industry. I hope that their votes will follow that declaration.

This situation has been a tragedy, in terms of the extent of the missed opportunity for the industry. The fisheries minister had the opportunity to bring about a totally new attitude in fishing communities. All she had to do was offer some short-term support to the industry to see it through an extremely difficult period.

As an aside to one of the other announcements that the minister made, let me say that nobody can seriously believe that £1 million will address the problems of the processing sector, which is so vital to Scotland. The minister had better say a lot more about that over the coming weeks.

I will concentrate my remarks on the catching sector and the short term.

Mr Stone: Will the member give way?

Mr Salmond: No. I will give way in a few minutes.

Over the past weeks, we have seen the most extraordinarily dignified protest by fishermen. The minister said that some fishermen wanted the tie-up scheme. The point is that all fishermen wanted the tie-up scheme. For the first time in my political career representing a fishing community, I saw the

whole of the fishing industry—north, south, east and west—united behind a demand for short-term assistance. The protest was supported by the prawn boats and by the large boats, which are not immediately affected. People who see the consequences of the white fish sector going down support the protest. From Lossiemouth to Eyemouth and from Shetland in the north, 200 vessels demonstrated, forming a flotilla 11 miles long that went up the Forth, taking two hours to go under the Forth bridges. However, did the minister understand the most basic point that those men were making? Obviously not, given what she has announced today.

I tell the minister that displacement is not a surprise. The SFF warned about it in December. We have not seen the end of displacement, unless the minister acts today. After the slaughter of the juvenile haddock over the next four weeks, which the minister has no answer to, we will see displacement affecting the prawn boats—we will see chaos in that sector of the industry. The minister is leading the industry in a downward spiral of despair, which is an extremely foolish thing to do.

The minister cannot impose on and dragoon the fishing industry, which is a proud industry with proud people. The way to proceed is to co-operate. The opportunity existed in the offers that the industry made to secure that co-operation, not just for the short term, but for the medium and long term, and to go on to a different future.

Lewis Macdonald: Does Mr Salmond agree that it is the fishing industry that has pressed for a long-term decommissioning scheme and long-term restructuring? Will he take this opportunity to welcome that and the fact that it is a Scottish scheme that has been introduced by the Scottish Executive?

Mr Salmond: I will come to decommissioning in a second. Lewis Macdonald made exactly the same point to fishermen last Thursday, when he said, "We have got a long-term plan." However, he was told by Peter Bruce that, unless the short term is addressed, the industry will have no long term.

Yes, I welcome decommissioning, but members have to understand that decommissioning is a redundancy package for the industry. The fishermen who are demonstrating want a future for the industry. They want a growing industry. They want an industry for the future, not one that is decommissioned. Decommissioning is an unfortunate necessity, not something to be trumpeted. We need something to secure the industry for the future.

I heard the Minister for Rural Development on television last Thursday talk about the mass of young haddock as a problem. The conglomeration

of young haddock is not a problem. It is an opportunity; it is the future of the industry. If the right decisions are made—and we still have the opportunity to make them today—that future can be protected. The Deputy Minister for Rural Development said that there is no evidence for that, but 1,000 fishermen demonstrated that evidence. Who is she, a minister who has been in office for four months, to believe? Is she to believe the evidence of 1,000 working fishermen who have spent their lives and careers on the sea, or her officials, who seem intent on dragooning the industry into submission, which is not possible?

My final point is an appeal to the Liberal Democrats. I have here a picture of Tavish Scott on the flotilla going up Sullom Voe on Tuesday—it is quite proper that he was there. He is quoted as saying:

“Whatever else I might be in life, the most important thing that I am, is to be the Shetland MSP.”

When it comes to the vote this afternoon, the Liberal Democrats will find out that, for political credibility, they cannot sail up Sullom Voe on Tuesday and sell the industry down the river on Thursday. Later today, the Parliament will have the opportunity to take the step that the Executive did not. If the Parliament votes to secure the future of one of Scotland’s great industries, it will gain enormous credibility and respect.

10:50

Rhona Brankin: It is absolutely unbelievable that the biggest single investment in the Scottish industry, which will ensure its long-term future, has not been welcomed by the Opposition.

Dr Winnie Ewing *rose*—

Rhona Brankin: Except for Winnie Ewing. The Opposition’s position is incomprehensible. I am talking about short-term measures. It is not possible to create a short-term tie-up scheme. Alex Salmond knows that the Executive’s position is covered by European Union state-aid rules. Our FIFG does not make provision for a tie-up scheme. We are talking about short-term measures that can be implemented before there is any possibility of a tie-up scheme. That must be put on the record.

Mr Salmond Will the minister give way?

Rhona Brankin: No. I would like to have my say, thank you very much.

Richard Lochhead: Give way.

Mr Salmond: Unbelievable.

The Deputy Presiding Officer: Order.

Rhona Brankin: I will not be bullied by someone such as Mr Salmond. If he cared about

the Scottish fishing industry, he would not be returning to Westminster at the general election.

The Executive has produced a Scottish solution for a Scottish problem. [*Interruption.*]

The Deputy Presiding Officer: Order. Please continue, minister. I ask for order from other members.

Rhona Brankin: Thank you, Presiding Officer. That is helpful.

The Government thinks constructively about the fishing industry. The Opposition can shout and bawl. That is the difference between the Opposition and the Government. Governments must take action. We are telling Parliament that the advice from scientists is that we can take short-term action. We can deliver a reduction of up to 70 per cent in discards long before any tie-up scheme could be developed and implemented. We have announced a comprehensive package for the industry that focuses on the short, medium and long terms.

Dr Ewing: Will the minister give way?

Rhona Brankin: No, I am sorry, but I will not give way. I will respond to the points that Dr Ewing made in her speech.

We recognise the fishing industry’s contribution to Scotland. I lived in a fisheries-dependent community for 25 years, so Alex Salmond need not tell me anything about the fishing industry.

Mr Salmond: Will the minister give way?

Rhona Brankin: No.

We need short, medium and long-term solutions to the problems. This is the biggest-ever investment in the industry, covering the onshore and offshore sectors. It puts conservation and economic sustainability at the heart of our policy. Decommissioning delivers long-term structural change.

Richard Lochhead: Will the minister give way?

Rhona Brankin: No. I am sorry, but Mr Lochhead did not give way during his speech.

Richard Lochhead: The minister did not give way earlier.

The Deputy Presiding Officer: Order. The minister said that she is not giving way, Mr Lochhead. [*Interruption.*] Order.

Fergus Ewing: On a point of order.

The Deputy Presiding Officer: May I continue please, Mr Ewing?

Rhona Brankin *rose*—

The Deputy Presiding Officer: Please sit down, minister. I am about to take a point of order

from Mr Ewing. It is difficult for me to hear his point of order, as members are continuing to talk while I try to acknowledge him. Please proceed, Mr Ewing.

Fergus Ewing: Thank you, Presiding Officer. Do not standing orders provide an opportunity for members to ask questions about a ministerial statement? The events this morning are unprecedented. The minister has refused to allow any questions to be asked, despite the importance of the matter.

The Deputy Presiding Officer: Mr Ewing's point is not a point of order. We are not hearing a ministerial statement. This is a Conservative party debate. [*Interruption.*] I ask members to observe some order as we reach the close of the debate. Continue, minister.

Rhona Brankin: I am astounded by the reaction—especially from the SNP—to today's news. I will respond to Winnie Ewing's points. I recognise her interest in fisheries. I lived in the Highlands for 25 years, during the time when Dr Ewing represented the area. She talked about the Spanish taking over the North sea. Spain does not fish in the North sea and has no relative stability share of the North sea total allowable catch.

Dr Ewing: Will the minister give way?

Rhona Brankin: No. I must get through the rest of my speech and respond to other points. That is the reason for a winding-up speech.

I repeat that a short-term tie-up scheme would be not only expensive, but—most important—ineffective. People might not like to hear that, but that is the advice of the scientists, which I am following. The most efficient way of making a difference is to take technical conservation measures. At the end of April, the young fish will still be there, which is the result that the Opposition calls for in proposing a tie-up scheme. The problem is not short term.

I am committed to working with the industry and to making the strategy work. We have developed a Scottish solution for a Scottish problem. I say to Mr Davidson that that is what the Scottish Parliament is all about; that is what devolution, which the Conservative party opposed, is all about. I am confident that we can deliver a successful, viable and sustainable industry and vibrant fishing communities for the future.

Mr Salmond: A disgrace.

The Deputy Presiding Officer: I advise members that I am taking note of their comments. Some of the comments verge on being unparliamentary.

Mr Salmond: Which comments?

The Deputy Presiding Officer: Mr Salmond, I

am not conducting a conversation with you across the chamber. I am making the point that some members' behaviour and language verge on being unparliamentary.

Mr Salmond: Mine?

The Deputy Presiding Officer: I said some members, Mr Salmond.

10:57

Alex Johnstone (North-East Scotland) (Con): I speak with the sound ringing in my ears of the door slamming firmly in the face of the Scottish fishing industry. I begin on a sad note. The debate has been heated and, as the final speaker in it, it is my responsibility to pay tribute to Mr David McPherson, who was in Edinburgh last week with the fishermen's action group, which he helped to organise. Unfortunately, he died at the weekend. His death is a sad loss to the fishing industry, of which I think he could have been a future leader.

In all fairness, I welcome the minister's announcement. The £25 million that has been made available for a decommissioning scheme is vital to the future of the Scottish fishing industry and many of us have called for it for some time. It is perhaps unfortunate that the package was announced today. As far as I am aware, our motion was designed to enable discussion on something else entirely.

It is disappointing that the old attack has been reused of saying that the Conservative party's record renders its members incapable of making any constructive comments.

Mr Rumbles: Is the member aware that confidential Cabinet records that the Public Record Office has released under the 30-year rule show that the Tory Scottish Office produced a memo that described the Scottish fishing industry as expendable?

Alex Johnstone: Mr Rumbles talks about information that was released under the 30-year rule. That almost brings us to the point of discussing events that took place before I was born. We are here to discuss the issues that face the Scottish fishing industry today.

The Conservatives have a proud record in recent times. We can hold up the example of James Provan, who forced the proposal for a 24-mile limit through the European Parliament. On any day of the week, we can hold up the example of Struan Stevenson, who is an outspoken supporter of the Scottish fishing industry in the structure of Europe.

Members have sought today to find as many ways as possible to defend the interests of the fishing industry at this time of need.

Robin Harper (Lothians) (Green): To take up the point that David Davidson made on consensus, does the member agree that, with the Scottish Green Party and even some of Scotland's environmental organisations perhaps coming in behind the fishermen, it is incumbent upon the minister to take the proposal more seriously than she appears to have done?

Alex Johnstone: That is indeed the case. I support Robin Harper. He has highlighted the fact that today the minister and the Executive have failed to recognise that we are talking specifically about a short-term crisis.

The 90 per cent discards that were thrown back into the North sea are an example of how the fishermen themselves were destroying their future. However, the fishermen were the first people to spot the problem. I want to highlight the fact that the fishing industry, through its voluntary tie-up, has proved itself to be the only true conservationist of fish stocks in the North sea.

I pay tribute to the industry and to the unity that it has achieved. Others have mentioned that already. At the meeting at the Hub last week, I was moved to see who had come to defend the interests of the fishing industry.

Mr Salmond: Will the member give way?

Alex Johnstone: Very briefly.

Mr Salmond: Through a question to Alex Johnstone, I would like to address the point that the minister was trying to make. Is it not the case that the industry has asked for a commitment to a tie-up scheme? A commitment is required. She does not have to produce the scheme tomorrow. All that she has to do is show commitment.

Alex Johnstone: That is indeed what the industry is asking for. At the meeting in the Quaker meeting house last week, at which even many Labour back benchers were present, the industry made it clear that it sought that commitment and that the money could come in the longer term.

At the Hub, not only did we meet owners of the boats, skippers and leaders of the major organisations, but we were for the first time lobbied by the industry itself, right down to the men who work on the decks of the boats. They are genuinely concerned about where their pay cheques for next week and the week after will come from. We made it clear that we sought something that not only guaranteed the future of the boats but guaranteed the income of those men, who had come to listen to what politicians had to say. I said that the meeting stuck in my memory. I suspect that the reaction that we saw that day will stick in Lewis Macdonald's memory rather longer than is the case for any of the rest of us.

The fishermen asked for something to help them over the short term; they have been offered the decommissioning scheme that they have been asking for for many years. The minister has today tried to sell the industry a red herring. The truth is that she has missed the boat entirely.

Crisis in Rural Scotland

The Deputy Presiding Officer (Patricia Ferguson): We move to the next item of business, which is a Scottish Conservative and Unionist Party debate on motion S1M-1726, in the name of Alex Johnstone, on the crisis in rural Scotland, and two amendments to that motion.

Mr Johnstone has his breath back and so I call him to speak to and move the motion. He has 10 minutes.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Not him again.

11:04

Alex Johnstone (North-East Scotland) (Con): Thank you very much, Presiding Officer. At the risk of sounding repetitive, I would like to open my remarks by drawing members' attention to my entry in the register of members' interests, which shows that I am a farmer. I should also say that I am a livestock farmer. I am a member of the National Farmers Union of Scotland and of the Scottish Landowners Federation. Those two organisations have made a number of statements on the issue that we are about to discuss.

The heading that we have chosen for the motion today is crisis in the countryside. In the past, that expression has often been used as something of a political statement with which to attack the Executive. However, I think that we all agree that we are talking today about a genuine crisis in rural Scotland.

In addressing the subject of foot-and-mouth-disease, I would like to take the opportunity to register my admiration and praise not only for the Minister for Rural Development, but for all those in his department who are working to control the disease. There has been a call—justifiable, perhaps—for more information and quicker response times from members of his department, but I hope that we all agree that appropriate actions are being taken to control the disease and I hope that all members support those actions. The Conservative party continues to offer its support.

I will single out one area to reinforce further my support for the minister's position: the maintenance of the slaughter policy as the mainstay of our methods of controlling foot-and-mouth disease. There were many calls in the papers at the weekend for consideration of vaccination as an alternative to slaughter for controlling the disease. I will defend the slaughter policy on a number of grounds.

We must remember not only that Scotland has

farm animals that are susceptible to foot-and-mouth disease, but that it has a substantial number of wild animals that are equally susceptible. Scotland's deer population would be affected seriously were we to allow foot-and-mouth disease to become endemic. To move towards a vaccination policy would be to accept that the disease will become endemic in the long term. There are sound welfare reasons for the maintenance of the slaughter policy.

However, the main reason that I choose to defend the policy is that we must ensure that Scotland remains free to export wherever it can find a market for its quality products with premium values. As an exporting country that has difficulty in achieving profitability on its farms merely because of commodity prices, we must pursue premium prices in the marketplace. Scotland is, perhaps, a world leader in finding ways to achieve such premium prices. Our farmers have various marketing schemes that are designed to achieve that, and we have a growing organic sector, which is also trying to pursue such higher prices in the marketplace.

To achieve those premium prices, we must have access to a European market and a world market, so that we can corner the top slice of the market wherever we go. If we accept a vaccination policy instead of a slaughter policy, we also deny ourselves that future opportunity. It is therefore essential that the minister and his equivalent at Westminster retain their commitment to the slaughter policy as the mainstay of our methods to control foot-and-mouth disease.

At the weekend, I was disappointed that one or two organisations took the opportunity to make their way into the press to object to factory farming on the ground that it continues to be the cause of many of the problems in the farming industry. The idea that foot-and-mouth disease is somehow caused by the intensive agriculture that goes on in the United Kingdom is the biggest red herring that I have been sold for a long time, perhaps even bigger than the one that I was sold a moment ago. We have one of the most efficient farming industries anywhere in the world, but it is far from factory farming; our agriculture is far from industrial.

However, those who might be most likely to be accused of such practices are the farmers in Scotland who have been able to keep their animals most free of disease—I refer to our pig industry. I know many people, especially in the north and north-east, who are involved in the pig industry. They are able to guarantee the quality of their product in a way that many others might not be able to do. It is largely for that reason that the pig industry in the north-east was the first to take advantage of the minister's licensing scheme to

return its product to the marketplace.

I would like to raise a point with the minister about the licensing scheme, which I hope he will be able to address today. I was delighted that he introduced a scheme that allows strictly licensed movement of livestock directly to abattoirs. However, I and many other members of the Parliament have, in the past few days, received numerous phone calls from farmers who need to move animals to places other than abattoirs. For that reason, I ask the minister whether he will consider maintaining the licence scheme, but extending it to include—strictly for welfare reasons—the movement of livestock to places other than abattoirs.

Mrs Margaret Ewing (Moray) (SNP): I agree with that, but I am conscious that the lambing season is about to start. Can we ensure that ewes are moved from the hillsides to proper pastures?

Alex Johnstone: Indeed; such measures are necessary in the case of breeding stock. I have been approached on numerous occasions by people who wish to bring sheep nearer to farms for lambing, and cows nearer for calving. In the pig industry, I have heard about the practice of housing dry sows and farrowing sows in different buildings and even on different sites. There would be serious problems for the welfare of those animals if farmers were unable to move them. I hope that the minister will address that in his speech.

On beef imports, the necessary restriction on the movement of livestock in the United Kingdom has created a vacuum that is sucking in imports at an unprecedented rate. At the same time, there have been innumerable examples of imports—beef in particular—arriving with obvious carcase contamination by spinal cord material. It is a matter of great regret that the success of the measures that have been taken by the minister and his predecessors to ensure that we have the highest-quality meat in the world is threatened by poor-quality imports that do not meet that high standard.

I have mentioned in the press that I would like the minister to take action—in conjunction with his colleagues, if possible—to ban the import of German and Dutch beef to this country until it can be guaranteed that it meets our criteria. I have heard today for the first time of a consignment from Spain that is contaminated in the way that I mentioned.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I understand Alex Johnstone's point, but we complained previously about unilateral action by our European partners and competitors in France and Germany. Surely the solution is to put pressure on the commissioner to

sort out the situation, and not to take unilateral action that could further damage our industry.

Alex Johnstone: I fully support that concept. However, we know from the statistics about contaminated meat samples that it is inevitable that contaminated meat will continue to be imported to this country. If adequate measures can be taken, I propose that importation of beef from those countries should be allowed to continue, but that can happen only if the imports meet the standards that are laid down by this country.

My final point, on the impact that the foot-and-mouth problem is having on tourism in Scotland, will be developed at greater length by my colleague David Mundell. The strict implementation of the current appropriate restrictions should in the near future lead to our being able to reopen our hills to walkers and climbers. However, I emphasise my support for the minister, because strict implementation of the regulations will lead to those areas being reopened soon. We must maintain the restrictions, and I support the minister's action so far.

I move,

That the Parliament expresses its profound concern about the recent outbreak of foot and mouth disease, its sympathy for farmers and others in the meat supply chain facing the loss of their livelihoods, its concern about the general impact on the economy of the areas affected and its appreciation of the work of those fighting to contain the spread of the disease; affirms its support for the measures taken to date to control the spread of the disease; welcomes the introduction of the licensed movement of livestock to abattoirs, and calls upon the Scottish Executive, acting in concert with Her Majesty's Government and the European Union, to ensure that all meat imports are subject to the same rigorous public health and animal welfare standards as our domestic produce.

11:14

The Minister for Rural Development (Ross Finnie): I thank Alex Johnstone for the tone that he has set for the debate. Foot-and-mouth disease is a very serious matter for our rural community. I said in my statement—I am glad to have Mr Johnstone's whole-hearted support—that this is too serious a matter for narrow party politics. I am glad that the chamber is united in its determination to eradicate this most unfortunate disease.

I begin by updating members on the present position. As I speak, there are 13 confirmed cases in Scotland and we await samples from 12 more farms. As I have previously explained to the chamber, because the State Veterinary Service is linking all the movements back from every suspect case, some 660 farms are subject to restrictions. I do not wish to alarm the chamber by suggesting that that will necessarily lead to that number of cases—the restrictions are simply a precautionary

measure to ensure that we keep on top of the outbreak.

We have a long way to go, but I take this opportunity to say something to the farmers who fear that their farms might be affected. I repeat that, so far, all the cases in Scotland can be traced back to the sheep market in Longtown, near Carlisle, and from there they can be traced back to the farm in Tyne and Wear where the outbreak appears to have originated.

David Mundell (South of Scotland) (Con): It may be the case that my information is incorrect, but will the minister, following the debate, confirm that that is the case for Hartwood farm near Lockerbie? My understanding is that that case, which was confirmed yesterday, was not linked to Longtown.

Ross Finnie: My information is given to members in good faith, but I will be happy to investigate that and to get back to David Mundell as quickly as I can.

The majority of the cases have been identified by State Veterinary Service staff, who have followed the movement of the disease. Of course, we cannot be sure what might yet happen; there may be new cases in parts of Scotland that have so far been free of the disease. However, if the current pattern of infection continues, we might be close to the peak, and cases might begin to decline later in the month.

In response to Alex Johnstone, if we are successful in controlling the disease, that will have been due to the speedy and rigorous action that we have taken. As Alex Johnstone conceded, we were right to take the chief veterinary officer's advice to move quickly.

We are very aware of the impact that the problem is having on many other industries. In conjunction with the State Veterinary Service, we are trying to achieve a balance between not relaxing controls where it is demonstrated that they are needed, and beginning to introduce licensing measures, especially in relation to the movement-of-livestock policy. In response to a point that was made by Alex Johnstone and Margaret Ewing, we are in the process of formulating a regulation that will allow us, on animal welfare grounds, to deal with the issue of movement of stock that is calving, lambing or farrowing. Those will be difficult measures to put in place, but our most urgent imperative is animal welfare.

Mrs Margaret Ewing: I have an important question, the answer to which all our farmers await with interest. Will the minister tell me how long it will take to ensure that the proper facilities are put in place? Farmers need to know about that as soon as possible.

Ross Finnie: That regulation is probably being drafted for the final time as I speak—I hope to introduce it quickly. We are very aware of the need to address that matter.

Mr George Reid (Mid Scotland and Fife) (SNP): Will the minister take an intervention?

Ross Finnie: I must make some progress.

I thank Alex Johnstone for mentioning the need for those who understand anything about the livestock industry to pursue the slaughter policy. It is simply not tenable for the industry—which has to compete at the very highest level of quality—to have animals that underperform in any way over a prolonged period. Given that Scotland is so imperatively dependent upon exports, it would be an act of gross folly for us to close our door by not having an eradication policy.

I am rather concerned that David Mundell's question might lead to an unfortunate rumour, so I can reassure members that the farm to which he referred is nearby a farm that is linked to Longtown. The case that he mentioned is believed to have been the result of wind-borne infection from that farm and is therefore, we believe, linked to Longtown.

In general, there has been a good response to warnings to people to stay off farmland. Some people have suggested that we have closed down the whole countryside, but we make no excuse for having done so following the initial outbreak of the disease. We had to know where the disease was and what the pattern was before we were able to introduce any relaxation.

Mr Jamie McGrigor (Highlands and Islands) (Con): Is the minister aware that the trout fishing season opens on 15 March? That would normally mean the movement of thousands of people to inland Scottish fishing waters. Has any advice gone out to angling clubs and authorities concerning access to Scottish lochs and rivers during the foot-and-mouth disease outbreak?

Ross Finnie: Yes. The Scottish Executive has issued advice to all sporting bodies and organisations. That advice is essentially pragmatic and based on common sense. Essentially, its message is that if people must, to get to their favourite sport, come from an area where they have had close contact with livestock, they should be patient and forgo their pleasure for the good of Scottish agriculture. I do not think that that is too much to ask.

Mr Reid: Does the minister recall receiving a letter from me earlier this week about the injection of abattoir waste to land during the foot-and-mouth disease outbreak? Does he recall my description of a farm at Argaty near Doune, where icy fields were covered in gelatinous red-brown goo? He will

no doubt recall his reply to the effect that he had an order in place at 9.30 on Tuesday, but is that the point? Surely that order relates to the restriction of movement since 23 February. My constituents' concern is that a small minority of blood-and-guts merchants have been bulking up abattoir waste since before that date. Will he investigate the provenance and age of the blood and guts at Argaty, and will he instruct his staff today to contact the authorities in Stirlingshire to inform them of what powers, if any, they have to intervene?

Ross Finnie: I am aware of all the points that Mr Reid has raised and I can assure him that we have asked the Scottish Environment Protection Agency to investigate that incident—which clearly is not entirely covered by the regulations—as a matter of urgency. I can assure members that SEPA has the general powers to control activity on all matters that give rise to pollution, and I expect to receive a response about that case.

The Executive is well aware of the stress that is being suffered by those who are directly affected by the foot-and-mouth disease outbreak. Bodies such as the Royal Scottish Agricultural Benevolent Institution and the Samaritans have been offering valuable counselling and welfare services. I have therefore decided to make available up to £50,000 over the next 12 months to assist the Royal Scottish Agricultural Benevolent Institution. I have invited that institution to let me know how the resources can be used to help those who are affected by the foot-and-mouth outbreak, and my officials will have discussions with the institution in the coming days to see what might be done.

I want to touch on the role of the Food Standards Agency. We have a real problem in international law; EU member states no longer have the power to act unilaterally to ban the import of beef. Nevertheless, I have been impressed by the way in which the Food Standards Agency has been dealing with the problem. I assure members that, in every instance of spinal cord contamination that has been uncovered, the FSA has taken the names of the plants that are involved and has notified the countries concerned and the European Commission. As a result, an Irish plant has been closed and reopened after the fault was put right, a Dutch plant remains closed and one German plant is not operating. The German Government's response is that it will take particularly firm action against all plants that repeat failures.

I hope that the Conservatives will agree to my amendment, which recognises the contribution of the FSA, as an addendum to their motion. The SNP amendment includes a list of measures, but does not seem to add anything to the substance of what has been proposed in today's debate. We understand the problem and I hope that all parties

can unite behind the efforts that are being made by all those who are trying to bring this dreadful outbreak of disease to a prompt and speedy end.

I move amendment S1M-1726.2, to insert at end:

“and approves the action being taken by the Food Standards Agency to control the quality of meat imports.”

11:25

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I am sure that members of all parties will join together in expressing our deep sympathy for the farmers who have seen their life's work destroyed in the past few weeks. It is particularly heart-rending to see farmers who have built up their herds and who must witness the destruction of those beasts. In one case, a herd of belted Galloways, which had been built up over centuries, has had to be destroyed. I know that there is a great unity of purpose in the chamber this morning on most of the issues that are under discussion.

I welcome two statements that were made by Ross Finnie this morning: first, on the Royal Scottish Agricultural Benevolent Institution; and secondly, about the steps that are being taken as we speak to permit further relaxation of the strict but necessary movement controls, particularly for the purpose of animal welfare. That was mentioned by Alex Johnstone and Margaret Ewing.

The SNP amendment highlights the priority of containing and eradicating foot-and-mouth disease by means of a policy of slaughter, disinfection and strict movement control. I think that we all accept that, but it is worth stating it explicitly. I emphasise that the apparent and suggested alternative of a policy of vaccination is not one that, in my opinion, stands up to scrutiny. It is important to point out that food-and-mouth disease is not some sort of animal equivalent of the common cold in humans. The pain that is suffered by infected animals is, according to one vet, so severe that it could be described in human terms as being equivalent to cutting one's tongue in half. Infected animals are unable to eat or to stand. To allow the infection of more animals and further suffering from the disease would be extremely cruel. For that reason and many others, particularly the fact that we would be for ever deprived of the possibility of export were we to go down the vaccination route, the SNP supports the Executive's slaughter policy and the measures and approach that it has taken.

The SNP wants to use the opportunity that is afforded by this debate to look towards the future. We hope that containment will occur and we are pleased that the minister has been able to state today that, despite the sad news of more cases,

no instances cannot be traced back to Longtown and Heddon-on-the-Wall. That news is reassuring, and long may it remain so. If it remains so, the prospect of containment must increase, although it is far too early to be over-optimistic. However, as that is the case, we should start to look toward the long term—I know that the Executive will consider specific measures.

I was concerned to read suggestions that there has been profiteering. *The Times* reported yesterday on the imported meat that is being sold by some supermarkets. It said that

“Safeway increased its charges for pork by 15 per cent and lamb by 7 per cent”,

and that Tesco and Waitrose are also raising their prices. I hope and trust that Her Majesty’s Government is looking into that very closely indeed.

We should also consider the introduction of payments in the light of the cash flow problems on many farms. We should also put pressure on the EU to introduce country-of-origin labelling. If we had effective country-of-origin labelling, many of the problems that Alex Johnstone described would never have arisen.

Alex Johnstone is right to say that importation of meat that is infected with BSE material cannot go on, but we must act prudently. Alex Johnstone staged a limited retreat when he said that, if adequate measures can be introduced, there should not be an import ban. He acknowledged that the work of the Meat Hygiene Service—which is currently inspecting 100 per cent of carcasses—the measures that have been taken by the EU Commission in suspending the licences of two abattoirs in Germany, and the other steps that the minister has mentioned today should provide some assurance that all reasonable steps have been taken, although it is difficult to know whether those measures will be sufficient.

I urge the Executive to consider the plight of the tourism industry. I hope that, outwith infected areas, it will be possible to allow limited access to the hills—in accordance with proposals for my constituency and others, which I have relayed to him—but only if it is safe to do so according to the advice of the chief veterinary officer.

Yesterday, the Chancellor of the Exchequer talked about limited measures to help certain sectors of our society and deprived areas in specific ways; I hope that that is not restricted to deprived urban areas. There is a very strong case, once this outbreak is contained, for examining the introduction of limited measures to help the rural economy in Scotland in sectors such as tourism, haulage, food processing and others. Bodies such as the Federation of Small Businesses, the Road Haulage Association, the Royal Institution of

Chartered Surveyors and the National Farmers Union of Scotland have suggested measures.

Now is not the time to take decisions—it is the time to consider what we must do if the rural economy is to survive and prosper again.

I move amendment S1M-1726.1, to insert at end:

“; further resolves that the urgent priority in this crisis is to contain and eradicate foot and mouth disease by means of a policy of slaughter of infected animals, disinfection and movement control; notes that the nature and extent of restrictions upon life in rural communities should be based upon advice from the Chief Veterinary Officer; recognises that the restrictions are creating real financial hardship for those working in tourism, haulage and many other related industries in rural Scotland, and calls upon the Scottish Executive and Her Majesty’s Government, once the outbreak is brought under control, to consider as a matter of urgency the plight of all of those whose livelihood has been materially affected as a result of this crisis.”

11:32

Dr Elaine Murray (Dumfries) (Lab): On past occasions, I have been critical of motions that the Conservative party has put forward for debate. However, today I am happy to welcome the opportunity to discuss further this extremely important issue, which is currently the major topic of discussion in Dumfries and Galloway.

I agree with Alex Johnstone that imports must meet the same high standards that we expect of our meat production, but I do not agree that we should unilaterally ban imports. I realise that he has a professional interest in that area. A unilateral ban could make things worse. The EU has powers to close down offending abattoirs. We must insist that those powers are used as vigorously as possible.

Everybody is aware of the problem that exists in Dumfries and Galloway. The minister has said that there are 13 cases. The figure that I was previously aware of was 11; I do not know where the other two cases are, but I have a nasty feeling that they may still be local. Farmers will be compensated at full market value for the slaughter of their beasts; that will cost about £30 million for the whole of Scotland.

As members know, losses consequential on movement restrictions or losses by businesses dependent on meat production are unlikely to be compensated. That may seem hard, but compensation for consequential loss is not usual practice and its potential cost, as a precedent, could be very large. We should perhaps be more imaginative in the way in which we deal with that matter, because the knock-on effects of the epidemic are widespread. I urge the Executive to work with other agencies to ameliorate the situation as far as possible.

Yesterday, I met representatives from the Federation of Small Businesses, which is conducting a survey in Dumfries and Galloway to investigate the cost of the foot-and-mouth epidemic for local enterprises.

Alex Fergusson (South of Scotland) (Con): I agree with all of Dr Murray's comments. Does she agree that a certain amount of misinformation is going out, especially in the south-west of Scotland, from agencies such as the tourist board? Does she further agree that it would therefore be helpful for the Minister for Rural Development to get together with the Minister for Enterprise and Lifelong Learning and the Deputy Minister for Enterprise and Lifelong Learning and Gaelic, who has responsibility for tourism, to ensure that rather than information being posted on the internet, to which not everyone has access, a consistent, single message is sent directly to those involved?

Dr Murray: The way in which information is currently being disseminated and who is saying what is an issue. Much of the information on the web is of good quality, but not everybody can access it. I am sure that the Executive will take on board that point, about the way in which we put information out to people.

The FSB made several suggestions as to how help could be offered to small businesses. I hope that the Executive will work with other agencies and the UK Government to examine those suggestions and consider how they might be implemented.

We know that there are problems for hauliers, meat processors, others in the food processing chain and, as Alex Fergusson said, tourism. The local area tourist board is contacting its members to try to find out the likely effect locally over the next few months. It is sad, as rural tourism is one of the sectors into which farmers have diversified, and they might be hit in that sector as well. One farmer said to me, "It is not the loss of my beasts that will finish me off; it will be the loss of my holiday business." That is an extremely sad example.

A quick perusal of the website of Dumfries and Galloway Council, which is a good source of information on the matter, shows how deeply the crisis has bitten into everyday life: events throughout the region have been cancelled; there are problems in the forestry industry; all council-owned and emergency service vehicles must be washed and disinfected at least once a day—members can imagine how problematic that will be; children are being kept off school; school transport arrangements have been changed; the mobile library service has been suspended; and access to cemeteries has been restricted. That is on top of the grim and ghastly task of slaughtering and disposing of livestock.

On whether slaughter is necessary, I associate myself with the comments made by Alex Johnstone and Fergus Ewing. This disease is extremely infectious and unpleasant; mortality in young animals is high. Without control, the disease would become endemic in wildlife. That would be economically disastrous. The public have a distaste for eating infected meat; that would destroy our export markets and any hope that Scotland had of promoting a reputation for quality produce. My understanding is that the vaccine is a live vaccine, so it would not help the situation.

Efforts are currently concentrated on containing and eradicating the disease, but we must consider a number of other issues. One is how this strain of the disease got here in the first place and into the pigs involved. Rumours are rife; one involved the feeding of waste from the airport to pigs. That is not quite the same as giving pigs swill from the local primary school, but there is a potential for infection if it is happening. We must examine that later.

Another issue that has been mentioned, which has shocked many people, is the distance that animals are transported. It is fortunate that the regimes that have been brought in to control BSE have allowed animal movements to be tracked. If we had not been able to track animal movements, it would have been much more difficult to contain the disease.

The Deputy Presiding Officer: Can the member wind up, please?

Dr Murray: We must also examine the quota schemes. One sheep farmer explained to me that if he falls below quota, he must buy an extra, say 20, sheep from somewhere else so that he can keep up to quota, so a dealer is travelling around dropping off 20 sheep here, 15 sheep there and 10 sheep somewhere else. That has helped to spread the disease.

The Deputy Presiding Officer: I ask the member to come to a close, please.

Dr Murray: We must also examine the problems caused by globalisation of food production. We must find alternatives to the stranglehold that the supermarkets have, which Fergus Ewing mentioned, over the British food chain. We must allow animals to be slaughtered and food to be processed and marketed near the point of production. The system must allow producers to achieve a fair price for their products and consumers to benefit when prices are reduced.

The Deputy Presiding Officer: We now move to the open section of the debate; a number of members want to speak. Time is curtailed because of overruns by some of the opening speakers and the disturbances, shall we say, in

the previous debate. I ask members to restrict their comments and make them as brief as possible. I will not reduce the four-minute deadline, but I will ask members to wind up when they have spoken for about three and a half minutes.

11:39

John Scott (Ayr) (Con): In speaking in the debate, I must declare an interest as a working farmer who is responsible for 100 suckler cows and calves and about 1,600 breeding sheep.

I welcome the minister's announcement of the new regulation that is to be introduced to move animals on grounds of welfare. I also welcome the minister's announcement of £50,000 to be made available to the Royal Scottish Agricultural Benevolent Institution.

This debate is characterised, as was the debate on fishing, by the sense of anguish felt by those directly involved. The worst fears of the 13 farmers whose stock has been wiped out have been realised; I share their anguish. We can only hope, for the rest of Scotland that is under siege, that a policy of containment works. However, it is not just the farmers who are suffering as they find themselves unable to move their stock from field to field, from field to farm, from farm to market or from farm to farm. The families are also suffering, with children wondering whether the farm dogs, the pet lambs, the farmyard hens and even the hamster will be put down when the dreaded phone call comes.

We should spare a thought for those who live by rural tourism and who, even as we speak, are cancelling hard-won bookings in an internationally competitive market. As members have said, we should also remember the hauliers and the livestock marts that are lying quiet. Those people make their daily bread by trading in livestock and meeting the market demand for beef and lamb.

That brings me to a general point that must be made today. Many in the press and elsewhere are suggesting that if there had been a network of small local abattoirs, this disaster would not have happened. Nothing can be further from the truth; and those who are promoting that idea are either misinformed or peddling their own agendas. The fact is that this outbreak probably boils down to the inadequate treatment of pigswill, and I believe that feeding swill to pigs should have been stopped long ago—indeed, I honestly thought that it had been.

We must examine the possibility of operating more small abattoirs in the current financial climate to satisfy the growing demand for locally produced food. At the moment, many abattoirs are uneconomic, and small ones that cannot achieve

economies of scale are simply not viable. That situation has come about because each successive food scare has brought in its wake increased regulation, to try to stop similar problems recurring. For example, there was increased regulation after the salmonella in eggs crisis, the BSE crisis and the E coli crisis; and it will follow this crisis as well. The burden of payment for the extra costs of that increased regulation has fallen on the industry itself. Unlike in the rest of Europe, where national Governments pay for the policing of public health, in this country the public health bill in this sector is largely funded by the industry itself.

That is why small abattoirs cannot exist across the country. Making veterinary inspections available costs the same for a small abattoir with a low throughput as it does for a large abattoir with a greater throughput. As a result, unless the Government—of whatever colour—is about to pick up the bill, the economies of the marketplace will dictate the matter, and only a few large abattoirs across the country will survive. The Maclean task force report must therefore be fully implemented.

Consumers also have a hand to play. Time after time, surveys at point of sale have shown that people who buy their food from supermarket shelves say that they are prepared to pay more for—and would like to buy—high-welfare, high-health-status British beef, pork, chicken and lamb.

The Deputy Presiding Officer: I ask the member to come to a close.

John Scott: In reality, what happens is that, given the option of buying a cheaper, poorly labelled product that has often been imported from a third-world country and reared in lower welfare conditions where diseases such as foot-and-mouth are endemic, the unwitting consumer often buys the cheaper product.

The Deputy Presiding Officer: Can the member close now?

John Scott: That in turn puts further pressure on British producers to deliver their product to the market yet more economically, which means that the pressure to cut costs even more continues. The reality is that British farmers cannot produce the healthiest, highest-welfare, best quality food in the world at the cheapest prices and still survive.

The Deputy Presiding Officer: I ask Mr Scott to close, please.

John Scott: Okay.

The current disastrous spread of foot-and-mouth from one end of the UK to the other is partly a manifestation of the pressures that the industry faces.

Unless Governments of all political persuasions

address the fundamental problems of agriculture and public health in a completely different way, those problems will continue. I urge members to support our motion today.

The Deputy Presiding Officer: I feel obliged to point out that when members overrun, it means that other members are prevented from speaking. That is very likely to happen in this debate.

11:44

Mr Duncan Hamilton (Highlands and Islands) (SNP): As I am aware of your wrath at the previous speaker, Presiding Officer, I will try to keep my speech brief.

First, I want to react directly to Mr Finnie's question about why the SNP lodged its amendment. I must be clear that the tone of the debate is entirely constructive. Nothing in our amendment undermines the policy of slaughter, disinfection and movement control; indeed, the amendment enshrines that policy. We have lodged the amendment in an effort to widen the debate and to try to make the point in Scotland's Parliament that the issue affects all sectors, not just agriculture.

Officials at Argyll and Bute Council and Highlands and Islands Council have asked me to raise with the minister the matter of disinfected matting on the roads. A ministerial statement only a couple of weeks ago gave councils specific responsibility for some of those decisions. However, a problem has now arisen. In *The Oban Times*, Dr Michael Foxley said:

"We experienced enormous difficulty in obtaining Scottish Executive approval to place disinfected matting on main trunk roads."

Perhaps the minister can tell us whether that important issue has been entirely resolved, as council officials and people in the area need to have the matter clarified.

I associate myself with Alex Fergusson's comments about tourism. Wearing my other hat as the SNP's enterprise spokesman, I suggest to the ministerial team that the tourism sector should not be ignored. It has already been buffeted by great hardships such as the high price of fuel or the decline in the number of visitors, which is an issue that we have debated many times.

The areas of the Scottish tourism infrastructure that have been shut down make for grim reading. The latest information from *visitscotland* is that all Scottish Natural Heritage reserves are closed; National Trust properties are closed; the west Highland and southern upland ways are closed; Forest Enterprise properties are closed; the nature reserves of the Royal Society for the Protection of Birds are shut; and CalMac is already being

hampered by the need to disinfect at its ports.

Such information shows that the entire infrastructure of the Scottish tourist industry is affected, which has led to the perception that bookings need to be reviewed and in some cases cancelled. Elaine Murray was absolutely right to say that in many cases farmers and people who live in rural communities have been encouraged to diversify. Having accepted that challenge, they now find that, through no fault of their own, they have been doubly hit. That is not a criticism of the ministerial team; I simply want to draw attention to the fact that the problem must be addressed on a cross-sectoral basis.

Visitscotland has already said that Easter bookings have been substantially hit. It estimates that the month of April alone is worth £228 million to the Scottish tourism sector. The £2.3 million spring campaign has already been abandoned. In light of those facts, I have a very simple question for the minister. I know that there is no way that he could have planned for the outbreak, and do not seek to blame him for it; however, I know that he can plan for the future and the end of the outbreak. When that happens, will he work with his ministerial colleagues to ensure that this is seen not just as an agricultural problem, but as a problem for Scottish industry, and for tourism in particular?

11:48

Mr John Home Robertson (East Lothian) (Lab): I draw the Parliament's attention to my nominal interest in a farming business.

Last week, there was another crisis in the rural south-east of Scotland. In addition to all the alarm associated with the foot-and-mouth precautions, we had the worst snowstorm for many years and severe winds, which comprehensively blocked our roads and caused the complete wipe-out of the electricity supply grid. Although lessons might well be learned from those events—not least in relation to the robustness of many rural sections of the national grid—I have nothing but praise for the engineers, linesmen and local council staff who worked flat out to restore services and communications. I want to acknowledge the fact that those engineers worked scrupulously in accordance with the foot-and-mouth control precautions, which added to their difficulties.

Turning to the substance of the debate, I welcome Alex Johnstone's approach. Indeed, it would be rather rash for any member of his party to criticise anyone else's stance on animal health issues. However, I gently remind colleagues in all parties about the circumstances surrounding another catastrophic animal disease which prove that, although disasters can happen, responsible

government can solve them. I happened to be Jack Cunningham's parliamentary private secretary when the Labour Administration moved into the Ministry of Agriculture, Fisheries and Food in 1997. The biggest task that we faced was dealing with the appalling consequences of BSE.

We had to shoulder the responsibility and the massive costs of dealing with BSE; we had to restore a working relationship with our European Union partners, after all the vetoes; we had to rebuild confidence in British meat and set up an independent Food Standards Agency; and—importantly, in the context of this debate—we established a comprehensive traceability scheme for cattle, which made it possible to find out where animals were moving around the country. The Labour Administration took on those responsibilities and we fulfilled our duties through working with the industry to achieve solutions.

The partnership Administration in this Parliament is continuing that task in Scotland. Ministers are taking exactly the same responsible approach to this catastrophic outbreak of foot-and-mouth disease. They are not taking short cuts, nor ducking difficult decisions; they are working with our EU partners, not against them; they are not jumping to conclusions about who may be to blame; and they are working with the veterinary profession, the farming industry and wider rural interests to prevent the spread of this catastrophic disease and to eradicate it. The ministers who are pursuing those policies deserve the whole-hearted support of all members.

Like Alex Johnstone, I have spoken to farmers in my constituency and round about. He is right: there are serious husbandry difficulties because of the need to move stock, which are worse at this time of year. Caution must be the watchword. There must be no question of taking short cuts. If anyone is tempted to move cattle, sheep or pigs, and if there is any danger of transmitting the disease, they must take advice from the rural development department and the vets. I am sure that farmers in all parts of Scotland will act in that spirit.

I fully understand and share the anxiety of everybody in the industry. I share their—and the Government's—determination to eradicate foot-and-mouth disease as soon as possible and to do whatever may be necessary to ensure that it never returns. That means persevering with the slaughter policy and the other precautions that have been put in place. People are entitled to expect politicians to act responsibly when they are confronted with a crisis, and that is what the Executive and the UK Government are doing. They deserve the support of all members.

11:52

Lord James Douglas-Hamilton (Lothians) (Con): My interests, which are contained in the register of members' interests, include an interest in farms. In addition, I work in a voluntary capacity on the fundraising committee of the Royal Zoological Society of Scotland.

The Deputy Presiding Officer: Excuse me, Lord James. Your microphone is not working.

Lord James Douglas-Hamilton: I shall make my voice carry.

The Deputy Presiding Officer: I am afraid that you would not be recorded in the *Official Report*. Could you please move to the next microphone?

Lord James Douglas-Hamilton: I am very pleased to move to the next microphone.

I wish to raise the predicament of Edinburgh Zoo, which is widely believed to have the finest collection of animals in the western hemisphere. I draw members' attention to the motion that Christine Grahame has lodged, which I hope will be debated at length, calling for additional funding for the zoo in view of the fact that it has had to be closed due to the outbreak of foot-and-mouth disease. I raise that matter because of the seriousness of the situation.

It is not only Edinburgh Zoo that is affected. The Royal Zoological Society of Scotland is a national society and is custodian not only of the huge collection of animals there, but of the Highland Wildlife Park that is not far from Aviemore, in the centre of rural Scotland. The Royal Zoological Society of Scotland is a registered charity and is financially self-supporting—it is, for the most part, excluded from national lottery funding—but it has been hit by the downturn in tourism in Scotland. Its responsible action in closing the zoo and the Highland Wildlife Park, with the intention of preventing the spread of foot-and-mouth disease, has brought it to the brink of a financial crisis. Closing the zoo and the park in March and April will cost the society some £545,000. Edinburgh Zoo is one of Scotland's top paying visitor attractions and is vital to tourism. Similarly, the Highland Wildlife Park is Scotland's premier attraction for native species.

The society is of great importance to employment, as it supports some 450 jobs directly or indirectly, making a substantial contribution to the local economies. The society's work in education is also significant, and it conducts internationally acknowledged programmes of conservation, education, research and animal welfare. That environmental education is essential, and the society assists Scotland and the European Union through its programmes, which fulfil obligations relating to the Convention on Biological

Diversity.

Edinburgh Zoo and the Highland Wildlife Park are centres of excellence that uphold the highest standards. Endangered species form more than a third of the animals, and both they and those two national assets are irreplaceable. Presiding Officer, no lesser person than your husband confirmed to me this morning that Glasgow Zoopark has also been closed, voluntarily, for the same reason.

I appeal to the Minister for Rural Development to do everything in his power to ensure that our national assets are given support. Only a small sum would be required, in the context of the Scottish budget, and we have been told that an extra £200 million has been allocated to Scottish public spending. I hope that he will bear in mind their importance for education and the environment, and will do everything in his power to ensure that the matter is considered urgently and sympathetically. Scotland expects nothing less, and I appeal to the minister's good will.

11:56

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I welcome the fact that the Parliament is taking this opportunity to highlight the immense difficulties that are faced by people in our rural communities as a result of the disastrous foot-and-mouth disease epidemic. Alex Johnstone's motion is framed to secure all-party support, and I signed it yesterday on that basis. It is important that the Parliament sends a united message of support to our rural communities.

Over the past two weeks, our farmers have struggled to cope with one of the worst horrors that could befall them, and the virulent disease continues to strike farm after farm. However, the action of the UK Government and the Scottish Executive, in banning all animal movements, has not been without cost. Over the past few days, I have been contacted by many farmers in my constituency who are worried about the welfare of their animals and the threat to their livelihoods.

I first raised this issue with the minister last Saturday; I raised it again at the Rural Development Committee on Tuesday and I make no apologies for raising it again now. Many farmers' livestock was away from their farms when the ban on animal movements took effect. Consequently, they have been unable to move those animals back to the safety of their farms, as other members have mentioned. Sheep are grazing in open fields, as lambing approaches, and in some areas calving is taking place in conditions that can be described only as dangerous to the survival of the animals. It is distressing that the veterinary advice to farmers is,

"If that's the problem, shoot them."

I am pleased that animals are now being moved to the abattoirs under licence, as that will start to ease the difficulties. However, we must now address the issue of how to return animals that are stranded safely to their farms. The minister said that he is working on the appropriate measures; however, the time scale for the introduction of those regulations is important. They must be implemented quickly if they are to have any real effect.

The epidemic of foot-and-mouth disease has hit the farming communities hard, coming in the wake of the BSE crisis, the changes in European support for the industry—we will have a debate on less favoured areas later—and several recent food scares. Already, farm incomes are at record low levels, with average incomes below even the starting point for income tax. At the risk of moving away from the consensual basis of the debate, I suggest that yesterday's announcement by the Chancellor of the Exchequer was a missed opportunity. There will be no aid from the chancellor for those who are suffering losses as a result of the foot-and-mouth disease disaster that has hit the whole UK.

At the risk of saying something controversial in a broadly consensual debate, I note that Alex Johnstone is backtracking a little from what he said on the radio this morning about banning imports from Germany and other European competitors. David Byrne is the one on whom we need to put pressure, and if there are any further problems, the European Commission must act even more decisively.

When this devastating epidemic is over, we must take a long, hard look at some fundamental issues. We must be prepared to re-examine the industry root and branch to ensure that we have an industry that produces safe, local food and gives our farmers an honest return for their huge efforts. I hope that the Rural Development Committee will refocus the remit of its agriculture inquiry in the light of the crisis—I see that Alex Johnstone is nodding, which is a good sign.

We all hope that this disaster will be over sooner rather than later and that the strict controls that were introduced by our two Governments with such speed have worked. One thing is for sure: our farming industry cannot survive and the disease cannot be beaten without the continued support of the public. I urge everyone to follow the advice given and to keep away from all livestock until the immediate crisis is over.

12:00

Christine Grahame (South of Scotland) (SNP): As a member of the Royal Zoological

Society of Scotland, I thank Lord James Douglas-Hamilton for publicising my motion. I hope that his backing shifts me up the queue and allows me to secure a members' business debate on the subject. It is unfortunate that no other whips are present.

Yesterday, I heard that an area south of Peebles, which includes some of the Ettrick and Yarrow valley, is part of an official exclusion zone because of a confirmed case of foot-and-mouth disease at a farm in Beattock. That has personalised the crisis for me because the despair and anxiety that foot-and-mouth disease brings in its foul-smelling wake has affected people I know personally.

Deep in the Ettrick valley, I know a hill-farming couple for whom this disease must be the final test. That farmer told me that he had been in Longtown just before the outbreak was announced. The couple are locked in for at least 21 days with 60 lambs that should have gone to market weeks ago and with new lambs being born and requiring shelter. They have two cottages—which they rebuilt and refurbished with bank loans—that are capable of producing £250 a week through rentals to hill walkers and bird watchers but which cannot be used. All those elements count as losses that do not trigger compensation.

Even before the present crisis, it was difficult to keep the farm going. The farm accounts showed me that without the farmer's wife's income from part-time teaching, subsidies and the income from the tourists, the farm could not survive and generations of work by the family would end. The farmer is without income and has liabilities to his stock and to his bank.

As that farmer is only one among many in such a situation, I ask the minister to consider extending the compensation to the concomitant damage done by the loss of tourist income that supports the farm. I know that the minister has mentioned welfare relief measures that would allow farmers to move stock under licence, but that would not help the farmer about whom I am talking as he cannot move his animals anywhere.

I should also mention to the minister that information about such initiatives is required now, because the National Farmers Union has told me that it is finding it hard to get to farmers in exclusion zones and those outside them. Many farmers would not know what was going on or what to do were it not for the NFU.

In the longer term, we must police imports. Although, as John Home Robertson said, we should not jump to conclusions, we should remember that we have been free of foot-and-mouth disease for 40 years. It is therefore highly likely that the disease came here from outside—it

did not occur of its own accord. We need to pressure the EU to ensure that products are labelled with their country of origin, not the country in which they were processed. At the moment, Asian chickens can be labelled "Product of Europe" simply because they were processed here.

We must review the location of abattoirs. I am engaged in a wee dispute with John Scott about this issue, but there is an abattoir in Galashiels that meets EU standards. Why are we not slaughtering our animals where they are produced?

Euan Robson (Roxburgh and Berwickshire) (LD): We are.

Christine Grahame: The abattoir is slaughtering at only 15 per cent of capacity. It should be in full commercial production at 100 per cent.

We should process meat in the areas in which it is produced to ensure that we do not transport animals hundreds of miles, thereby increasing the likelihood of transmitting disease and distressing the animals.

What is driving all the problems is the culture of cheap food in the supermarket. The cost of that cheap food has been the destruction of Scottish farms. We must consider that seriously.

The Deputy Presiding Officer: Three members want to speak in the short time that remains. I realise that this is an important constituency issue for many members and I propose to take all three. I will be able to do so if they limit their speeches to about two minutes.

12:04

George Lyon (Argyll and Bute) (LD): First, I wish to declare an interest as a farmer.

I ask the chamber to support me in extending our deepest sympathies to all the farming families who are afflicted by this horrendous disease. The prospect of someone coming to my farm tomorrow, slaughtering every animal and incinerating them—after 25, 50 or 100 years' work building a flock—is a farmer's worst nightmare come true.

Foot-and-mouth disease is not just a farming issue; it involves tourism and walking and concerns everyone who expects to come into our areas to use the land. It covers the whole spectrum. That is especially true of rural communities such as Argyll and Bute. I congratulate Argyll and Bute Council and Caledonian MacBrayne on taking steps to put in place real disinfectant barriers to ensure that the disease is not brought into the area by accident

through haulage. I thank the Minister for Rural Development for the trouble he took over the weekend to try to sort out the problems that we ran into, in that officials seemed to say one thing and ministers another.

In the short time that I have, I wish to draw the minister's attention to two issues. The first is the loss of the European market for lambs. Once we get control of the disease, I hope within the next week to 10 days, we will see the real size of the problem. Some 200,000 lambs in Scotland have nowhere to be sold to: the European market is closed and will continue to stay closed for the next three to six months. Action must be taken to address that.

The second issue that I want to highlight is that the traceability systems that were introduced in 1996 after the BSE episode, and about which many of us have complained long and bitterly, have now delivered. That is why the minister can state categorically that the cases on every affected farm can be traced back to the original outbreak. Four years ago, that would not have been possible. All the hard work has now been delivered.

12:07

Ben Wallace (North-East Scotland) (Con): As you have requested, Presiding Officer, I will be brief. I give my sympathies to all the people in farming and the related industries. I live only a few miles away from Henry Thomson and Sons, of Sauchen, on Donside, which is a huge distributor of livestock. It is now crippled by what is effectively a farming crisis, which comes on top of the fuel crisis and the increasing cost of fuel. Tourism on Deeside, on Donside and in Kincardine will also be suffering as a result of the restrictions on movement. I hope that the minister looks at the whole issue of this crisis in the round.

It is important that we expel some of the myths that have grown up around this matter. It is important to remember that the United Kingdom is not alone: within the European Union, Italy and Greece have had outbreaks of foot-and-mouth in the past five years. They managed to contain it. There was also an element of compensation in those cases.

I want to focus on the future. As the crisis is affecting not just farmers, but whole rural communities, many of which are deprived, we should put into focus what has been offered and what we can perhaps offer. It should be made clear that although the recent announcement of moneys by Nick Brown, the UK Minister of Agriculture, Fisheries and Food, was well timed, it was about agrimonetary compensation that has been on the table for farmers for many years to

make up for the strength of the pound. It was somewhat underhand to announce that money in the midst of the present crisis.

I am reliably informed that to make the money look like compensation, it will disappear if it is not taken up in the next two months. I seek the minister's assurance that he will not follow the comments that Nick Brown recently made on "Newsnight": that any other type of compensation—either for individuals with cattle over 30 months or for hauliers and other affected people—would be contrary to EU state aid rules.

I spoke to EU commissioners when I was in Brussels last week and have continued to do so. The EU is happy that there is a precedent in the Dutch Government's accessing a stream of EU funding in 1997 to compensate for swine fever outbreak and that some types of compensation would not be against state aid rules. Nick Brown's comments were, in fact, wrong. I hope that he will not use rules on state aid as a way out and that he will issue any advice that he has been given that is contrary to that which I have received.

Finally, will the Minister for Rural Development give a commitment to return to the chamber once he is satisfied that the outbreak is contained, to make clear future plans to assist farming and the whole rural community?

12:10

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): First, I re-emphasise the point that other members have made about the urgency of the need to introduce the regulation on the movement of breeding animals. My colleague, Margaret Ewing, mentioned that the lambing season is about to start. Certainly in Dumfries and Galloway it is well under way.

George Lyon referred to a specific problem that is looming on the horizon. When restrictions are eventually lifted and this problem is solved—as we all hope it soon will be—some markets may collapse as a lot of stock that has been held back comes on to the market at once. Has the minister given any thought to how that problem will be addressed?

My office and, I am sure, the offices of other members have been inundated by calls from constituents in the broader rural economy, particularly hoteliers who may have paid off the few members of staff they were employing at this time of the year. In Dumfries and Galloway, tourism is worth £80 million per annum to the local economy. We have also received calls from hauliers, who often use specialised equipment that cannot be used in any other business.

Members have referred to the measures that

have been suggested by the Federation of Small Businesses. Is the Executive putting pressure on the banks to allow the rescheduling of payments? The Government could take action on the payment of VAT. If someone charges a farmer VAT on work that they have done, the farmer may not be able to pay that bill immediately, but because VAT is liable when the invoice is dated, the Vatman will be chasing them for VAT. Will HM Customs and Excise be lenient in those cases? Equally, are we urging local authorities not to pursue people for payment of rates as keenly as they seem to do in many areas?

Last, on the tourism industry, once the problem has gone, will the Government consider giving extra money to tourism to launch a special campaign to get people back into our countryside?

12:12

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): Not to be outdone, as everybody has been declaring their interests, I say that although I have no registrable interest in this matter, as a long-term associate of the Co-operative movement and the Transport and General Workers Union, which represents many agricultural workers, I have a close interest in the issue. At times, those associations have led me into direct conflict with my colleagues on the Conservative side of the chamber and with the National Farmers Union.

It is helpful that the tone of the debate has allowed us to reach some sort of consensus and not to come into conflict, as the situation is serious for everybody. The fact that, in a closing speech, I can recognise that there are issues in the debate and in the media that unite such people as Alex Johnstone, Fergus Ewing, me, and, indeed, the Prime Minister shows how seriously the whole country is taking this issue and how we must move forward.

I will pick up on a couple of issues that have been raised. Elaine Murray gave a clear description of the problems that face her constituency. My constituency is a near neighbour of hers' so I have been concerned to ensure that every possible action has been taken to introduce measures to stop the transmission of foot-and-mouth disease. I congratulate the Executive on moving quickly to put in place every possible barrier.

I note that the information that has been made available has ranged from matters such as access to the countryside for people going walking or fishing, to low-flying aircraft. At the risk of upsetting people, I say that anything that can be done to restrict low-flying aircraft further in some parts of the south of Scotland would be no bad

thing, as many constituents approach us on that matter.

Perhaps the most important issue that Elaine Murray raised was that of the future of the agriculture industry. This week, the Prime Minister made it clear that he wants to meet both the industry and the supermarkets to discuss the way forward for the industry in the wake of the foot-and-mouth outbreak.

I know that some of the supermarket chains were not happy with the Prime Minister's comments. For example, an ASDA spokesman commented:

"We are too busy working for our customers to pay much attention to what Tony Blair said."

I hope that that spokesman has withdrawn those comments and will join the other supermarket chains in working with the industry to ensure that shops have safe food at prices customers can afford. John Scott and other members raised the issue of safety in the food chain. John Scott expressed surprise at what animals are fed and wondered whether that might have contributed in some way to the present situation.

John Scott: Does Cathy Jamieson agree to use her enormous political weight to ensure that the process of food labelling is speeded up? That must happen not just in Scotland but throughout the United Kingdom.

Cathy Jamieson: I am glad that John Scott recognises that I have enormous political weight, although I did not think that I was that much of a heavyweight. Nonetheless, as he knows, I have raised the issue of food labelling in the cross-party animal welfare group and elsewhere. I have been concerned to ensure that when people purchase goods in the supermarket they know exactly what is in their baskets and, subsequently, on their plates. If a product is labelled "from Scotland", that product should have a Scottish history. I know that the Government is taking that issue seriously.

I see the Presiding Officer asking me to wind up, so I will say only that I welcome the Rural Development Committee's commitment to hold an inquiry into the future of the agriculture industry. I am sure that that inquiry will take account of the wider rural development issues and will ensure that services are made available in rural communities to allow people who live and work in those areas to continue to do so in a long-term, sustainable way.

12:17

Mrs Margaret Ewing (Moray) (SNP): Presiding Officer, I am sure that you will have noted the contrast between this consensual debate and some of the earlier exchanges, in which justifiable

anger was expressed.

It is my intention to continue the consensual nature of the debate. All members are well aware of the crisis that is hitting our rural economy—the debate was billed as a debate on the crisis in rural communities.

Many people who, unlike me, did not have the advantage of being born and bred in the countryside still misunderstand the nature and implications of foot-and-mouth disease. On returning from Westminster last night, I took a taxi from Edinburgh airport. The taxi driver said to me, “Surely the terrible cold weather will have killed off the virus.” I had to point out that this is the worst weather that we could have had, given the nature of the outbreak.

It is particularly difficult to ensure that the public get information. During our previous discussion of this disease, SNP members made the reasonable suggestion that public service information should be broadcast on television advertisements. I hope that the Executive will continue to consider taking that step, as there is a lot of confusion. For example, what is the difference between skiing and hill climbing? Members have spoken vehemently about the impact of the disease on the tourism industry, which contains many aspects of the skiing industry. This winter has been the best for winter sports for years, yet people are unsure whether they are allowed to go skiing, as opposed to hill walking.

I have only one criticism of the action that the minister has been taking. I ask him not to refer to animals that are suffering from foot-and-mouth disease as underperforming, as I do not think that that will do the public's perception of the disease any good. Anyone who knows about the suffering experienced by those animals will agree with the many others who argued the case for the slaughter policy.

I agree with John Scott's comments about abattoirs. The regulations on abattoirs are important, as we must have the highest safety and hygiene standards.

Labelling was raised by my colleague, Christine Grahame, and by other members. How many members in the chamber or people in the public gallery can define clearly the difference between Scottish smoked salmon and smoked Scottish salmon? There is a clear difference. I leave it to people to work it out for themselves and to send me their answers on a postcard. I am willing to supply the right answer.

The issuing of licences for the movement of breeding stock, which Alasdair Morgan and others referred to, is an important aspect of animal welfare. In an earlier response, the minister told me that he believed that licences were being

written at that very stage. Is the ink now dry? When will we be able to tell our farmers that they can start to move their breeding stock?

On the consequential issues that are encapsulated in the SNP amendment, Duncan Hamilton and others spoke eloquently about the knock-on effect, through the consequential chain of events, of this immediate crisis. There is no reason why the minister should not accept the SNP amendment. As Mike Rumbles suggested, the principles outlined in the amendment are long term. After the crisis is over, let us not forget our rural communities. Too often we forget that we have problems in our rural constituencies that are every bit as critical as the problems in the central belt, including drug abuse and housing.

12:21

Ross Finnie: I take on board the fact that this crisis, which has its genesis in foot-and-mouth disease, now has much wider ramifications. As the Minister for Rural Development—not the minister for agriculture—I am all too conscious that I need to deal with the immediacy of the foot-and-mouth crisis.

I recognise all the points made by several members in the chamber about consequential problems, but I hope that members will also recognise that it would be inappropriate for me today to start speculating on the extent and nature of those or, indeed, to say precisely what will need to be done. That includes action that may be taken by bodies such as the Royal Zoological Society, as a wide range of bodies, organisations and industries are affected by the disease.

Members have raised a number of issues with me. Although I am not replying to the debate, in my capacity as Minister for Rural Development I will try to deal with as many of them as quickly as I can.

My department at the Scottish Executive has discussed the issue of profiteering with the supermarkets. We have expressed a view that, if pain is to be felt up and down the food chain, it should be shared.

I have been asked about the amounts that are paid to farmers. We are conscious that farmers need to know when they will receive their subsidy payments. A letter is being issued to farmers today that will spell out the precise dates when all common agricultural policy subsidies will be paid. Some dates have been brought forward a little. There will certainly be a clear framework. I hope that that will give some assurance.

We all agree—I think that there is no debate—about labelling. I have raised the matter in Europe and elsewhere.

We took advice about disinfected matting from the state Veterinary Service when the subject was first raised, which took the view that the measure was disproportionate to the risk. However, we issued clear instructions—which remain our instructions—that if a local authority believed that it was necessary to put in place disinfected matting, we would place no impediment to that. I am sorry that that appears to have been misunderstood.

John Scott raised an interesting issue about pigswill. I think that there are only four premises in Scotland that are licensed to deal with pigswill, but that may be four too many. Clearly, a whole range of issues will have to be looked into. I accept John Scott's point. An industry that has to be economic cannot contemplate having a whole range of abattoirs, which would simply suffer, and whose standards of meat hygiene could not be maintained to the highest degree.

Christine Grahame: Let me make it plain that I was not looking for long strings of abattoirs all over the place. Rather, my point was that where there is a serious area of production, such as in the Scottish Borders, we should have an abattoir that is up to European Union standards. I do not see why our abattoir in the Scottish Borders is at only 15 per cent capacity or why the animals are not slaughtered there instead of being shipped long distances.

Ross Finnie: I have no idea why the abattoir is operating at 15 per cent capacity. It may be for economic reasons. However, it is for farmers to make their own decisions. I do not think that the Government can interfere and tell people where they should send their animals.

We have tried to take a balanced approach. It is imperative that we deal with the risk but, on the other hand, we are introducing measures to open premises and open up trade as best we can.

Dorothy-Grace Elder (Glasgow) (SNP): Will the minister take an intervention?

Ross Finnie: The reopening of slaughter facilities throughout the country and the control arrangements appear to be working well. We have restored some 65 to 75 per cent of the throughput that would be expected. I hope that that will lead to immense improvements in terms of putting meat on our shelves and that it will go a long way towards dealing with animal welfare problems.

Dorothy-Grace Elder: Will the minister give way?

Mr Rumbles: Will the minister give way?

Ross Finnie: Let me make this point first.

Although some movement is being allowed, real difficulties will continue in excluded areas. There

are real difficulties in trying to legislate for exclusion in those areas and, at the same time, trying to have movement. I assure the chamber that the state Veterinary Service is continuing to review the matter, but it is not likely that the matter will be—

Mr Rumbles: On that point—

Dorothy-Grace Elder: I am sorry, but I was first.

Ross Finnie: No, I will take a point on the veterinary service.

The Deputy Presiding Officer: It is for the minister to indicate from whom he wishes to take an intervention.

Ross Finnie: I am giving way to Mr Rumbles.

Mr Rumbles: I understand that the State Veterinary Service is under strain, but has any thought been given to bringing in private local vets to assist the state service to expedite the issue of animal welfare and movement?

Ross Finnie: I assure Mr Rumbles that we have already brought in whatever resources we could and have done so with great speed.

John Scott: Will the minister give way?

The Deputy Presiding Officer: You must finish now, Mr Finnie.

Ross Finnie: As John Scott, George Lyon and other farmers in the chamber have made clear, this is all about people. We must put people first. It is their livestock and their farms that are under threat. I think that we all share the feelings of sympathy for the families. That sympathy extends to other people who have been affected by the wider ramifications of this crisis.

I pay tribute to everyone who has contributed to the huge task of managing this outbreak—the State Veterinary Service, the local authorities, the police, the Meat Hygiene Service and others. I also pay tribute to those in the National Farmers Union of Scotland and the Scottish meat industry for their whole-hearted co-operation as we try to end this terrible disease.

12:28

David Mundell (South of Scotland) (Con): I will start where the minister concluded. It is appropriate that we turn our thoughts to all the individuals who have been caught up in this tragedy, mainly in Dumfries and Galloway. I can assure members from my experiences at the weekend that the slaughter and burning process is as surreal and gruesome in reality as it is on television. As George Lyon said, it is devastating for the farmers who have to participate.

Speaking to affected farmers, one can see that it

is as if the life-blood has been drawn out of them. Others just have to wait and wait, isolated from their communities, under a form of house arrest with only the telephone and its rumour mill to keep them going. Compensation, which I will return to later, cannot make up for those experiences.

Dorothy-Grace Elder: Will the member give way?

David Mundell: No, I will not.

As others have said, the farming community is not the only one to have taken a blow to its businesses, its confidence and its morale. The tourism industry has suffered too. In Langholm, following enormous local effort and support from various agencies and the constituency MSP, a guide called "Langholm Walks" has been produced and heavily marketed. That has led to a rush of bookings in establishments that have traded at the margins for a number of years. Imagine having to cancel all those bookings, but not having the same ability to cancel the VAT, the income tax, the council tax, the bank loan or the electricity bill. As others have indicated, there is a knock-on effect also on local tradesmen, service providers, shops and pubs. That is the reality. Foot-and-mouth has the whole economy of Dumfries and Galloway in its grip. We must take steps to alleviate that now.

I spoke this morning to Andrew Campbell, the convener of Dumfries and Galloway Council. The message that he wants to convey to the Parliament is, "We have a crisis, but we do not have chaos." The multi-agency working that has been so prevalent in Dumfries and Galloway, co-ordinated from the bunker at council headquarters, which Alex Fergusson and I had the benefit of visiting, gives the clear idea that people are pulling together and working together.

I welcome the multi-agency approach that Dumfries and Galloway is adopting, so that people can get the economic facts about the impact of the crisis on an area where 42 per cent of registered VAT businesses are related to agriculture and deliver them to the Minister for Rural Development, the Minister for Enterprise and Lifelong Learning and other assorted people, so that action can be taken.

As Fergus Ewing and others indicated, we need to take immediate action, so that cash flow does not get out of control. Like others, I do not see why VAT, tax and other levies cannot be deferred in affected areas. On the basis of yesterday's budget, it is clear that Gordon Brown does not need the money at the moment. I hope that the Minister for Rural Development will pursue that matter with him and with other appropriate authorities.

Likewise, let us not see red council tax final

demands going out right now to the affected people. Let us try to build on the positive approach taken by banks such as Barclays in relation to loan payments, and encourage other banks, utilities and service providers to take a sympathetic and, indeed, realistic approach. After all, it is to their advantage. If there are no businesses left in south-west Scotland, they will get no payment at all.

Turning to the immediate crisis, I am concerned that we have had a case of airborne infection, which could change the status of the outbreak. We all wait with some trepidation, in the hope that there will not be another case in which there was no direct contact.

I am concerned by what Ross Finnie said about licensed movements, because they are needed in the affected areas as well. I hope that common sense will prevail, as in the case of the farmer who spoke to me this morning, who has one field on one side of the road where his stock currently is and 1,000 acres on the other side of the road where he needs to get his stock to.

Euan Robson: Does the member agree that it is important that the regulations that the minister mentioned be introduced soon, given the imminence of the lambing season?

David Mundell: I absolutely agree. It is clear to us all that the rearing and breeding of livestock are dependent on movements. There is not only the lambing season but wintering cattle. We need to have movements, because shooting stock is not acceptable.

I do not believe that this is the right moment—nor is there time—for a critique of the whole way in which the crisis has been managed. Many aspects of its handling have been worthy of the highest commendation. Vets, police officers and council workers overnight went from dealing with one of the worst weather crises that we have had in the south of Scotland to having to dish out disinfectant. People have been working 20 hours a day to deal with the crisis. I am not sure how that will happen when the trunk road maintenance contract comes into place in Dumfries and Galloway.

A great deal has been learned and is being put into practice. The current slaughters are being carried out very differently from the first one. We need to understand what action could have been taken earlier—we need definitive views on matting, allowing people to go to school and so on. Such things will need to be addressed afterwards, perhaps in the inquiry to which Cathy Jamieson alluded.

My only criticism—and the criticism I repeatedly hear from affected farmers and others—is of the way in which the Ministry of Agriculture, Fisheries and Food and, to a certain extent, the Scottish

Executive rural affairs department deal with information. There is still within those organisations a Secret Squirrel mentality such that as little information as possible is given out. I am afraid that that is the case. It is the reality on the ground.

I am not saying that people are doing that with ill will—they are not—but the giving out of information, and the fact that it has been conflicting, has been disappointing. We need to address that. For example, in an area such as Dumfries and Galloway, it is not possible to say that an affected farm is at Lockerbie, because that includes a postcode area with a 15-mile radius. That simply creates rumour and concern, so we need to be better at communicating—and it must improve right now.

On a more consensual point, I pay tribute to the way in which the Minister for Rural Development and his long-suffering private secretary have dealt with this matter, and the way in which the minister has responded to issues that have been brought to him. We have to accept that there was no manual for this situation. There was no book that somebody could take off the desk and flick through.

An enormous amount of good work has been done. However, as today's debate and the consensus that it has generated have demonstrated, this is a serious situation, and will continue to be so. We have to continue with the same determination and focus that has been demonstrated in the Parliament if we are to resolve the situation and restore the economies of rural Scotland.

In a consensual manner, I indicate that we are happy to accept both amendments to our motion.

Parliamentary Bureau Motions

12:37

The Deputy Presiding Officer (Patricia Ferguson): The next item of business is consideration of two Parliamentary Bureau motions. I ask Tavish Scott to move motion S1M-1728, which is a timetabling motion for stage 3 of the Leasehold Casualties (Scotland) Bill. Any member who wishes to speak against this motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees that the time for consideration of Stage 3 of the Leasehold Casualties (Scotland) Bill be allocated as follows, so that debate on the proceedings, if not previously brought to a conclusion, shall be brought to a conclusion on the expiry of the specified period (calculated from the time when Stage 3 begins)—

Motion to pass the Bill—no later than 30 minutes.—
[Tavish Scott.]

The Deputy Presiding Officer: As no member has asked to speak against the motion, I will put the question to the chamber. The question is, that motion S1M-1728, in the name of Mr Tom McCabe, be agreed to.

Motion agreed to.

The Deputy Presiding Officer: I ask Tavish Scott to move the second Parliamentary Bureau motion, S1M-1727, which seeks agreement to change decision time to 5.30 pm on Wednesday 14 March 2001. If any member wishes to speak against this motion, they should press their request-to-speak button now.

The Deputy Minister for Parliament (Tavish Scott): In moving this motion, I wish to intimate that this measure has been requested by members of all parties in order to give more time for the stage 1 debate.

I move,

That the Parliament agrees under Rule 11.2.4 of the Standing Orders that Decision Time on Wednesday 14 March 2001 shall begin at 5.30 pm.

The Deputy Presiding Officer: No member has asked to speak against the motion, so I will put the question to the chamber. The question is, that motion S1M-1727, in the name of Mr Tom McCabe, be agreed to.

Motion agreed to.

Business Motion

12:38

The Deputy Presiding Officer (Patricia Ferguson): The next item of business is consideration of business motion S1M-1719, in the name of Mr Tom McCabe, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 14 March 2001

2.30 pm Time for Reflection

followed by Stage 1 Debate on the Housing (Scotland) Bill

followed by Financial Resolution in respect of the Housing (Scotland) Bill

followed by Parliamentary Bureau Motions

5.30 pm Decision Time

followed by Members' Business - debate on the subject of S1M-1464 Des McNulty: Clydebank and the Blitz

Thursday 15 March 2001

9.30 am Executive Debate on Freedom of Information

followed by Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Executive Debate on Credit Unions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business - debate on the subject of S1M-1670 Mr George Reid: National Tartan Day

Wednesday 21 March 2001

2.30 pm Time for Reflection

followed by Stage 1 Debate on the Convention Rights (Compliance) (Scotland) Bill

followed by Financial Resolution in respect of the Convention Rights (Compliance) (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business - debate on the subject of S1M-1650 Kay Ullrich: School Swimming Lessons

Thursday 22 March 2001

9.30 am Social Justice Committee Debate on Drug Misuse and Deprived Communities

followed by

Business Motion

2.30 pm

Question Time

3.10 pm

First Minister's Question Time

3.30 pm

Executive Business

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

followed by

Members' Business—[Tavish Scott.]

The Deputy Presiding Officer: No members have asked to speak against the motion. The question is, that motion S1M-1719, in the name of Mr Tom McCabe, be agreed to.

Motion agreed to.

12:38

Meeting suspended until 14:30.

14:30

On resuming—

The Presiding Officer (Sir David Steel): Before we begin question time, I remind members that business this afternoon might finish earlier than is scheduled in the business bulletin. If that happens, I will accept a motion from the bureau to bring forward decision time.

Question Time

SCOTTISH EXECUTIVE

Planning Appeals

1. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive whether it will notify constituency MSPs of planning appeals lodged from within their constituencies. (S10-3079)

The Deputy Minister for Environment, Sport and Culture (Allan Wilson): We are considering how best to make that, and related information, readily available.

Pauline McNeill: I thank the minister for that answer. That is welcome news for MSPs who are interested in planning issues.

I would like more detail on two points. First, how might that information be communicated to members? Secondly, what information could the minister give to members?

Allan Wilson: On the how question, several options are being considered. One possibility would be to make information available to the Scottish Parliament information centre and allow it to present the information to MSPs. Another option would be to post information on the Scottish Executive website; that would make information available not only to MSPs but to the public.

It may be possible to provide weekly information on the following types of cases that may be before ministers: notified planning applications; notices of intention to develop in local authority developments; recalled appeals and called-in applications; planning permission appeals; listed building consent; listed building enforcement; conservation area consent appeals; and planning enforcement appeals.

Opencast Mining

2. Mrs Mary Mulligan (Linlithgow) (Lab): To ask the Scottish Executive what plans it has for the future of opencast mining. (S10-3071)

The Deputy Minister for Environment, Sport and Culture (Allan Wilson): The Executive will

continue to ensure that the policies in national planning policy guideline 16, "Opencast Coal and Related Minerals" are rigorously applied.

Mrs Mulligan: If the Executive is committed to the principles of NPPG 16, why did the development department issue a paper, on 26 January, that set out amendments to the Lothian joint structure plan and identified six further sites for opencast mining in my constituency alone?

Does that not fly in the face of NPPG 16, which asks for consultation with local communities and councils? Does it not muddy the waters at a time when local people are positively considering an opencast site at Polkemmet and facing a public inquiry over a Wester Torrance site? This puts local people—

The Presiding Officer: Thank you. That is enough.

Allan Wilson: Members will appreciate that while those matters are subject to appeal, it would be inappropriate for me to comment on the specifics of the modifications that have been referred to.

I assure the member and the chamber that, in general terms, the fact that broad areas of search are indicated in a structure plan does not mean that there is a predisposition to development. NPPG 16 meets a Labour party 1997 manifesto commitment of establishing a far tougher framework against which proposals would be considered. The guidance is clear that permission should generally not be granted if a proposal would cause demonstrable and material harm to either communities or the environment.

Mr Gil Paterson (Central Scotland) (SNP): Lanarkshire, Ayrshire and many communities in Scotland have been devastated by over-provision of opencast mining—the old term for it was strip mining. Is it not time that the Parliament implemented a moratorium on opencast mining?

Allan Wilson: It is not for this Parliament to judge the need for additional coal. That is a commercial judgment for operators. The role of the planning system is not to set limits on production levels, but to ensure that proposals are environmentally acceptable. As I said, the role of NPPG 16 is to ensure that communities and the environment are protected in that process.

Mr John Home Robertson (East Lothian) (Lab): Will the minister encourage Sam Galbraith to apply some of his well-known charm to people in his department who want the Lothian structure plan to designate a large part of East Lothian as an area of search for opencast mining? We have already had a lot of opencasting in East Lothian and the question of further sites has been flogged to death at public inquiries. Will the minister refrain

from giving any encouragement to opencast operators to indulge in plans in that part of Scotland? They are not wanted in East Lothian and will not receive consent for that kind of opencasting.

Allan Wilson: Again, that issue is subject to the planning process and could come to ministers for a decision. As a result, it would be prejudicial to the process for me to comment on the specifics of East Lothian.

However, the whole point of NPPGs—as John Home Robertson should know, being a member of the Labour party that instituted them—is to ensure that communities' environmental concerns are respected and that no predisposition to development results from instituting searches.

Statistical Information

3. Donald Gorrie (Central Scotland) (LD): To ask the Scottish Executive whether it will seek an agreement with the Parliament's committees on a list of areas in which more statistical information is needed to inform good decision making, and whether it will provide resources for such improvements. (S1O-3082)

The Deputy Minister for Finance and Local Government (Peter Peacock): I will be happy to hear the views of any committee of the Parliament about statistics that it feels should be gathered.

Donald Gorrie: I was hoping that the minister might agree that we could form an orderly queue. As a result of the long history of poor statistical information in Scotland before the Parliament was set up, there is a huge backlog of people who genuinely want relevant statistics. Instead of having a hugger-mugger conflict, perhaps Mr Peacock and the relevant committee conveners could organise a list of priorities. I hope that he will also provide some money to pay for statisticians.

Peter Peacock: The Executive publishes an annual statistics plan—one was published in April 2000—and we are currently clearing the plan for the coming year. Once that plan is published, it will be a matter for parliamentary committees to make comments, which the Executive will listen to very carefully.

Mr Lloyd Quinan (West of Scotland) (SNP): In the light of the minister's answer to Donald Gorrie, will he give us some advice about whether it is more appropriate for the deputy convener of a parliamentary committee, who operates under a dual mandate, to exercise that mandate and speak in another house in another place in another country instead of convening a meeting of the Parliament's European Committee?

The Presiding Officer: That is a matter more for the convener than for the minister.

Landfill

4. Iain Smith (North-East Fife) (LD): To ask the Scottish Executive how it will ensure that local authorities are making progress in reducing the amount of waste being landfilled in preparation for the implementation of the landfill directive. (S1O-3077)

The Deputy Minister for Environment, Sport and Culture (Allan Wilson): Last year, following a public consultation, the Scottish Executive announced its intention to implement the landfill directive requirements for reducing the amount of biodegradable municipal waste going to landfill through the introduction of a system of tradeable permits. Those permits would be issued to local authorities and would restrict the amount of waste that could be landfilled.

Iain Smith: Is the minister aware that between 1996-97 and 1999-2000, recycling in Fife fell from 10.7 per cent to just 1.6 per cent, with the consequential increase in landfill? What steps will he take to encourage Fife Council to restore the effective recycling schemes of the former Liberal Democrat-run North-east Fife District Council?

Allan Wilson: Along with all other Scottish local authorities, Fife Council will have to comply with landfill directive targets, which envisage a three-stage reduction of biodegradable municipal waste. First, there should be a 75 per cent reduction in the amount of landfill produced in 1995 by 2010; a 50 per cent reduction by 2013; and a 35 per cent reduction by 2020. Fife Council and its partners will submit an area waste plan some time this year. The Executive will then allocate relevant amounts of the £50.4 million that has already been allocated to the strategic waste fund to help the implementation of those plans. Meeting the landfill directives will be a key component of that process.

Mr Murray Tosh (South of Scotland) (Con): Is the minister aware of the argument that the volumes of waste generated in each area might be insufficient to provide the economies of scale that effective recycling might require? Will he commit at least to find a way to examine potential sub-national or regional strategies that might require the combination of several areas?

Allan Wilson: I am aware of the argument, because Mr Tosh raised it in the debate on sustainable development. Of course, the whole system of trading permits is a UK strategy.

I hear what the member says about having a broader, more regional strategy. That is something that we would want to take on board in the consultation on the national waste strategy.

Robin Harper (Lothians) (Green): Will the minister confirm or deny that, unless the Government acts, the majority of the funds that

are available—the £50.4 million—will go to waste-to-energy projects instead of to intensive recycling?

Allan Wilson: The national waste strategy makes it clear that incineration without energy recovery is not considered a viable option. The aim of area waste plans is to agree the best practical environmental option for dealing with waste in each area. Some energy-from-waste facilities may be required, but those should be viewed only as part of a wider environmental programme.

Dorothy-Grace Elder (Glasgow) (SNP): Is the minister aware of the extreme suffering of a large number of people in Glasgow since the sludge boats ended on the Clyde in 1998? Although we approve of that measure, the European Union had given Britain 10 years' warning to get new sewage stations ready, which we did not do. People in the east end of Glasgow are suffering appalling stench from Paterson's dump, which takes 500,000 tonnes a year of toxic waste and now handles one third of Glasgow's sewage. Will the minister allow people to suffer that?

Allan Wilson: Not personally. I was the full-time union official who represented the employees of Strathclyde Regional Council, including those who worked on the sludge boats.

The point of our waste strategy is to cut back on landfill sites. As I explained to Robin Harper, the point of getting together area waste management plans and investing the £50.4 million is to get rid of those sores in the east end of Glasgow and elsewhere.

Young Disabled People (Personal Care)

5. Christine Grahame (South of Scotland) (SNP): To ask the Scottish Executive, further to the answer to question S1W-13333 by Malcolm Chisholm on 27 February 2001, whether it intends to commission further research into the costs of free personal care for younger disabled people. (S1O-3050)

The Deputy Minister for Health and Community Care (Malcolm Chisholm): I have acknowledged that further work is required. The care development group will focus on older people, but the Executive will take into account the needs of other care groups in implementing that group's recommendations.

Christine Grahame: I am pleased to hear that. As the minister will be aware, the Sutherland report defines younger people as those who are between 18 and 64. Some of us here will be grateful for that definition. As the minister has agreed that further research is required into the costs of funding the care for that group, will he indicate if and when he intends to instruct that

research? Will he also consider as his starting point stopping personal care charges for those who access the independent living fund?

Malcolm Chisholm: Those are complex issues. I would have expected the SNP to welcome the fact that a detailed piece of work is being undertaken on older people. That is the correct way in which to proceed. We must first unravel the complexity of the personal care issue in relation to all the other needs of older people. We can carry that forward when the Executive receives the report of the care development group.

Internet (Dangers to Children)

6. Mr Gil Paterson (Central Scotland) (SNP): To ask the Scottish Executive whether it has any plans to initiate an awareness campaign on dangers to children arising from use of the internet. (S1O-3055)

The Deputy Minister for Education, Europe and External Affairs (Nicol Stephen): In 1999, the Scottish Executive issued a comprehensive guidance pack on internet safety to all schools and organisations that deal with children. It was well received at the time. Schools are tackling such issues, and we will continue to keep the guidance under review.

Mr Paterson: We are all too well aware of the dangers of the internet; it is a difficult area to control. What measures can be taken to catch and prosecute paedophiles who approach and entice children on the internet?

Nicol Stephen: We are aware of the dangers and take those issues extremely seriously. The internet is a very fast-moving area. We must be always vigilant and prepared to issue new guidance, or to update the guidance when that is appropriate.

The internet crime forum is examining the issue of internet chat rooms and the problems of adults misrepresenting themselves as children. A range of actions can be taken by the police and the procurator fiscal—for example under the Civic Government (Scotland) Act 1982 as well as under common law—but we will keep a vigilant eye on those measures and take action when that is appropriate.

Domestic Abuse

7. Trish Godman (West Renfrewshire) (Lab): To ask the Scottish Executive what steps will be taken to respond to the fact that around 30 per cent of all domestic abuse begins during pregnancy, as highlighted by the Minister for Health and Community Care on 27 February 2001. (S1O-3072)

The Minister for Health and Community Care (Susan Deacon): “A Framework for maternity services in Scotland”, which I published last month, includes a specific commitment to issue guidance to health professionals on domestic violence and pregnancy. That will complement the range of work on domestic abuse that is being taken forward by the Executive.

Trish Godman: Does the minister agree that—especially given that today is international women’s day, when we celebrate the contribution that women make to our societies—that statistic is disgusting, abhorrent and totally unacceptable to every member of this Parliament?

Will the minister assure me that she will work with her Executive colleagues to ensure close co-operation with local authorities to ensure the provision of appropriate places throughout Scotland for women who suffer abuse?

Susan Deacon: I agree with the views that Trish Godman has expressed. The statistic that I quoted and the other statistics in this area are devastating and must be tackled. On international women’s day, it is fair to say that women members of the Scottish Parliament and the Scottish Executive have demonstrated their determination to tackle and reduce those statistics by changing attitudes and behaviour and by improving services and support. We will continue to work towards ensuring that that happens.

Maureen Macmillan (Highlands and Islands) (Lab): On international women’s day, I ask the minister to welcome the GMB’s workplace strategy on domestic violence, which has been announced today and aims to ensure that more support is given in the workplace to victims of domestic violence. Will the minister ask other trade unions and employers in Scotland to take part in that scheme, or a similar scheme, so that victims of domestic violence can be properly supported?

Susan Deacon: I speak for all ministers when I say that we welcome any positive initiative that can be taken to make a difference in this area. I know that Jackie Baillie and Margaret Curran are actively working with trade unions and a range of other organisations, particularly through the Scottish partnership on domestic abuse, to ensure that action takes place in the right places at the right time.

We talk a lot about joined-up working and we must make it a reality. We must ensure that, both in the workplace and in the community, support and advice are being offered where it matters. We have to ensure that, during pregnancy and at other times, women have access to the help that they need. We must be vigilant, as politicians and citizens, to ensure that that happens.

Public Sector Jobs

8. Irene Oldfather (Cunninghame South) (Lab): To ask the Scottish Executive what further progress it has made in locating public sector jobs outwith Edinburgh. (S10-3083)

Angus MacKay (Edinburgh South) (Lab): The Executive has already made progress in locating public sector jobs outwith Edinburgh by establishing the Food Standards Agency Scotland in Aberdeen, by establishing the enterprise and lifelong learning unit in its entirety in Glasgow and by setting up the new public guardian’s office in Falkirk. We are undertaking detailed reviews of the Edinburgh operations of six other public bodies, based on lease breaks and other operational factors.

Irene Oldfather: Does the minister agree that, in allocating jobs outwith Edinburgh, priority should be given to areas that have above average levels of unemployment? Does he also agree that my area, which has a business park proposal for the former Volvo site, would be an ideal location for civil service jobs dispersal?

Angus MacKay: In relation to the agencies that we propose to consider relocating, we have asked all the local authorities and local enterprise companies to produce proposals for suitable sites. A range of factors must be taken into account, not the least of which are the cost benefits that would be involved. Certainly, it would be peculiar in the extreme were we to pursue such a policy without considering the direct employment implications of relocating jobs to other parts of Scotland. I hope that levels of unemployment will be a significant factor in the consideration of any relocations.

Shona Robison (North-East Scotland) (SNP): I welcome again the decision to locate the headquarters of the proposed commission for the regulation of care and the proposed social services council in Dundee. That is one of the First Minister’s better decisions and one that will bring 160 badly needed civil service jobs to the city.

The Presiding Officer: Order. Let us come to the question.

Shona Robison: Does the minister agree that the decision will bring the total number of civil service jobs in Dundee to about 180, which is still far below the level in comparable areas? Will he assure the chamber that more civil service jobs will come to the city, and that they will come soon?

Angus MacKay: I congratulate John McAllion and Kate MacLean for their excellent work in making the case for the relocation of those jobs to Dundee. It is a credit to the assiduous way in which they represent their constituents’ interests. I look forward to future relocations throughout the rest of Scotland.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I welcome the pupils and staff of Invergordon Academy to the public gallery.

The minister mentioned the local enterprise network. He will be aware that Highlands and Islands Enterprise has put forward a cast-iron proposal to move jobs such as those in the Scottish Public Pensions Agency to the far north. Does he agree that that is a sound suggestion that is well worth considering?

Angus MacKay: I have yet to hear that any of the cases that have been advocated to me, either directly or indirectly, are anything other than cast-iron. All the bodies and individuals who make representations believe that they do so in the full light of facts that indicate that their case is the strongest. We will certainly give due consideration to the Highlands and Islands, but can do so only in the context of giving a fair and full hearing to each of the local authorities and local enterprise companies that are making cases.

David Mundell (South of Scotland) (Con): Without referring to a specific case, does the minister agree that the Executive has a leadership role to take in demonstrating that, by the use of new technologies, people can work in areas that are outwith the traditional centres in Scotland and that they can contribute to an organisation such as the Scottish Executive? Should not the minister, by putting jobs in such areas, demonstrate to private industry that that can be done?

Angus MacKay: Mr Mundell will know that the Executive is a pioneering organisation in respect of teleworking—as it was once called—and its proposals for digital Scotland, across a range of policy and departmental areas. I echo the view that is being expressed that we should look to modern technology to increase the capacity for individuals to gain employment with and on behalf of the Executive throughout geographical areas. That should be part and parcel of our consideration of future relocation of whole agencies.

Hospital Services

9. Mr Kenneth Gibson (Glasgow) (SNP): To ask the Scottish Executive what response it will give to the information from the recent British Medical Association Scotland's survey regarding the proportion of general practitioners who believe that the quality of hospital services has declined in the past five years. (S10-3084)

The Minister for Health and Community Care (Susan Deacon): The Scottish health plan, "Our National Health: A plan for action, a plan for change", which was published in December, sets out our programme of investment and reform, which will deliver real improvements in services for

patients and communities across Scotland.

Mr Gibson: Eighty per cent of GPs believe that the service that they provide has declined in the past five years, and only one in 1,000 believes that primary care has improved since new Labour came to power. Does the minister agree with the BMA that the service is in crisis, that the level of care that is offered to patients by GPs is steadily eroding, and that collapsing GP morale, an increase in bureaucracy and a lack of resources are having a detrimental effect on patients? If so, what of substance will she do about it?

Susan Deacon: Is it not funny that the SNP raises a question about substance when talking about health policy? I am not surprised that Kenny Gibson is asking us questions about how we will address some of the real problems and challenges that face the health service. One thing is obvious—the SNP certainly does not know how to do that. If members are in any doubt about that, I commend to them the apology for a health policy document that the SNP published a few weeks ago. The SNP apparently cares so much about GPs that it does not even mention them in its policy document. I do not know what is more frightening about the document: the picture of the SNP health spokesman on the front page or the lack of substance in the document itself. It is a damning indictment of that party. We are determined to make a real difference; we are delivering the substance—where is the SNP's?

The Presiding Officer: Let us have a more quiet question from Phil Gallie.

Phil Gallie (South of Scotland) (Con): Does the minister consider that the concerns that were expressed by GPs could relate to financial waste? Will she confirm that the cost of £5 million for retitling and re-labelling health trusts could be an example of such waste?

Susan Deacon: One reason why a key element of the Scottish health plan, which was published in December, is to rebuild the NHS as a truly national health service is that we learned from talking to staff and patients throughout the NHS in Scotland that what they had found most damaging to their morale over the past 20 years was the loss of that identity under the Conservative Administration. The identity and values of our national health service were replaced by the alien values, the identities of the trusts and the machinery of the internal market that the Tories introduced. We are trying to change that through policies, investment and working with staff to rebuild the morale that suffered so much under the Conservative party's 20 years in power.

Nicola Sturgeon (Glasgow) (SNP): The Minister for Health and Community Care commented on Kenny Gibson's question on public

perceptions of Labour's record on the health service. Will she give a straight answer to a straight question? Will she explain why, in a recent poll that was published in a Scottish Sunday newspaper, it was revealed that 80 per cent of people in Scotland, including 70 per cent of Labour supporters, think that she and the Government have failed to deliver any improvements to the Scottish health service?

Susan Deacon: It would be interesting if the SNP spokesperson would give a straight answer to the straight question that is asked in every health debate in the chamber: what would the SNP do to tackle the problems and challenges that face the NHS in Scotland? The SNP cannot say what it would do, because it still has no policies. We have said precisely how we are addressing those problems. We are doing so through investment, reform and partnership with staff. Where is the SNP's action?

Fire Safety

10. Mr Kenneth Macintosh (Eastwood) (Lab): To ask the Scottish Executive what steps it is taking to encourage the installation of fire sprinklers in homes. (S10-3064)

The Deputy Minister for Justice (Iain Gray): We are monitoring the development of residential sprinkler systems and research is being done. In addition, the Executive has funded fire safety publicity to promote the use of sprinklers in homes. Fire brigades have been encouraged to discuss with housing authorities and others opportunities for the installation of sprinklers in new and refurbished homes.

Mr Macintosh: The minister will be aware that fire safety is an issue for all of us. Is he aware that the most vulnerable members of our community are most at risk of injury and death from fires in the home? Is he aware of the work that is being done by Strathclyde Fire Brigade and others, and will he consider introducing legislative proposals, using the Housing (Scotland) Bill or a fire safety bill, to protect our communities and prevent the loss of any more life?

Iain Gray: We are indeed aware of the work that Strathclyde Fire Brigade has done. Many of those issues were discussed at the conference that it held last year.

Much of the evidence on sprinklers comes from the United States. Our experience is much more limited because sprinklers are a recent development here. First, we have to develop minimum standards of reliability and durability, and the matter of standards is under consideration and discussion. I accept that a new legislative framework for fire safety is needed. Although time is not yet available for that in our parliamentary

timetable, we will certainly look to introduce such a legislative measure in the future.

Michael Matheson (Central Scotland) (SNP): The minister referred to evidence from America. Is he aware that where domestic sprinklers have been introduced there, fire damage has been cut by nearly 80 per cent? Given that I plan to introduce a member's bill next week to ensure that domestic sprinkler systems are provided in homes of multiple occupancy and in the homes of the elderly and the disabled, will the Executive be sympathetic towards my bill and consider introducing the necessary legislation to which Ken Macintosh referred?

Iain Gray: As is always the case, we will consider that bill when we see the details. We will certainly examine it with interest when it is introduced. We should not lose sight of the fact that there is much work still to be done using the fire technology that we have. For example, too many houses do not have smoke detectors or have smoke detectors that do not have batteries. A great deal of work has still to be done. As I said, as we develop minimum standards for sprinklers, that area will develop in our country.

Waiting Times (Tayside)

12. Mr Andrew Welsh (Angus) (SNP): To ask the Scottish Executive what the latest figures are on average waiting times for patients within Tayside University Hospitals NHS Trust. (S10-3081)

The Minister for Health and Community Care (Susan Deacon): In the year ending 30 September 2000, median waiting times at Tayside University Hospitals NHS Trust were 46 days for a first out-patient appointment with a consultant following referral, and 40 days for in-patient and day-case treatment.

Mr Welsh: The purpose of question time is to allow members to ask the minister questions and to receive answers about what she is doing. That being so, is it acceptable to the minister that acute, in-patient and day-case waiting times in Tayside last year started above the national average and rose by a further 26 per cent, or that out-patient waiting times also went up at the same time as bed numbers were being cut by nearly 10 per cent?

The minister now knows that she is presiding over a below average performance by NHS management in Tayside and a financial shambles. What is she doing about that?

Susan Deacon: Unlike Andrew Welsh, I think that it is important to focus on some of the positives in Tayside, as well as considering some of the problems.

Andrew Welsh and I have had an almost weekly date in the chamber on this issue since devolution. If there are to be improvements in the NHS in Tayside and if the long-standing problems are to be resolved, sustained effort from many people will be required, both nationally and locally. I know that many local Tayside members care deeply about the future of the NHS in that area. When I met John McAllion and Kate MacLean recently, we discussed in some detail some of the action that still needs to be taken.

Major progress still requires to be made to give the people of Tayside the confidence that they need and deserve in their local service. Since the publication of the task force report last year, since additional investment was put into the system and since changes have taken place in the leadership of the local NHS bodies, I have seen discernible improvement in a number of areas. Much more remains to be done, but I hope that local members and the Executive will be able to work together constructively in order to ensure that further, positive progress is made.

The Presiding Officer: This question is specifically about Tayside. I call John McAllion.

Mr John McAllion (Dundee East) (Lab): Any reasonable person would accept that the situation that the minister inherited in Tayside is a poisoned chalice and that it is one that demanded action, if local services are to be provided on a sound and sustainable basis in future.

Does the minister accept that the patients are the innocent victims in that situation? If so, will she instruct her officials to monitor the local attempts to address the budget deficit in Tayside to ensure that, whatever else happens, patient care in that health board area is preserved?

Susan Deacon: Many lessons have been learned locally and nationally from the work that is being done to examine the problems that arose in Tayside. Many of those lessons are being acted on and changes to the monitoring of local NHS systems by the health department are part of that work, not only in relation to the situation in Tayside. Some of the bigger changes that were set out in the health plan have been put in place specifically to ensure that we learn those lessons, that we identify problems at an earlier stage and that, nationally and locally, we work together to ensure that those problems are addressed.

John McAllion was right when he said that the problems in Tayside go back over many years. While progress is being made, we should continue to work together to ensure that still more progress is made.

Scotland Against Drugs

13. Mr Keith Raffan (Mid Scotland and Fife) (LD): To ask the Scottish Executive how the current remit of Scotland Against Drugs will be refocused or enhanced. (S10-3080)

The Deputy Minister for Justice (Iain Gray): An announcement will be made later this month on the action plan for Scotland Against Drugs for the next three years. That follows the Executive's announcement on 19 February that SAD will continue until 31 March 2004, with funding of £1.5 million a year.

SAD will continue to work within the Executive's overall drugs strategy and will extend its successful activities, which are aimed at preventing drug misuse, addressing the consequences of drug misuse in local communities and harnessing support from business.

Mr Raffan: Will the minister tell the chamber what consultation the Executive undertook prior to its decision to increase SAD's core funding by 50 per cent? Will SAD's future performance be closely monitored and regularly evaluated by the effectiveness unit, particularly in view of the concern that was expressed by Professor Neil McKeganey and others. Professor McKeganey said that we are taking

"a shotgun approach to drugs education"

without assessing the effectiveness of different types of education.

Iain Gray: It seems to me that, as on other occasions, Mr Raffan's question is slightly confused. Considerable consultation took place, through the Scottish advisory committee on drugs misuse and the drug action teams, on how additional resources for the next three years should be used and allocated.

In the past three years, SAD has had the specific role of training primary school teachers to deliver drugs education. The drug education programme and the movement towards our target of drug education in 100 per cent of our schools are being taken forward through local authorities and education departments, with support from their drug action teams and a range of agencies. It is not a particular responsibility of Scotland Against Drugs.

Cathy Peattie (Falkirk East) (Lab): What will be put in place to ensure that additional resources for tackling drugs reach communities to help them fight drugs?

Iain Gray: With the drug action teams, we have developed a detailed planning template under which they will be required to report back annually on how their resources are being used. The drug

action teams are our central mechanism for ensuring that resources are used where they are required and where they can be most effective. On top of that, we are making a significant investment in research into what is effective and what works. We are sharing that research with the drug action teams to ensure that we get the most from every single pound that we invest in fighting drugs misuse.

Land Reform (Scotland) Bill

14. Dennis Canavan (Falkirk West): To ask the Scottish Executive what submissions it has received regarding the draft land reform (Scotland) bill. (S10-3054)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): The Scottish Executive has received 12 written responses to the consultation on the draft land reform (Scotland) bill and the draft Scottish outdoor access code since their publication on 22 February 2001. A copy of all responses, unless they are confidential, is made available for public inspection at the Scottish Executive library at Saughton House shortly after receipt.

Dennis Canavan: Does the minister agree that everybody who genuinely respects the countryside should understand the grave crisis that is facing the farming community because of the current foot-and-mouth epidemic? Responsible hillwalkers and ramblers who do are therefore staying away from the countryside until the crisis is over. However, in the longer term, will the minister ensure the legal right of responsible access to the countryside and to inland waters? Will he do so, rather than capitulating to big landowning interests, some of which want criminal charges to be brought against people for taking part in harmless activities such as walking over open grassland without the owner's consent? Does the minister agree that that would defeat the purpose of the bill?

Mr Wallace: I certainly endorse the principle of the right of responsible access, which is enshrined in the bill. That right is not a right to roam, it is a right of responsible access.

The current arrangements have failed to provide the level of access that many people want. They want, in particular, to have access to areas that are close to where they live. Many people are confused as to where they may go. No-entry signs are put up where entry would, in fact, be quite legitimate. Our ambition is to allow a right of responsible access. The access code and the bill contain arrangements to deal with land management issues. There is scope for a proper balance, which has been struck.

Mr Canavan is absolutely right to reflect on the

current problem of foot-and-mouth disease. Clearly, if there was an outbreak of the disease after the measures that are contained in the bill became law, statutory measures to limit the spread of foot and mouth would override the right of access. Some people have expressed concerns that those things are in conflict, but that is not the case. I welcome the responsible attitude that people—almost universally—are taking by treating the countryside with great respect during this time of crisis.

Alex Fergusson (South of Scotland) (Con): Mr Canavan and the minister referred to the current outbreak of foot-and-mouth disease. Given that the disease has the countryside in its grip—I use the word advisedly, because we heard in this morning's debate about the terror with which that disease is gripping the countryside—would the minister consider extending for a limited period the consultation period for the draft bill.

Mr Wallace: I appreciate that that issue has been raised. We will await developments and keep under consideration an extension to the 12-week consultation period. Obviously, we want to have discussions with the National Farmers Union of Scotland and the Scottish Landowners' Federation as the situation develops.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Why was the right of tenants to buy farm holdings when they come on to the market not included in the draft bill?

Mr Wallace: It was never anticipated—and the consultation paper was published in July 1999—that the issues that surround landlords and tenants in relation to farms and farm holdings would form part of the bill that deals with our land reform agenda.

Scottish Secure Tenancy

15. Elaine Smith (Coatbridge and Chryston) (Lab): To ask the Scottish Executive what benefits are anticipated from the proposed Scottish secure tenancy. (S10-3062)

The Minister for Social Justice (Jackie Baillie): The proposed Scottish secure tenancy will lead to a single set of rights for all tenants of local authorities and registered social landlords. It will provide enhanced rights in relation to both succession and information and, for the first time, there will be a right to a joint tenancy and a right to exchange, together with new duties on social landlords to promote tenant participation.

Elaine Smith: Under the local authority secure tenancy, the courts can take reasonableness into account when considering eviction for rent arrears. That means considering the personal circumstances of the individual concerned. Can the minister assure us that that will continue to be

the case under the Scottish secure tenancy?

Jackie Baillie: It is for a sheriff, having considered all the circumstances of a case, to decide whether it is reasonable to grant an order for recovery of possession. As Elaine Smith will know, sheriffs have discretion to refuse such orders, even if a landlord has made a case for one. We are keen that the courts should retain that wide discretion so that they can take into account all the circumstances of any individual in a particular case.

First Minister's Question Time

SCOTTISH EXECUTIVE

Secretary of State for Scotland (Meetings)

1. Mr John Swinney (North Tayside) (SNP): To ask the First Minister when he next plans to meet the Secretary of State for Scotland and what issues he intends to raise. (S1F-898)

The First Minister (Henry McLeish): First of all, I would like to identify myself with international women's day. Equally important, I congratulate, in a bipartisan way, the Parliament and all the political parties on the contribution that they are making to equality of opportunity. In that context, I welcome the fact that Linda Fabiani has been promoted to be the adviser on sartorial elegance to the leader of the Opposition.

I look forward to meeting the secretary of state this weekend in Inverness.

Mr Swinney: I would love to know who the First Minister's adviser on sartorial elegance is—if he does not have one, he had better get one pretty fast.

The First Minister and I took part in a consensual occasion this morning—with Mr Jim Wallace and Mr David McLetchie—in launching the census. On another note of consensus, I associate myself with the First Minister's remarks on international women's day. I was pleased that two heroines of my constituency were able to attend a reception that the Secretary of State for Scotland hosted at Edinburgh Castle.

I welcome the long-term measures that the Executive announced this morning on decommissioning in the fishing industry. I am sure that the First Minister will be disappointed that his proposals—I presume that they are his proposals—have gone down like a lead balloon in the fishing industry. On the news at lunch time, John Buchan of the Fishermen's Action Committee expressed his despair, anger, frustration and disappointment. Alex Smith of the Scottish Fishermen's Federation expressed the view that the Executive has failed to grasp the short-term issue.

Last week, the First Minister said that he appreciated the urgency and the short-term nature of the problem. Why at that time did he raise expectations among the 25,000 people whose livelihoods depend on the fishing industry only to dash them this morning?

The First Minister: In relation to raising expectations, it is important to mention the context. We are delivering £27 million—the

biggest-ever financial package for Scotland's fishing industry. Let us inject a bit of balance into the lunch time commentaries. Hamish Morrison, on behalf of the SFF, said that fishing leaders had said that they were happy with the money that the Executive had pledged to the industry but believed that part of the £25 million decommissioning package should have been used to fund a compensated tie-up scheme. Let me say this: we are investing £27 million in the fishing industry because, like the industry, we believe that we need to secure a long-term sustainable fishing industry. Unlike the case in previous years and in previous decommissioning, the investment will not be spread over a number of years; it will be spent this year.

We had a constructive meeting yesterday with fishermen and their representatives. They brought the same passion and candour to those discussions that they bring to every part of Scotland when they talk about their industry. Some reflection is required. The investment is significant. We want a long-term future for the industry. I am glad that John Swinney has at least said that he welcomes the income. That is not something that Alex Salmond has yet been able to do.

Mr Swinney: My colleagues made it quite clear this morning, as the SNP has always done, that we support decommissioning measures for the fishing industry. The First Minister is in enormous difficulty if he cites Hamish Morrison on this issue. The quote that he used vindicates absolutely the point that I was making, which is that decommissioning is welcome but that there is a short-term problem, for up to four weeks, until the minister's conservation measures come into place.

There is a tie-up scheme—

The Deputy Minister for Rural Development (Rhona Brankin) *indicated disagreement.*

Mr Swinney: I see the fisheries minister shaking her head. This morning, she told Parliament that it was not possible to have a tie-up scheme, despite the fact that the Government of Belgium has been able to negotiate one with the European Union for 18 days' time, which is now being paid for in Belgium.

As the First Minister knows so much about the fishing industry—so much more than the fishermen themselves—will he tell fishermen what they are supposed to do for the next four weeks, until the conservation measures come in? Have they to go to sea and slaughter the fish stocks, or are they to stay at home and go bankrupt? Is it slaughter at sea or bankruptcy at home? Which one is it?

The First Minister: That contribution certainly generated more heat than light. Today, the

Parliament heard—we used the chamber for the purpose—about a £27 million investment in the future of the industry. We believe that the long-term objectives are crucial. I do not want to pay fishermen to be in port; I want us to put money into a scheme that allows fishermen to fish. That is the essence of what we are trying to do. That is why we want to take decisions for the long and medium term, not to grab a headline today.

The fact is that we need a sustainable, viable industry. I invite the SNP to sign up to that declaration because, one, two or three years from now, we will be able to look back at this point in time and say that we secured long-term investment in the industry. Surely that is an aspiration that we must all embrace.

Mr Swinney: The First Minister is not listening to what the people who represent the fishing industry and fishing communities are saying—not a word. He has told us that we must invest everything in the long term. I have expressed our support for the long-term measures, but we will never get to the long term if we do not get the short-term measures correct. He has said that he is not prepared to pay fishermen to be in port, so I take it that he wants the Scottish fishing industry to go to sea and slaughter our long-term fishing stocks. Is that what he wants?

The First Minister: If John Swinney had listened to my fisheries minister, he would know that the essence of this issue is conservation. Linked to the decommissioning scheme were other measures that were announced this morning, which will complement the conservation attempt. In addition, £1 million is being put in immediately to help to take forward some of the ideas of the fish processing working group that has been established. I reject John Swinney's accusation that we are simply not listening. If we are not listening, why have we announced today a £27 million investment in the future of the industry?

We want partnership to work. We have said that to the industry. When I was with Hamish Morrison yesterday, I said that we would put a package to the Parliament. I agreed when he asked whether we could discuss further the implementation of the package. I am perfectly happy to do that if he wishes.

We have talked about fairness and about progress. We are achieving both.

Prime Minister (Meetings)

2. David McLetchie (Lothians) (Con): To ask the First Minister when he will next meet the Prime Minister and what issues he plans to raise. (S1F-890)

I want to ask the First Minister when he will next

meet the Secretary of State for Scotland and what issues he plans to raise.

The Presiding Officer (Sir David Steel): That is not the question on the business bulletin.

David McLetchie: Is it not? I beg your pardon; I should have said the Prime Minister. Well then, when does the First Minister want to meet his great friend the Prime Minister and what issues does he intend to raise with him?

The First Minister (Henry McLeish): It is not often that one has two sessions with David McLetchie in one day, so I will forgive that lack of memory.

I am pleased to say that the Prime Minister will be with us in Inverness this weekend.

David McLetchie: It is perhaps appropriate that the First Minister styled himself as a bit of a fashion guru earlier in first minister's questions, as new Labour is a triumph of style over substance. If the First Minister and the Prime Minister can tear themselves away from the glossy brochures, they might get round to discussing the implications of the budget for Scotland. In his budget, the Chancellor of the Exchequer failed to reverse the damaging stealth taxes that have increased the burden of taxation on Scots by the equivalent of 10p on the basic rate of income tax since Labour came to power. Does the First Minister agree that the budget was an opportunity missed by the chancellor—our pick-pocket chancellor—to right some of his previous wrongs?

The First Minister: I was not advocating sartorial elegance on my part, but if John Swinney's adviser is paid more than the minimum wage, I may want to avail myself of those services.

To talk about the budget in any sense other than as a success for Scotland is to miss the point. David McLetchie has asked where Scotland will benefit. Of course it will benefit. What the country needs to know, if we could ever get a straight answer out of Michael Portillo, is what will happen in terms of the public expenditure cuts that the Conservatives are advocating if they win the next election.

The budget is a courageous one for Scotland, investing as it does in enterprise, fairness for pensioners, attacking the productivity challenge, making sure that more children move out of poverty, and helping families. The budget hits at the core of what Scotland needs—a balanced budget. Of course, when we consider the breathtaking announcement on the national debt, we see the real contrast between Labour prudence, Labour stability and the boom-and-bust era that we witnessed over 20 years under the Conservatives.

David McLetchie: Of course, the First Minister

of all people should not believe everything that Mr Blair's spin doctors tell him about the budget, as they are usually trying to stab him in the back. The only cuts that the Conservatives plan to make are cuts to Labour's taxes, cuts to Labour's waiting lists and cuts to Labour's red tape. The truth of the matter is that Labour has imposed 45 new stealth taxes on the people of this country since 1997, which is equivalent to nearly £700 per household. Despite that, our public services are not getting any better. Hospital waiting lists are longer, crime is rising and standards in our schools are falling. When will the First Minister wake up to the fact that his Executive has failed the people of Scotland on those fundamentals?

Iain Smith (North-East Fife) (LD): On a point of order, Presiding Officer.

The Presiding Officer: Is it a real point of order?

Iain Smith: I seek your guidance, Presiding Officer, on whether this matter is relevant to the Scottish Executive.

The Presiding Officer: We are in danger of wandering away from the responsibilities of the Parliament. First Minister, can you bring us back?

The First Minister: I do not think that any of us is willing to listen to a lecture on school standards, hospital standards and public expenditure from a party that spent 19 years making sure that its free-market policies did not result in an improvement to the quality of life of the people whom we are now seeking to help. We can talk about pensioners, because they are getting an income. We can talk about schools, education and health, because they are getting £2 billion extra to spend. We can talk about families. We can talk about getting children out of poverty.

The question for the Tories is this: they started off with £16 billion of cuts. Michael Portillo said that they will now accept Labour's expenditure for the first year. That brings the amount down to between £8 billion and £10 billion. Add on £2 billion. Where will the Tories get the £12 billion of cuts? Let us have no lectures on standards in schools. The election of a Tory Government will mean drastic cuts to the things that we have fought for over the past four years.

Fishing Industry

3. Richard Lochhead (North-East Scotland) (SNP): To ask the First Minister what measures the Scottish Executive intends to introduce to safeguard juvenile haddock stocks in the North sea and to address any wider concerns in the fishing industry. (S1F-903)

The First Minister (Henry McLeish): We announced this morning a £27 million package of

support for the industry, including up to £25 million for decommissioning during the coming year. Today, we shall also consult on proposals for legislation to improve further the selectivity of fishing gear. Those measures will reduce discards by up to 70 per cent this year.

Richard Lochhead: Is the First Minister aware that the Government's decision this morning to kick the fishing industry when it is down has effectively issued redundancy notices to hundreds of fishermen in the short term and perhaps thousands in the long term? Does he accept that, as John Swinney explained, a tie-up scheme is perfectly possible, as has been shown in Belgium? Will he confirm—this is an important point—whether he will allow the renegotiation of the financial package to allow a compensated tie-up scheme to be incorporated into the package, if that is what the industry wishes, to allow the Government to deliver for our fishing communities in their hour of need and to protect one of Scotland's most valuable and oldest industries?

The First Minister: We are trying to protect the industry. We are providing investment for the long-term viability and sustainability of the fishing industry. If the Government was not interested in that, why would we spend £27 million? I made the point that we believe that the balance of advantage lies in proceeding with a decommissioning scheme as quickly as possible. That is the correct way of proceeding. I invite Richard Lochhead to support the investment that we announced today.

Biodiversity

4. Maureen Macmillan (Highlands and Islands) (Lab): To ask the First Minister what action the Scottish Executive is taking to protect biodiversity. (S1F-899)

The First Minister (Henry McLeish): The Scottish Executive is committed to the implementation in Scotland of the UK's obligations under the Convention on Biological Diversity. In response to a question from John Home Robertson, we announced yesterday the publication of "The Nature of Scotland: A Policy Statement". It sets out the wide range of the Scottish Executive's action on biodiversity and proposes reform of policy and law on the way in which we protect Scotland's special habitats and species. It establishes a new duty on Scottish ministers to have regard to biodiversity in exercising all our functions.

Maureen Macmillan: I thank the First Minister for his answer. In the past, rural communities have been wary of conservation initiatives, fearing an effect on their livelihoods. How does the First Minister plan to balance the rights and responsibilities of rural communities with

conservation interests to allay any such fears?

The First Minister: The subject is important. All Scottish authorities are developing local biodiversity action plans to try to achieve a balance in the countryside and to make a further effort in striking a balance for the species to which I referred. Some species in Scotland are under considerable threat.

Power Supplies

5. Mr Murray Tosh (South of Scotland) (Con): To ask the First Minister what action the Scottish Executive will initiate to ensure that disruption to power supplies in rural areas is minimised in adverse weather conditions. (S1F-900)

The First Minister (Henry McLeish): Last week's weather, particularly the heavy snow and high winds that were experienced in the Borders, was appalling. I fully recognise that the resultant widespread dislocation to electricity supplies caused a large number of people severe hardship, especially those in areas in which mains gas is not available. Throughout the week, I kept in close touch with Scottish Power. The Executive worked closely with Borders Council, the police and the emergency services in the areas that were worst affected, to restore power as soon as possible. I pay tribute to all concerned in responding to that severe weather emergency, but—this "but" is important—the response to all such emergencies is best led locally. Nevertheless, we will consider all actions and emergency plans to find out whether we need to conduct a review or discover the lessons that may be learned.

Mr Tosh: Is the First Minister aware of the call by the convener of Borders Council for a rolling programme of undergrounding power cables? Will his Executive take the case to Westminster and the regulator to ensure that the suppliers plan and implement appropriate action to promote undergrounding and make other appropriate investment to deal with weather such as occurred recently, particularly given the likelihood, with global warming, that recurrences will become more frequent?

The First Minister: I agree that global warming and associated changes in weather patterns will mean that the frequency of such weather events could increase. I am happy to take up the member's suggestion to discuss matters with the utilities and our colleagues at Westminster to find out whether further progress can be made on what would be a tremendous improvement in an area that is vulnerable because of overhead lines.

Euan Robson (Roxburgh and Berwickshire) (LD): I thank the First Minister for the interest that he has taken and for intervening at key moments during last week's severe crisis. When he next

sees the Secretary of State for Scotland—who was the UK minister responsible for energy—will he ask her to raise the matter with the regulator, who has a duty to ensure security of supply? Scottish Power could then undertake some of the work on undergrounding the network and reinforcement. Adequate resources must be made available for that work.

The First Minister: I am happy to take up that request. Many members were in touch with the Executive and me on the issue and many did much work to respond to needs in their communities. I am happy to discuss improvements that could be effected in the area with the Secretary of State for Scotland and other colleagues at Westminster.

Christine Grahame (South of Scotland) (SNP): May I recommend in the nicest possible way a ministerial trip to Siberia? Even with temperatures of minus 57 deg Celsius and the worst winter in living memory, only 6,000 Siberians were disconnected for a short time, whereas in the Scottish Borders 40,000 people were disconnected, around 5,000 of them for as long as seven days.

The First Minister: Perhaps I can balance up the Siberian experience with my experience in Alaska, where I experienced minus 60 deg Celsius. We might have more chance of finding out what the SNP's policies are in Siberia than we would in Scotland.

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): I associate myself and Euan Robson with the tribute to the emergency services. I ask the First Minister to recognise that the local authority incurred massive expenditure during those power cuts and hope that he will consider positively any request that he receives from that authority for further financial assistance in such circumstances.

The First Minister: Again, I applaud the efforts of Scottish Borders Council. I can also advise that we are awaiting information from that council to establish whether support can be offered under the Bellwin scheme of emergency financial assistance. We want to play our part, but we are awaiting further information.

International Development Bill

The Presiding Officer (Sir David Steel): The next item of business is a debate on motion S1M-1713, in the name of Susan Deacon, on the International Development Bill, which is a UK bill.

15:32

The Deputy Minister for Health and Community Care (Malcolm Chisholm): The International Development Bill is an important step forward in fighting poverty around the world.

The bill establishes the reduction of poverty as the key objective of UK international development assistance. It also gives the Secretary of State for International Development a power to encourage civil society bodies to undertake international development projects and confirms the ability of a range of statutory bodies across the UK to engage in international development activity.

Although international development is a reserved matter, there are four elements in the bill that need the consent of the Scottish Parliament. All four are consequential on the bill's provision to enable a range of statutory bodies, including some in Scotland, to undertake international development work. The elements in question ensure that, within the reserved purpose, devolved interests are appropriately respected.

We want Scottish statutory bodies to be able to stand alongside their counterparts in the rest of the United Kingdom in providing international development assistance. It is also important that Scottish ministers can ensure that the bodies do not do so at the expense of their domestic responsibilities. The bill therefore includes provisions to create a dual consent mechanism for Scottish statutory bodies that undertake international development work. The consent of Scottish ministers, as well as that of the Secretary of State for International Development, will be required before Scottish bodies can undertake international development work. The bill will also give Scottish ministers the power to add or subtract from the list of bodies that can undertake such work.

The bill includes provisions that are designed to ensure that Scottish police officers who are engaged in international development assistance are not disadvantaged in pay and pension by so doing. Police forces from Scotland may, for example, be asked to help to establish an efficient and effective police force in a developing country. Assistance could include training on management techniques, professional policing skills and respect for human rights. Police officers who are appointed to work overseas are subject to the

conditions of service for police officers on central service.

Dennis Canavan (Falkirk West): What will happen in the case of members of other Scottish emergency services, such as fire brigades, who take part in overseas service? Will they have protection of conditions similar to that of the police?

Malcolm Chisholm: My understanding is that they will be covered. The fire service is not one of my departmental responsibilities, but I shall check and write to the member.

Police officers appointed to work overseas are subject to the conditions of service of police officers on central service; that is, they are not treated as members of their parent force but their terms and conditions of service are protected and their service away from their force continues to count for pay awards and incremental progression, and for pension purposes. The officers continue to be eligible for promotion. To maintain that situation, the bill includes consequential amendments to section 38(a) of the Police (Scotland) Act 1967 and to sections 7 and 11 of the Police Pensions Act 1976.

The International Development Bill is about tackling world poverty. Although the motion has less lofty goals, its goal of securing the Parliament's agreement to provisions that reflect devolved interests is important. It is a good example of the UK Parliament and the Scottish Parliament working together to deal efficiently with business in which we both have an interest and where we share common goals.

I move,

That the Parliament endorses the principles included in the International Development Bill that Scottish Ministers' consent be required before Scottish statutory bodies undertake international development activity, that Scottish Ministers can add or delete Scottish bodies from the list of those which can undertake such activity and that Scottish police officers who undertake international development activity abroad continue to enjoy the same conditions of service as in the UK, and agrees that the relevant provisions to achieve these ends in the Bill should be considered by the UK Parliament.

15:36

Mr George Reid (Mid Scotland and Fife) (SNP): As you know, Presiding Officer, I worked worldwide for 15 years for the victims of war, famine and hunger. As the convener of the all-party international development group of the Parliament, I continue that commitment.

The bill provides the Executive, the Parliament and, above all, the civic organisations of Scotland with an opportunity to take a more focused approach to the assistance Scottish people can

give to those who are more disadvantaged than themselves. While international development is a reserved matter, there is no reason whatever why we should not look to areas in which we in Scotland have the specific expertise and where we can add value to the work of the Department for International Development, which has its biggest staff base in Scotland, in East Kilbride.

On the background to the bill, Clare Short has done a remarkable job in focusing attention on the key principle of the reduction of poverty. The targets that she sets—all to be achieved by 2015—are ambitious: to halve the proportion of people living in abject poverty; to provide primary education for all children; and to ensure that everyone has access to basic reproductive health care. In those targets she has SNP support.

If we work through bodies responsible to Scottish ministers—as identified in the bill—and add value to the work of the DFID, we may yet, in international development, add another leg to Jack McConnell's external affairs policy—once he gets round to revealing to Parliament what it is. Our key strength in Scotland is that of our civic society and our voluntary organisations. As Jackie Baillie will be well aware, those skills are exportable. Crudely, if we can have a Mothers Against Drugs in Alloa or Cranhill, we can have one in Tallinn or Timisoara. If we can do meals on wheels in Glasgow, we can do it in Gdansk. In many areas, through internet and distance learning, we can add value to voluntary assistance in the ex-communist countries of eastern Europe and Africa. In education, we can push global citizenship.

All that should not happen only abroad. I ask the female minister: who is the poorest person in the world? It is certainly someone from Africa. It is someone female, young and disabled—probably by a landmine. It is the very person who never, ever gets out of refugee camps—who is imprisoned for life. When we consider dispersal of refugees throughout Britain, perhaps we, in this warm wee country, can offer special help in that area. I could say the same about skills in agriculture and in other areas, such as Scottish Enterprise.

When, in 1999, the SNP adopted a policy for a department of external affairs in the Scottish Executive, one of the objectives of which would be to encourage greater co-ordination of international development work, I was lambasted as a separatist, hell-bent on breaking up the United Kingdom. Inevitably, I believe that we could do more in this country if we were an independent nation, but I recognise that, at this stage of the devolutionary process, the challenge is to work within the framework of DFID policy and to add Scottish value to it. I have indicated ways in which that can be done across a range of bodies that are

responsible to Scottish ministers.

I hope that, in his concluding remarks, Malcolm Chisholm might agree that the next step might be for the Executive to meet members of the IDG and the Scottish agencies to see how we can co-ordinate further. I very much hope that when Jack McConnell finally publishes his external affairs policy, international development will be part of it.

15:40

Bill Aitken (Glasgow) (Con): The Conservative party, here and at Westminster, broadly welcomes the International Development Bill in so far as we do not oppose the general thrust of its contents, but despite our general acquiescence and agreement we feel that it is necessary to raise one or two points as we believe it articulates a number of issues that require to be addressed.

Britain has always had a strong record on aid and development. The Conservative party and other parties and individuals represented in the Scottish Parliament will always support policies that are effective in reducing world poverty. It is for that very reason that I am concerned about the general focus of the bill. There is a lack of focus on good governance and the rule of law.

We believe that real change in a developing country can come about only when there is political stability. That means having a framework of competent and responsible government that is open, transparent and accountable, and institutions that represent an open and fair civil society. Above all, it is crucial that developing nations are able to establish a strong rule of law and an effective legal system, both criminal and civil. We would seek, through legislation if possible, to empower developing nations to achieve that.

We must also consider the impact of corruption and, in some cases, contempt for human rights in certain countries. In spite of the Labour Government's promise to be tough on corruption, it has failed to pass legislation to enforce the Organisation for Economic Co-operation and Development convention on bribery. Such legislation would make it an offence for any British national to bribe a foreign public official. We suggest that to show that it is committed to the broad principles of the bill, the Government should introduce such legislation.

Although time does not permit a full and detailed analysis of all the relevant points, I would like to draw one or two contradictions to the attention of members. Under the bill,

"The Secretary of State may provide any person or body with development assistance if he is satisfied that the provision of the assistance is likely to contribute to a reduction in poverty"

but the bill contains no definition of poverty. That is not appropriate and should be tightened up. However, as I look around the chamber and see some past and present members of the Social Justice Committee, I am reminded that there always seems to be some doubt as to the definition of poverty in a domestic context, never mind internationally.

The bill also gives the Government powers to provide humanitarian relief. At the moment, there is no requirement for such assistance to contribute to the reduction of poverty. We suggest that that be included in the bill.

I have highlighted two inherent contradictions but, overall, the bill is worthy of support and we will certainly not seek to delay its progress.

15:43

George Lyon (Argyll and Bute) (LD): The Liberal Democrats, in the Scottish Parliament and at Westminster, support the International Development Bill. The main purpose of the bill, which is to establish in legislation the reduction of poverty as the central aim of UK international development assistance, is laudable and worthwhile and we should all support it.

I wonder whether, in summing up, the minister could clarify exactly which statutory bodies in Scotland will be affected by dual consent. When I looked through the paperwork that I was supplied with, I was not quite sure which ones were affected and which were not. I do not intend to say much more, except that the Liberal Democrats support the bill and the objectives laid out in the briefing document.

The Deputy Presiding Officer (Patricia Ferguson): We now move to a brief open debate. I ask members not to exceed the time limits for speeches.

15:44

Des McNulty (Clydebank and Milngavie) (Lab): In supporting the motion, I want to highlight three things. First, we should highlight the leadership that the UK Government has given in prioritising the reduction and eventual abolition of poverty as the key task for the international community. That marks a step change in UK Government policy and in the approach of developed nations in general towards less developed nations.

People from other countries, especially African countries for example, highlight the fact that Britain's approach is the one that most fits their needs. The approach in the bill includes a principle of common humanity, which I applaud, and a series of practical steps that will make things

better.

Especially commendable is the fact that the bill aims not just at worst first. It is not driven by disaster or the worst forms of poverty; it represents a carefully targeted and sustained approach that operates on several different levels to meet the needs of different parts of the world. It recognises that poverty exists not only in the poorest countries, but in many different ways in different countries.

Secondly, it is important that the approach that is being adopted is based on partnership. If we are to provide successful assistance to developing countries, the crucial principle is sustainability. That will be achieved only by a long-term engagement between us and people in other countries. It is important that instead of seeing third world countries as recipients of aid, or indeed as customers for our industrial products, the emphasis is on sharing expertise. Third world countries can gain a great deal from our expertise, but we can learn a great deal from the way in which things are done in many developing countries. I hope that the partnership, which is a hallmark of the bill, is seen as a partnership from which both sides can benefit.

Thirdly, I will highlight the emphasis that the bill places on the role of civil society. That is why it is especially important that we in Scotland engage positively in support of this. We have seen, through the activities of organisations such as Jubilee 2000, a large-scale mobilisation of people in Scotland on issues of international development, focusing on debt and on other matters. We must build on what has been achieved. We must motivate business, involve public organisations and get voluntary organisations to take opportunities to put what they have to offer into this kind of activity.

A huge amount must be done, in health and across the range of other activities for which this Parliament has responsibility. The policy framework gives us an opportunity. I hope that the Executive will actively foster the development of organisations in Scotland that take on board their role and responsibility and seek out opportunities to contribute to international development activities.

15:48

Donald Gorrie (Central Scotland) (LD): This Parliament can promote this worthwhile subject in two ways. First, we can put pressure on the Westminster Government and Parliament and encourage them and our various parties on the causes we feel strongly about, such as Jubilee 2000, which has been mentioned, and better restrictions on the sale of arms. That is a

weakness in British policy. A great deal of poverty in Africa is caused by wars, which in some cases we keep going through arms we manufacture. We can legitimately press Westminster to do the sort of things that Scottish people would like to be done. I am sure that Scottish MPs will do that as well.

Secondly, I endorse Des McNulty's comments and push them further. Scotland could do a lot more at national and community level to encourage people to take an interest in developing countries. We could have twinning, not of the sort where councillors from one town go to another and have a bit of a booze-up, but of a type where young people from a Scottish town are encouraged to form links with one in a developing country. They could do their year out or early qualification when they are a doctor, a teacher or whatever in that area and we could build up links. That would improve both communities, as they would really understand the problems in other places and help other countries.

Without being paternalistic, we can help enormously by sharing our experiences and bring back good ideas that would benefit our own communities. There is a lot of scope in this bill and much good will in this Parliament, and I hope that the Executive will take some of the ideas on board and push them.

15:50

Mike Watson (Glasgow Cathcart) (Lab): I echo the remarks of all members who have spoken, with the exception—the chamber might not be surprised to hear—of Bill Aitken. It is rather ironic that the Department for International Development has been established for four years and has been extremely successful; it has had the largest budget increase of any UK Government department in that time. That represents not only the department's success, but success in turning round the percentage of UK gross domestic product that is allocated to international development issues.

The UN target for the proportion of GDP spent on aid is 0.7 per cent. When the three years of the previous Labour Administration's International Development Department came to an end in 1979, the proportion spent was 0.52 per cent. Under the Conservatives, the figure slumped to 0.27 per cent. It is now back up to half the initial target. Although it will be a long slog to get back to where we were, an important start has been made.

As for the Scottish aspect of the bill, there is a keen and well-developed sense of international solidarity among Scottish people. I was involved in solidarity movements such as the Anti-Apartheid Movement and the Chile Solidarity Campaign—

which dealt with refugees—before I ever joined a political party. I know that a number of other members have taken that route; indeed, a number of people get involved in such solidarity action without going near a political party. Their efforts are no less serious or valuable. Furthermore, a large part of the Department for International Development's work force is situated in East Kilbride and George Foulkes, now a Scotland Office minister, played a very important role as junior minister in the department.

We must sustain the work done by Scottish organisations in the UK and—as Des McNulty pointed out—at an international level. Unless there is sustainability, we could lose the value of the considerable amount of money that goes to encourage countries to develop their own civic society and infrastructure. We should also encourage civil society in Scotland to play a supportive role. I fully support Dennis Canavan's comments on that point; he was a member of the House of Commons International Development Committee and knows what he is talking about.

Dennis Canavan mentioned the firefighters and other emergency and rescue workers who have made a sterling effort in many recent international disasters. We must ensure that they are firmly within the bill's ambit. Although I understand from the minister that that point will be answered, it is important that we recognise the international work done by Scots both in raising money and resources in this country and in going abroad to give the benefit of their experience.

I am very glad that we have had the opportunity of a brief discussion on international development in the Parliament instead of as part of a members' business debate. I am also very pleased that the bill is progressing with Scottish input.

15:53

Malcolm Chisholm: I begin by thanking George Reid for his tribute to Clare Short's work in refocusing our international development priorities on the reduction of poverty. Bill Aitken asked about a definition of poverty. It is defined in terms of internationally agreed targets, including moving 1 billion people out of extreme poverty by 2015. In turn, I want to pay tribute to George Reid's substantial work on this important issue over the years and to thank him for his very constructive approach to today's motion.

Scottish ministers have not ignored this issue. Members will be interested to know that on 5 June last year, Jackie Baillie visited the Department for International Development in East Kilbride to discuss the common interests of the Executive and the department in the voluntary sector in Scotland. A number of international agencies are

based in Scotland and the Scottish Council for Voluntary Organisations, which receives Scottish Executive support, is assisting them to interface with the Department of International Development and to link with each other.

It is important that Scottish ministers have consent powers in relation to Scottish statutory bodies that undertake international development work. I refer George Lyon to schedule 2, which lists those bodies, which are mainly health bodies. There is a balance to be struck between international development activity, which is reserved, and the responsibilities of Scottish ministers in relation to Scottish statutory bodies. The bill strikes that balance by requiring the dual consent of Scottish ministers and the Secretary of State for International Development before Scottish statutory bodies can undertake an international development project and by giving Scottish ministers the right to add or delete statutory bodies from the list of those that can undertake international development work.

The bill also makes particular provision for Scottish police officers. It is right and proper that the terms and conditions and pension rights of officers who are deployed on such missions should be protected while they are away from their normal force. The Scottish police are recognised for their professionalism and expertise; eight police officers from Scottish forces are currently deployed overseas. They are fulfilling an important international function. We should continue to play our part on the world stage.

I thank Dennis Canavan for raising the issue of firefighters. I undertake to look into the matter. If there are problems in the bill, I shall draw them to the attention of ministers at Westminster.

I hope that all members can agree with the bill. In pursuit of an important reserved purpose, it respects devolved interests and shows that we are working in partnership with the United Kingdom to tackle world poverty.

Leasehold Casualties (Scotland) Bill: Stage 3

The Deputy Presiding Officer (Patricia Ferguson): The next item of business is the stage 3 debate on the Leasehold Casualties (Scotland) Bill. As there are no amendments to the bill, we move straight to the general debate on motion S1M-1721, in the name of Mr Adam Ingram, which seeks agreement that the bill be passed.

15:57

Mr Adam Ingram (South of Scotland) (SNP): I am pleased to move the motion. If approved, it will result in the Leasehold Casualties (Scotland) Bill being passed. It is almost five years since the attention of the House of Commons was drawn to what was an obscure corner of Scots property law, in an adjournment debate that was responded to by Lord James Douglas-Hamilton, the former Minister of State, Scottish Office and the only member of that UK Government to have found a new lease of life in the Scottish Parliament.

At that time, there was concern over the predicament of tenants in Boghead, in Lanarkshire. Out of the blue, they found themselves on the receiving end of demands for the payment of large sums—so-called casualties. They either had been badly advised by solicitors or had not been advised at all. Their situation seemed to be one of hardship and oppression, which needed to be addressed quickly through legislative change. Sadly, although the Scottish Law Commission was able to respond quickly to a reference by the Government of the time, the Westminster Parliament was not.

The journey that began with that 1996 debate has, however, reached an end today with what I hope will be the passing without demur of the bill. I hope that, although many tenants have had to find their own solutions to the problems that emerged in 1996, the bill will be of help to some and that the door has been firmly closed on any future oppressive use of leasehold casualties.

The retrospective effect of the bill is unusual, in that its key provisions have been backdated to 10 May last year—its date of introduction. That was intended to stop any last-minute attempt by landlords to claim casualties while the bill was being scrutinised by the Parliament. That has been effective, as we are not aware of any outstanding actions of that nature against individual tenants.

It has been a pleasure and a privilege to be the sponsor of the Leasehold Casualties (Scotland) Bill, and it is a tribute to the workings of the

Parliament that it has, so far, had a smooth passage. I pay tribute to the efficient and careful way in which the former Justice and Home Affairs Committee went about its task. The committee took a balanced approach to the calling of evidence on the bill, and its stage 1 report supported its principles.

I also commend the Scottish Law Commission on its 1998 report, on which the bill was based. The commission looked into the issues carefully and produced sound recommendations. At stage 1, I explained the respects in which I departed on advice from the commission's recommendations. However, the commission did not lose interest in the bill but continued to give the Executive the benefit of its advice as to how the bill could be improved. As a result, at stage 2 on 14 February, seven Executive amendments were agreed by the Justice 1 Committee and incorporated in the bill. On that occasion, Iain Gray explained fully the purpose of the amendments. Some of them had been suggested by the Scottish Law Commission on the basis of research that it had carried out in preparation for the review of residential long leases. The amendments will ensure that the bill covers every tenant who should be covered. They also clarify that irritancy under common law, and thereby threat of eviction, will be abolished with retrospective effect, so back-door actions by landlords trying to get round the legislation will not succeed.

No more amendments have been lodged and the bill is ready to be approved by the Scottish Parliament and to pass into law. This is a significant achievement for the Scottish Parliament. Although it is not the first member's bill to pass into law, it is a further affirmation of the strength of our standing orders and parliamentary procedures that a bill such as this can be set in motion by a member on his or her own initiative.

I have, of course, benefited from the support of the Executive throughout the process. I am grateful to the minister and his officials for the way in which they made available their advice and their time. I am also grateful to members generally for their support and co-operation during what has been something of an adventure for me and for the Justice 1 Committee, which has not previously taken a member's bill through to a conclusion. I have learned a lot from the experience, and that will be valuable for future bills. It is an honour to move the motion.

I move,

That the Parliament agrees that the Leasehold Casualties (Scotland) Bill be passed.

The Deputy Presiding Officer (Mr George Reid): Given the number of members who have indicated a desire to speak, I anticipate that

decision time will be at about 4.30 pm.

16:02

The Deputy Minister for Justice (Iain Gray):

The Executive has always supported the Leasehold Casualties (Scotland) Bill. There was unlikely ever to have been time to legislate on the matter at Westminster, and the Scottish Parliament is the ideal forum in which to do so. The Parliament can focus on specific aspects of Scots law and delve into its obscure corners.

Adam Ingram has reminded us of the issues that led to the need for the bill, and I do not propose to go into them again. Suffice it to say that the bill will stop any further use of leasehold casualties to oppressive effect. As the bill's sponsor, Adam Ingram has worked with the Executive at each stage. At stage 2 in particular, he was most helpful in supporting certain amendments that we lodged following further scrutiny of the bill. He is to be congratulated on what I am sure will shortly be his success in seeing the bill through to fruition.

Like Adam Ingram, I express my appreciation of the scrutiny that the bill received at stages 1 and 2 from the Justice and Home Affairs Committee and, later, the Justice 1 Committee. Members with a legal background took a particular interest in the bill, but all members have taken seriously their responsibility for scrutinising the bill. They have been particularly concerned to ensure that no door is inadvertently left open to allow further exploitation of leasehold casualties. I am confident that, if the bill passes this stage, that will be assured. Also like Adam Ingram, I acknowledge the work of my officials in the justice department.

I hope that the Leasehold Casualties (Scotland) Bill will enjoy a smooth final passage through stage 3 this afternoon and will reach royal assent after the requisite four weeks' waiting period has elapsed. I am delighted to support the motion.

16:04

Phil Gallie (South of Scotland) (Con): The bill has been a great disappointment to me because, try as I might, I could not find anything really contentious about it. I have to congratulate Adam Ingram on introducing it. I did so in May last year, at the very start of the parliamentary year, at the time when he introduced it. At that time, I reminded him—and he conceded—that the bill was born in the mind of Michael Forsyth. I am sure that Michael Forsyth has a wee grin on his face, knowing that this Parliament is now passing his legislation.

Having said that, I remind the minister on a perhaps slightly more serious note that this is one of four bills to tackle feudal law. The Abolition of Feudal Tenure etc (Scotland) Bill has been

passed; we still have the law of the tenement to deal with; and we still have the title conditions bill to come. I am not sure where those have got to at this stage, but we did support the Abolition of Feudal Tenure etc (Scotland) Bill, just as we give whole-hearted support to this bill. If the minister is to sum up, I ask him to comment on where the two proposed bills are.

That apart, I cannot even find any comment to make on the bill with regard to the European convention on human rights—other than to say that that did form part of the consideration, and that the bill does seem to comply, given the compensation element that was included in it. Finally, I simply congratulate Adam Ingram on getting his member's bill through.

16:06

Euan Robson (Roxburgh and Berwickshire)

(LD): I add my congratulations to Adam Ingram on his achievement in lodging the bill and on his handling of it during its passage. It is clearly an important measure. It does not affect a great number of people, but the impact of leasehold casualties on the lives of the people concerned is disproportionate. It is therefore important that that legal anomaly is ended. I am pleased that the Parliament has been able to achieve that.

As has been said in previous discussions, the bill is necessary perhaps because of an omission on the part of the Asquith Government in 1914. As a Liberal Democrat, I am particularly pleased to be able to rectify any such omissions by a previous friendly Government of that nature. Even the best of Governments can occasionally omit things from its legislative programme. It may be that it was the House of Lords which removed that opportunity to abolish leasehold casualties.

It is important to record that the Liberal Democrats are fully behind the bill. We will be pleased to vote for it, as we did at stage 1, and I, too, conclude by congratulating Adam Ingram on his success in achieving a most important and worthy reform in the context of the on-going land reform programme.

16:08

Pauline McNeill (Glasgow Kelvin) (Lab): I do not want to repeat what I said during the stage 1 debate. In looking around the chamber, I think that it is the members who spoke then who are speaking today. However, we should never let a bill pass stage 3 without marking its importance. I believe that this small piece of legislation will be particularly important for Scots law.

Leasehold casualties, like long leases, are generally found only in certain parts of Scotland. That does not make their abolition any less

important, as they have caused much distress for people in the parts of Scotland that are affected by them. I know that the people directly concerned will appreciate what is being done today.

Adam Ingram has to be congratulated on his contribution to Scots law. I am not referring just to his contribution in the Parliament today—the bill is a truly important contribution to Scots law itself. In due course, I believe that the positive effects of the bill will prove themselves.

Without going into detail, I wish to mention a few points about the bill. The shaping of the bill has been quite successful; we know that there have been several attempts to abolish leasehold casualties in the past. The bill's provisions are clear and, having sat through the scrutiny of the bill, I feel confident that we will have abolished leasehold casualties once and for all, and will have left nothing behind. I suppose that people have to be interested in the subject to appreciate this, but the drafting of the bill is very good. I am sure that those involved in that should also be congratulated.

Adam Ingram mentioned section 5, which is on irritancy provisions. Most people will ask themselves what those are. It is important to draw members' attention to the section. That feature of Scots law involves non-payment of a small duty, and the landlord's using that as an excuse to undermine the whole lease, by evicting people—just on the basis of a small debt. Section 5 establishes an important principle.

We have dealt with compensation issues in the past. We have mixed feelings over whether compensation should be payable, but we do not want to breach the European convention on human rights, so it is important that there is provision for compensation.

I congratulate Adam Ingram and thank him for allowing me to co-sponsor the bill. It will be an important piece of legislation and I am sure that it will be passed without controversy this afternoon.

16:10

Christine Grahame (South of Scotland) (SNP): At the risk of repeating everything that has been said, I will say that I remember Gordon Jackson's immortal words in the stage 1 debate that none of us would know a leasehold casualty if it fell in our soup. Now I would know one if it landed in my soup, but unfortunately it is being abolished just when I have learned to recognise it—one cannot have everything in life.

I congratulate Adam Ingram on his persistence and shrewdness in picking up this legislation, which is essential to ordinary people whose lives are being made a misery. In an atmosphere of

consensus, I congratulate Iain Gray and the legal team on giving the bill a very fair wind. This is one of those moments when, in putting legislation on the statute book, the Scottish Parliament is not just a talking shop but a doing place.

The interesting thing about the bill is that in four weeks' time or so, after it has received royal assent, it will be in force and will apply retrospectively to the day on which Adam Ingram introduced the bill.

I do not want to sour things, but the same cannot be said for the Abolition of Feudal Tenure etc (Scotland) Act 2000, which many people think is in force, but is not. We will have several years of possible injustices. Perhaps the minister will take the opportunity of saying how the enforcement of that legislation is being accelerated, given that the title conditions bill has been deferred until the end of the year for early consultation. There is a huge scrap between the Justice 1 Committee and the Justice 2 Committee about the delights of land reform and the title conditions bill. I think that Pauline McNeill would say that we in the Justice 2 Committee are winning the debate to get land reform instead of the title conditions bill.

I add my voice to the congratulations to Adam Ingram. Most of all, I congratulate the Parliament on passing much-needed legislation.

16:12

Karen Gillon (Clydesdale) (Lab): I congratulate Adam Ingram on introducing and seeing through the bill. In my constituency, many people have suffered at the hands of a number of unscrupulous landlords, not least Brian Hamilton, for whom the passing of the bill will be a very sad day. Those people suffered severe emotional and financial hardship. The bill will go a long way towards proving to them that the Parliament can work for the Scottish people.

I put on record my thanks to one local person, Esther Serrells, who has worked tirelessly on behalf of the people in Boghead to take the matter forward. She will be very pleased to know that the bill is being passed. I congratulate Adam Ingram again. I look forward to the bill receiving royal assent as soon as possible.

The Deputy Presiding Officer: Before I ask Adam Ingram to wind up, I should say that as four members have dropped out of the debate and speeches have been significantly shorter than the three minutes that was allocated, we are in some difficulty. I propose to take Mr Ingram's speech and then suspend the meeting until decision time at 4.30 pm. I think that it is only reasonable to do that, as that is when we advised members that decision time would take place.

16:13

Mr Ingram: I must have expended several thousand words in the course of the passage through Parliament of the Leasehold Casualties (Scotland) Bill, so I intend to be brief now. I thank all the members who spoke today.

By passing the bill today, the Scottish Parliament will be seen to have taken effective action against an injustice that has blighted the lives of some of our fellow citizens. We will have eradicated anachronistic and oppressive landlord rights. We should all be proud that we will have done so. I feel privileged to have been the sponsor of the bill, and I thank the many members who have taken an interest in it for their support. On that note, I shall close.

The Deputy Presiding Officer: The next item of business is consideration of motion S1M-1645, in the name of Allan Wilson, on the Culture and Recreation Bill, which is UK legislation. However, I am in some difficulty—[*Interruption.*] I will come back to this item before decision time. Because of the fluid time scale this afternoon, Mr Wilson is not with us.

Parliamentary Bureau Motion

16:14

The Deputy Presiding Officer (Mr George Reid): As Mr Scott is here, our next item will be consideration of a Parliamentary Bureau motion.

Motion S1M-1720 is on approval of Scottish statutory instruments.

Motion moved,

That the Parliament agrees that the following instruments be approved—

the draft Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2001 and,

the draft Civil Defence (Scotland) Regulations 2001.—
[*Tavish Scott.*]

The Deputy Presiding Officer: As I indicated, by the power vested in me, I intend to suspend the meeting until 4.30 pm.

Is it agreed that a motion without notice be moved?

Members indicated agreement.

Motion moved,

That under Rule 11.3.3, Decision Time be taken at 4.30 pm.—[*Tavish Scott.*]

Motion agreed to.

The Deputy Presiding Officer: I suspend this meeting of the Parliament.

16:15

Meeting suspended.

16:29

On resuming—

Culture and Recreation Bill

The Presiding Officer (Sir David Steel): We have an unfinished item of business—motion S1M-1645, in the name of Allan Wilson, on the Culture and Recreation Bill, which is UK legislation.

Motion moved,

That the Parliament endorses the principle of gaining efficiency and effectiveness in relation to public bodies by means of structural change to the Film Council and to Resource: The Council for Museums, Archives and Libraries, as set out in the Culture and Recreation Bill; also endorses the provision of a simplified procedure for the making of parks regulations for application in Scotland, and agrees that the relevant provisions to achieve these ends in the Bill should be considered by the UK Parliament.—[*Allan Wilson.*]

Decision Time

16:30

The Presiding Officer (Sir David Steel): I have 10 questions to put to the chamber tonight. Members should pay attention, because this is quite complicated.

The first question is, that amendment S1M-1725.2, in the name of Rhona Brankin, which seeks to amend motion S1M-1725, in the name of Jamie McGrigor, on Scotland's fishing industry, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: I thought that we were all agreed. I beg your pardon. It is the agriculture amendment on which we are all agreed. There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, Tavish (Shetland) (LD)

Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Presiding Officer: The result of the division is: For 52, Against 55, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S1M-1725.1, in the name of Richard Lochhead, which seeks to amend motion S1M-1725, in the name of Jamie McGrigor, on Scotland's fishing industry, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Etrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 55, Against 51, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The third question is, that motion S1M-1725, in the name of Jamie McGrigor, on Scotland's fishing industry, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)

Canavan, Dennis (Falkirk West)
 Crawford Bruce (Mid Scotland and Fife) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)

Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 55, Against 55, Abstentions 0.

I therefore give my casting vote for the motion as amended.

Motion, as amended, agreed to.

Resolved,

That the Parliament supports the aims of the cod recovery plan; acknowledges the financial sacrifices made by the Scottish fishing fleet towards that end, and calls upon the Scottish Executive to utilise funding from the Financial Instrument for Fisheries Guidance or other appropriate financial resources to provide financial support to our fishermen during the twelve week closure period in the form of an immediate compensated tie-up scheme and other suitable measures and to outline its plans for the protection of other stocks such as haddock and programme for vessel decommissioning at the earliest opportunity.

The Presiding Officer: The fourth question is, that amendment S1M-1726.2, in the name of Ross Finnie, which seeks to amend motion S1M-1726, in the name of Alex Johnstone, on crisis in rural Scotland, be agreed to.

Amendment agreed to.

The Presiding Officer: The fifth question is,

that amendment S1M-1726.1, in the name of Fergus Ewing, which seeks to amend motion S1M-1726, in the name of Alex Johnstone, on crisis in rural Scotland, be agreed to.

Amendment agreed to.

The Presiding Officer: The sixth question is, that motion S1M-1726, in the name of Alex Johnstone, on crisis in rural Scotland, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

Alex Fergusson (South of Scotland) (Con): On a point of order, Presiding Officer. There seems to be some confusion about which amendment amended the motion that we are voting on.

The Presiding Officer: I appealed at the beginning of decision time for members to pay attention, because the procedure is complicated today.

Alex Fergusson: I have been paying attention, Presiding Officer.

The Presiding Officer: I am not casting any aspersions. I am putting to the chamber the question, that motion S1M-1726, as amended, be agreed to.

Johann Lamont (Glasgow Pollok) (Lab): On a point of order, Presiding Officer. Can you clarify for me which amendment amended the motion?

The Presiding Officer: Both. The first amendment was accepted without division, and the second was accepted without division.

Johann Lamont: No it was not.

The Presiding Officer: It was. I am sorry, but members must pay attention, or this is what happens.

Nora Radcliffe (Gordon) (LD): On a point of order, Presiding Officer. On the question on the second amendment, I shouted no, but I do not think that you heard in the babble of noise.

The Presiding Officer: I certainly did not hear a no. With respect, if someone shouted no and I did not hear them, they should have raised that before I moved on to the next question.

Mr Murray Tosh (South of Scotland) (Con): On a point of order, Presiding Officer.

The Presiding Officer: Let us hear from the convener of the Procedures Committee.

Mr Tosh: Presiding Officer, could you confirm that it is not competent under the standing orders to raise a point of order during decision time?

The Presiding Officer: I am afraid that you are

not quite right. It is not competent to do so during a vote, but it is competent to do so during decision time. We are between votes at the moment.

I put the question again. The question is—

Johann Lamont: On a point of order, Presiding Officer. The reason I asked which amendment had amended the motion was precisely because I had shouted no when the question was put on Fergus Ewing's amendment.

The Presiding Officer: I am sorry, but it is too late. If members—*[Interruption.]* Order. First, it would help if there was quiet when I am putting the question. That is a point on which we should all agree, because it is difficult to hear members shouting anything if there is a babble going on. I appealed for order right at the beginning. Secondly, if members shout and I do not hear, that should be raised immediately, before I move to the next question. *[MEMBERS: "It was."]* It was not. I said that the question was therefore agreed to. At that point we moved to the next question. It was agreed that both amendments were carried.

I am now putting to the chamber the question on the motion, as amended by the two amendments—if members do not like it, they can vote against it. That is the point that I am making.

The question is, that motion S1M-1726, as amended by the two amendments, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There is no agreement. There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)

McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)

Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine)
 (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross)
 (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Robson, Euan (Roxburgh and Berwickshire) (LD)

The Presiding Officer: The result of the division is: For 54, Against 55, Abstentions 1.

Motion disagreed to.

The Presiding Officer: The seventh question is, that motion S1M-1713, in the name of Susan Deacon, on the International Development Bill, UK legislation, be agreed to.

Motion agreed to.

That the Parliament endorses the principles included in the International Development Bill that Scottish Ministers' consent be required before Scottish statutory bodies undertake international development activity, that Scottish Ministers can add or delete Scottish bodies from the list of those which can undertake such activity and that Scottish police officers who undertake international development activity abroad continue to enjoy the same conditions of service as in the UK, and agrees that the relevant provisions to achieve these ends in the Bill should be considered by the UK Parliament.

The Presiding Officer: The eighth question is, that motion S1M-1721, in the name of Mr Adam Ingram, which seeks agreement that the Leasehold Casualties (Scotland) Bill be passed, be agreed to.

Motion agreed to.

That the Parliament agrees that the Leasehold Casualties (Scotland) Bill be passed.

The Presiding Officer: The ninth question is, that motion S1M-1645, in the name of Allan Wilson, on the Culture and Recreation Bill, UK legislation, be agreed to.

Motion agreed to.

That the Parliament endorses the principle of gaining efficiency and effectiveness in relation to public bodies by means of structural change to the Film Council and to Resource: The Council for Museums, Archives and Libraries, as set out in the Culture and Recreation Bill; also endorses the provision of a simplified procedure for the making of parks regulations for application in Scotland, and agrees that the relevant provisions to achieve these ends in the Bill should be considered by the UK Parliament.

The Presiding Officer: The 10th question is, that motion S1M-1720, in the name of Tom

McCabe, on the approval of statutory instruments, be agreed to.

Motion agreed to.

That the Parliament agrees that the following instruments be approved—

the draft Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2001 and,

the draft Civil Defence (Scotland) Regulations 2001.

Points of Order

16:39

Mr John Swinney (North Tayside) (SNP): On a point of order, Presiding Officer. In the light of the decision taken on motion S1M-1725, on which Parliament expressed its support for an amendment that requires the Executive to finance immediately a tie-up scheme in the Scottish fishing sector, may I invite the First Minister to address Parliament and indicate, as I am sure he will, that he intends to obey the will of Parliament?

The Presiding Officer (Sir David Steel): That stands as a request, but standing orders do not require a minister to make an immediate statement.

Mr Swinney: Further to that point of order, Presiding Officer. Ministers seem desperate to make statements when it suits them, but not when they have problems in Parliament. Will the First Minister give a commitment—and will you ask him to give a commitment—to make a statement to Parliament, before we rise tonight, to clarify the Government's stance on the amended motion to which Parliament agreed?

The Presiding Officer: It is not up to me to ask the First Minister anything of the kind. I have no doubt that the Executive will reflect on what Parliament has decided and that a minister will make a statement in due course.

Lord James Douglas-Hamilton (Lothians) (Con): On a point of order, Presiding Officer. It is normal for the Administration to make a statement after a significant parliamentary defeat. The Executive is departing from usual practice.

The Presiding Officer: I say with great respect that Lord James Douglas-Hamilton cannot say that that practice is normal. We have never before experienced a situation like today's. I think that he is thinking of another place. We will leave things as they are. No doubt we will hear about the issue if and when the Executive wishes to make a statement.

Less Favoured Areas

The Presiding Officer (Sir David Steel): We come to the members' business debate, on motion S1M-1452, in the name of Alex Fergusson, on less favoured areas.

Motion debated,

That the Parliament notes the concerns of farmers and crofters from all parts of Scotland regarding the Area Based Payments Scheme which will replace the Hill Livestock Compensatory Allowance Scheme; further notes that at least 65% of all recipients will be disadvantaged by this change to such a degree that many currently viable businesses will be rendered unviable, and believes that the Minister for Rural Development must review the situation as soon as is practical in order to redress the situation which will arise in 2003 when the transitional arrangements have their greatest financial impact.

16:42

Alex Fergusson (South of Scotland) (Con): I confess to a slight feeling of guilt at obtaining the debate during the foot-and-mouth crisis, which we discussed this morning. However, I feel that we must look to the future and to a time when we are not gripped by the current catastrophe. Therefore, the debate is relevant.

I declare an interest that is relevant to the debate, but I no longer engage in the business of farming and will not receive any agricultural subsidies in the foreseeable future. I come to the debate as a member who represents the south of Scotland. I accept that the deeply held concerns about the LFA support system know no geographic boundaries, but as other members will raise their local concerns, I will speak from an unashamedly southern perspective.

In early 1998, it became apparent that the European Commission was intent on reforming support for livestock production in LFAs by making payments on the basis of the area that was farmed, rather than on the number of livestock that was held on each holding. On the whole, that was a commendable desire that had the potential to bring alternative land uses, such as deer farming, within the supported agricultural framework. If the reform had been negotiated and handled properly, it would have produced a scheme that had the backing of the vast majority of Scotland's farmers. Instead, the minister has introduced a scheme that has fostered widespread and growing despair as its implications have been fully realised. When the scheme was announced, it raised only the somewhat choked response from the president of the National Farmers Union of Scotland that it was the best of a bad deal, which bought Scotland's farmers some time that had to be used to redress the imbalance that will exist from 2003.

I must ask what went wrong. What went wrong between the EU declaring its intention in 1998 and the STAR committee's hurried acceptance in October 2000 of a scheme that would allow the first payments to be made in 2001? What went so wrong that the Scottish Landowners Federation became so worried by the then Scottish Office's lack of any progress in 1999—a year after the intention was declared—that it felt compelled to conduct its own research in conjunction with the Macaulay Land Use Research Institute? They proposed a mechanism that would offer area-based support that would minimise the redistributive impact of the policy change. Sadly, that proposal received little more than lip service from the minister and his department as the consultation proceeded.

In a briefing paper that the NFUS issued on 14 February this year, it felt obliged to state that when the Scottish Office first consulted it in March 1999—a year after the intention was stated—it proposed three basic and understandable viewpoints.

First, there should be no large-scale geographic redistribution of moneys that were received under any new scheme. Secondly, the basis for compensation should continue to be natural physical handicaps. Lastly, new payments should permit producers to stay in business. The briefing paper concluded that those concerns are as valid now as they were nearly two years ago.

What went so wrong that the eventual scheme that was submitted by SERAD—as the department had by then happily become known—was summarily rejected by Europe? That resulted in the hasty and somewhat undignified scramble to negotiate the introduction of emergency legislation that allowed transitional arrangements for one year only.

What went so wrong that the scheme that was finally approved was dependent on land classification criteria that were some 50 years old, were felt by many to be over-simplistic and were originally intended for an entirely different purpose altogether?

Finally, what has gone so wrong that, despite the minister's assurances that his scheme will put £7.5 million more into the LFA budget over the first three years of the scheme, I have yet to find any person in the south of Scotland who will admit to being a winner under the scheme? Any extra funding that is claimed for the scheme appears to be disappearing into increased bureaucracy and administration costs—as ever.

The minister will point to the safety net arrangements as being particularly significant. Indeed, that mechanism has bought the little time to which I referred.

However the matter is examined, neither the minister nor I would take very kindly to the prospect of being told, "Your pay is about to be cut, but we will ensure that a significant portion of that pay will be cut by only 20 per cent this year, 30 per cent next year and 50 per cent the following year." Given the well-documented disastrous decline in farm income figures over the past few years, that is the ultimate slap in the face that will be impossible for some to bear.

The minister will also claim that he will use the time that he has bought to come up with an adjusted scheme. I trust that he can tell us today what time scale and changes are envisaged and how he will reverse the catastrophic transfer of funding away from the small and medium family-run farms that predominate in the south of Scotland.

Not for one second do I begrudge any extra penny that the Highlands and Islands or the north of Scotland can attract. However, when such extra money entails a significant financial penalty on the region that I have the honour to represent—a region that has a huge dependence on agriculture, which is one of the mainstays of its rural economy—I cannot, in all conscience, support it.

It is no secret that the EU will look at the area-based model for all future subsidy schemes. If the current model were adopted, the minister would be able to change his title yet again—though not, this time, his department's initials—from the Minister for Rural Development to the Minister for Rural Disintegration.

The Scottish Landowners Federation's recent submission to the Rural Development Committee states that, unless a modified scheme is found in the next 12 months, the SLF believes that livestock farming in much of rural Scotland will prove to be untenable. The National Farmers Union of Scotland and the Scottish Crofters Union have repeated those sentiments. They are sentiments—I really hope that they are not forecasts—with which I can only agree.

Dr Winnie Ewing (Highlands and Islands) (SNP): Is Alex Fergusson aware that the SCU anticipates the near death of the crofting system, which has been good at sustaining populations in remote places?

Alex Fergusson: I bow to Dr Ewing's greater knowledge. I repeat that I am from the south of Scotland. I accept what she says, but I believe that there are crofters—and, indeed, other farmers—who will benefit greatly from the scheme. I will leave it to the minister to sum up Dr Ewing's valid point, which I thank her for making.

I hope that the minister will be able to answer my questions in his summing-up. If he cannot, I genuinely fear for the future of livestock farming as

we know it in Scotland.

16:49

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I will speak about the scheme as we understand it, that is, the area-based scheme of financial support for farmers and crofters in areas of rural Scotland that are considered to be geographically and agriculturally disadvantaged—more commonly known as the less favoured areas support scheme.

Members will be well aware of the extended and continuing difficulties that have been encountered by all sections of our agriculture and farming communities during the past decade. Any meaningful and appropriate financial support to those beleaguered enterprises should not be seen simply as compensation. It should be considered in a more enlightened way as a means of protecting, promoting and sustaining fragile livelihoods.

On the face of it, the new less favoured areas scheme does not seem to have the whole-hearted support of those whom it was designed to help. I have received strong representations from the National Farmers Union of Scotland and the Scottish Crofters Union—to say nothing of the various crofters and farmers who have contacted me—regarding the difficulties that they perceive in the scheme as it is presented. Much of their concern is about the change from headage-based to area-based payments, which appears to discriminate against smaller agricultural units. It is accepted that there is an increase in the total sum that is allocated to the scheme, but under the proposals the major part of that resource will in all probability be distributed to larger farms and landholders.

I appreciate that the new regulations are being imposed by our European colleagues and that we are bound to work within the framework of that legislation. However, I am pleased and encouraged by the fact that the Minister for Rural Development, Ross Finnie, has agreed to consider seriously modifications to the LFA scheme to ensure more appropriate support to the most disadvantaged rural areas and to ensure that the larger hill units are not overcompensated because of their vast acreage and unlimited stocking density.

I am pleased that the minister has established a working group of agriculture representatives, who will advise on the most appropriate and desirable modifications to the scheme, which I hope—when it is approved and implemented—will match the former hill livestock compensatory allowances and will, in the end, be to the satisfaction of all those who are concerned in our agricultural community.

16:52

Maureen Macmillan (Highlands and Islands) (Lab): I welcome the opportunity to contribute to the debate on less favoured areas and I congratulate Alex Fergusson on securing it. I have for some time been keen that there should be a debate on the issues that face crofters and small farmers—it is good that we are debating them today.

Crofting makes an important contribution to many remote areas of the Highlands and Islands. It provides not only jobs, but a focus for a community. Without crofting, many such remote areas would die. It is therefore essential that crofting is not put under threat, but is instead given all possible help to ensure its long-term future. The less favoured areas scheme that is proposed by the Executive must be seen in that light. Will the scheme help to ensure the long-term future of crofting or does it put crofting's future under threat? The only people who are truly qualified to give evidence on that are crofters. My understanding is that the scheme that is proposed by the Executive does not adequately take account of the impact of remoteness and the different climatic difficulties that are faced by crofters.

The recent history of LFAs seems to be long and tortuous. The minister has accepted that, in his words, there is an “inherent flaw” in the Executive's plans. That is what many in the crofting community, in the Parliament and in his own party have been saying to him for a long time. However, the question is, how did we get into this position? The Executive submitted proposals that Europe rejected as inadequate. There was then a short consultation period, and the current system was agreed. The effect of the current system is that many crofters and small farmers will lose out. The system does nothing to create a level playing field. Given the extra costs that are faced by crofters and farmers who live in remote and island communities, such a situation is patently unacceptable. What is the point of a less favoured areas scheme if it does not address the problems of less favoured areas, but instead favours large landowners in more favoured parts of Scotland?

What therefore needs to happen now? I welcome the comments that the minister made at a recent meeting with the Scottish Crofters Union in Portree. It is good that he is considering modifications, but I believe that he should go further and put in place a completely new system that has the agreement of crofters and small farmers in remote and island communities in Scotland, and which goes some way towards creating the level playing field that they need. I also urge the minister to continue constructive dialogue with crofters, because it is the crofters in

the remote areas of the Highlands and especially in the islands who are losing out. I hope that the minister will address those points in winding up.

16:55

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I congratulate Alex Fergusson warmly on securing this debate and on the measured way in which he, as usual, introduced the topic. I also congratulate Maureen Macmillan on her speech.

I find it difficult to understand how we can be in the situation that we now find ourselves in: we have a deal called the less favoured areas deal that actually gives more payment to more favoured areas. Those more favoured areas receive £45 or £39.40 per hectare, as opposed to £30.40. Alasdair Nicholson, a leading SNP member from the Western Isles who is in the public gallery this evening, wrote to *The Herald* on 2 December 2000, describing the reaction in the Western Isles to the deal. I believe that that reaction is shared throughout the crofting communities. He said:

“The sense of betrayal in the change from headage to acreage-based payments, which favour large farmers and landowners, as opposed to crofters, is compounded by the process and approach that the executive has taken on this issue, and the virtual silence from New Labour.”

Well, I think that he was perhaps being a wee bit harsh on new Labour, because there was not total silence. Calum MacDonald MP broke that silence by saying in a letter to *The Herald* later that month:

“In Scotland, however, Mr Finnie has broken with that fundamental principle and has decided instead to give the highest rate of payments to better-off farmers rather than to the most disadvantaged.”

I agree with Calum MacDonald, although I am bound to reflect that he has no vote in this Parliament. It seems very convenient for Westminster MPs to express their opposition to matters on which they have no vote. We see a new tendency emerging in Scottish politics and a new species of Labour MP—the rebel without a vote.

How have we reached the position that we are in today? It is quite simple; the crofters were not consulted. The Scottish Crofters Union was not consulted until some days after a meeting in October, and even then it did not hear the full plan. Back in August, however, Ross Finnie stated in a press release that

“This safety net is excellent news.”

“Safety net” is a curious expression; the scheme involves the removal of 50 per cent of people’s income. If I were to ask the staff of any factory or the staff of the Scottish Parliament whether they thought that we could accurately describe docking their pay in three years’ time by 50 per cent as a

safety net, I think that I know what they would say. I also think that I know what unions such as Unison and the Transport and General Workers Union would say if we proposed to cut people’s income by 50 per cent in three years. They would say that that was out of order.

We find ourselves in an appalling position, and it is compounded by the fact that, rather than the Rural Development Committee being consulted specifically about how to sort the mess out, it has not been consulted about the detail of the statutory instrument. We must look forward and we must sort out the situation, and I know that the minister has expressed views to that effect. We must involve the Rural Development Committee in that process. If we do not, the problem will not be sorted out. We must also involve the SCU and other interested organisations; I know that there are steps afoot to do that.

The question is quite simple: do we want to have crofters and small hill farmers in Scotland or do we not? If we do, the deal must effectively be rewritten by every means possible. If we do not, the Executive should say so quite plainly. I await with interest what the minister has to say in response to the debate.

16:59

George Lyon (Argyll and Bute) (LD): I, too, congratulate Alex Fergusson on introducing this long overdue debate to Parliament. This issue has been running for several months. The original decision on the changeover from headage to area-based payments was taken as part of the 2000 negotiations on the reform of the common agricultural policy. I do not think that anyone underestimated how difficult a process it would be to move from a headage system to an area-based system.

The scheme as it stands has real problems. We must recognise that there is time to address the concerns that have been raised. A 90 per cent safety net is in place for this year; it is 80 per cent for year 2. We must try to ensure that we get the outstanding problems resolved before the safety net drops to 80 per cent when we get to year 2.

I will explode one or two of the myths that have been expressed in Parliament tonight. First, the myth that this is a small farm versus big farm issue. The evidence from throughout my constituency is that it is not about small versus big—both big and small farms are affected.

The second myth that is being peddled is that the Northern Irish and English schemes are working well and there is no concern in those areas. Nothing could be further from the truth. I was in Northern Ireland a couple of weeks ago, where there is desperate concern about their

scheme. When I was in Brussels last week, it was clear that the French, the Spanish and the Irish are all looking to modify their LFA schemes. Let us have none of this nonsense that everywhere else is perfect and the scheme is only not working here in Scotland.

Alex Fergusson: Will George Lyon give way?

George Lyon: I have not got a lot of time; I want to finish the points that I am making.

The experience in my constituency is that the division between winners and losers seems to be about cattle production versus extensive sheep production. The cattle producers seem to be losing out, whether the farms are small such as crofts in Tyree or large such as many of the farms in Kintyre and Bute. Members should consider Orkney, which has some of the largest cattle farms in the country. They are all losers. It is not good enough to say that this is about small versus big farms; it is having an impact across the board. The consistent theme is that those with extensive sheep production on a large acreage are, by and large, beneficiaries. I accept that.

I welcome the minister's decision to set up a strategy group to examine how the scheme might be changed. The key issue is whether the Commission will accept changes. Commissioner Fischler, when he visited Parliament several months ago and spoke to many members, gave us the commitment that he would allow and accept changes that were proposed by member states or regional governments. That commitment must be honoured.

I hope that the strategy group, which will have the exact figures in front of it in the next week or two, when payments should be made, produces sensible proposals that address the concerns of farmers throughout Scotland. I hope, above all, that Commissioner Fischler delivers on his commitment to allow the changes to be made in the next two years, to ensure that there is a farming industry in the future.

17:03

John Scott (Ayr) (Con): I congratulate Alex Fergusson on introducing this motion. I declare an interest as a farmer and LFA livestock producer in the south of Scotland. As the chairman of the hill farming committee of the National Farmers Union of Scotland for six years, I have spent more time arguing the case for supporting LFA producers than was perhaps wise for my farming business.

Today, we are considering the new LFA scheme that comes into force this year, which needs only one word to describe it—that word is “disaster”. With farm incomes at an all-time low, especially LFA farm income, the introduction of this scheme

could not have come at a worse time.

We have heard talk of winners and losers. That is the crux of the problem. As Alex Fergusson said, the new scheme will apparently create more losers than winners. I do not know of anyone south of Stirling or east of Inverness and Pitlochry who will benefit from this scheme, yet those are the main food producing areas of Scotland.

The scheme will transfer precious funding away from farms that are economically hanging on by their fingertips to the even more disadvantaged farms in the north and west. I am not saying that the north and west should not be supported and funded. On the contrary, those areas, along with all the Scottish islands and the crofting communities, should receive extra special consideration and support. What I am saying is that this new scheme is not the way to do it.

Key to the whole question is how SERAD defines permanent grassland and rough grazing. If SERAD generously interprets the term “permanent grassland”, the damage to farm incomes will not be so great in some cases. If SERAD classifies as rough grazing land that many farmers believe to be permanent grassland, many more farms will become totally unviable—which is a polite way of saying that they will go bankrupt. Furthermore, the classification in the south of Scotland that differentiates between moorland farmland and southern upland might also lead to further losses in income for many.

Simply put, the level of environmental support for moorland farms in the south of Scotland, and I suspect throughout the whole of Scotland, will not make up for the loss of headage payments under the old hill livestock compensation allowance scheme. This deal appears to satisfy no one, neither crofters nor most farmers in the north and south of Scotland.

I know that, in his summing-up, the minister will say that he had no choice but to accept this scheme and that his hand was forced by Brussels. However, it will not put him out of business; instead, as the scheme stands, it will put many of Scotland's hill farmers out of business in three years' time. In all probability, Ross Finnie will not be around to bear the consequences; however, those of us who have farmed for generations will be, and if the situation is the same, we will condemn the minister's legacy.

17:07

Euan Robson (Roxburgh and Berwickshire) (LD): First of all, I congratulate Alex Fergusson on securing this important debate on a significant subject that very frequently crops up in my and my colleague Ian Jenkins's constituency mailbags.

The minister knows that the problem in the south of Scotland and particularly in the Scottish Borders is the fact that although much of our moorland has been classified in the scheme in the Scottish moorland category, we are able to have a higher stocking rate than before on that moorland. That means that the proposed scheme hits us in two ways. I know farmers who are talking about five-figure losses from their annual payment. Clearly, there were always going to be some losers in the scheme; some adjustments would always have to be made. However, the scale of the losses has taken some people by surprise, which is perhaps because of the current balance of the scheme.

I applaud the minister's initiative in ensuring that all the speculation over estimates from his department's model and from the NFU has been set aside and that we can now examine the actual farm figures. I ask him to share that information as widely as possible to ensure that there are constructive proposals for amendments that make the scheme work better. The safety net that the minister negotiated also provides an opportunity—not only in the first year of the scheme, but in its second year—for farmers to take advantage of the 80 per cent safety net.

I endorse George Lyon's comments about the English and Northern Irish schemes. It is not acceptable for us to look over the border and say, "Oh, it's much better there"—it is not. There have been considerable complaints about the schemes in those countries.

Alex Fergusson: Does the member accept that neither my motion nor any of the speeches in the chamber have said that the other schemes are better or different? Indeed, they have not even been referred to. It has been accepted all round that Scotland has a special part to play in LFA support, because so much of the country has been seriously disadvantaged by the scheme.

Euan Robson: I did not intend to imply that the member had suggested a view that Northern Ireland and England had better schemes. I am saying that, as George Lyon mentioned, that is a view that some hold, although it is not an appropriate view.

There are opportunities to develop other schemes, such as the rural stewardship scheme, but not all farms will qualify for that scheme. The important task ahead of us in the next few months is to ensure that the LFA scheme is adjusted. I know that the minister is earnest in his intention to do that, and I welcome any progress that he can make on it. However, I ask him to invite as wide an audience as possible in obtaining suggestions for improvements, so that we can develop a scheme using the safety nets, and ensure that the right scheme is in place when the safety nets run out.

17:10

Mr Duncan Hamilton (Highlands and Islands) (SNP): I, too, congratulate Alex Fergusson on securing the debate. It is appropriate that it takes place today. If ever there was a suggestion that the needs of rural Scotland are not being addressed by the Parliament, today has set the record straight. The day has been dominated by rural issues, and this debate is an entirely appropriate way in which to finish it.

We must try to understand the scale of the loss that we are talking about. The motion refers to the fact that 65 per cent of recipients of the payments scheme will take a substantial cut. In parliamentary questions, I have attempted to tease out of the minister what the figures will be by area. According to one answer, 80 per cent of recipients in Kintyre will take a substantial hit. It would be useful if the overall figure could be broken down into figures for the different areas of the country.

I asked the rural affairs department for such information, but the answer was that such figures are not available. That raises the question how it was known that the figure for Kintyre is 80 per cent—the figures could not be given for anywhere else. I strongly suspect that the figures exist and I urge the minister to publish them as soon as possible.

The safety net is to be welcomed, as it will alleviate some of the worst excesses of the system in the immediate future. However, it does not mask the inherent flaw in the system. That case was not made just by the Crofters Union, but by the minister when he was questioned on 7 December. He said that the LFA scheme had

"the inherent flaw that intensive livestock operations that are prevalent in many of Scotland's remote and rural areas will be disadvantaged."—[*Official Report*, 7 December 2000; Vol 9, c 772.]

The minister is clear about the problems that the new scheme will cause, and nothing that we have heard today gets around the problem of what will happen in 2004. We can talk about a short-term scheme to alleviate the problem, but that does nothing to improve the structural and inherent weakness of the scheme.

It has been suggested that the money that will be put in over the next three years—in the region of £5 million, to which the minister may refer—will help. I dare say that that argument can be sustained, but I would like to raise a couple of questions. There is no suggestion that it is new money: it will have to be found from within the existing budget. That raises the question where the money will be found. If the minister has to make cuts in other areas, he should quite quickly tell us when that will happen.

On whether the scheme is over-compensating,

Mr Lyon is correct: nobody is suggesting that the schemes in other countries are without their problems. What we are suggesting is that there are examples of schemes in which a ceiling is put on the money or in which banding is carried out according to scale, which enables moneys to be freed up and allows greater flexibility. I urge the minister to emphasise—when he addresses the matter through strategy groups or whatever—that we need to have the maximum flexibility, to allow us to alleviate the fundamental problems in the system.

Today is not just about recognising the problem; it is about doing something about it. That may mean the renegotiation that Fergus Ewing was talking about or urgent action to alleviate the problem. However, the option of doing nothing is not one that the Parliament should consider.

17:14

The Minister for Rural Development (Ross Finnie): In his opening speech, Alex Fergusson asked how this happened and what happened. It is worth reminding ourselves that when we submitted our first scheme, it was radically different. It had six gradations, which were intended to take account of the fact that there is an enormously diverse range of agricultural holdings across the less favoured areas in Scotland. We have some substantial agricultural holdings; we have some very small agricultural holdings. We have some that are engaged in intensive farming and others that are engaged in extensive farming. We were trying to wrap up the whole tapestry of Scottish agricultural holdings.

The European Union did not regard the six gradations as inadequate; it thought that by trying to specify how we would deal with each area, we were trying to preserve the status quo. I do not think that that view was accurate or defensible, but it was the view that was taken.

The first problem relates to the perception, expressed by some members today, that we have moved funds from less favoured areas to more favoured areas. I do not want to get into a semantic debate, but in the terms of chapter 5 of the rural development regulation, 83 per cent of Scotland's agricultural holdings are deemed to be within a less favoured area. That poses a problem in itself. Some may wish to argue—and do so cogently—that there are parts of remote rural areas that one would deem to be worse than parts of other areas, but it is not correct to say that we can simply cut off 20 per cent of those who are within the less favoured area; the scheme has to cover all those who qualify within the less favoured area. That is a great problem, given the diverse nature of the areas involved.

We had to produce this scheme on the basis of the information that we had. I have to say two things, one of which is that George Lyon is right when he says that Franz Fischler has indicated that he will look favourably on what he called mid-term reviews. I have to say that I am not encouraged by the response that we have had from the European Commission about the extent to which we will be able to revise the scheme.

There is a strange anomaly. John Scott argued that we should be protecting the areas near him and not pushing too much support to areas that should be supported in a different way. He is also saying, however, that he can find no losers south of a line that was slightly north of the line that was suggested by Alex Fergusson. And, of course, the SNP has told us that all are losers elsewhere. Since we are spending the largest amount ever on less favoured area support, as opposed to the hill livestock compensation allowance, we have to ask where the money has gone. The element of stocking density was intended to ensure that we do not overpay those with vast moorland areas on which there are no livestock.

John Scott: The point that I was trying to make is that there are no winners in the areas south and east of the areas I spoke of. Because of the holding sizes involved, any winners must be in the north and west. However, there are many small crofting units and islands in that area that will certainly not be winners. I was arguing that there should be a separate scheme for those disadvantaged areas. They are dear to my heart as well.

Ross Finnie: I think that that was the point that was being advanced.

We have to understand that the purpose of the European change was to promote greater use of extensive farming. That is fundamental to the European directive and it is why we should not be surprised, in moving from a headage system to an area-based system, that those who farm livestock intensively will probably be the losers. As George Lyon said, those who have benefited from the scheme will be found in the more extensive sheep farms.

What are we trying to do? We used the information that we had in good faith. We used the maps that we had and were reasonably convinced that by applying a little more money to this important scheme and by modelling it in such a way that we could ensure that proportionally more money went into the more remote areas such as the north and the west, those areas would, in aggregate, receive more of that money. I do not want to speculate on what has happened.

I say to Duncan Hamilton that our calculations were done using model figures. With regard to his

point about whether more than 65 per cent of those concerned will receive less money, two distinctions must be made. One distinction is to do with the varying amounts of money in different years, which might be £60 million in one year and £63 million in another year.

The other distinction relates to the fourth year of the scheme. Under the regulation, we had to publish details of the funding for four years—that is a requirement. All I have agreed with other agriculture ministers is the actual funding for the next three years, which is now in black and white. We at the Scottish Executive have added new money. The money has come from our budget, and we have augmented the budget. That is why the figures for the next three years are £63.4 million, £58.9 million and £56.3 million.

I have not agreed the figure for the fourth year. I hope to be able to negotiate with agriculture ministers at a later stage on what that figure might be. The provisional allocation is fixed at £50.7 million and it will be for the Parliament to advocate that the level of structural support in this important scheme should be higher than that. Self-evidently, if we move from £63.4 million to £50.7 million over a four-year scheme, we will not have any winners if that is tailored on purely financial terms.

Fergus Ewing: Can the minister say whether, in the proposals that have been put to the Commission, a capping mechanism was included, whereby the winners would have their gain capped? If not, why not? Will he now include such a mechanism in his amended approach to the negotiations?

Ross Finnie: I shall come on to that point. Because of the diversity, however, I do not really want to get into the detail. We considered some of the capping mechanisms employed in the English and Welsh schemes. We found that such mechanisms do not help because we have larger individual units compared with the United Kingdom average and with any other part of the UK. We run into a problem if we apply some of those caps. We had earnestly believed that through application of minimum levels of stocking density we could get away from people using the mechanisms as a means of making great profit.

We should be careful about the rate. If we consider the rate, we have to consider the farm unit. If we think about it, if a farmer is on a moorland rate and has and needs more land to sustain a given level of output, it is self-evident that a unit in better land will need less land—it will be smaller. Someone with the worse unit and the highest rate would end up massively overcompensating, given that it takes more land to sustain livestock in poorer areas. I think that that is one of the points that John Scott was driving at.

We are examining the returns as they come in and are trying to refine our model to ensure that it is drawn up on an actual, not a speculative, basis. We are trying to consider the areas where there appear genuinely—based not on speculation, but on fact—to be areas of inequity that ought properly to be addressed. Stocking density is clearly an issue that we must consider if it has not had the intended impact of preventing great winners arising among people who are based on vast tracts of moorland.

There is also the matter of the comparative level of holdings for sheep and beef in the areas concerned: some anomalies seem to have arisen in that regard. We will consider that. We have set up a group that includes the Scottish Crofters Union, the Scottish Landowners Federation and the National Farmers Union of Scotland. We will try to do what we can in a pragmatic sense. I cannot raise hopes and expectations. I am genuinely concerned. I would gain nothing from doing anything that would harm a particular area, such as crofting. That would not be my intention, nor was it the intention of the policy that we have introduced.

It is clear that the scheme does not suit Scottish agriculture. Given its parameters, it is very difficult to get a good fit. We will consider the matter on the basis of the facts, and that is how we will report back to the Parliament. I regret that progress will inevitably be delayed by the fact that all my staff are engaged in some way or another in dealing with the foot-and-mouth disease crisis.

Points of Order

17:24

Dr Winnie Ewing (Highlands and Islands) (SNP): On a point of order, Presiding Officer. Considering the passion that I have for the fishing industry and that I sit through all debates on the subject, I am shocked to find that I am marked as not having been present for the votes at decision time today. I voted at every division only when the light on the console telling us to vote was flashing. The clerks seem to think that I was afflicted by a gremlin in the machine. Will that please be looked into?

The Deputy Presiding Officer (Mr George Reid): I very much regret if that was the case, Dr Ewing. I will arrange to have the console and card looked at. By making that point of order, you have had the opportunity to put your position in the *Official Report*. There is no provision to change a vote once the result has been called.

Michael Russell (South of Scotland) (SNP): On a point of order, Presiding Officer. The chamber will note that not one Labour member is present. Have you been notified of any desire by the Executive to make a statement on its defeat this afternoon and the fact that it is the will of the Parliament that there should be a tie-up scheme? Do you know of any such statement? Perhaps the minister will enlighten us.

The Deputy Presiding Officer: That is not a matter for me. Your views will be expressed in the *Official Report* where, no doubt, the Executive will read them.

Meeting closed at 17:25.

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